

JOURNAL OF THE SENATE

OF THE

TWENTY-NINTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA

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

DES MOINES:
B. MURPHY, STATE PRINTER,
1902.

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THE SENATE OF THE TWENTY-NINTH GENERAL
ASSEMBLY.

District.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
26	Alexander, J. S.	Marion.....	Linn.
5	Allyn, Geo. S.	Mt. Ayr.....	Decatur, Ringgold, Union.
6	Arthaud, F. L.	Bedford.	Adams, Taylor.
47	Bachman, E. W.	Estherville.....	Clay, Dickinson, Emmet, Kos- suth, Palo Alto.
25	Ball, Geo. W.	Iowa City.	Iowa, Johnson.
36	Bishop, H. C.	Elkader.	Clayton.
14	Blanchard, L. C.	Oskaloosa.	Mahaska.
2	Brighton, Henry, H.	Fairfield.....	Jefferson, Van Buren.
12	Brooks, John T.	Hedrick.....	Keokuk, Poweshiek.
18	Bruce James E.	Anita.....	Cass, Shelby.
28	Classen, J. B.	Green Mtn.....	Marshall.
38	Courtright, O. B.	Waterloo.....	Black Hawk, Grundy.
39	Craig, Geo. M.	Allison.....	Bremer, Butler.
35	Crawford, P. W.	Dubuque.....	Dubuque.
16	Crossley, Jas. J.	Patterson.....	Adair, Madison.
30	Dowell, Cassius C.	Des Moines... ..	Polk.
31	Fitchpatrick, J. A.	Nevada.	Boone, Story.
48	Garst, Warren.....	Coon Rapids ..	Carroll, Greene, Sac.
33	Griswold, H. J.	Winthrop.....	Buchanan, Delaware.
43	Harriman, W. F.	Hampton.....	Cerro Gordo, Franklin, Han- cock.
21	Hayward, W. C.	Davenport....	Scott.
19	Hazelton, Arthur S.	Council Bluffs .	Pottawattamie.
13	Harper, S. H.	Ottumwa.....	Wapello.
37	Hartshorn, F. C.	Clarion.....	Hamilton, Hardin, Wright.
27	Healy, Thomas D.	Fort Dodge....	Calhoun, Webster.
46	Hobart, Alva C.	Cherokee.....	Cherokee, Ida, Plymouth.
34	Hogue, E. L.	Blencoe.	Crawford, Harrison, Monona.
17	Hopkins, F. M.	Guthrie Center.	Audubon, Dallas, Guthrie.
32	Hubbard, E. H.	Sioux City.....	Woodbury.
8	Junkin, Joseph M.	Red Oak.....	Mills, Montgomery.
23	Lambert, Thomas... ..	Sabula.....	Jackson.
7	Lewis, Lester W.	Clarinda.....	Fremont, Page.
49	Lister, Geo. W.	Sibley.....	Lyon, O'Brien, Osceola, Sioux.
42	Lyons, D. A.	Cresco.....	Howard, Winneshiek.
4	Mardis, Alexander... ..	Corydon.....	Lucas, Wayne.
29	Maytag, F. L.	Newton.	Jasper.
24	Moffit, John T.	Tipton.....	Cedar, Jones.
20	Molsberry, F. M.	Columbus Jct. .	Louisa, Muscatine.
3	Porter, Claude R.	Centerville	Appanoose, Davis.
41	Smith, Jas. A.	Osage.....	Mitchell, Winnebago, Worth.
9	Smith, Fred N.	Burlington	Des Moines.
44	Spaulding, E. C.	Marble Rock ..	Chickasaw, Floyd.
11	Tallman, W. B.	Osceola.....	Clarke, Warren.
15	Townsend, Fred.....	Albia.....	Marion, Monroe.
40	Trewin, Jas. H.	Lansing.	Allamakee, Fayette.
45	Whipple, W. P.	Vinton.....	Benton, Tama.
22	Wilson, J. L.	Almont.....	Clinton.
50	Winne, E. K.	Humboldt.....	Buena Vista, Humboldt, Poca- hontas.
1	Young, David A.	Argyle.....	Lee.
10	Young, John A.	Washington... ..	Henry, Washington.

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

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H. F. 187. An act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes. Approved February 27, 1902.....	221
198. An act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa. Approved March 4, 1902.....	225
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S. F. 215. An act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa. Approved March 17, 1902.....	228
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368. An act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state. Approved March 22, 1902.....	231
S. F. 272. An act to legalize the election held in the county of Osceola and state of Iowa on the 5th day of November, 1901, and the proposition submitted at said election for the purpose of building a court house and jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter. Approved March 25, 1902.....	232
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S. F. 286. An act to legalize the acts of boards of water works trustees in cities of the first class and cities acting under special charters under appointment made by the district courts of Iowa. Approved March 27, 1902.....	234
H. F. 349. An act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof. Approved March 27, 1902.....	235

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

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

SENATE JOINT RESOLUTIONS.

JOINT RESOLUTION NO. 1.

[By Smith of Mitchell.]

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

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

NO. 2.

[By Harriman.]

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

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

NO. 3.

[By Allyn.]

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

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

NO. 4.

[By Smith of Mitchell.]

Recommending changes as to additional employes.

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

NO. 5.

[By Harper.]

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

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

NO. 6.

[By Harriman.]

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

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

NO. 7.

[By Brooks.]

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

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

NO. 8.

[By Blanchard.]

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

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

 HOUSE JOINT RESOLUTIONS.

NO. 3.

Joint resolution for an application to the congress of the United States of America, in behalf of the state of Iowa, for the calling of a convention for proposing amendments to the constitution of the United States of America, as provided in article five (5) of said constitution.

Read first and second time and referred, 791.

NO. 5.

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

 SENATE CONCURRENT RESOLUTIONS.

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

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

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

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

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

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

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

Authorizing the mounting of lithographic plats in land office, and rebinding the field notes.

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

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

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

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

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

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

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

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

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

HOUSE CONCURRENT RESOLUTIONS.

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

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

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

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

Relative to the printing in pamphlet form of 15,000 copies of the report of the Vicksburg Park commission, and 2,000 copies of the gov-

ernor's report on pardons. Adopted, 89. Senate amended, 90. House concurs, 129.

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

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

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

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

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

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

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

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

NOTE—In indexing this journal the following errors were found in the paging:

517 should be 417.

672 should be 671.

671 should be 672.

679 occurs twice; the first being the page having thereon the afternoon session of March 20th. This is correct. The second contains the report of committee on cities and towns prescribing substitute for Senate File 72. This is wrong and should be 689, increasing the number by ten.

For the convenience of those seeking information from the index it will be noticed that there occurs 679½, 680½, 681½, 682½, 683½, 684½, 685½, 686½, 687½, 688½, in said index. These will represent the pages between the *second* 679 and 689, from which latter figure the pages are correct. This course proved necessary in order to make the index intelligible.

SENATE BILLS.

INTRODUCTION AND ACTION.

S. F.	Page	S. F.	Page
1—By Trewin. A bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same, etc		8—By Dowell. A bill for an act to provide a water supply for military reservations of the United States in this state.	
Read first and second time and referred	67	Read first and second time and referred	70
Reported	191	Reported amended	200
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Passed House	277	9—By Hubbard. A bill for an act making taxes on property in the hands of a receiver a preferred claim.	
Placed on file	286	Read first and second time and referred	70
Enrolled	341, 355	Reported	196
2—By Crosslev. A bill for the nomination of officers and the election of delegates to conventions, etc.		Passed	213, 214
Read first and second time and referred	68	Passed House amended	540
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3—By Lister. A bill for an act regulating the employment of children at labor or services, etc.		Senate concurred	629, 630
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Amended	639	10—By Ball. A bill for an act to repeal chapter ninety-seven of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor.	
Passed	639	Read first and second time and referred	70
4—By Garst. A bill for an act to amend section two thousand, one hundred and forty-six of the Code, relating to discrimination in railway freight rates.		Reported	311
Read first and second time and referred	68	Amended	479, 480
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5—By Garst. A bill for an act legalizing the formation of the Independent district of Ralston.		Passed	494, 495
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Reported	384	Concurred in	996
Indefinitely postponed	511	Enrolled	1005
6—By Lister. A bill for an act to amend section four thousand and seventy-four of the Code relative to proceeding auxiliary to execution.		11—By Courtright. A bill for an act amending section seven hundred and twenty-one of the Code, relating to publication of notice of questions submitted to voters of cities, etc.	
Read first and second time and referred	68	Read first and second time and referred	70
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7—By Dowell. A bill for an act to authorize the loaning of funds accumulated under chapter one of the acts of the Twenty-sixth General Assembly, etc		Passed House	1070
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Reported	233	12—By Courtright. A bill for an act to amend section five thousand and fifty-two of the Code, relating to the use or sale of bottles, boxes, corks, kegs and barrels of another.	
		Read first and second time and referred	70
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		Passed House	292
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13—By Trewin. A bill for an act to amend section two thousand seven hundred and fifty-two of the Code, relating to county superintendents.		Read first and second time and referred.....	73
Read first and second time and referred.....	72	23—By Fitchpatrick. A bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.	
Reported.....	191	Read first and second time and referred.....	73
Recommended.....		24—By Smith, of Des Moines. A bill for an act to amend chapter forty-four of the laws of the session of the legislature relative to Aspen Grove Cemetery association.	
Reported with substitute.....	446	Read first and second time and referred.....	74
Passed.....	936, 937	Indefinitely postponed.....	185
Passed House.....	1049	25—By Alexander. A bill for an act to amend section seven hundred and twenty-seven of the Code, relating to gifts and bequests for library purposes.	
Enrolled.....	1122	Read first and second time and referred.....	74
14—By Hazelton. A bill for an act to authorize the governor to appoint three commissioners, relative to boundary line between Iowa and Nebraska.		Reported.....	200
Read first and second time and referred.....	72	Passed.....	222
15—By Smith of Des Moines. A bill for an act to amend sections eight hundred and fifty-one and two of the Code, relating to park commissioners.		Passed House.....	931
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16—By Allyn. A bill for an act to amend section sixteen hundred and ten of the Code relating to the incorporation of Farmers' Mutual Co-operative Telephone companies.		Read first and second time and referred.....	74
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17—By Alexander. A bill for an act to amend section thirteen hundred and twenty, chapter one, title seven of the Code, relating to stock of building and loan associations.		Passed.....	225
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18—By Hubbard. A bill for an act to amend section forty-seven hundred and ninety of the Code in relation to possession of burglars' tools.		Enrolled.....	562
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19—By Hubbard. A bill for an act to amend section forty-eight hundred and forty-five of the Code, in relation to receiving stolen goods.		Read first and second time and referred.....	74
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20—By Ball. A bill for an act making appropriations to the state university.		Enrolled.....	385
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21—By Hubbard. A bill for an act making taxes levied on buildings as personal property a lien thereon.		Read first and second time and referred.....	86
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		32—By Craig. A bill for an act to reimburse Lewis Case for money paid by him.	

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33—By Bishop. A bill for an act to amend section 1119 of the Code, relative to marking of ballots.	
Read first and second time and referred	87
34—By Bishop. A bill for an act to amend section 5134 of the code, relative to the punishment of tramps.	
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35—By Hubbard. A bill for an act to provide for collection of certain claims of the state against the United States.	
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36—By Hubbard. A bill for an act to make an appropriation for the Women's and Babies' home at Sioux City, Iowa.	
Read first and second time and referred	87
37—By Spaulding. A bill for an act to amend section 1272 of the Code, in relation to filling vacancies in elective city offices.	
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38—By Porter. A bill for an act defining what shall constitute a day's work in public and certain lines of private employment, etc.	
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39—By Brighton. A bill for an act to repeal sections 2566 and 2567 of the Code, relating to vital statistics.	
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40—By Courtright. A bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state.	
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41—By Courtright. A bill for an act to amend section 1613 of the Code, relating to the publication of notice of incorporations.	
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42—By Hazelton. A bill for an act mak-	

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ing appropriations for the Iowa School for Deaf at Council Bluffs.	
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43—By Hazelton. A bill for an act providing for free text-books, supplies, etc.	
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44—By Lambert. A bill for an act to amend sections 118 and 119 of the Code, defining the duties of state printer and binder.	
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45—By Allyn (by request). A bill for an act to appoint an examining commission to examine auctioneers.	
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46—By Blanchard. A bill for an act to amend sections 2084, 2085, 2086, 2087, 2089, 2090 and 2091 of the Code, relating to taxes in aid of railroads.	
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47—By Garst. A bill for an act to authorize the appointment of state and savings banks and loan and trust companies.	
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48—By Junkin. A bill for an act relating to the assessment and collection of the collateral inheritance tax, and repealing chapter four of title seven of the Code and chapter thirty-seven of the acts of the Twenty-seventh General Assembly, and chapter fifty-one of the acts of the Twenty-eighth General Assembly.	
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49—By Hogue, for Hobart. A bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee and for purchase of land and for a contingent and repair fund.	
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51—By Hayward. A bill for an act making appropriations for Iowa Soldiers' Orphans' Home.	
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52—By Hayward. A bill for an act to amend section one of chapter 141 of laws of Twenty-eighth General Assembly, relating to salary of chief executive officer of the Iowa Soldiers' Orphans' Home.	
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53—By Hayward. A bill for an act to amend section 2764 of the Code, relating to taking school census.	
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54—By Hayward. A bill for an act to repeal sections 3050, 3051 and 3052 of Code, relating to days of grace.	
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55—By Crosslev. A bill for an act providing for the listing and taxing of mortgages and other liens on real estate.	
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56—By Bishop. A bill for an act to repeal section 1311 of Code, relative to the listing of property for taxation.	
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57—By Winne. A bill for an act to amend section 254 of Code, relating to compensation of shorthand reporters.	
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58—By Dowell. A bill making an appropriation for Benedict Home.	
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59—By Dowell. A bill for an act making appropriation for completion of State Historical Building.	
Read first and second time and referred.....	111
60—By Courtright. A bill for an act authorizing and providing for organization of mutual insurance companies.	
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61—By Lister. A bill for an act establishing a law relative to migratory divorcees.	
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62—By Hubbard. A bill for an act to amend section 2254 of the Code, relating to indictments without intervention of grand jury.	
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63—By Emmert. A bill for an act to establish a reformatory for men etc.	
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Amended.....	450
Ordered engrossed.....	450
Engrossed.....	450
Ordered printed as engrossed.....	450
Amended.....	662
Lost on passage.....	662
Motion filed to reconsider.....	662
64—By Lister. A bill for an act regulating the marriages of divorced persons and providing punishment for violation thereof.	
Read first and second time and referred.....	662
65—By Whipple. A bill for an act making appropriations for College for Blind at Vinton.	
Read first and second time and referred.....	662
66—By Whipple. A bill for an act to repeal section 2718 of Code, and chapter 82, laws of Twenty-sevent General Assembly, etc., relating to the support of the College for the Blind at Vinton.	
Read first and second time and referred.....	662
Reported and re-referred.....	662
Reported.....	662
H. F. 86 substituted.....	662
Indefinitely postponed.....	662
67—By Healy. A bill for an act to amend section 600 of the Code, relating to the incorporation of cities and towns.	
Read first and second time and referred.....	662
Reported.....	662
Indefinitely postponed.....	662
68—By Healy. A bill for an act to amend section 3346 of the Code, relating to claims of executors or administrators.	
Read first and second time and referred.....	662
Passed.....	662
House recommends indefinite postponement.....	662
69—By Healy. A bill for an act to amend section 3175 of the Code, relative to filing of petitions for divorces.	
Read first and second time and referred.....	662
Reported.....	662
Passed.....	662
House reports indefinite postponement.....	662
Passed on file.....	662
70—By Molsberry. A bill for an act to repeal section 957 of Code, and section 2, chapter 28 of the acts of the Twenty-seventh General Assembly and amend subdivision of section 1005 of the Code, relative to assessment of taxes for library purposes in cities under special charters.	
Read first and second time and referred.....	662
Reported.....	662
Passed.....	662
Passed House.....	662

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Passed on file.....	693
Enrolled.....	749, 778
71—By Healy. A bill for an act relating to time in which actions may be brought for recovery of taxes alleged to be due, etc.	
Read first and second time and referred.....	120
72—By Young, of Lee. A bill for an act to amend sections 1370 and 1371 as amended, 1372 as amended and 1373, relating to the regulation of taxes and appeals from local board of review applicable to cities under special charters.	
Read first and second time and referred.....	120
Reported.....	324
Reported with substitute.....	688, 679 1/4
Read first and second time.....	679 1/4
Passed.....	743
Passed House.....	920
Enrolled.....	1005
73—By Young, of Lee. A bill for an act to repeal section 933 of the Code, relating to the application of laws to cities acting under special charters.	
Read first and second time and referred.....	120
Reported.....	325
Indefinitely postponed.....	485
74—By Garst. A bill for an act to amend section 65, chapter 1 of the Code of 1897, in relation to the salary of governor and the secretary to the governor.	
Read first and second time and referred.....	120
Reported with amendments.....	445
House file 350 substituted.....	935
Indefinitely postponed.....	936
75—By Dowell. A bill for an act governing the election of city superintendent of schools in cities of 3,000 inhabitants.	
Read first and second time and referred.....	121
Reported with substitute.....	267
Resubmitted.....	315
Indefinitely postponed.....	963
76—By Lewis. A bill for an act providing for interest on estate funds and repealing sections 111, 112, 113 and 114 of Code.	
Read first and second time and referred.....	121
Reported with substitute and read first and second time.....	798
Indefinitely postponed.....	8, 8
77—By Alexander. A bill for an act to amend section 1869, chapter 12, title 9 of Code, relating to directors of state and savings banks.	
Read first and second time and referred.....	121
Reported.....	323
78—By Alexander. A bill for an act to amend section 1850, chapter 10, title 9, paragraph 4 of Code, relating to investment of funds of savings banks.	
Read first and second time and referred.....	121
Reported.....	191
House File 33 substituted and lost.....	282
Indefinitely postponed.....	316
79—By Fitchpatrick. A bill for an act to reorganize the Congressional districts.	
Read first and second time and referred.....	127
Reported.....	276

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80—By Hayward. A bill for an act to protect deserving wives and minor children against non-support by husband.	
Read first and second time and referred.....	127
Indefinitely postponed.....	649
81—By Classen. A bill for an act making an appropriation for the Iowa Soldiers' Home.	
Read first and second time and referred.....	127
82—By Classen. A bill for an act to amend section 2608 of the Code and provide additional support for the Soldiers' Home.	
Read first and second time and referred.....	128
Re-reported.....	138
83—By Classen. A bill for an act to amend section 508 of the Code, relating to sheriffs' fees.	
Read first and second time and referred.....	128
Reported.....	325
Passed.....	374
House amended and passed.....	560
Enrolled.....	592, 593
84—By Harper. A bill for an act to amend section 2, of chapter 41, of the acts of the Twenty-eighth General Assembly, relating to indentedness of political and municipal corporations.	
Read first and second time and referred.....	128
Indefinitely postponed.....	840
85—By Emmert. A bill for an act for the keeping by county treasurers of a monthly apportionment record book of all taxes collected.	
Read first and second time and referred.....	123
Reported.....	234
Indefinitely postponed.....	294
86—By Griswold. A bill for an act to amend section 1784, chapter 7, title 9 of the Code of Iowa, relating to stipulated premiums and assessment life associations.	
Read first and second time and referred.....	129
Reported.....	365
87—By Harriman. A bill for an act to amend section 136 and section 1 of chapter 5, laws of the Twenty-eighth General Assembly relating to the publication of reports of the Iowa Academy of Sciences.	
Read first and second time and referred.....	128
Reported with substitute.....	251
Amended and passed.....	343
House amended and passed.....	554
Senate concurred.....	637, 688
Enrolled.....	739
88—By Alexander. A bill for an act creating the Twenty-first judicial district and providing for election thereof; also providing for election of one judge in the Eighteenth judicial district; and defining the jurisdiction of said courts therein.	
Read first and second time and referred.....	125
Reported.....	1097
89—By Young, of Washington. A bill for an act making an appropriation for the construction, etc., for the State Hospital at Mount Pleasant.	
Read first and second time and referred.....	129

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90—By Ball. A bill for an act legalizing ordinances and resolutions passed by city councils by less than the required number of votes.		100—By Smith of Mitchell. A bill for an act to appropriate \$4500.00, or so much thereof as may be necessary, to pay the additional employes of the General Assembly.
Read first and second time and referred.....	129	Read first and second time and referred.....
Reported.....	287	Reported.....
Indefinitely postponed.....	294	Passed.....
91—By Arthaud. A bill for an act to amend section 1370 and section 1373 of the Code, relating to the local board of review and appeal therefrom.		Enrolled.....
Read first and second time and referred.....	131	101—By Crawford. A bill for an act in regard to supervisor districts.
Indefinitely postponed.....	843	Read first and second time and referred.....
92—By Arthaud. A bill for an act to amend section 2635, section 2639 and section 2676 of the code of Iowa, relative to tuition of students of State University, State Agriculture and Mechanic Arts and State Normal school.		Reported amended.....
Read first and second time and referred.....	131	Amended.....
Reported amended.....	715	Lost on passage.....
93—By Garst. A bill for an act to amend sections 1334 and 1337, of title 7, chapter one of the Code of 1897 relating to the assessments of taxes, etc.		102—By Lewis. A bill for an act providing for the assignment of mortgages.
Read first and second time and referred.....	132	Read first and second time and referred.....
Reported with substitute.....	418, 419	Reported.....
Passed.....	419, 420	Indefinitely postponed.....
Passed House.....	424	103—By Lewis. A bill for an act to legalize certain assignments of mortgages.
Enrolled.....	464	Read first and second time and referred.....
94—By Junkin. A bill for an act to amend section 3338 of the Code, relating to claims against estates of decedents.		Reported.....
Read first and second time and referred.....	132	Indefinitely postponed.....
95—By Junkin. A bill for an act to amend section 3287 of the Code, relating to the recording of deeds.		104—By Ball. A bill for an act making appropriation to the Iowa Historical society.
Read first and second time and referred.....	132	Read first and second time and referred.....
Reported amended.....	354	Reported.....
Passed.....	679, 680	105—By Crawford. A bill for an act permitting all ex-union soldiers and sailors honorably discharged to vend, peddle, etc.
Passed House.....	971	Read first and second time and referred.....
96—By Junkin. A bill for an act to amend section 296 of the Code, relating to fees in probate matters.		Indefinitely postponed.....
Read first and second time and referred.....	132	106—By Hazelton. A bill for an act to repeal section 2727 of the Code, and chapter 83 of the acts of the Twenty-seventh General Assembly, relative to the support of the Iowa School for Deaf at Council Bluffs.
Passed.....	223, 224	Read first and second time and referred.....
Passed House.....	449	Reported recommending House file 188 be substituted.....
Enrolled.....	508, 509	House file 188 adopted.....
97—By Dowell. A bill for an act to amend section 1806 of the code of Iowa, relating to the investment of funds of life insurance companies and associations.		Indefinitely postponed.....
Read first and second time and referred.....	132	107—By Young, of Lee. A bill for an act making appropriations for the penitentiary at Fort Madison.
Reported.....	340	Read first and second time and referred.....
98—By Spaulding. A bill for an act to repeal section 1374 of the Code and chapter 50 of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor.		108—By Young, of Lee. A bill for an act to amend section 5716 of the Code, in relation to the compensation of officers and employes of the penitentiaries of the state.
Read first and second time and referred.....	132	Read first and second time and referred.....
Indefinitely postponed.....	842	Reported.....
99—By Fitchpatrick. A bill for an act to amend section 3219 of the Code, relating to the appointment of guardians for insane persons.		Amended.....
Read first and second time and referred.....	132	Passed.....
Reported.....	287	Passed House.....
		Passed on file.....
		Enrolled.....
		5c8.
		109—By Allyn. A bill for an act to amend section 4765 of the Code, relating to the punishment of kidnapping for ransom.
		Read first and second time and referred.....
		Reported.....
		Indefinitely postponed.....

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110—By Harper. A bill for an act to amend section 1304, article 7, of the Code, relating to the exemption of homesteads of union soldiers and sailors.	
Read first and second time and referred.....	148
Indefinitely postponed.....	651
111—By Harriman. A bill for an act making appropriation to print additional railway maps.	
Read first and second and third time.....	150
Passed.....	150, 151
Enrolled.....	237
112—By Dowell. A bill for an act to amend section 5256 of the Code, relating to compensation of clerks of grand juries.	
Read first and second time and referred.....	148
Reported with substitute.....	473, 474
113—By Ball. A bill for an act relating to bonds given by contractors for erection and construction of public buildings and improvements.	
Read first and second time and referred.....	148
Reported with substitute.....	234
Recommitted.....	3, 6
Reported with substitute.....	718, 718
Amended.....	937, 928
Lost on passage.....	930
114—By Emmert. A bill for an act to amend section 308 of the Code in relation to the time of payment of compensation of county attorneys.	
Read first and second time and referred.....	149
Reported.....	235
Indefinitely postponed.....	294
115—By Hayward. A bill for an act to amend section 1333 of the Code, relating to the assessment of taxes upon foreign insurance companies.	
Read first and second time and referred.....	154
Reported.....	365
Passed.....	665, 667
Passed House.....	1080
Enrolled.....	1051
116—By Arthaud. A bill for an act to repeal sections 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091 of the Code relating to taxes in aid of railroads.	
Read first and second time and referred.....	155
Indefinitely postponed.....	1165
By Hubbard. A bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stock, bonds, or securities of railroads in other states.	
Read first and second time and referred.....	158
Reported and passed on file.....	479
Amended.....	931
Passed.....	942
Passed House amended.....	1051
Concurred in.....	1146
Enrolled.....	1186
118—By Garat. A bill for an act to repeal section 1705, chapter 5 of Code, and enact a substitute therefor.	
Read first and second time and referred.....	158
Reported.....	592
119—By Garat. A bill for an act to amend section 1759, chapter 5 of the Code.	
Read first and second time and referred.....	158

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120—By Blanchard. A bill for an act to provide for the collection, arrangement and display of the products of the state of Iowa, at the Louisiana Purchase Exposition of 1903, and to make an appropriation therefor.	
Read first and second time and referred.....	158
121—By Blanchard. A bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park, relative to graves therein, etc.	
Read first and second time and referred.....	159
Indefinitely postponed.....	1031
122—By Alexander. A bill for an act to amend section 2, of chapter 67, of the laws of the Twenty-eighth General Assembly, relative to savings banks.	
Read first and second time and referred.....	159
Reported.....	201
Passed.....	267
Passed House amended.....	513
Senate concurred and passed.....	527, 528
Enrolled.....	582, 583
123—By Alexander. A bill for an act to amend section 1305 of the Code, relating to the assessment of property for taxes and the valuation thereof by making the said section applicable to cities acting under special charters, etc.	
Read first and second time and referred.....	159
Indefinitely postponed.....	1066
124—By Courtright. A bill for an act authorizing and providing for the organization of mutual plate glass insurance companies.	
Read first and second time and referred.....	1021
Indefinitely postponed.....	159
125—By Courtright. A bill for an act to amend section 355, chapter 12, title 3 of the Code, providing form of bond to be given under the requirements of this section.	
Read first and second time and referred.....	159
Reported with substitute.....	353, 354
Passed.....	543, 524
Passed House.....	1081
Enrolled.....	1089
126—By Courtright—A bill for an act to amend section 212 of the code, relating to the salary of assistant attorney-general.	
Read first and second time and referred.....	159
Reported.....	353
Reported.....	445
Lost on passage.....	594
Motion to reconsider filed.....	595
Passed.....	595, 996
House indefinitely postponed.....	1163
127—By Courtright. A bill for an act to amend chapter 17, title 12 of the Code of 1897, requiring the secretary of the state board of medical examiners to give an official bond, and for other purposes.	
Read first and second time and referred.....	160
Reported with substitute.....	336, 337
Motion filed to reconsider.....	595
Reconsidered.....	635
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Passed.....	636
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Passed on file.....	782	Read first and second time and
128—By Courtright. A bill for an act to		ferred.....
amend section 2564, chapter 16,		137—By Molsberry. A bill for an act
title 12 of the Code of 1897, as		provide for the punishment of p
amended by chapter 83 of the laws		sons who advise or counsel the c
of the Twenty-eighth General		mission of homicide, additional
Assembly, in relation to public		title 24, chapter 2 of the Code.
health districts.		Read first and second time and
Read first and second time and re-		ferred.....
ferred.....	160	Indefinitely postponed.....
Reported.....	1145	138—By Molsberry. A bill for an act
125—By Junkin. A bill for an act relating		amend section 1611, title 9, chap
to notice and proof of personal		12 of the Code, relating to
property insured.		authorized indebtedness of cert
Read first and second time and re-		corporations.
ferred.....	160	Read first and second time and
Reported with amendments 445, 446,	476	ferred.....
Adopted.....	735	Reported.....
Amended.....	736	Amended and passed.....
Passed.....	737	Motion to reconsider filed.....
House amended and passed.....	1124	Motion to reconsider lost.....
Passed.....	1161	Passed House.....
Enrolled.....	1196	Enrolled.....
130—By Hayward. A bill for an act to es-		7
tablish an industrial reformatory		Vetoed by governor.....
for females, to make appropri-		Veto sustained and bill lost on
ations therefor and to provide for		passage.....
the transfer of inmates to and from		139—By Emmert. A bill for an act
the Industrial School for Girls.		amend section 3571 of the Code,
Read first and second time and re-		lating to time of meetings for ic
ferred.....	160	boards of health.
Reported.....	339	Read first and second time and
Indefinitely postponed.....	510	ferred.....
131—By Hubbard (by request). A bill for		Reported.....
an act to provide a department in		Passed.....
one of the hospitals for the insane,		140—By Tallman. A bill for an act
for the detention and treatment of		require railroad companies open
dipsomaniacs, inebriates, and those		ing passenger trains in the state
addicted to the excessive use of		laws, to keep posted in th
narcotics.		stations bulletins or time ca
Read first and second time and re-		giving the time of departure
ferred.....	176	trains.
Reported.....	699	Read first and second time and
Indefinitely postponed.....	1090	ferred.....
132—By Hubbard. A bill for an act to		Reported with substitute.....
amend section 2547 of the Code to		Amended.....
prohibit the taking of fish from		Recommitted.....
certain waters of the state except		Reconsidered.....
with hook and line.		Substitute passed.....
Read first and second time and re-		Passed House.....
ferred.....	177	Enrolled.....
Reported.....	350	141—By Whipple. A bill for an
133—By Crossley. A bill for an act re-		authorizing the district court
lating to the granting of state cer-		appoint trustees to manage, c
tificates and life diplomas from		ontrol and invest funds donated
pedagogical institutions, etc.		and on account of cemetery
Read first and second time and re-		poses.
ferred.....	177	Read first and second time and
Reported.....	600	ferred.....
Amended.....	747	Reported.....
Lost on passage.....	748	Amended and passed.....
134—By Garst. A bill for an act ap-		House amended and passed.....
propriating money to pay express,		Concurred in and passed.....
freight and cartage.		142—By Hayward. A bill for an ac
Read first and second time and re-		amend section 495 of the Code
ferred.....	177	lating to compensation of co
Reported.....	248	recorders.
Passed.....	379	Read first and second time and
Passed House.....	388	ferred.....
Placed on file.....	398	Reported.....
Enrolled.....	463, 471	Indefinitely postponed.....
135—By Smith, of Mitchell. A bill for an		143—By Hayward. A bill for an ac
act relating to reports to be made		amend section 498 of the Code
by railway companies to the execu-		lating to fees for county reco
tive council to aid in the assessment		Read first and second time and
of railway property for taxation,		ferred.....
etc.		Reported.....
Read first and second time and		144—By Porter. A bill for an act to
referred.....	177	vide for and regulate the righ
136—By Mardia. A bill for an act to		railroad crossings of telegraph
amend section 227 of the Code and		telephone companies constr
to provide an additional judge for		along the public highway.
the third judicial district.		Read first and second time an
		ferred.....

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145—By Hopkins. A bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for livestock exhibits.	
Read first and second time and referred.....	191
Reported.....	701
Indefinitely postponed.....	1102
146—By Hopkins. A bill for an act to amend section 106 of the Code, relative to the time of settlement of the auditor of state with the treasurer of state.	
Read first and second time and referred.....	191
Reported.....	352
147—By the inauguration committee. A bill for an act to appropriate money to defray the expenses of the inauguration ceremonies.	
Read first and second time and referred.....	191
Reported.....	248
Passed.....	279
Passed House.....	387
Placed on file.....	708
Enrolled.....	463, 472
148—By Hayward. A bill for an act to amend section 2768 of the Code, in relation to the interest on school orders.	
Read first and second time and referred.....	191, 192
Reported and indefinitely postponed.....	491
149—By Harriman. 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 referred.....	192
Indefinitely postponed.....	907
150—By Smith of Des Moines. A bill for an act to prohibit gift-enterprises and doing business with trading stamps, etc.	
Read first and second time and referred.....	192
Reported.....	335
Passed House.....	447
Passed on file.....	405
Indefinitely postponed.....	511
151—By Emmert. A bill for an act to amend section 2582 of the Code, relating to the granting of certificates to practice medicine and surgery.	
Read first and second time and referred.....	192
Reported.....	275
Passed.....	373
House indefinitely postponed.....	728
152—By Young of Washington. A bill for an act to make appropriation for erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battles of Chattanooga.	
Read first and second time and referred.....	192
Reported amended.....	701, 702
Made special order.....	709
Amended and passed.....	775
Passed House.....	1049
Enrolled.....	1098
153—By Fitchpatrick. A bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, relative to levying a special tax for erection of buildings, improvements, etc., for Iowa State College of Agriculture and Mechanic Arts.	

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Read first and second time and referred.....	192
Reported.....	383
Amended.....	495, 496
Passed.....	496
House amended and passed.....	970
Concurred in.....	986, 987
Enrolled.....	1005
154—By Arthaud. A bill for an act to amend section 4011, chapter 3, title 19 of the Code of 1897, relating to personal earnings.	
Read first and second time and referred.....	192
Reported and re-referred.....	265
Reported.....	335
155—By Courtright. A bill for an act fixing the rules of descent in respect to the property or estate of children by adoption who die intestate without issue.	
Read first and second time and referred.....	193
Reported with substitute.....	360
Passed.....	666
Passed House.....	991
Enrolled.....	1096
156—By Courtright. A bill for an act to amend section 2553, chapter 8, title 16 of the Code, relating to the rights, duties and relations between parent and child by adoption.	
Read first and second time and referred.....	193
Reported with substitute.....	366
Passed.....	665
Passed House.....	991
Enrolled.....	1061
157—By Blanchard, for committee on Judiciary. A bill for an act to validate certain conveyances of real estate in which the husband and wife conveyed the contingent dower interest of the other spouse.	
Read first and second time by title and placed on file.....	193
Reported with substitute.....	249
Passed.....	254
Passed House.....	140
Passed on file.....	512
Passed.....	723
Motion filed to reconsider.....	729
Reconsidered.....	733
Amended.....	734
Passed.....	734
House concurred.....	761
Passed on file.....	782
158—By Crawford. A bill for an act to establish the Eastern Iowa School for the Deaf and to provide for the building and government of the same.	
Read first and second time and referred.....	198
Re-referred.....	203
Passed on file.....	670, 671
Indefinitely postponed.....	827
159—By Ailyn. A bill for an act providing for the purchase of engravers' plates or cuts for state publications and fixing the manner of paying cost of same, etc.	
Read first and second time and referred.....	198
Reported.....	204
Passed.....	315
Enrolled.....	556
160—By Hogue. A bill for an act to amend section 2116 of the Code, relating to the duty of railroad corporations.	
Read first and second time and referred.....	198

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Reported.....	205	to amend chapter 14, title 5 of Code.
Passed.....	225	Read first and second time and referred.....
House indefinitely postponed.....	609	Indefinitely postponed.....
Passed on file.....	615	170—By Griswold. A bill for an act relating appropriations for construct repair and contingent funds for state hospital at Independence
161—By Committee on Appropriations. A bill for an act to provide for the hospital for the insane, and for the transfer of patients on account of the opening of the hospital at Cherokee.		Read first and second time and referred.....
Read first and second time and referred.....	198	171—By Spaulding. A bill for an amend chapter 43, acts of Twenty-seventh General sser in relation to district fairs.
Reported.....	248	Read first and second time and referred.....
Passed.....	357	Reported.....
Passed House.....	1002	172—By Bachman. A bill for an act authorizing the purchase of lot of the plat of Pillsbury Point and historical relics, the appointment of a custodian thereof a annual salary and appropriate the sum of \$500 for such purchase
Enrolled.....	1098	Read first and second time and referred.....
162—By Townsend. A bill for an act to repeal section twenty hundred and fifteen and twenty hundred and sixteen of the Code, and to enact a substitute therefor.		Reported.....
Read first and second time and referred.....	198	173—By Harper. A bill for an act to prevent the condemnation of cemeteries and other real estate and limit the power to dispose of same.
Reported.....	353	Read first and second time and referred.....
Indefinitely postponed.....	429	Reported.....
163—By Hopkins. A bill for an act relating to the transfer by the treasurer of state to his successor of funds of the state, and liabilities thereto, etc.		Indefinitely postponed.....
Read first and second time and referred.....	204	174—By Hobart. A bill for an amend section 308 of the Code relative to compensation of county attorney.
Reported.....	276	Read first and second time and referred.....
Passed.....	372	Reported.....
House amended.....	841	Indefinitely postponed.....
Senate concurred.....	855	175—By Wilson for Spaulding. A bill an act to amend section 2739 of Code, in relation to county superintendents.
Passed.....	856	Read first and second time and referred.....
Enrolled.....	883	Reported.....
164—By Hopkins. A bill for an act to repeal chapter 109, acts of the Twenty-eighth General Assembly, relating to teaching vocal music in the public schools.		Indefinitely postponed.....
Read first and second time and referred.....	204	176—By Smith of Mitchell. A bill for an act creating a commission to superintend the completion of the construction, and certain repairs thereto, and appropriating money therefor.
Indefinitely postponed.....	963	Read first and second time and referred.....
165—By Hobart. A bill for an act repealing sections 1528 to 1568 inclusive of the Code, relating to the working of roads, and enacting a substitute therefor.		Amended.....
Read first and second time and referred.....	204	Passed.....
Additional copies of bill ordered printed.....	286	Enrolled.....
166—By Courtright. A bill for an act to amend section 1675, title 9, chapter 3 of the Code in relation to farmers' county institutes.		176—By Lyons. A bill for an act providing for paying Mrs. Mary Su and Mrs. Maggie J. Edwards damages for personal injuries sustained by them at the State College Agriculture and Mechanic Art
Read first and second time and referred.....	205	Read first and second time and referred.....
Reported.....	724	Amended.....
Amended and passed.....	579, 580	Passed.....
Passed House.....	1069	Passed House.....
Enrolled.....	1151	Enrolled.....
167—By Young of Washington. A bill for an act to amend section 2794 of the Code of Iowa, relating to the organization of independent districts.		177—By Lyons. A bill for an act providing for paying Mrs. Mary Su and Mrs. Maggie J. Edwards damages for personal injuries sustained by them at the State College Agriculture and Mechanic Art
Read first and second time and referred.....	205	Read first and second time and referred.....
Reported.....	594	Indefinitely postponed.....
Passed.....	738, 739	178—By Tallman. A bill for an amend section 3386 of the Code of 1897, relating to heirs or beneficiaries causing death or disability
Passed House.....	930	Read first and second time and referred.....
Enrolled.....	1002	Reported with substitute.....
168—By Young of Lee. A bill for an act to amend section 490 of the Code.		
Read first and second time and referred.....	205	
Passed on file.....	485	
Indefinitely postponed.....	826	
169—By Young of Lee. A bill for an act		

SENATE BILLS.

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Passed	373
Passed House	382
Passed on file	387
Enrolled	654
179—By Molsberry (by request). A bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure the better proficiency of such practitioners, and to provide penalties for the violation thereof.	
Read first and second time and referred	218
Reported	1146
180—By Hobart. A bill for an act to amend section 641, title 5, chapter 2 of the Code, relating to cities being divided into wards, new ones created, or the boundaries changed.	
Read first and second time and referred	230
Reported with substitute	442
Indefinitely postponed	937
181—By Hayward. A bill for an act to repeal section 2692 of the Code, and section 5 of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.	
Read first and second time and referred	230
Reported	339
182—By Townsend (by request). A bill for an act for the better regulation of the business of fire insurance, and to increase the public revenue.	
Read first and second time and referred	230
Reported	591
183—By Ball. A bill for an act relating to railways, railway companies, railway corporations, railroads, railroad companies and railroad corporations.	
Read first and second time and referred	231
Reported	383
Reported with substitute	506, 507
Made special order	510, 555
Recommitted	578
Passed on file	671
184—By Crawford. A bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque.	
Read first and second time and referred	231
185—By Crawford. A bill for an act to amend section 4600 of the Code in relation to fees of justices of the peace and constables.	
Read first and second time and referred	245
Reported and passed on file	489
Indefinitely postponed	826
186—By Hayward (by request). A bill for an act for the protection of cities and to regulate contracts for public purposes, involving the use of streets and alleys, public squares and highways in such cities.	
Read first and second time and referred	245
Indefinitely postponed	673
187—By Alexander. A bill for an act to amend section 1870, chapter 12, of the Code of 1897, relating to savings banks.	
Read first and second time and referred	245
Reported	411

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Amended	726
Substitute offered and adopted	737
Passed	737
Title amended	738
Amended and passed House	991
Concurred in	1010
Enrolled	1098
188—By Arthand. A bill for an act to legalize certain instruments in writing where defectively acknowledged.	
Read first and second time and referred	245
Reported with substitute	462
Passed	519, 526
Recommended for indefinite postponement from House	544
House recalls	554
House amended and passed	804
Senate refused to concur	874
Motion to reconsider filed	884
House refuses to recede	1137
Conference committee appointed	1143
Report substitute	1160
Passed	1162
House concurs	1192
Enrolled	1215
189—By Garst. A bill for an act defining and providing for the taxation of freight line and equipment companies.	
Read first and second time and referred	246
Passed	1195
Passed House	1207
Enrolled	1215
190—By Harper. A bill for an act to amend section 337 of the Code, relating to grand and petit jury lists.	
Read first and second time and referred	246
Passed	709, 710
Passed House	876
Enrolled	934
191—By Emmert (by request). A bill for an act to amend section 1090, of chapter 3 of the Code, and providing for the consolidation of two or more wards into one voting precinct, and to constitute an aldermanic district.	
Read first and second time and referred	246
Reported	401
192—By Bachman, for committee on public health. A bill for an act amending section two thousand, five hundred seventy-two (2572) of the Code, relating to the enforcement of the rules and regulations of the state board of health.	
Read first and second time and placed on file	258
Made special order	286
Passed	210
Passed House	560
Enrolled	592, 593
193—By Courtright. A bill for an act to amend section five hundred eleven, title four, chapter six of the Code, relating to the fees and compensation of sheriffs.	
Read first and second time and referred	258
194—By Trewin. A bill for an act to amend section one hundred twenty (120) of the Code, relating to printing and binding.	
Read first and second time and referred	258
Reported	720
Amended	720
Passed	721

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195—By Trewin. A bill for an act to amend section thirty-two hundred twenty-five (3225) of the code, relating to the support of persons adjudged to be insane.		Read first and second time and referred
Read first and second time and referred	259	Reported
Reported	276	Amended and passed
Reported	400	Passed House
Passed	451, 452	Enrolled
Passed House	800	202—By Trewin, for municipal Code committee. A bill for an act to amend section seven hundred twenty-four (724) of the Code of Iowa, amended, relating to certain portions of cities and towns.
Passed House	1132	Read first and second time and referred
Enrolled	1151	Reported
196—By Trewin. A bill for an act to amend section twenty-two hundred sixty-seven (2267) of the Code, relating to appeals from the findings of commissioners of insanity.		Passed
Read first and second time and referred	259	Passed House
Reported	276	Enrolled
Passed	404	203—By Trewin, for municipal Code committee. A bill for an act to amend section eight hundred twenty-four (823) of the Code of Iowa, relating to notice of the levy of special assessments.
Passed House	536	Read first and second time and referred
Passed on file	550	Reported
Enrolled	592, 593	Passed
197—By Trewin, for municipal Code committee. A bill for an act relating to the powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospital in certain cases.		Passed House
Read first and second time and referred	259	Enrolled
Reported	311	204—By Crawford. A bill for an act providing that chapter twenty-four (24) of the acts of the Twenty-eighth General Assembly, relating to the waterworks, be made applicable to cities under special charters.
Passed	458	Read first and second time and referred
Passed House	807	Reported
Enrolled	977	Passed
198—By Trewin, for municipal Code committee. A bill for an act to amend chapter sixteen (16) of title twelve (12) of the Code as amended, relating to the powers of boards of health and expenses for caring for persons affected with infectious and contagious diseases.		Passed House
Read first and second time and referred	259	Enrolled
Reported	312	205—By Hartman. A bill for an act relating to defining, regulating and conferring rights and powers to interurban street railways amending section twenty hundred twenty-six (2026) of the Code relating to such railways.
Passed	453	Read first and second time and referred
199—By Trewin, for municipal Code committee. A bill for an act to amend section seven hundred forty-five (745) of the Code, as amended by the acts of the Twenty-seventh General Assembly.		Reported and passed on file
Read first and second time and referred	259	Indefinitely postponed
Reported	312	206—By Smith of Mitchell (by request). A bill for an act to amend section seventeen hundred nine (1709) of the Code, relating to insurance.
Passed	457	Read first and second time and referred
Passed House, amended	695	Reported
Passed on file	718	Indefinitely postponed
Senate concurs	732, 733	207—By Harper. A bill for an act to prevent sales of stocks of merchandise in fraud of creditors.
Passed	713	Read first and second time and referred
Enrolled	777	Reported
200—By Trewin, for municipal Code committee. A bill for an act to amend section eight hundred ninety-four (894) of the Code, as amended by the Twenty-sixth General Assembly, relating to the levy of special taxes by cities.		Indefinitely postponed
Read first and second time and referred	260	208—By Crawford. A bill for an act to amend section forty-six hundred of the Code, relating to justices of the peace and constables.
Reported	312	Read first and second time and referred
Passed	456	Reported
Passed House	621	Indefinitely postponed
Enrolled	884	209—By Wilson. A bill for an act to amend section fifty-seven hundred two (5702), chapter two (2), twenty-six (26), of the Code

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eighteen hundred ninety-seven, in relation to contracts for convict labor	
Read first and second time and referred.....	261
210—By Claesen. A bill for an act to provide for the erection of a monument to mark the last resting place of Iowa volunteers who died while prisoners at Andersonville, Ga., and to make an appropriation to pay for the same, and to pay the expenses of the commissioners	
Read first and second time and referred.....	274
Indefinitely postponed.....	1028
211—By Maytag. A bill for an act relating to the duties of the commissioner of the bureau of labor statistics, and repealing sections twenty-four hundred seventy (2470), twenty-four hundred seventy-two (2472), twenty-four hundred seventy-four (2474), enacting others in lieu thereof and to amend sections twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-seven (2477)	
Read first and second time and referred.....	274
Reported with substitute.....	903
Passed.....	1030, 1031
House passed.....	1145
Enrolled.....	1116
212—By Maytag. A bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.	
Read first and second time and referred.....	274
Reported amended.....	904
Amended.....	1021
Passed.....	1021
Passed House.....	1196
Enrolled.....	1196
213—By Trewin. A bill for an act repealing sections two (2), three (3), four (4) and five (5) of chapter sixteen (16), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the Code of 1897, and repealing sections twenty-eight hundred sixty-eight (2868), twenty-eight hundred sixty-nine (2869), twenty-eight hundred seventy-one (2871), twenty-eight hundred seventy-two (2872), twenty-eight hundred seventy-three (2873) and twenty-eight hundred seventy-four (2874) of said Code, also repealing chapter one hundred forty-eight (148) acts of the Twenty-seventh General Assembly.	
Read first and second time and referred.....	274
Reported.....	305
Referred.....	309
Reported and indefinitely postponed.....	602
214—By Dowell. A bill for an act to amend sections seven hundred seventy (770), seven hundred seventy-one (771) and seven hundred seventy-three (773), and to repeal section seven hundred seventy-four (774) of chapter six (6) of the Code,	

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relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways, and to enact a substitute for said section seven hundred seventy-four (774).	
Read first and second time and referred.....	275
Reported with substitute.....	743, 744
Read first and second time.....	744
Indefinitely postponed.....	873
215—By Bachman. A bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa	
Read first and second time and referred.....	275
Reported.....	474
Passed.....	521
Passed House.....	539
Enrolled.....	654
216—By Harriman. A bill for an act to promote the public health, comfort and welfare, by improving the natural drainage of swamp, overflowed, wet or marshy land, and describing a method for so doing.	
Read first and second time and referred.....	285
Reported.....	652
217—By Harriman. A bill for an act to amend section eight (8), of chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly.	
Read first and second time and referred.....	296
Reported.....	324
Title amended.....	430
Passed.....	436
Passed House.....	821
Enrolled.....	884
218—By Blanchard. A bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.	
Read first and second time and referred.....	296
Reported.....	324
Amended and passed.....	522, 583
Passed House.....	609
219—By Blanchard. A bill for an act to prevent fraud or the sale of stock in private corporations.	
Read first and second time and referred.....	296
Reported.....	1029
220—By Emmert. A bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.	
Read first and second time and referred.....	296
Passed on file.....	436
Passed.....	712
Passed House.....	956
Enrolled.....	1005
221—By Emmert. A bill for an act to amend section two thousand, five hundred eight (2508) of the Code, in relation to the inspection and use of the products of petroleum.	
Read first and second time and referred.....	297

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Passed on file.....	436
Passed.....	712
Passed House.....	956
Enrolled.....	1005
222—By Porter. A bill for an act to amend section seventeen hundred forty-three (1743) of the Code, relating to insurance other than life.	
Read first and second time and referred.....	306
Reported.....	591
223—By Courtright. A bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the Code, as amended by the acts of the Twenty-seventh (27) General Assembly, and as amended by the acts of the Twenty-eighth (28) General Assembly, in relation to park commissioners in certain cities.	
Read first and second time and referred.....	306
Passed on file.....	496
Passed.....	998
Passed House.....	1192
Enrolled.....	1216
224—By Maytag. A bill for an act to provide safe means of egress from buildings.	
Read first and second time and referred.....	306
Reported amended.....	488
Adopted.....	865
Passed.....	894
House failed to pass.....	1163
225—By Trewin. A bill for an act to provide for the encouragement and development of the dairy interests of the state and to appropriate money therefor.	
Read first and second time and referred.....	307
Indefinitely postponed.....	896
226—By Whipple. A bill for an act making an appropriation for the relief of J. T. M. Glenn of Garrison, Iowa, who was injured while in the discharge of his duty as guard at the state penitentiary at Anamosa, Iowa.	
Read first and second time and referred.....	307
Indefinitely postponed.....	620
227—By Crossley. A bill for an act requiring the examination, and providing for the licensing of municipal and county engineers, and for the protection of public property and public health.	
Read first and second time and referred.....	307
Reported and indefinitely postponed.....	795
228—By Hayward. A bill for an act to amend section one thousand eighty-two (1082) of the code, relating to registration on election day.	
Read first and second time and referred.....	307
Reported and passed on file.....	470
Passed.....	210, 211
Passed House.....	706
House recalls.....	885
229—By Wilson (by request). A bill for an act to regulate the employment of children and provide punishment for violation of same.	
Read first and second time and referred.....	307
Reported.....	444
Indefinitely postponed.....	511

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230—By Dowell. A bill for an act for the preservation of life and protection of property, to require the construction of fire escapes to certain buildings and inclosures now constructed, or hereafter to be erected providing the manner of constructing the same, and imposing penalties for violation thereof.	
Read first and second time and referred.....	
Reported with substitute.....	690, 691
Read first and second time and passed on file.....	
Passed.....	
Passed House.....	
House requests return.....	
Returned.....	
Amended and passed House.....	
Concurred in and passed.....	
Enrolled.....	
231—By Garst. A bill for an act to amend section sixteen hundred thirty-seven (1637) of the Code.	
Read first and second time and referred.....	
232—By Emmert. A bill for an act to amend section twenty-five hundred eighty-one (2581) of the Code, in relation to itinerant physicians.	
Read first and second time and referred.....	
Passed on file.....	
Passed.....	
Passed House.....	
Enrolled.....	
233—By Bishop. A bill for an act to amend section two thousand, four hundred fifty-six (2456) of the Code relative to the manufacture of liquors.	
Read first and second time and referred.....	
Re-referred.....	
Reported.....	
234—By Trewin. A bill for an act to authorize the improvement of channels of meandered streams dividing the territory within corporate limits of certain cities and to authorize the reclaiming waste lands between the meandered lines of said streams, within corporate limits, and to create a commission therefor and define its powers and prescribing duties.	
Read first and second time and referred.....	
Reported.....	
Amended.....	
Passed.....	
House amended and passed.....	
Amended and passed.....	\$16, 17
Enrolled.....	
235—By Brighton. A bill for an act to amend the laws of Iowa concerning insurance other than life, by repealing section seventeen hundred forty-two (1742), and substituting therefor the following.	
Read first and second time and referred.....	
Reported.....	
236—By Craig. A bill for an act to amend section seventeen hundred seventy-one (1771) of the Code relating to stock or premium bonds.	
Read first and second time and referred.....	
Reported with amendments, amendments adopted.....	

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Passed.....	735
Passed House.....	1032
Enrolled.....	1098
236—(The Journal shows two Senate files numbered 236 and none 239). By Hopkins. A bill for an act to pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State University, erected in 1897.	
Read first and second time and referred.....	331
Reported.....	411
Passed on file.....	620
237—By Lambert. A bill for an act to make appropriations for the fish and game commissioner of the state of Iowa.	
Read first and second time and referred.....	332
Indefinitely postponed.....	1027
238—By Healy. A bill for an act to amend sections two hundred and sixteen (216) and two hundred and twenty-four (224) of the Code, concerning the duties and compensation of the supreme court reporter.	
Read first and second time and referred.....	332
Reported.....	423
240—By Porter. A bill for an act to amend section twenty-four hundred ninety-six (2496) of the Code, and to provide that sections twenty-four hundred seventy-eight (2478), twenty-four hundred seventy-nine (2479), twenty-four hundred eighty (2480), twenty-four hundred eighty-one (2481), twenty-four hundred eighty-two (2482), twenty-four hundred eighty-three (2483), twenty-four hundred eighty-four (2484), twenty-four hundred eighty-five (2485), twenty-four hundred eighty-six (2486), twenty-four hundred eighty-seven (2487), twenty-four hundred eighty-eight (2488), twenty-four hundred eighty-nine (2489), twenty-four hundred ninety (2490), twenty-four hundred ninety-one (2491), twenty-four hundred ninety-two (2492), twenty-four hundred ninety-three (2493), twenty-four hundred ninety-four (2494), twenty-four hundred ninety-five (2495) of the Code, and chapter fifty-nine (59) of the Twenty-seventh General Assembly of the state of Iowa, and chapters seventy-nine (79), eighty (80), eighty-one (81), and eighty-two (82) of the Twenty-eighth General Assembly of the state of Iowa, shall be applicable to the operation of mines developing minerals or other substances known as gypsum.	
Read first and second time and referred.....	332
Reported.....	653
241—By Hobart. A bill for an act amending section twenty-nine hundred fifty-nine (2959) of the Code, in relation to the conveyance of real estate.	
Read first and second time and referred.....	332
Reported.....	699
242—By Hobart. A bill for an act amending section twenty-nine hundred forty-five (2945) and twenty-nine hundred forty-six (2946) of the	

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Code, in relation to the conveyance of real estate.	
Read first and second time and referred.....	333
Reported.....	699
243—By Ball. A bill for an act to amend sections eight hundred and sixty (860), eight hundred and sixty-one (861) and eight hundred and sixty-two (862) of the Code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities of the second class and towns, over parks without their corporate limits.	
Read first and second time and referred.....	345
Reported.....	442
Passed.....	887
Passed House.....	887
244—By Hartsborn. A bill for an act making appropriations for the Industrial School for Boys at Eldora.	
Read first and second time and referred.....	345
245—By Alexander. A bill for an act to provide that any fiduciary required by law to give a bond may include the expenses thereof as a part of the lawful expense of executing his trust, etc.	
Read first and second time and referred.....	346
Reported.....	649
246—By Alexander. A bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds.	
Read first and second time and referred.....	346
Reported.....	648
247—By Porter. A bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.	
Read first and second time and referred.....	346
Reported.....	647
Indefinitely postponed.....	794
248—By Lambert (by request). A bill for an act to amend chapter fifteen (15), title (12) of the Code, repealing sections twenty-five hundred forty (2540), twenty-five hundred forty-two (2542), twenty-five hundred forty-four (2544), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-two (2552), twenty-five hundred fifty-four (2554), twenty-five hundred fifty-six (2556) of the Code, and enacting substitute therefor, amending section twenty-five hundred sixty-one (2561), making further provisions additional to said chapter fifteen (15), relating to the care and propagation of fish and the protection of birds and game.	
Read first and second time and referred.....	346
Reported and indefinitely postponed.....	587
249—By Wilson. A bill for an act to require the attendance of all children at school between the ages of eight and fifteen years inclusive.	
Read first and second time and referred.....	34
Indefinitely postponed.....	701

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250—By Dowell. A bill for an act creating a board of police and fire commissioners in cities of the first class having a population of more than sixty thousand, and defining the power and duties of such boards.	
Read first and second time and referred	347
Reported	442
Passed	515, 516
House amended and passed	646
Senate concurs	673, 674
251—By Dowell. A bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines, for park purposes.	
Read first and second time and referred	347
Reported with substitute	504
Passed	835
Passed House	1093
Enrolled	1151
252—By Bishop. A bill for an act to amend section five thousand, one hundred thirty-four (5134) of the Code, relative to the punishment of tramps.	
Read first and second time and referred	347
Reported	473
Indefinitely postponed	613
253—By Molsberry. A bill for an act to amend sections nineteen hundred forty-six (1946), nineteen hundred forty-eight (1948) and nineteen hundred fifty-one (1951) of the Code, relating to levees, drains and water courses.	
Read first and second time and referred	347
Reported	492
Passed	613
Passed House	921
Enrolled	1005
254—By Healy. A bill for an act repealing section one hundred sixty-one of the Code, and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions.	
Read first and second time and referred	347
Passed	721
Passed House	999
Enrolled	1061
255—By Bachman. A bill for an act to license auctioneers who are not actual residents of the state of Iowa.	
Read first and second time and referred	347
Reported	489
Indefinitely postponed	611
256—By Molsberry. A bill for an act to amend section ten hundred sixty-seven (1067) of the Code, and making the office of supreme court reporter appointive.	
Read first and second time and referred	348
Reported with substitute	758, 759
Read first and second time	760
Amended	1033, 1033, 1044
Passed	1044
Title amended	1044
House indefinitely postponed	1213

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257—By Ball. A bill for an act authorizing the publication and sale, and directing the purchase, of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables.	
Read first and second time and referred	348
258—By Junkin. A bill for an act making appropriation for buildings and other improvements for machinery, boilers, repairs, contingent expense and land for the Institution for Feeble-Minded Children at Glenwood, Iowa.	
Read first and second time and referred	348
259—By Hayward. A bill for an act to repeal sections two (2), three (3), six (6) and seven (7) of chapter forty-five (45), acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend section one (1), chapter forty-five (45) of the Twenty-eighth General Assembly, relating to taxation of express companies.	
Read first and second time and referred	348
Reported	364
Passed House	428
Enrolled	464
260—By Hayward. A bill for an act to amend section one thousand three hundred twenty-eight (1328) of the Code, and to amend sections three (3) and four (4) of chapter forty-two (42), acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines.	
Read first and second time and referred	348
Reported	364
Amended	878
Passed	879, 880
House amended and passed	896
261—By Fitchpatrick. A bill for an act establishing the rank or commandant and instructor of military science and tactics in state educational institutions.	
Read first and second time and referred	349
Passed	607
Passed House	635
Enrolled	703
262—By Harper. A bill for an act making an appropriation and providing for the erection of an equestrian statue on the capitol grounds of the late Major General Francis J. Herron.	
Read first and second time and referred	362
Indefinitely postponed	1027
263—By Hubbard. A bill for an act to amend chapter eighty-six (86) of the laws of the Twenty-eighth General Assembly, relating to fish and game.	
Read first and second time and referred	362
Reported and indefinitely postponed	587
264—By Hubbard. A bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in	

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each, and dividing the state into senatorial districts.	
Read first and second time and referred	362
Reported amended	487, 1166, 1167, 1169
Passed	1169, 1170
Passed House	1206
Enrolled	1215
265—By Bishop (by request) A bill for an act to amend section fifteen hundred sixty-three (1563) of the Code, relating to the Russian thistle.	
Read first and second time and referred	363
Indefinitely postponed	652
266—By Courtright. A bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the Code of Iowa, relating to the printing, binding and distribution of public reports and documents.	
Read first and second time and referred	363
Reported	697
267—By Brooks. A bill for an act to amend section twenty-six hundred and four (2604) of the Code, relating to the appointment of officers for the Soldiers' Home	
Read first and second time and referred	263
Reported	601
Passed	627
Passed House	800
268—By Brooks. A bill for an act to amend section five hundred and eighty-six (586) of the Code, relating to the care and maintenance of cemeteries by boards of township trustees.	
Read first and second time and referred	353
Reported	489
Passed	611, 612
Passed House	799
269—By Young of Washington A bill for an act to amend section twenty-six hundred and four (2604) of the Code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.	
Read first and second time and referred	381
Reported	650
Passed	852
House amended and passed	1207
Concurred in and passed	1208
270—By Molsberry. A bill for an act to provide for the encouragement of the live stock interests of the state and to appropriate money therefor.	
Read first and second time and referred	381
Indefinitely postponed	907
271—By Arthaud. A bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity, Iowa.	
Read first and second time and referred	381
Reported	491
Passed	629
Passed House	1007
Enrolled	—
272—By Lister A bill for an act to legalize the election held in the county of Osceola and state of Iowa on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building	

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a courthouse and jail at Sibley, in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purpose, and all the proceedings of the board of supervisors of said county with reference to said matters.	
Read first and second time and referred	382
Reported	461
Passed	535, 536
Passed House	674
Passed on file	686
Enrolled	750, 779
273—By Arthaud. A bill for an act to regulate the practice of osteopathy in the state of Iowa and fixing penalties for the violation thereof.	
Read first and second time and referred	382
Reported with substitute	795
Read first and second time	797
Amended	887, 888
Passed	888
Passed House	971
Enrolled	1061
274—By Smith of Mitchell. A bill for an act to amend sections one hundred sixty-four (164) and one hundred sixty-five of the Code, relating to powers and duties of the executive council.	
Read first and second time and referred	382
Reported	488
Passed	725
Passed House	819
Enrolled	880
275—By Garst. A bill for an act to amend section twenty-seven hundred eleven (2711) of the Code, in regard to the discharge or parole of inmates of the Industrial Schools	
Read first and second time and referred	382
Reported	502
Passed	834
Senate requests return from House, House returns	956
Reconsidered	1080
Indefinitely postponed	1080
276—By Garst. A bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.	
Read first and second time and referred	382
Passed	413
Passed House	423
Enrolled	463, 471
277—By Healy. A bill for an act providing for the recovery of damages for death from wrongful act in certain cases, and the survival of actions therefor.	
Read first and second time and referred	382
278—By Young of Washington. A bill for an act making an appropriation for the purchase of land, tombstone and erection thereof, for the proper marking of the grave of one Chas. Shepherd, soldier who served in the war of the Revolution, died in 1845 and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa.	

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Read first and second time and referred	397
Reported with substitute	904, 906
Reported with substitute second time	906
Passed	1044
Passed House	1060
Enrolled	1102
279—By Craig. A bill for an act to amend chapter eighty-five (85) of the acts of the Twenty-eighth General Assembly, relating to the appointment by the dairy commissioner of a deputy and assistants and fixing their compensation.	
Read first and second time and referred	409
Indefinitely postponed.	652
280—By Blanchard (by request). A bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri.	
Read first and second time and referred	409
Indefinitely postponed.	907
281—By Crawford, a bill for an act to repeal section seven hundred forty-seven (747) of the Code as amended, relating to the appointment of waterworks trustees in cities of the first class and to enact a substitute in lieu thereof.	
Read first and second time and referred	479
Reported	443
Amended and passed	520, 521
Passed House	570
Enrolled	582, 583
282—By Brooks. A bill for an act to amend section seventeen hundred ten (1710) of the Code, relating to insurance companies.	
Read first and second time and referred	409
Reported and indefinitely postponed	783
283—By Spaulding. A bill for an act to legalize the incorporation of Rudd, Floyd county, Iowa, to the extension of the limits thereof, and the ordinances passed by the council of said town.	
Read first and second time and referred	409
Reported	461
Passed	519
284—By Trewin. A bill for an act to amend section six hundred forty-five (645) of the Code, relating to city and town councils.	
Read first and second time and referred	422
Reported	599
Indefinitely postponed.	839
285—By Trewin. A bill for an act to amend section two thousand eighty-six (2086) of the Code, relating to the voting of taxes in aid of railroads.	
Read first and second time and referred	423
Reported	502
Amended	943
Passed	943
Passed House	990
Enrolled	1061
286—By Crawford. A bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters, under appointment made by the district courts of Iowa.	

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Read first and second time and referred	422
Reported	443
Reported	650
Passed	708, 709
Passed House	730
Passed on file	731
Enrolled	777
287—By Hayward. A bill for an act to amend section thirteen hundred and thirty-four (1334) of the Code, relating to assessment of railway right of way.	
Read first and second time and referred	422
238—By Hayward. A bill for an act to amend section seventeen hundred forty-three (1743) of the Code, relating to fire insurance.	
Read first and second time and referred	412
Reported	591
Indefinitely postponed	661
229—By Courtright. A bill for an act to amend section twenty-five hundred one (2501) of the Code of Iowa, in relation to annual reports and bulletins to be published by the state.	
Read first and second time and referred	413
Reported	698
Passed	749
House indefinitely postponed	897
290—By Junkin. A bill for an act amending section thirteen hundred and thirty-four (1334) of the Code, and repealing section thirteen hundred and thirty-five (1335) and section thirteen hundred and thirty-six (1336) of the Code, and enacting a substitute therefor, in relation to railway taxation, and providing for the publication of proceedings of said council and directing the payment of expenses provided for by this act.	
Read first and second time and placed on calendar	435
Made special order	475
Reported, made special order	490
Three hundred extra copies ordered printed	510
Amended and passed	545
House indefinitely postponed	864
291—By Bachman. A bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine and dentistry.	
Read first and second time and referred	435
Reported amended	600
Amended	625, 626
Passed	625
Passed House	851
Enrolled	944
292—By Harper. A bill for an act to amend chapter ninety-one (91) of the laws of the Twenty-eighth General Assembly, pertaining to the board of dental examiners, and the practice of dentistry.	
Read first and second time and referred	435
Re-referred	489, 809
293—By Hartshorn. A bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred forty-two (1542) and fifteen hundred forty-four (1544) of the Code, rela-	

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five to the levying, certifying and collection of road tax.	
Read first and second time and referred.....	439
Reported.....	473
Indefinitely postponed.....	633
294—By Hazelton. A bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.	
Read first and second time and referred.....	439
Reported.....	461
Passed.....	553
Passed House.....	588
Passed on file.....	598
Enrolled.....	653
295—By Hazelton. A bill for an act to amend section seventeen hundred ten (1710) of the Code, relating to limitation of insurance risks.	
Read first and second time and referred.....	439
Reported.....	591
Amended, withdrawn.....	1163
Passed.....	1193, 1194
Passed House.....	1207
Enrolled.....	1216
296—By Trewin. A bill for an act to provide for the publication of an edition of ten thousand (10,000) copies of the Code	
Read first and second time and referred.....	440
Reported.....	506
Passed.....	556, 557
Passed House.....	616
Enrolled.....	703
297—By Lambert. A bill for an act to amend chapter fifteen (15), title twelve (12) of the Code, amending sections twenty-five hundred forty (2540), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-six (2556), and twenty-five hundred sixty-one (2601) of the Code, and section twenty-five hundred thirty-nine (2539) of the Code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, repealing section five (5) of chapter sixty-four of the laws of the Twenty-seventh General Assembly, and making further provisions additional to said chapter fifteen (15), title twelve (12) of the Code, relating to the care and propagation of fish, and the protection of birds and game.	
Read first and second time and referred.....	440
Reported and amended.....	539
Amended.....	865, 867
Passed.....	867
Title amended.....	877
Passed House.....	1032
Enrolled.....	1098
298—By Garst. A bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.	
Read first and second time and referred.....	440
Reported.....	530
Passed.....	763
Passed House.....	805
Enrolled.....	884

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299—By Young of Lee. A bill for an act amendatory of chapter 4, title 10 of the Code, to enable the United States of America to take property for public improvements	
Read first and second time and referred.....	460
Reported amended.....	618
Amendment adopted.....	745
Passed.....	745, 746
Passed House.....	819
Enrolled.....	884
300—By Courtright. A bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal School of Cedar Falls.	
Read first and second time and referred.....	460
301—By Townsend. A bill for an act to amend chapter four (4), title nine (9) of the Code, and providing for a uniform policy and contract of fire insurance to be known as the Iowa standard policy.	
Read first and second time and referred.....	469
Indefinitely postponed.....	859
302—By Fitchpatrick. A bill for an act to amend section eight hundred ninety-four (894) of the Code, relating to the waterworks tax.	
Read first and second time and referred.....	469
Indefinitely postponed.....	1076
303—By Classen. A bill for an act to amend charter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown.	
Read first and second time and referred.....	469
Reported.....	651
Passed.....	850
Passed House.....	1132
Enrolled.....	1152
304—By Jenkin. A bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right of way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.	
Read first and second time and referred.....	469
Reported.....	492
Passed House.....	515
Passed.....	518, 519
House recalls.....	536
Passed on file.....	550
House recalls.....	625
Returned to House.....	632
House amended and passed.....	646
Concurred.....	658
Enrolled.....	703
305—By Alexander. A bill for an act to amend section three hundred sixty (360) of the Code, entitled "when a guarantee company may be accepted as surety."	
Read first and second time and referred.....	481
306—By Winne. A bill for an act to amend section fifty hundred forty-nine (5049) fifty hundred fifty (5050) and fifty hundred fifty-one (5051)	

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of the Code, relating to label, trademark or form of advertisement	
Read first and second time and referred.....	481
Reported with amendments.....	1027
327—By Winne. A bill for an act to amend sections sixteen hundred ten (1610), sixteen hundred fourteen (1614), sixteen hundred fifteen (1615) and sixteen hundred seventeen (1617) of the Code, relating to corporations for pecuniary profit.	
Read first and second time and referred.....	481
Reported.....	1029
308—By Brooks. A bill for an act to amend section seventeen hundred nine (1709) and section seventeen hundred ten (1710) of the Code, relating to insurance and limitations of insurance risks.	
Read first and second time and referred.....	481
309—By Trewin. A bill for an act to amend section nine (9) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.	
Read first and second time and referred.....	482
Indefinitely postponed.....	688 1/2
310—By Lyons. A bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, and also of the city in said county.	
Read first and second time and referred.....	482
Reported.....	506
Indefinitely postponed.....	606
311—By Garst. A bill for an act providing for the organization of trust companies and loan and trust companies, providing for their examination and control.	
Read first and second time and referred.....	482
312—By Whipple. A bill for an act providing for a uniform policy to be used exclusively by all fire insurance companies doing business in the state of Iowa.	
Read first and second time and referred.....	409
Indefinitely postponed.....	859
313—By Harriman. 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.	
Read first and second time and referred.....	409
Reported with substitute.....	812
Passed amended.....	1087, 1088
314—By Trewin. A bill for an act providing for the completion of the historical building, and making an appropriation therefor.	
Read first and second time and referred.....	500
Reported.....	1028
315—By Blanchard (by request). A bill for an act to regulate the manufacture and sale of loaves of bread.	
Read first and second time and referred.....	500
316—By Healy (by request). A bill for an act to amend section thirty-six hundred fifty-one (3651) of the Code,	

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relating to method of trial in ordinary actions.	
Read first and second time and referred.....	500
Reported.....	822
Amended.....	889
Passed.....	889
Title amended.....	889
House indefinitely postponed.....	971
317—By Lewis. A bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the Code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.	
Read first and second time and referred.....	526
318—By Hartshorn. A bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others.	
Read first and second time and referred.....	526
Reported.....	601
Passed.....	637
House failed to pass.....	1145
319—By Trewin. A bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto.	
Read first and second time and referred.....	527
Reported.....	531
Indefinitely postponed.....	732
320—By Trewin. A bill for an act to amend section 362 of the Code, relating to practice in equity cases.	
Read first and second time and referred.....	542
Indefinitely postponed.....	923
321—By Whipple. A bill for an act to repeal section forty-eight hundred ninety-seven (4897) of the Code, and to enact a substitute therefor, relating to the escape of prisoners confined in a penitentiary for any less period than for life.	
Read first and second time and referred.....	549
Reported.....	901
322—By Whipple. A bill for an act to amend section fifty-seven hundred seven (5707) of the Code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosure.	
Read first and second time and referred.....	549
Reported.....	901
323—By Hayward. A bill for an act to amend section five hundred sixty-five (565) of the Code, relating to township assessors where cities are included in the township and making said section applicable to cities under special charters.	
Read first and second time and referred.....	584
Reported and passed on file.....	688
324—By Hayward. A bill for an act to amend section thirteen hundred seventy (1370) of the Code, relating to local boards of review and making said section apply to cities acting under special charters.	

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Read first and second time and referred	585
Reported and passed on file.....	680a
325—By Hayward. A bill for an act to make section thirteen hundred fifty (1350) of the Code applicable to cities and towns under special charters.	
Read first and second time and referred	585
Reported and passed on file.....	679d
326—By Brooks. A bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to memoership in the annual convention of the department of agriculture.	
Read first and second time and referred	585
Reported.....	652, 653
Indefinitely postponed.....	830
327—By Brooks. A bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the Code of 1893, and by the officers therein authorized to take and certify acknowledgments.	
Read first and second time and referred	585
Reported.....	699
Passed	830, 831
328—By Hogue. A bill for an act to provide for the inspection, recognition and supervision of schools, for the instruction and training of teachers for the common schools, and providing for the licensing of graduates of the same.	
Read first and second time	585
Reported amended	700
Re-referred	781
Reported	907
Amended	1022
Passed	1082
Passed House	1032
Enrolled	1099
329—By Harper. A bill for an act to provide for the purchase of sundry additions to the historical department.	
Read first and second time and referred	598
Indefinitely postponed.....	1028
330—By Bachman. A bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town in payment therefor.	
Read first and second time and referred	598
House file 407 substituted for it.	
331—By Crossley (by request). A bill for an act to amend section one thousand seventy-eight (1278) of the Code, in relation to registration of voters in school districts.	
Read first and second time and referred	598
Indefinitely postponed.....	701
332—By Whipple (by request). A bill for an act to amend section fifty-six hundred sixty-three (5663) of the Code, limiting the number of guards allowed at the penitentiaries at Anamosa and Et Madison.	
Read first and second time and referred	619
Reported	843

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333—By Garst. A bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, public assembly room and library building in incorporated towns.	
Read first and second time and referred	622
Indefinitely postponed.....	840
334—By Lewis (by request). A bill for an act providing for the opening of highways on section lines in certain cases.	
Read first and second time and referred	622
Reported	1139
335—By Griswold. A bill for an act requiring abstractors to give bonds and fixing fees.	
Read first and second time and referred	622
336—By Hobart. A bill for an act to allow a refund of money to patentees, their heirs and assigns, of certain lands patented by the state of Iowa as school lands, the title of which has failed in said patentee, their heirs or assigns.	
Read first and second time and referred	632
Indefinitely postponed.....	908
337—By Blanchard. A bill for an act defining the crime of sodomy.	
Read first and second time and referred	662
Reported and passed on file.....	683½
Passed	710
Passed House.....	734
338—By Wilson. A bill for an act to authorize cities which have voted taxes to aid any orporation, organized under the laws of this state, for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge.	
Read first and second time and referred.....	662
Reported and passed on file.....	688
Passed	621
Reconsidered and indefinitely postponed.....	715
339—By Hazelton. A bill for an act for compulsory education of deaf mutes.	
Read first and second time and referred.....	660
Re-referred	963
Reported.....	1058
340—By Crawford. A bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of waterworks.	
Read first and second time and referred.....	669, 679
Reported	700
Passed	743
Passed House amended.....	1049
Senate concurred	1056
Passed	1057
Enrolled.....	1154
341—By Bachman. A bill for an act to repeal section 2253 of the Code, and enact a substitute in lieu thereof, in relation to hospitals for the insane.	
Read first and second time and referred	679
Reported	700

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Substituted by House file 376.....	829
Indefinitely postponed.....	829
342—By Young of Washington. A bill for an act to amend section twenty-four hundred ten (2410) of the Code, relating to sale of intoxicating liquors and abatement of nuisance.	
Read first and second time and referred.....	692
Reported.....	843
Passed.....	1089, 1090
Passed House.....	1163
Enrolled.....	1190
343—By Crossley. A bill for an act making an appropriation to pay the expenses incurred in the Bruce-Emmert contested election case.	
Read first and second time and referred.....	692
344—By Allyn. A bill for an act to repeal section one (1) of chapter ninety-four (94) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, relative to the duties and expenses of the superintendent of public instruction.	
Read first and second time and placed on calendar.....	693
345—By Garst. A bill for an act to amend section twenty-three (23) of chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect.	
Read first and second time and referred.....	716
Reported.....	1019, 1028
Passed.....	1127
Enrolled.....	1215
346—By Ball. A bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding minors as apprentices and the appointment of guardians for minors in certain cases.	
Read first and second time and referred.....	717
Passed.....	856
Passed House.....	1133
347—By Ball. A bill for an act to amend section three hundred twenty-five (325) of the Code, relating to the removal or suspension of attorneys and the payments of costs and fees therefor.	
Read first and second time and placed on calendar.....	717
Amended and passed.....	860
Passed House.....	1132
348—By Griswold. A bill for an act amending chapter thirteen (13) of the Code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations, and defining and regulating the same.	
Read first and second time and referred.....	717
Reported.....	908, 962
Amended.....	964
Passed.....	964, 965
Passed House.....	1060
Enrolled.....	1102
349—By Bianchard. A bill for an act to amend section nineteen hundred ninety-eight (1998) of the Code, relating to depot grounds of railway corporations.	

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Read first and second time and referred.....	7
Reported.....	75
Amended and passed.....	81
Passed House.....	109
Enrolled.....	115
350—By Crawford. A bill for an act to amend section five (5), chapter forty-three (43) of acts of the Twenty-eighth General Assembly, relating to the taxing of insurance companies.	
Read first and second time and referred.....	740
Indefinitely postponed.....	842
351—By Hayward. A bill for an act authorizing the executive council to sell and convey two islands recently formed by accretion in the Mississippi river, and located in sections three and four, in township seventy-seven (77), north of range three, east of the fifth P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.	
Read first and second time and referred.....	755
Reported.....	810
352—By Healy. A bill for an act to amend section twenty-seven hundred fifty-five (2755) of the Code of 1897, as amended by chapter one hundred five (105) of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections.	
Read first and second time and referred.....	755
Reported and re-referred.....	883
Reported with substitute.....	947
Read first and second time.....	947
353—By Smith of Mitchell. A bill for an act to create a state department of insurance and providing for the appointment of a commissioner of insurance.	
Read first and second time and referred.....	755
Reported.....	859
354—By Hayward. A bill for an act to amend sections four hundred thirty (430) and four hundred thirty-one (431) and four hundred thirty-three (433) of the Code, relating to dependent soldiers and sailors tax, and making said sections apply to dependent United States volunteers, soldiers, sailors and marines of the late Spanish-American war.	
Read first and second time and referred.....	780
Reported.....	1093
355—By Hogue. A bill for an act to amend section seventeen hundred twenty-one (1721) of the Code, in relation to insurance companies.	
Read first and second time and referred.....	780
Reported.....	843
356—By Crossley. A bill for an act to amend section twenty-six hundred twenty-nine (2629) of the Code, relating to examinations of applicants for state certificates and diplomas.	
Read first and second time and referred.....	780
Reported.....	797
357—By Harriman. A bill for an act authorizing the commander-in-chief to organize naval militia of Iowa	

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and prescribing regulations therefor.	
Read first and second time and referred.....	794
Indefinitely postponed.....	1077
358—By Molsberry. A bill for an act to amend section two thousand forty-nine (2049) of the Code, relating to the indebtedness or liability of railway corporations.	
Read first and second time and referred.....	837
Reported.....	845
Amended.....	1070, 1071, 1072, 1073
Passed.....	1073
Title amended.....	1073
House indefinitely postponed.....	1191
359—By Smith of Mitchell (for committee on Insurance). A bill for an act providing for a uniform policy to be used by all fire insurance companies doing business in the state of Iowa.	
Read first and second time and placed on calendar.....	858
360—By Blanchard. A bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.	
Read first and second time and referred.....	883
Reported.....	904
Passed.....	909
House passed.....	1103
Enrolled.....	1196
361—By Brooks. A bill for an act to amend section one hundred thirty-seven (137) of the Code, relating to the publication of the proceedings of the State Teachers' association.	
Read first and second time and referred.....	898
Indefinitely postponed.....	1077

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362—By Crawford. A bill for an act to fix the compensation of waterworks trustees in special charter cities.	
Read first and second time and referred.....	938
Passed.....	961
House amended and passed.....	1163
Concurred in and passed.....	1176
Enrolled.....	1213
363—By Courtright. A bill for an act to amend section six hundred forty-one (641) of the Code, relating to dividing cities into wards, creating new ones or changing the boundaries thereof.	
Read first and second time and referred.....	946
Reported.....	1016
364—By Hayward (by request). A bill for an act to amend section sixteen hundred eleven (1611) of the Code, relating to the indebtedness of corporations.	
Read first and second time and ordered placed on the calendar.....	1055
365—By Garst. A bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts and the State University and the State Normal school.	
Read first and second time.....	1098
Amended.....	1177
Passed.....	1178
Passed House.....	1206
Enrolled.....	1216
366—By Garst. A bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.	
Read first and second time and placed on file.....	1178
Passed.....	1212
Passed House.....	1207
Enrolled.....	1218

HOUSE BILLS.

RECEPTION AND ACTION.

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1—A bill for an act to amend sections four hundred and seventeen (417) and four hundred and eighteen (418) of the Code, relating to the supervisor districts and the election of members thereof.	
Read first and second time and referred	563
Indefinitely postponed	1192
3—A bill for an act relating to the use of streets and highways by automobiles or motor vehicles, and requiring the owners of such vehicles to register with the secretary of state.	
Read first and second time and referred	286
Reported	443
Amended	770
Re-referred	770
Amended	946
Passed	996
6—A bill for an act relating to the assessment and collection of the collateral inheritance tax and repealing chapter 4, of title 7 of the Code, and chapter 37 of the acts of the Twenty-seventh General Assembly and chapter 51 of the acts of the Twenty-eighth General Assembly.	
Read first and second time and referred	484
Indefinitely postponed	841
7—A bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others.	
Read first and second time and referred	959
Reported	1097
9—A bill for an act legalizing the independent school district of Ralston.	
Read first and second time and referred	89
Reported with substitute	383
Passed	512
Passed House	544
House concurred in amendments	552
Enrolled	593
11—A bill for an act to amend section 2489 of the Code, relative to mines and mining.	
Read first and second time.	
12—A bill for an act to amend chapter 9, title 12 of the Code, in relation to mines and mining.	
Read first and second time and referred	246
Reported	340
Passed	622, 623
Enrolled	740

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13—A bill for an act to amend section 2482 of the Code, relating to mines and mining.	
Read first and second time and referred	160
Reported	340
Amended	623
Passed	623
House concurs	645
Enrolled	740
14—A bill for an act to amend section 2489 of the Code, relative to mines and mining.	
Read first and second time and referred	685
18—A bill for an act to provide a water supply for military reservation of the United States in this state.	
Read first and second time and referred	207
Passed Senate	212, 23
Enrolled	267
19—A bill for an act to authorize the loaning of funds accumulated under chapter 1 of the acts of the Twenty-sixth General Assembly or under section 742 of the Code, and to legalize a contract between the city of Des Moines and the Des Moines Waterworks company for a loan of such funds.	
Read first and second time and referred	194
Reported	249
Passed	
Enrolled	267
25—A bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the poor and legalizing the tax so levied.	
Read first and second time and referred	161
Reported	201
Passed Senate	203
Enrolled	267
26—A bill for an act to legalize and confirm the official acts of Geo. C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.	
Read first and second time and referred	160
Reported	236
Passed	297
Enrolled	356
27—A bill for an act to amend section one hundred eighteen (118) and one hundred nineteen (119) of the Code, defining the duties of state printer and state binder.	
Read first and second time and referred	398

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Reported	697
Indefinitely postponed.....	10, 0
28—A bill for an act to amend section 1272 of the Code relative to the appointment of city officers to fill vacancies.	
Read first and second time and referred.....	231
Reported.....	349
Recommitted.....	417
Reported with substitute.....	414
Indefinitely postponed.....	654
29—A bill for an act to amend section twenty-seven hundred ninety-nine (2799), chapter fourteen (14), title thirteen (13) of the Code of 1897, relating to the uniting of independent districts and to enact in lieu thereof the following.	
Read first and second time and referred.....	398
Reported.....	761
31—A bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.	
Read first and second time and referred.....	247
Reported.....	556
Passed.....	608, 609
Enrolled.....	704
33—A bill for an act to amend section 1850 of the Code, relating to investment of funds of savings banks.	
Read first and second time and referred.....	232
Reported.....	277
34—A bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.	
Read first and second time and referred.....	160
Reported.....	236
Passed.....	218
Enrolled.....	355
35—A bill for an act to amend section two hundred fifty-four (254) of the Code, relating to compensation of shorthand reporters	
Read first and second time and referred.....	528
Reported with substitute.....	683, 684
Passed.....	87
Enrolled.....	978
38—A bill for an act to amend section 2764, relating to the taking of school census.	
Read first and second time and referred.....	247
Passed on file.....	470, 471
Indefinitely postponed.....	615
40—A bill for an act to amend section fifteen hundred thirty (1530) of the Code, relating to the working of highways.	
Read first and second time and referred.....	550
Passed on file.....	692
Passed.....	1023, 1024
Enrolled.....	1074
41—A bill for an act to amend sections eight hundred fifty-one (851) and eight hundred fifty-two (852) of the Code, as amended by chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to park commissioners in certain cities.	
Read first and second time and referred.....	334
Reported.....	486
Enrolled.....	704
42—A bill for an act to amend chapter 44 of the laws of the session of the territory of Iowa, approved De-	

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ember 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington.	
Read first and second time and referred.....	232
Reported.....	250
Passed.....	307
Enrolled.....	355
47—A bill for an act to amend section 3439 of the Code relating to the limitation of actions in judgments.	
Read first and second time and referred.....	232
Reported.....	384
Passed.....	614
Enrolled.....	740
48—A bill for an act to fix the compensation of appraisers of property.	
Read first and second time and referred.....	410
Reported.....	501
Passed.....	833
Enrolled.....	945
52—A bill for an act making it a crime to advise, counsel or employ another to commit murder, and fixing the punishment thereof.	
Read first and second time and referred.....	334
Reported.....	648
Amended and passed.....	948, 949
House concurred.....	991
Enrolled.....	1017
58—A bill for an act making an appropriation for the Benedict Home at Des Moines.	
Read first and second time and referred.....	1084
Reported.....	1157
Passed.....	1158
Enrolled.....	1198
55—A bill for an act to amend sections 2708, 2709, 2711, title 13, chapter 8 of the Code, to repeal sections 12, 13, 14, chapter 100, laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools.	
Read first and second time and referred.....	262
Reported.....	340
Passed.....	603
Enrolled.....	704
62—A bill for an act to amend section four hundred forty-one (441) of the Code, relating to compensation of official papers.	
Read first and second time and referred.....	693
Reported.....	758
Passed.....	1087
64—A bill for an act to add to and amend chapter eighty-two (82), acts of the Twenty-eighth General Assembly, relating to mines and mining.	
Read first and second time and referred.....	687½
67—A bill for an act to amend section 3497 of the code, relating to place of bringing action.	
Read first and second time and referred.....	246
Reported.....	269
Passed.....	370
Enrolled.....	447
68—A bill for an act to amend section 3529 of the Code of 1897, relating to the manner of commencing actions.	
Read first and second time and referred.....	247
Reported.....	258
Passed.....	371
Enrolled.....	447

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69—A bill for an act to amend section five thousand forty (5040) of the Code relating to the desecration of the Sabbath.	
Read first and second time and referred.....	687½
Reported and re-referred.....	839
71—A bill for an act to amend section sixteen hundred seventy-two (.672) and sixteen hundred seventy-three (1673) chapter three (3), title nine (9) of the Code.	
Read first and second time and referred.....	756
Passed.....	950
Amended.....	949
House concurred.....	950
Enrolled.....	991
73—A bill for an act to amend section 3524 of the Code, in relation to the powers of the dairy commissioner.	
Read first and second time and referred.....	398
74—A bill for an act legalizing the official acts of W. E. Haskins, a notary public of Howard county, Iowa.	
Read first and second time and referred.....	120
Reported.....	250
Passed.....	301
Enrolled.....	355
77—A bill for an act to amend chapter one (1), title seven (7) of the Code, and for the repeal of section thirteen hundred four (1304), chapter one (1), title seven (7) of the Code, relating to exemption of property from assessment and taxation.	
Read first and second time and referred.....	399
Reported.....	705
Amended.....	940
Passed.....	941
House concurred.....	956
Enrolled.....	997
78—A bill for an act to amend section 1276 of the Code in relation to notes taken for policies of insurance.	
Read first and second time and referred.....	231
Reported with substitute.....	411
Amended.....	915, 916
Passed.....	916, 917
House refused to concur.....	957
Conference committee.....	972
Committee report adopted by House.....	1041
Committee report.....	1041
Adopted.....	1042
Passed.....	1042
Enrolled.....	1102
81—A bill for an act to amend section eleven hundred thirteen (1113) of the Code relating to polling places.	
Read first and second time and referred.....	397
Reported.....	773
86—A bill for an act to amend section ten hundred eighty (1080) of the Code, relating to the correction of registry of voters.	
Read first and second time and referred.....	397
Reported with substitute.....	682
Read first and second time and placed on file.....	683½
83—A bill for an act to repeal section 270 of the Code, and enact a substitute therefor, in relation to quarantine and expenses thereof.	

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Read first and second time and referred.....	
Reported.....	795
Amended.....	1125, 1129
Passed.....	1129
House concurred.....	1147
Enrolled.....	11201
86—A bill for an act relating to the support of the college for the blind at Vinton.	
Read first and second time and referred.....	364
Substituted for Senate file 66 and passed.....	641
Enrolled.....	516
88—A bill for an act to amend section twenty-three hundred ninety-four (2394) of the Code, relating to the sale of intoxicating liquors by permit holders.	
Read first and second time and referred.....	410
Indefinitely postponed.....	506
92—A bill for an act defining the crime of the commission of crime as an occupation, and providing the penalty therefor.	
Read first and second time and referred.....	484
Reported.....	647
Passed.....	1024
Enrolled.....	1100
93—A bill for an act to repeal section 2814 of the Code, and to enact a substitute therefor, relating to school-house sites.	
Read first and second time and referred.....	248
Passed on file.....	461
Indefinitely postponed.....	715
98—A bill for an act to amend chapter 5, sections 745, 746, 747, 748 of the Code, relating to letting contracts for the purchase or erection of waterworks in cities of first class.	
Read first and second time and referred.....	232
Reported.....	350
Lost.....	627, 628
Motion to reconsider filed.....	632
Motion to reconsider carried.....	643
Recalled from House.....	644
Returned by House.....	646
Passed.....	659
Enrolled.....	778
103—A bill for an act to legalize the election held in the county of Dallas, on the 6th day of November, 1920.	
Read first and second time and referred.....	231
Reported.....	245
Passed.....	300
Enrolled.....	351
105—A bill for an act to amend section forty-five hundred and forty-four of the Code, relating to garnishment proceedings.	
Read first and second time and referred.....	2
Reported.....	2
Passed.....	2
Enrolled.....	2
107—A bill for an act to amend section twenty-six hundred eight (2608) of the Code, providing additional support for the Soldiers' Home at Marshalltown.	
Read first and second time and referred.....	1
Amended.....	1
Passed.....	1
House concurred.....	1
Enrolled.....	1

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111—A bill for an act to amend section two hundred fifty-five (255) of the Code, relating to superior courts. Read first and second time and referred	641
Passed	642
Enrolled	740
112—A bill for an act relating to the time in which action or proceedings may be brought for the recovery of taxes alleged to be due on personal property omitted, not listed, withheld or overlooked. Read first and second time and referred	828
Reported amended	910, 1148, 1155
Laid on table	1155, 1156
114—A bill for an act to encourage the planting of forest and fruit trees. Read first and second time and referred	824
Reported amended	844, 1184
Lost on passage	1184
116—A bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City. Read first and second time and referred	881
Reported	1156
Passed	1157
Enrolled	1190
117—A bill for an act to amend section 4807 of the Code, relating to malicious mischief and trespass. Read first and second time and referred	247
Reported	209
Passed	369
Enrolled	447
119—A bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds. Read first and second time and referred	207
Passed	301
Enrolled	355
121—A bill for an act to amend section 1610, and section 1518 as amended by chapter 40 of the acts of the Twenty-seventh General Assembly, and chapter 56 of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit. Read first and second time and referred	310
Reported	322
Passed	377
Enrolled	447
123—A bill for an act to amend section fourteen hundred forty-one (1441) of the Code, relating to service of notice of expiration of right of redemption from tax sales. Read first and second time and referred	483
Indefinitely postponed	649, 650
125—A bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without written consent of the landlord, and fixing the penalty therefor. Read first and second time and referred	293
Reported	325
Amended	1002
Passed	1003
Enrolled	1074

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128—A bill for an act amendatory of chapter one (1), title three (3) of the Code of Iowa, relating to the organization of the supreme court. Read first and second time and referred	410
Reported with substitute	490, 491
Passed on file	491
Made special order	497
Amended	761, 762
Passed	753, 754
Enrolled	1007
129—A bill for an act to amend section 253, title 3, chapter two of the Code of 1897, changing the salaries of district judges. Reported with amendments	445, 446
Amended	1120
Passed	1144, 1145
Enrolled	1198
130—A bill for an act to amend section 1547 of the Code, and to prohibit the taking of fish from certain waters of the state except with hook and line. Read first and second time and referred	311
Reported	350
Passed	604
Enrolled	704
135—A bill for an act in regard to supervisors' districts. Read first and second time and referred	527
Reported and passed on file	330
Re-referred	780
137—A bill for an act to legalize the State Poultry association, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for misappropriation of any money hereby granted. Read first and second time and referred	791
Indefinitely postponed	906
140—A bill for an act to relinquish to the public, certain real property for street purposes. Read first and second time and referred	207
Amended	437
Adopted	437
Amended	437
Lost	624, 625
Motion filed to reconsider vote	632
Motion to reconsider lost	643
141—A bill for an act to repeal section 510 of the Code, in reference to the compensation of deputy sheriffs and the enactment of the following in lieu thereof. Read first and second time	—
Reported amended	485
Adopted	695
Amended	695, 686½, 687½
Passed	689, 690
Concurred in	727, 723
Passed on file	731
Enrolled	778
142—A bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-minded Children, at Glenwood. Read first and second time and referred	—
Reported	907
Passed	1124, 1125
Enrolled	1199
145—A bill for an act to repeal chapter eight (8) of title sixteen (16) of the	

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Code, and enact a substitute therefor, relating to the care of friendless children and the establishment, regulation and visitation of homes for friendless children.		164—A bill for an act to amend section fifty-three hundred fourteen of the Code, relative to the compensation of attorneys.	
Passed on file.....	464	Read first and second time and referred.....	286
Reported.....	812	Reported.....	355
Amended.....	1003, 1004	166—A bill for an act to amend section 1869 of the Code, relating to directors of state and savings banks.	
Passed.....	1004	Read first time and referred.....	207
House concurred.....	1060	167—A bill for an act to amend sections two thousand twenty-four (2024) and two thousand twenty-five (2025) of the code, relating to the condemnation of real estate by the state and the payment of damages in compensation therefor.	
Enrolled.....	1102	Read first and second time and referred.....	398
148—A bill for an act to amend section 421 of the Code, relating to powers of boards of supervisors.		Reported.....	699
Read first and second time and referred.....	247	Passed.....	742, 833
Passed.....	628, 629	Enrolled.....	945
Enrolled.....	740	165—A bill for an act to make the owners of lands to drain them when the same cannot be done without affecting the lands of others, prescribing the rights and duties of county supervisors and other officers in the premises, etc.	
151—A bill for an act to amend section 2582 of the Code, relating to the granting of certificates to practice medicine and surgery.		Read first and second time and referred.....	564
Read first and second time and passed on file.....	732	Reported with substitute.....	749
153—A bill for an act making appropriations for the erection of a state arsenal and adjutant-general's building.		Read first and second time.....	866
Read first and second time and referred.....	757	Amended.....	1065, 1066
Indefinitely postponed.....	1150	Lost on passage.....	1066
155—A bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park, to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.		Reconsidered and referred.....	1122
Read first and second time.....	660	House requests return. Returned.....	8
Reported amended.....	702	House returns.....	1132
Made special order.....	707	170—A bill for an act for compulsory education.	
Amended.....	775	Read first and second time and referred.....	364
Passed.....	776	Passed on file.....	471
House concurred.....	799	Made special order.....	715
Passed on file.....	814	Amended.....	815
Enrolled.....	871	Passed.....	815
156—A bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor.		House concurs.....	820
Read first and second time and referred.....	286	Enrolled.....	871
Reported.....	475	171—A bill for an act to amend section four hundred sixty-eight (468) of the Code, relating to supplies for county officers.	
Passed.....	605	Read first and second time and referred.....	551
Enrolled.....	704	Reported.....	707
157—A bill for an act making an appropriation for the completion of the state historical building, and to provide for the completion of the same.		172—A bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system of making said reports.	
Read first and second time and referred.....	1081	Read first and second time and referred.....	334
Indefinitely postponed.....	1150	Amended.....	1196
162—A bill for an act to amend section twenty-five hundred and seventy-one (2571) of the Code, relating to time of meeting for local boards of health.		Passed.....	1196
Read first and second time and referred.....	293	173—A bill for an act to amend section four thousand eight hundred seventy-two (4872) of the Code, relative to perjury.	
Reported.....	436	Reported.....	473
Passed.....	862, 863	Laid on table.....	1205
Enrolled.....	978	176—A bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.	
163—A bill for an act to amend section two (2), chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, relating to the care and propagation of fish and game.		Read first and second time and referred.....	827
Read first and second time and referred.....	1039	Reported.....	883
		Passed.....	1187

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Enrolled.....	1201
178—A bill for an act for the protection of owners of breeding stock.	
Read first and second time and referred.....	481
Reported.....	788
Lost on passage.....	1052
179—A bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.	
Read first and second time and referred.....	311
Passed.....	401
Enrolled.....	493
185—A bill for an act making appropriation for the department of agriculture, for the purpose of erecting a permanent fire-proof building for live stock.	
Passed on file.....	659
Referred.....	676
Motion filed to reconsider.....	678
Reconsidered.....	684, 685
Passed.....	1101
Enrolled.....	1198
187—A bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of rules, etc.	
Read first and second time and referred.....	247
Reported with substitute.....	298
Passed.....	299
House concurred in.....	387
Placed on file.....	397
Enrolled.....	399
188—A bill for an act to repeal section twenty-seven hundred twenty-seven (2727) of the Code, and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly, amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.	
Read first and second time and referred.....	410
Substituted for Senate file 106 and passed.....	543
Enrolled.....	516
Returned to House.....	564
192—A bill for an act to amend section twenty hundred twenty-eight of the Code, relating to the taking of private property for works of internal improvement.	
Read first and second time and referred.....	483
Reported.....	503
Passed.....	725, 726
Enrolled.....	847
194—A bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.	
Read first and second time and referred.....	293
Reported.....	354
Enrolled.....	493
195—A bill for an act to amend section 106 of the Code, relative to the time of settlement of the auditor of state with the treasurer of state.	
Read first and second time and referred.....	311
Passed.....	377
Enrolled.....	447

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198—A bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.	
Read first and second time and referred.....	293
Reported.....	325
Enrolled.....	447
200—A bill for an act to amend section 560 of title 4, chapter 10 of the Code, abolishing the office of township clerk, and trustees in certain civil townships.	
Read first and second time and referred.....	529
Reported.....	706
203—A bill for an act to amend section 323 of the Code, relating to the recording of wills.	
Read first and second time and referred.....	465
206—A bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for uniform system of keeping books of county treasurers.	
Read first and second time and referred.....	334
Reported.....	475
Indefinitely postponed.....	825
207—A bill for an act to amend section three thousand eighty-nine (3089) of the Code, relating to mechanics' liens.	
Read first and second time.....	809
Reported.....	971
Lost on passage.....	971
Motion to reconsider filed.....	882
Reconsidered.....	1000
Lost on passage.....	1001
208—A bill for an act to delay the cost of inspecting county and private institutions in which insane persons are kept.	
Read first and second time and referred.....	1009
Reported.....	1026
209—A bill for an act to appropriate money in aid of the quarterly conferences of the board of control and executive officers of state institutions.	
Read first and second time and referred.....	1009
Reported.....	1027
211—A bill for an act to amend chapter one hundred two (102) of the acts of the Twenty-eighth General Assembly, relating to the Iowa industrial reformatory for women.	
Read first and second time and referred.....	965
Reported.....	1139
212—A bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure better education, skill and proficiency of such practitioner, and to provide penalties for the violation thereof.	
Read first and second time and referred.....	586
Reported.....	808
Amendment offered and laid on table.....	933, 934
214—A bill for an act to amend section thirty hundred sixteen (3216) of the Code, relating to bushel weights.	
Read first and second time and referred.....	483
Recalled from committee.....	614
Passed.....	615

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Enrolled	704	236—A bill for an act to repeal section 493a of the Code, referring to the crime of adultery and the punishment thereof and enact a substitute therefor.	
217—A bill for an act to legalize the ordinances and official acts of the town of Schaller, Sac county, Iowa.		Read first and second time and referred	398
Read first and second time and referred	398	Reported	398
Reported	473	Reported with substitute	527
Passed	612	Passed	1172
Enrolled	710	237—A bill for an act to amend sections eleven hundred eighty-two (1182), eleven hundred eighty-eight (1188), eleven hundred eighty-nine (1189), and eleven hundred ninety (1190) of the Code, to require county supervisors to give official bonds and providing for the approval thereof.	
219—A bill for an act making an appropriation for the Dubuque Rescue home of Dubuque.		Read first and second time and referred	817
Read first and second time and referred	1081	Reported	902
Reported	1158	239—A bill for an act to amend sections 1328, 1329 of the Code, and sections 3 and 4 of chapter 42 of the acts of the Twenty-eighth General Assembly, relating to reports by, and taxation of telegraph and telephone companies, and requiring said companies to file maps and schedules of their lines with county auditors.	
Passed	1159	Read first and second time and referred	487
Enrolled	1198	Reported amended	667, 668, 676, 677
220—A bill for an act to amend the military code of Iowa.		Amended	678
Read first and second time and referred	465	Lost on passage	678
Reported	650	241—A bill for an act to amend section seventeen hundred fifty-nine (1759) of the Code, and to provide for the insurance of plate glass.	
Passed	1051, 1052	Read first and second time and referred	556
Enrolled	1197	Reported	793
221—A bill for an act to amend sections twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the Code.		Passed	1045
Read first and second time and referred	687	Enrolled	1100
Re-referred	832	244—A bill for an act to repeal section 269a of the Code, and section 5 of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home	
Reported amended	916	Read first and second time and referred	517
Amended	1119	Substitute for S. F. 181	580
Passed	1119	Lost on passage	596
House concurred	1146	245—A bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.	
Enrolled	1199	Read first and second time and referred	528
225—A bill for an act to amend section 308 of the Code, relative to compensation of county attorney.		Reported	705
Read first and second time and referred	803	Passed	1046, 1047
Reported amended	815	Enrolled	1103
Adopted	913	248—A bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section twenty hundred twenty-six (2026) of the Code, relating to such railways.	
Lost on passage	916	Read first and second time and referred	64
Motion filed to reconsider	917	Amended and passed	680, 681
Reconsidered	934	House refuses to concur	7-
Passed	935	Conference committee appointed	9
House refuses to concur	971	House adopts	9
House appoints conference committee	1047	Read first and second time	9
Report adopted	1078, 1079	Passed	9
Enrolled	1207	Enrolled	10
House concurs	1132	249—A bill for an act to amend section forty-eight hundred eleven (4811)	
228—A bill for an act to provide for the admission and maintenance of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood			
Read first and second time and referred	483		
Reported	744, 745		
Returned to House	915		
Passed	941		
Enrolled	1007		
230—A bill for an act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof.			
Read first and second time and referred	506		
Reported amended	693, 672		
Passed amended	992, 991		
House concurs	1048		
Enrolled	1219		
234—A bill for an act making an appropriation to the Iowa Historical society.			
Read first and second time and referred	1142		
Passed	1159		
Enrolled	1199		

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of the Code, with reference to jumping on and off cars in motion.	
Read first and second time and referred	528
Passed on file	672
257—A bill for an act fixing a uniform time at which all annual appropriations shall begin.	
Read first and second time and referred	465
Reported	602
Passed	1221
Enrolled	1249
252—A bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry.	
Read first and second time and referred	552
Reported	634
Amended	973, 974
Passed	982
Motion to reconsider lost	992
House refused to concur	1103
Indefinitely postponed	1165
260—A bill for an act to amend section two thousand eight (2008) of the Code, relating to filing of transcript in condemnation proceedings.	
Read first and second time and referred	558
Reported	706
261—A bill for an act to amend section five hundred eighty-five (585) of the Code, relating to the condemnation of land for gravel for roads.	
Read first and second time and referred	900
263—A bill for an act to repeal sections 2, 3, 4, 5, chapter 116, acts of the Twenty-eighth General Assembly; also defining duties of Iowa library commission; providing for appropriation; amending section 168 of Code of 1897; repealing sections 286, 287, 287a, 287b and 287c of Code; also repealing chapter 148 acts of the Twenty-eighth General Assembly.	
Read first and second time and referred	551
Reported	601
Amended	1107, 1108, 1109, 1110, 1111
Passed	1121, 1124
Passed House	1246
Enrolled	1201
264—A bill for an act to amend sections twenty-five hundred five (2505) and twenty-five hundred six (2506) of the Code, relating to the inspection of petroleum products.	
Read first and second time and referred	756
Reported	1145
265—A bill for an act making provision for the support of the department of Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.	
Reported	1026
Amended	1149
Passed	1149, 1150
House concurred	1162
Enrolled	1198
266—A bill for an act to amend section fifteen hundred forty-two of the Code, relating to the certifying delinquent road tax.	
Reported and passed on file	590
Passed	632, 633
Enrolled	740

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268—A bill for an act to amend the law relating to public health; an act to amend sections twenty-five hundred sixty-four (2564), twenty-five hundred sixty-five (2565), twenty-five hundred sixty-eight (2568), twenty-five hundred seventy-one (2471), twenty-five hundred seventy-four (2574), twenty-five hundred seventy-five (2575) of the Code, and chapter sixty-seven (67) acts of the Twenty-eighth General Assembly.	
Read first and second time and referred	804
Reported	808
Amended	1054
Laid on table	1054
270—A bill for an act to repeal section fifty-one hundred sixty-seven (5167) of the Code, and to enact a substitute therefor, relating to the time of commencing action in criminal cases.	
Read first and second time and referred	501
271—A bill for an act to repeal section twenty-seven hundred one (2701) of the Code and to enact a substitute therefor, relating to the compensation of the superintendent and assistants of the Institute for Feeble-minded Children.	
Read first and second time and referred	1038
Reported	1059
272—A bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually.	
Read first and second time and referred	569
House recalls	729
Returned by Senate	730
273—A bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of title five (5), chapter two (2) of the Code of 1897, relating to assessors in cities and towns.	
Read first and second time and referred	643
Amended	727
Passed	730
House concurred	875
Enrolled	978
275—A bill for an act to amend section one hundred sixty-seven (167) of the laws of the Twenty-eighth General Assembly of Iowa, entitled an act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners.	
Read first and second time and referred	465
Reported	530
Passed	776, 777
Enrolled	870
276—A bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime.	
Read first and second time and referred	484
Enrolled	1201
280—A bill for an act making an appropriation for the purchase of land,	

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tombstone and erection thereof for the proper marking of the grave of one Charles Shephard, a soldier who served in the war of the Revolution, died in 1845 and who lies in an unmarked grave near Mills-paugh's mills, Henry county, Iowa.	
Read first and second time and referred.....	661
Reported.....	706
Indefinitely postponed.....	907
281—A bill for an act to provide for the means of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof and punishing the violation thereof.	
Read first and second time and referred.....	659
Indefinitely postponed.....	1059
283—A bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company	
Read first and second time and referred.....	557
Passed.....	825
Enrolled.....	945
286—A bill for an act to repeal section 1536 and to amend section 1533 of the Code, relating to public roads.	
Read first and second time and referred.....	660
Passed on file.....	612
Amended.....	791, 792, 800, 801
Passed.....	802
Enrolled.....	945
286—Substitute for a bill for an act to amend sections one thousand seventy-five (175), one thousand one hundred thirty (1130), one thousand five hundred twenty-eight (1528), one thousand five hundred thirty-three (1533), one thousand five hundred forty-two (1542), one thousand five hundred forty-five (1545), one thousand five hundred fifty-one (1551), one thousand five hundred fifty-four (1554) and four thousand eight hundred eight (4808) of the Code, and to repeal sections one thousand five hundred thirty-two (1532), one thousand five hundred forty (1540) and one thousand five hundred fifty (1550) of the Code and enact substitutes therefor, and to repeal sections one thousand five hundred forty-one (1541), one thousand five hundred forty-six (1546), one thousand five hundred fifty-three (1553) and one thousand five hundred sixty-seven (1567) of the Code, relative to the duties of township trustees, the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax.	
Reported.....	671
Amended and passed.	
House concurred.....	830
Enrolled.....	945
287—A bill for an act to amend section 456 of the Code, relating to the employment of additional help for county recorders.	
Read first and second time and referred.....	659
Reported.....	273

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Amended.....	1025, 1030
Passed.....	1030, 1031
House concurred.....	1032
Enrolled.....	1100
293—A bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes.	
Read first and second time.....	854
Passed.....	854
Enrolled.....	978
294—A bill for an act to amend section twenty-seven hundred fifty-seven (2757) of the Code, relating to time of meeting of boards of school directors and to amend sections 2762, 1764, 2765, 2769, 2785, 2793, 2781 of the Code to conform therewith	
Read first and second time and referred.....	921
Reported.....	1077
298—A bill for an act to amend section twenty-five hundred twenty-two (2522) of the Code, relating to the reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violation of the section as amended.	
Read first and second time and referred.....	586
Reported.....	948
Passed.....	1053
Enrolled.....	1102
300—A bill for an act to provide for an exhibit of arts, industries and resources of the state of Iowa, at the Louisiana Purchase exhibition to be held in the city of St. Louis, in the state of Missouri.	
Read first and second time and passed on file.....	1081
Reported.....	1138
Amended.....	1139, 1140
Passed.....	1140
Title amended.....	1141
House refuses to concur in first amendment, concurs in others.....	1188
Conference committee appointed.....	1191
House concurs.....	1213
Adopted.....	1214
Enrolled.....	1224
302—A bill for an act making an appropriation for the fish and game commission of the state of Iowa.	
Read first and second time and referred.....	1011
Reported.....	994
304—A bill for an act to indemnify Mathew B. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville.	
Read first and second time and referred.....	61
Re-referred.....	9
Reported amended.....	10
Amended.....	1127, 11
Lost on passage.....	11
Motion to reconsider.....	11
Passed.....	11
House concurs.....	11
Enrolled.....	11
305—A bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric lights or power wires, or the appropriation or use of water or gas or electric current for light or power purposes, without the knowledge or consent of owner.	

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Read first and second time and referred	731
308—A bill for an act appropriating money to reimburse Samuel Purcell for losses in the suppression of the Sioux Indian insurrection in Cherokee county, Iowa, upon the 5th day of August, 1861.	
Read first and second time and referred	1039
Reported	1095
309—A bill for an act authorizing the council in towns and cities having a population of five thousand (5,000) inhabitants or less, to appropriate money from their general fund for the improvement and maintenance of public parks and providing for the expenditure thereof.	
Read first and second time and referred	563
Reported	840
Passed	1089
Enrolled	1113
311—A bill for an act to amend section three (3), of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.	
Read first and second time and referred	756
Passed	830
Enrolled	945
313—A bill for an act to amend section twenty-one hundred fifty-eight (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	892
314—A bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables.	
Read first and second time and referred	803
Reported	810, 1025
Amended	1036
Lost on passage	1037
318—A bill for an act to authorize the temporary transfer of funds accumulated under chapter one (1) of the acts of the Twenty-eighth General Assembly, section seven hundred forty-two (742) of the Code.	
Read first and second time and referred	483, 484
Reported	505
321—A bill for an act to amend subdivision three of section twenty-four hundred forty-eight (2448) of the Code, relating to surety on bonds.	
Read first and second time and referred	528
Reported	647
Passed	1018, 1019
Enrolled	1074
322—A bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets, adjoining the state's property.	
Read first and second time and referred	781
Reported	1016
Passed	1170
Enrolled	1202
325—A bill for an act to amend section thirty-three hundred eight (3308) of	

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the Code, relating to the release and discharge of liens by foreign administrators, executors and guardians and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments.	
Read first and second time and referred	1142
326—A bill for an act to legalize the acts of the independent school district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to issue such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.	
Read first and second time and referred	529
Reported	647
Passed	707, 708
Enrolled	778
328—A bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.	
Read first and second time and referred	501
Reported	717
Passed	827
330—A bill for an act to amend chapter 2, of title 10 of the Code, relating to levees, drains and water courses.	
Read first and second time and referred	660
House requests return	1032
Returned	1038
331—A bill for an act requiring railroad companies to file plats of all lines owned or operated within the several counties of the state of Iowa, with county auditors.	
Read first and second time	563
Passed on file	673
Passed	870
Enrolled	978
332—A bill for an act to amend section seven hundred twenty-two (722) of the Code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.	
Read first and second time and referred	599
Reported	840
Passed	1130, 1131
Enrolled	1198
333—A bill for an act to amend sections 248, 249 and 252 of chapter 6, title 12 of the Code in relation to intoxicating liquors.	
Read first and second time and referred	1039
House reconsidered	1048
Indefinitely postponed	1151
House refused to reconsider	1191
Indefinitely postponed	1292, 1193
334—A bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-nine (129) of the Code, relating to the printing binding and distribution of public reports and documents.	
Read first and second time and referred	550
Reported	757

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Passed.....	1050, 1051
Enrolled.....	1113
342—A bill for an act to amend section nine hundred fifteen (915) of the Code, relating to the recording and certification of plats.	
Read first and second time and referred.....	1003
Passed.....	1172
Enrolled.....	1230
343—A bill for an act providing that the civil actions authorized in section four thousand three hundred two (4302) of the Code, may be brought in any county where a nuisance is committed in part, or in any county where any requisite to the consummation of a nuisance occurs.	
Read first and second time and referred.....	697
Reported.....	701
Lost on passage.....	1023
345—A bill for an act to amend chapter 8, title 13 of the Code, granting to the governor of the state the power to parole inmates of the industrial school in certain cases.	
Read first and second time and referred.....	616
Passed on file.....	671
Passed.....	1079, 1080
Enrolled.....	1103
346—A bill for an act to amend chapter six (6) of the Code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards and persons who have taken any of the so-called cures for drunkenness and prescribing punishment for the violation of same.	
Read first and second time and referred.....	1141
348—A bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to, and support in, state institutions.	
Read first and second time and referred.....	615
Reported with amendment and passed on file.....	673
Amended.....	1054
Lost on passage.....	1064
349—A bill for an act to legalize the incorporation of the town of Budd, Floyd county, and the ordinances thereof.	
Read first and second time and referred.....	527
Recalled from judiciary.....	608
Recommitted.....	608
Reported amended.....	708
Amendments adopted and passed.....	721, 722
Passed House.....	727
Read first and second time and referred.....	731
Passed.....	778
Enrolled.....	778
350—A bill for an act to amend section sixty-five (65), chapter one (1) of the Code of 1897, in relation to the salary of the governor and secretary to the governor.	
Read first and second time and referred.....	804
Substitute for S. F. 74 and passed.....	935
Enrolled.....	1007
351—A bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject and to repeal sections thirty hundred forty-three (3043), thirty hun-	

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dred forty-five (3045), thirty hundred forty-nine (3049), thirty hundred fifty (3050), thirty hundred fifty-one (3051), thirty hundred fifty-two (3052), thirty hundred fifty-four (3054) and thirty hundred fifty-five (3055) of title fifteen (15), chapter (3) of the Code, additional to Code title fifteen (15), chapter three (3).	
Read first and second time and referred.....	703
Reported and passed.....	
Enrolled.....	
352—A bill for an act making an appropriation to Charles Gray, for publishing original notice in the case of Bertamier v. Caille.	
Read first and second time and referred.....	659
Reported.....	845
Passed.....	950, 961
Enrolled.....	1199
354—A bill for an act amending paragraph five of section seventeen hundred and nine of Code, relating to insurance.	
Read first and second time and referred.....	782
Passed.....	1194
Enrolled.....	1201
355—A bill for an act to amend section seven hundred twenty-five (725) of the Code, relating to the powers of cities and towns and to authorize cities and towns to prescribe regulations relating thereto and to fix and regulate telephone rates and service.	
Read first and second time and referred.....	958
Reported.....	992
359—A bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal School at Cedar Falls.	
Passed on file.....	965, 966
Passed.....	957
Motion to reconsider filed.....	968
Laid on table.....	1001
Enrolled.....	1074
364—A bill for an act to amend section four thousand nine hundred seventy-nine (4979) of the Code, in regard to removing dead animals from cities and towns.	
Read first and second time and referred.....	767
Reported.....	794
366—A bill for an act providing for the organization of trust companies, and loan and trust companies defining their powers and providing for their examination and control.	
Read first and second time and referred.....	1011
367—A bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof in the publication of said ordinances.	
Read first and second time and referred.....	718
Reported.....	839
Passed.....	
Enrolled.....	978
368—A bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco,	

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Howard county, Iowa, and also of the city of Cresco, in said county and state.	
Read first and second time and referred.....	550
Recalled from House.....	605
Passed.....	606
Enrolled.....	704
369—A bill for an act to amend sections 1610, 1614, 1615 and 1617 of the Code, relating to corporations for pecuniary profit.	
Read first and second time and referred.....	1057, 1058
Reported.....	1091
378—A bill for an act to amend section forty-eight hundred seventy-two (4872) of the Code, relating to the punishment of the crime of perjury, and providing for commitment to the grand jury therefor by the trial judge.	
Read first and second time and referred.....	682
Reported.....	706
373—A bill for an act to repeal section two thousand eight hundred and twelve (2812) of the Code, section one (1), chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the issuance of school bonds	
Read first and second time and referred.....	1041
Reported.....	1096
Passed.....	1203, 1204
Enrolled.....	1200
374—A bill for an act to amend section seventeen hundred nine (1709) of the Code, relating to insurance.	
Read first and second time and referred.....	757
Substituted for Senate file.....	106, 1019
Passed.....	1019, 1020
375—A bill for an act to amend section twenty-eight (28) of chapter one hundred eighteen (118) of the laws of the Twenty-seventh General Assembly, in relation to insane patients.	
Read first and second time and passed on file.....	1081
376—A bill for an act to repeal section twenty-two hundred fifty-three (2253) of the Code, and enact a substitute in lieu thereof in relation to the hospital for the insane.	
Read first and second time and referred.....	781
Reported.....	809
Substituted for Senate file 341.....	839
Passed.....	827
Enrolled.....	945
378—A bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county.	
Read first and second time and referred.....	500
Passed.....	624
Enrolled.....	750
381—A bill for an act to amend section two (2) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities.	
Read first and second time and referred.....	757
Reported.....	910

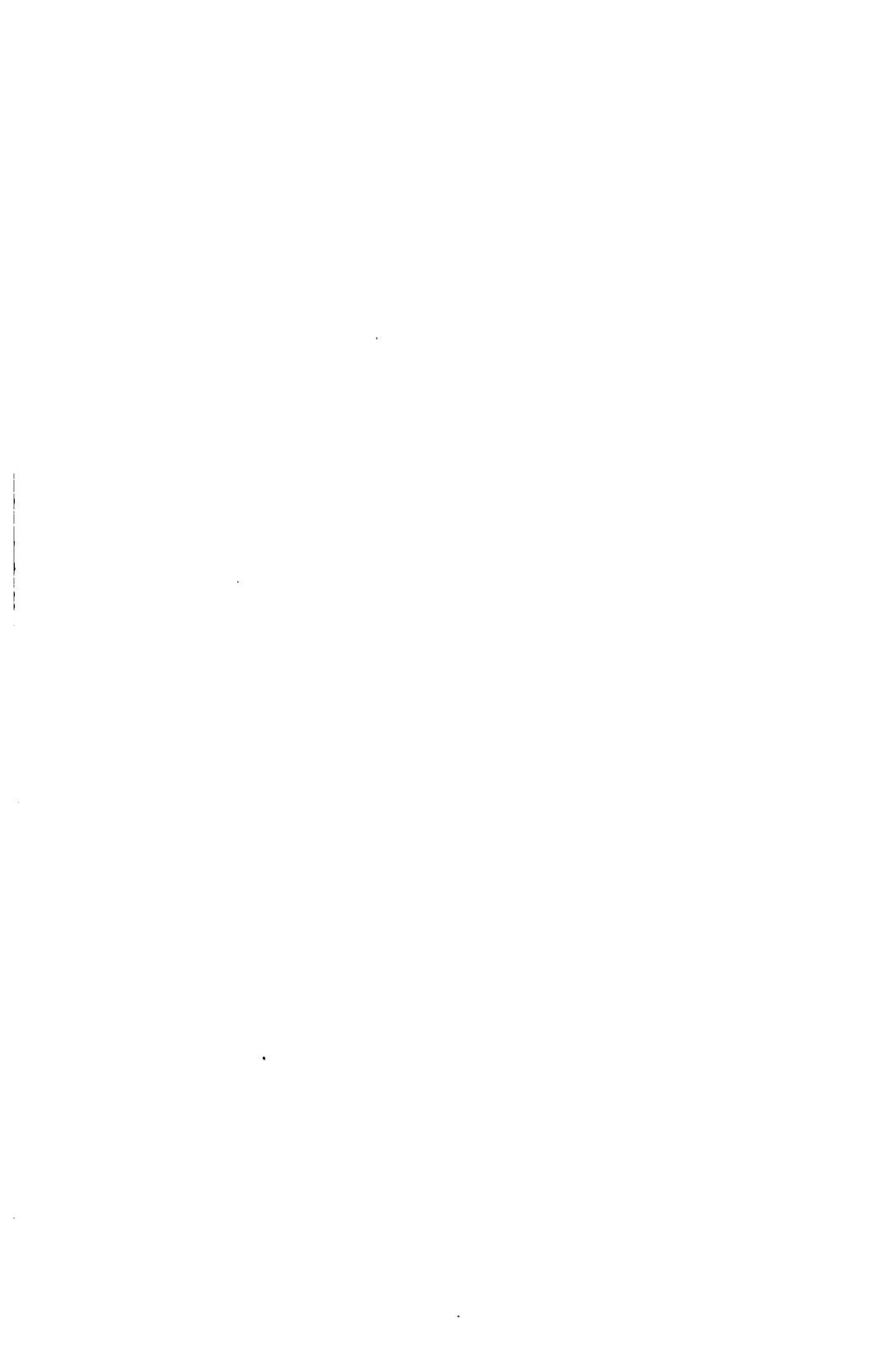
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383—A bill for an act to amend section seven hundred thirty-one (731) of the Code, relating to library reports.	
Read first and second time and referred.....	616
Indefinitely postponed.....	827
384—A bill for an act to protect the property of public library and reading rooms.	
Read first and second time and referred.....	718
386—A bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the Code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mill tax against property and its owner or owners and the occupant or tenant of such property.	
Read first and second time and referred.....	643
Reported.....	811
Passed.....	880
Enrolled.....	1007
388—A bill for an act to amend section 5, chapter 43 of the acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations.	
Read first and second time and referred.....	818
Re-referred.....	834
Indefinitely postponed.....	1050
391—A bill for an act making appropriations for the construction, repair, support, and contingent funds of the hospitals for the insane at Mount Pleasant, Independence, and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the school for the deaf, the college for the blind, the soldiers' orphans' home, and the soldiers' home, and relating to the industrial home for the blind; also, authorizing the use of a portion of the balance in the support fund at the hospital for the insane at Clarinda, in the enlargement and equipment of a shop building, and a portion of the balance of certain funds of the penitentiaries at Fort Madison, in the erection of the hospital and library building.	
Read first and second time and referred.....	1056
Passed.....	1085
Enrolled.....	1196
392—A bill for an act to amend sections ten hundred sixty-two (1062) and fourteen hundred nineteen (1419) of the Code, relating to the publication of the sheriff's proclamation and the delinquent tax list.	
Read first and second time and referred.....	817
Reported.....	1097
394—A bill for an act to amend section five thousand seven hundred seven (5707) of the Code, relative to the employment of persons sentenced to imprisonment in the penitentiary in places or buildings owned or leased by the state outside of the penitentiary enclosures.	
Read first and second time and placed on file.....	1083
Passed.....	1122, 1123
Enrolled.....	1199

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395—A bill for an act to repeal section four thousand eight hundred ninety-seven (4897) of the Code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.	
Read first and second time.	
Passed	1123
Enrolled	1109
396—A bill for an act requiring keeping of accounts in cities and towns, and requiring that publicity be given thereto.	
Read first and second time, substituted for Senate file 319 and passed	732
Enrolled	847
397—A bill for an act to appoint a commission of land title, to define its duties and to provide for the publication of its reports.	
Read first and second time and referred	817
399—A bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same	
Read first and second time and referred	824
Indefinitely postponed	1177
400—A bill for an act to authorize cities which have voted taxes to aid any corporation, organized under the laws of this state, for the construction of a highway or combination bridge across navigable boundary river, to vote additional taxes for the purchase of such bridge.	
Read first and second time by title, passed	704, 705
Enrolled	778
401—A bill for an act to amend section five thousand ninety-six (5096) of the Code, relating to bail after conviction of certain crimes.	
Read first and second time and referred	757
Reported	901
Enrolled	1199
402—A bill for an act requiring administrators, executors and guardians to file certificate of the clerk of the court of their appointment in any county where any judgment, mortgage or deed of trust released by them as such officers is executed	
Read first and second time and referred	858
403—A bill for an act to regulate corporations organized under the laws of any state, territory or country other than the state of Iowa.	
407—A bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein and for a levy of a tax of five mills made by said town in payment therefor.	
Read first and second time and referred	718
Substituted by Senate for Senate file 330 and passed	724
Enrolled	847
408—A bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town	

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Read first and second time and referred	696
Reported	718
Passed	863
Enrolled	978
409—A bill for an act ceding to the United States exclusive jurisdiction of certain lands or lots acquired by United States for public purposes within this state, and authorizing the acquisition thereof.	
Read first and second time and passed	696
Enrolled	778
412—A bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, assembly room and library building in incorporated towns.	
Read first and second time	1073
Passed	1181
416—A bill for an act to amend sections seven hundred seventy-one (771), seven hundred seventy-three (773), seven hundred seventy-four (774) of the Code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways.	
Read first and second time	872
Passed	873
Enrolled	878
418—A bill for an act to add to and amend section twenty-four hundred and eighty-nine (2489) of the Code, relating to mines and mining.	
Read first and second time and referred	1040
Reported	1096
419—A bill for an act to apportion the state into representative districts and declare the ratio of representation.	
Read first and second time and passed on file	1084
Passed	1175, 1176
Enrolled	1200
430—A bill for an act to amend chapter nine (9), title nine (9) of the Code, relating to fraternal orders.	
Read first and second time and referred	1142
422—A bill for an act to amend section 5663 of the Code, limiting the number of guards at penitentiaries at Fort Madison and Anamosa.	
Read first and second time and referred	1141
423—A bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county.	
Read first and second time and referred	818
Reported	901
Passed	1173
Enrolled	1221
424—A bill for an act to legalize the incorporation of the town of Keosau, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town and all ordinances and resolutions adopted by the council of said town.	
Read first and second time and referred	859
Reported	902
Passed	939
Enrolled	1007
425—A bill for an act authorizing the executive council to sell and convey two islands newly formed by accre-	

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tion in the Mississippi river and located in sections 3 and 4 in township 77, north of range 3 east of the 5th P. M. in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore	
Read first and second time and placed on calendar.....	890
Passed.....	1043
Enrolled.....	1100
426—A bill for an act making an appropriation for the payment of the costs in the case of State of Iowa ex rel. Milton Remley, attorney-general, vs. Byron F. Meek, Kirk L. Meek and Hugh H. Meek et al.	
Read first and second time and referred.....	1034
427—A bill for an act to amend section fourteen hundred and six (1406) of the Code, in relation to the collection of taxes by distress and sale and providing for the garnishment of persons indebted to the delinquent taxpayer.	
Read first and second time and referred.....	1057
428—A bill for an act to amend section 2755 of the Code, relating to the registration of voters for school election.	
Read first and second time and passed on file.....	1092
Passed.....	1164, 1165
Enrolled.....	1216, 1219
431—A bill for an act to amend section six hundred fifty-four (654) of the Code, relating to the appointment of police matrons.	
Read first and second time and referred.....	892
432—A bill for an act to amend section twenty-six hundred twenty-nine (2629) of the Code, relating to examinations of applicants for state certificates and diplomas.	
Read first and second time and referred.....	1011
Passed.....	1012
Enrolled.....	1074
433—A bill for an act to amend section twenty-seven hundred twenty-four (2724) of the Code, relating to admission to the Iowa School for the Deaf at Council Bluffs	
Read first and second time and referred.....	1141
436—A bill for an act to authorize the commander-in-chief to organize naval militia.	
Read first and second time.....	1049
Passed.....	1050
Enrolled.....	1102
438—A bill for an act to amend section thirty-three hundred five (3305) of the Code, relating to limitation of time for granting letters of administration on estates of decedents.	
Read first and second time and referred.....	975
437—A bill for an act to amend section one hundred sixty-five (165) of the Code, providing for the sale of furniture and stoves that are of no further use to the state.	
Read first and second time and passed.....	807

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443—A bill for an act to amend section 1721 of the Code in relation to insurance companies.	
Indefinitely postponed.....	1205
444—A bill for an act to legalize all acts done and ordinances passed by town council of the incorporated town of Bondurant, Polk county, Iowa.	
Read first and second time and referred.....	902
Passed on file.....	891
Passed.....	1040
Enrolled.....	1102
445—A bill for an act to amend section one hundred thirty-seven (137) of the Code, relating to the publication of the proceedings of the State Teachers' association	
Read first and second time and referred.....	1142
446—A bill for an act to amend section thirteen hundred and thirty-six (1336) of the Code, relative to the assessment of railway property for taxation.	
Read first and second time.....	892
House recalls.....	896
Returned.....	910
447—A bill for an act to appropriate money for the construction of a laundry building or the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.	
Read first and second time and referred.....	1142
Passed.....	1195 1196
Enrolled.....	1200
449—A bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, and the acts of F. C. Richmann acting as clerk of said town.	
Read first and second time and passed.....	1083
451—A bill for an act legalizing the election of the city of Clinton, in favor of establishing of a free public library in said city.	
Read first and second time and referred.....	1040
Passed.....	1040
Enrolled.....	1102
452—A bill for an act to amend section sixteen hundred forty-two (1642) of the code, in relation to organization of corporations not for pecuniary profit.	
Read first and second time and referred.....	1147
454—A bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the gallery of the historical department of Des Moines, Iowa.	
Read first and second time and referred.....	1180
Passed.....	1180
Enrolled.....	1190
455—A bill for an act to provide for the general levy for state purposes for the year (1902) and subsequent years.	
Read first and second time and passed.....	1210



JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 13, 1902. }

Pursuant to law the Twenty-ninth General Assembly convened at 10 A. M. and was called to order by Lieutenant-Governor Milliman.

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

Senator Hubbard moved that the officers of the Twenty-eighth General Assembly present be made the temporary officers of this assembly and those selected for the other positions be filled by those nominated by the republican caucus.

Carried.

On request of Senator Garst, Senator Bachman was indefinitely excused on account of sickness.

On request of Senator Dowell, Senator Healy was excused until one week from today.

The following temporary officers appeared before the bar of the Senate and were sworn in:

Geo. A. Newman, secretary; S. D. Alexander, first assistant secretary; H. C. Lounsberry, second assistant secretary; Cecil Dixon, journal clerk; John Connolly, journal clerk; Miss Lois M. Rigby, engrossing clerk; Miss Ella Christie, enrolling clerk; Capt. E. C. Collins, sergeant-at-arms; Kate Shelly, bill clerk; W. E. Griswold, file clerk; John H. Serene, chief doorkeeper; Samuel Saults, assistant doorkeeper; Jacob Fisch, assistant doorkeeper; G. W. Evans, assistant doorkeeper; William Keyes, assistant doorkeeper; J. H. Carter, assistant doorkeeper; H. H. Palmer, assistant doorkeeper; Ray Brand, messenger; Guy I. Ashley, messenger; Bert Canfield, messenger; Noah Crook, messenger; Mose Gunspun, messenger; John Stevenson, messenger; Samuel Diller, messenger; Ernest Canfield, messenger.

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

Carried.

The President appointed the following committee on credentials:

Senators Blanchard, Porter and Hazelton.

Senator Crossley moved that a recess be taken until the committee on credentials makes a report.

Carried.

Senator Blanchard, of the committee on credentials, submitted the following report and moved that it be adopted:

MR. PRESIDENT—Your committee on credentials find the following named newly elected senators entitled to seats in the Twenty-ninth General Assembly:

First district—David A. Young.
 Seventh district—Lester W. Lewis.
 Ninth district—Fred N. Smith.
 Tenth district—John A. Young.
 Twelfth district—John T. Brooks.
 Thirteenth District—S. H. Harper.
 Eighteenth district—Joseph M. Emmert.
 Twentieth district—F. M. Molsberry.
 Twenty-first district—W. C. Hayward.
 Twenty-second district—John L. Wilson.
 Twenty-ninth district—Fred L. Maytag.
 Thirtieth district—Cassius C. Dowell.
 Thirty-fourth district—E. S. Hogue.
 Thirty-fifth district—P. W. Crawford.
 Thirty-seventh district—F. C. Hartshorn.
 Thirty-eighth district—O. B. Courtright.
 Forty-second district—D. A. Lyons.
 Forty-fourth district—E. C. Spaulding.
 Forty-fifth district—William P. Whipple.
 Forty-eighth district—Warren Garst.
 Fiftieth district—E. K. Winne.

We also find the following hold-over senators present:

Second district—Henry H. Brighton.
 Third district—Claude R. Porter.
 Fourth district—Alexander Mardis.
 Fifth district—George S. Allyn.
 Sixth district—F. L. Arthaud.
 Eighth district—Joseph M. Junkin.
 Eleventh district—W. B. Tallman.

Fourteenth district—L. C. Blanchard.
 Fifteenth district—Fred Townsend.
 Sixteenth district—James J. Crossley.
 Seventeenth district—F. M. Hopkins.
 Nineteenth district—Arthur S. Hazelton.
 Twenty-third district—Thomas Lambert.
 Twenty-fourth district—John T. Moffit.]
 Twenty-fifth district—Geo. W. Ball.
 Twenty-sixth district—J. S. Alexander.
 Twenty-seventh district—T. D. Healy.
 Twenty-eighth district—J. B. Classen.
 Thirty-first district—J. A. Fitchpatrick.
 Thirty-second district—E. H. Hubbard.
 Thirty-third district—H. J. Griswold.
 Thirty-sixth district—H. C. Bishop.
 Thirty-ninth district—George M. Craig.
 Fortieth district—J. H. Trewin.
 Forty-first district—J. A. Smith.
 Forty-third district—W. F. Harriman.
 Forty-sixth district—Alva C. Hobart.
 Forty-seventh district—E. W. Bachman.
 Forty-ninth district—Geo. W. Lister.

L. C. BLANCHARD,
 A. S. HAZELTON,
 CLAUDE R. PORTER,
Committee.

The report of the committee was adopted.

Senator Crossley moved that the newly elected senators appear at the bar of the Senate and be duly sworn in according to law.

Carried.

The following newly elected members appeared at the bar of the Senate and were duly sworn in:

Senators Fred M. Smith, W. P. Whipple, P. W. Crawford, Warren Garst, F. C. Hartshorn, John A. Young, L. W. Lewis, C. C. Dowell, F. L. Maytag, E. K. Winne, S. H. Harper, W. C. Hayward, John T. Brooks, E. C. Spaulding, E. L. Hogue, M. B. Courtright, and F. O. Molsberry.

Senator Blanchard offered the following resolution:

Resolved, That the hold-over and re-elected senators be granted the privilege of retaining the seats occupied by them at the last session of the General Assembly, and that the names of the newly-elected senators be placed in a hat and drawn out one at a time by the secretary, and as each name is announced the senator will select his seat from those unoccupied.

Adopted.

The selection of seats by newly-elected members resulted as follows:

- 48—Fred N. Smith.
- 40—W. P. Whipple.
- 82—P. W. Crawford.
- 28—F. C. Hartshorn.
- 12—John A. Young.
- 49—L. W. Lewis.
- 47—C. C. Dowell.
- 89—F. L. Maytag.
- 15—E. K. Winne.
- 18—S. H. Harper.
- 11—John T. Brooks.
- 19—E. C. Spaulding.
- 21—E. S. Hogue.
- 25—A. B. Courtright.
- 27—F. M. Molsberry.

Senator Emmert offered the following resolution:

Resolved, That the rules of the Senate of the Twenty-eighth General Assembly be in force and effect until the report of the committee on Rules shall have been adopted.

Adopted.

Senator Trewin moved that the Secretary allot to the representatives of the press seats at the reporters' gallery.

Carried.

Senator Hubbard moved that the Senate proceed to the election of permanent officers of the Senate.

Carried.

Senator Hubbard nominated Senator Harriman for President pro tem of the Senate, and moved that he be elected.

Those voting for Senator Harriman were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—47.

The nays were:

None.

Absent or not voting:

Senators Bachman, Harriman, Healy.

So Senator Harriman was declared duly elected president pro tem of the Senate.

Senator Harriman appeared before the bar of the Senate and was sworn in according to law.

Senator Hubbard nominated George A. Newman, of Black Hawk county, for Secretary of the Senate, and moved that he be elected.

Those voting for George A. Newman were:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Senators Bachman, Bishop, Healy.

So George A. Newman was declared duly elected Secretary of the Senate.

Senator Hubbard nominated S. D. Alexander, of Madison county, first assistant secretary of the Senate, and moved that he be elected.

Those voting for S. D. Alexander were:

Senators Alexander, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hub-

bard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—47.

The nays were:

None.

Absent or not voting:

Senators Bachman, Harper, Healy.

So S. D. Alexander was declared duly elected first assistant secretary of the Senate.

Senator Hubbard nominated H. C. Lounsberry, of Marshall county, for second assistant secretary, and moved that he be elected.

Those voting for H. C. Lounsberry, were:

Senators Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—47.

The nays were:

None.

Absent or not voting:

Senators Bachman, Bishop, Healy.

So H. C. Lounsberry was declared duly elected second assistant secretary of the Senate.

Senator Hubbard nominated Lois M. Rigby, of Scott county, for engrossing clerk, and moved that she be elected.

Those voting for Lois M. Rigby were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman,

Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Bachman, Brooks, Healy, Lambert, Lyons, Tallman.

So Lois M. Rigby was declared duly elected engrossing clerk.

Senator Hubbard moved that Ella G. Christie, of Mahaska county, be elected enrolling clerk.

Those voting for Ella G. Christie, were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne Young, of Lee, Young, of Washington—46.

The nays were:

None.

Absent or not voting:

Senators Bachman, Emmert, Healy, Lyons.

So Ella G. Christie was declared duly elected enrolling clerk.

Senator Hubbard nominated Cecil Dixon, of Calhoun county, and John Connolly, of Polk county, for journal clerks and moved their election.

Those voting for Cecil Dixon and John Connolly were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harri-

man, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So Cecil Dixon and John Connolly were declared duly elected journal clerks of the Senate.

Senator Hubbard nominated Capt. E. C. Collins, of Hancock county, for sergeant-at-arms, and moved his election.

Those voting for E. C. Collins were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So Captain Collins was declared duly elected sergeant-at-arms of the Senate.

Senator Hubbard nominated W. E. Griswold, of Buchanan county, for file clerk of the Senate.

Those voting for W. E. Griswold were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins,

Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So W. E. Griswold was declared duly elected file clerk of the Senate.

Senator Hubbard nominated Miss Kate Shelly for bill clerk of the Senate, and moved that she be elected.

Those voting for Kate Shelly were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were: None.

Absent or not voting:

Senators Bachman, Healy.

So Kate Shelly was declared duly elected bill clerk of the Senate.

Senator Hubbard nominated Miss Edith Leffingwell for the position of postmistress, and moved that she be elected.

Those voting for Miss Edith Leffingwell were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So Miss Edith Leffingwell was declared duly elected post-mistress of the Senate.

Senator Hubbard nominated John H. Serene, of Allamakee county, for chief doorkeeper, and moved that he be elected.

Those voting for John H. Serene were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So John H. Serene was declared duly elected chief doorkeeper.

Senator Hubbard nominated Jacob Fisch, Samuel Saults, Jesse Bowen, William Keyes, J. H. Carter, Z. V. Ellsbury, G. W. Evans and H. H. Palmer, for assistant doorkeepers, and moved that they be elected.

Those voting for the above named assistant doorkeepers were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines

Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So the above named assistant doorkeepers were declared duly elected.

Senator Hubbard nominated Jeff Logan and P. S. Ervin for janitors of the cloak room and William Thompson for janitor of the toilet room, and moved their election.

Those voting for Jeff Logan and P. S. Ervin for janitors of the cloak room and William Thompson for janitor of the toilet room were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith, of Des Moines, Smith, of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young, of Lee, Young, of Washington—48.

The nays were:

None.

Absent or not voting:

Senators Bachman, Healy.

So Jeff Logan, P. S. Ervin and William Thompson were declared duly elected janitors of the cloak and toilet rooms.

The following newly elected officers of the Senate appeared before the bar of the Senate and were duly sworn in according to law:

Geo. A. Newman, secretary of Senate.

S. D. Alexander, first assistant secretary of Senate.

H. C. Launsberry, second assistant secretary of Senate.

Miss Lois M. Rigby, engrossing clerk.

Miss Ella G. Christie, enrolling clerk.
Cecil Dixon, journal clerk.
John Connolly, journal clerk.
E. C. Collins, sergeant-at-arms.
W. E. Griswold, file clerk.
Kate Shelley, bill clerk.
Miss Edith Liffingwell, postmistress.
John H. Serene, chief doorkeeper.
Jacob Fisch, Samuel Saults, Jesse Bowen, William Keyes, J.
H. Carter, Z. V. Ellsberry, G. W. Evans, H. H. Palmer, assistant
doorkeepers.
Jeff Logan and P. S. Ervin, janitors of the cloak room.
William Thompson, janitor of the toilet room.

The President announced that he had upon his desk a communication from the Secretary of State relative to the contest for a seat in the Senate between Senator Emmert, incumbent, and J. E. Bruce, contestant, and Senator Crawford, incumbent, and Thomas Nolan, contestant, and the same were ordered placed on file.

Senator Ball offered the following resolution, and moved that it be adopted:

Resolved, That the contestee, Senator Emmert, be allowed ten days within which to file his answer in the proceedings to contest his seat in the Senate.

Laid over under the rule.

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

Resolved, That a committee of three be appointed to wait upon the Governor and notify him that the Senate is duly organized and ready to receive any communications from him.

Adopted.

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

Resolved, That the President appoint a committee of three to notify the House that the Senate is permanently organized and ready to receive any communication that it may desire to transmit.

Adopted.

Senator Junkin offered the following resolution:

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

Adopted.

The President appointed the following committee to wait upon the Governor to notify him that the Senate is permanently organized:

Senators Crossley, Townsend and Classen.

Senator Garst offered the following resolution and moved its adoption:

Resolved, That the democratic Senators be authorized to appoint two committee clerks.

Adopted.

Anna Taylor and Jennie L. Emmet were appointed as such clerks.

Senator Hazelton offered the following resolution and moved its adoption:

Resolved, That the President appoint a committee of three on mileage.

Adopted.

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

Resolved, That G. W. Hodges be authorized to place a barber chair in the cloak room without expense to the state for the use of the senators and employes of the Senate.

Adopted.

Senator Smith, of Mitchell county, offered the following resolution:

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

Adopted.

Senator Harriman offered the following resolution by request:

Resolved, By the Senate, the House concurring: That the President of the Senate appoint a committee of six to act in concert with a like committee,

from the House to make suitable arrangements for the inauguration of the Governor and Lieutenant-Governor.

Adopted.

The President appointed the following committee to notify the House that the Senate was permanently organized and ready for business:

Senators Moffit, Bishop and Mardis.

The committee above named reported to the Senate that they had performed their duty.

Senator Junkin moved that the time of adjournment be extended twenty minutes.

Carried.

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

Resolved, That the Secretary of the Senate be instructed to procure appropriate badges for the sergeant-at-arms, doorkeeper, assistant doorkeepers and pages of the Senate.

Adopted.

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

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

Adopted.

Senator Trewin moved that a committee of five be appointed by the incoming Lieutenant-Governor in the matter of the contest for the Senate between Senator Emmert and contestee Bruce, and announce the same at the time the Senate committees are appointed.

Carried.

Senator Harriman moved that a committee of five be appointed by the incoming Lieutenant-Governor in the matter of the contest for the Senate between Senator Crawford and con-

testee Nolan, and announce the same at the time the committees are appointed.

Carried.

A committee appointed by the House announced that the House had permanently organized and were ready to proceed to business.

The following messages were received from the House.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Resolution in regard to additional employes.

C. R. BENEDICT, *Chief Clerk.*

Also:

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

Relative to inauguration of Governor and Lieutenant Governor.

C. R. BENEDICT, *Chief Clerk.*

Also:

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

Concurrent resolution relative to the joint session of the Senate and House for the purpose of canvassing vote for Governor and Lieutenant Governor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Resolution in regard to mail carriers.

C. R. BENEDICT,
Chief Clerk.

The president appointed the following committee on inauguration:

Senators Dowell, Hayward, Junkin, Trewin, Ball and Harper.

The President appointed the following committee on extra employes:

Senators Smith, of Mitchell, Hazelton and Maytag.

On motion of Senator Lister, the Senate adjourned until 10 o'clock tomorrow morning.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday January 14, 1902. }

Senate met, pursuant to adjournment, at 10 o'clock A. M., President Milliman presiding.

Prayer was offered by Rev. R. W. Hughes, of Oskaloosa, Iowa.

On request of Senator Harriman leave of absence was granted Senator Young of Washington, until Thursday.

On request of Senator Harriman leave of absence was granted Senator Alexander.

Senator Garst offered the following resolution:

Resolved, That the President of the Senate be authorized to appoint four additional messengers in addition to those provided by the rules.

Laid over under the rules.

Senator Trewin offered the following resolution, and moved that it be adopted:

Resolved, That the custodian be, and is hereby directed, to cause a suitable vestibule to be erected at the main doors of the Senate chamber.

Adopted.

The President announced the following committee on mileage:

Senators Hazelton, Spaulding and Lambert.

Senator Ball offered the following resolution, and moved that it be adopted:

Resolved, That in the case of the contest for the seat of Senator Emmert, the contestee is hereby authorized to file his answer with the committee hereafter appointed on said contest, such answer to be filed on or before Tuesday, January 21, 1902.

Senator Hubbard offered the following resolution, and moved that it be substituted for the resolution offered by Senator Ball:

Resolved, That all papers, including the answer or other pleadings of the incumbent, and matters now or hereafter presented to this body in the matter of the contest for the senatorship from the Eighteenth Iowa Senatorial District, between James E. Bruce and J. M. Emmert, be and the same are and shall be referred to the special committee provided for by resolution of January 13, 1902, and that said committee make early and full investigation and inquiry into the facts and the merits of the said contest, and that they make report thereof as to their findings and conclusions to

this body. Said committee are hereby authorized to employ such help as they may deem necessary and admissible to expedite the work, and they are further authorized to subpoena and cause to be produced before them such persons, proof and evidence, documentary or otherwise, as they may deem necessary for a full and fair determination of the rights of the parties, and the chairman of said committee is hereby authorized to sign and issue such subpoenas for and on behalf of said committee.

By unanimous consent, Senator Ball withdrew the resolution offered by him and accepted the substitute offered by Senator Hubbard.

The resolution by Senator Hubbard was then adopted.

Senator Harriman offered the following resolution, and moved that it be adopted:

CONCURRENT RESOLUTION.

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

Adopted.

Senator Moffit offered the following, and moved that it be adopted:

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That when adjournment is had on Thursday, January 16, 1903, the same be had until 10 A. M. on Tuesday, January 31, 1903.

Adopted.

Senator Junkin offered the following resolution, and moved that it be adopted:

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That the Secretary of State be directed to publish 5,000 copies of the Iowa Official Register for the year 1903, in addition to the number specified in section 70 of the code.

Adopted.

By unanimous consent, Senator Moffit exchanged seats with Senator Crawford, Senator Moffit taking seat No. 32 and Senator Crawford taking seat No. 6.

Senator Hayward moved that, the Senate adjourn until 1:45 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met at 1:45 P. M., pursuant to adjournment, President Milliman presiding.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Resolved, By the House, the Senate concurring: That the secretary of state be requested to furnish each member of the Twenty-ninth General Assembly with one copy of the Twenty-seventh and Twenty-eighth General Assembly laws and the stationery which will be required by the members of the House and Senate.

C. R. BENEDICT,

Chief Clerk.

Senator Hazelton submitted the following report on mileage:

MR. PRESIDENT—Your committee on Mileage beg leave to report they find the members of the Senate of the Twenty-ninth General Assembly are entitled to mileage as follows:

NAMES.	Miles.	Amounts.	NAMES.	Miles.	Amounts.
Lieut. Gov. Millman.	370	\$ 18.50	Hobart.....	350	17.50
Alexander.....	300	15 00	Hogue.....	420	21.00
Allyn.....	290	14 50	Hopkins.....	120	6 00
Arthaud.....	250	12.50	Hubbard.....	460	23.00
Bachman.....	280	14 00	Junkin.....	295	14.75
Ball.....	242	12 10	Lambert.....	472	23 60
Bishop.....	700	35 00	Lewis.....	336	16.80
Blanchard.....	128	6 40	Lister.....	356	17.80
Brighton.....	236	11 80	Lyons.....	538	26.90
Brooks.....	170	8.50	Mardis.....	202	10.10
Classen.....	140	7.00	Matag.....	70	3.50
Courtright.....	210	10.50	Moffit.....	350	17.50
Craig.....	346	17 30	Molsberry.....	356	17.80
Crawford.....	430	21.50	Porter.....	186	9 30
Crossley.....	84	4 20	Smith of D. Moines.	336	16.80
Dowell.....	Smith of Mitchell..	330	16.50
Emmert.....	164	8.20	Spaulding.....	306	15.30
Fitchpatrick.....	90	4 50	Tallman.....	120	6 00
Garst.....	142	7 10	Townsend.....	136	6 80
Griswold.....	274	13 70	Trewin.....	700	35.00
Harper.....	180	9 00	Whipple.....	340	17 00
Harriman.....	242	12 10	Wilson.....	470	23 50
Hartshorn.....	208	10 40	Winne.....	212	10.50
Hayward.....	350	17.50	Young of Lee.....	418	20.90
Hazelton.....	284	14.20	Young, Washington	292	14.60
Healy.....	170	8.50			

A. S. HAZLETON,
E. C. SPAULDING,
THOS. LAMBERT,
Committee on Mileage.

Adopted.

On request of Senator Wilson, leave of absence was granted Senator Lyons until Thursday morning.

The Journal of yesterday was taken up, corrected and approved.

Senator Craig moved that the Senate take up House messages
Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to reading of Governor's message in joint convention was read, and upon motion of Senator Harriman was adopted.

CONCURRENT RESOLUTION.

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

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

Concurrent resolution relative to adjournment from Thursday, January 16th, to Tuesday, January 21st, was read, and no action taken.

The President appointed the following committee to invite the Governor to read his message in joint session:

Senators Harriman and Crawford.

Senator Harriman, from the committee to invite the Governor to read his message in joint session, reported that they had performed their duty.

President Milliman announced the following committee on mail carrier:

Senators Crossley, Hopkins and Hartshorn.

Senator Garst moved that Senator Crossley be elected as teller for the joint convention, on the part of the Senate.

Carried.

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

The President announced that the Senate would proceed to the House under the direction of the sergeant-at-arms.

The Senators proceeded to the House to meet in joint convention.

JOINT CONVENTION.

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

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

Messrs. Anderson, Bachman, Bailey, Barker, Barkley, Bealer, Bishop, Black, Blakemore, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Courtright, Cowles, Craig, Crossley, Crouse, Cruikshank, Dodds, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, English, Fields, Fitchpatrick, Flenniken, Freeman, Frudden, Furry, Garst, Gilchrist, Graff, Greeley, Greene, Griswold, Hamann, Harper, Harriman, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Hertert, Hillsinger, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, Lyons, McClure, McClurkin, McNie, Mardis, Marshall, Meservey, Moffit, Molsberry, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Smith of Mitchell, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Utterback, Walden, Walters, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Clinton, Wilson of Washington, Winne, Wise, Wright, Young of Lee, Young of Washington—133.

Absent:

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

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

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

GOVERNOR'S MESSAGE.

To the Senate and House of Representatives of Iowa:

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

The receipts of general revenue during the fiscal term, July 1, 1899, to July 1, 1901, aggregated....	\$5,120,059.54
Add to this treasury balance July 1, 1899..	445,002.37
Total revenue.....	
\$ 5,565,061.91	
Outstanding warrants at the beginning of the term.....	\$ 30,708.35
Warrants drawn during the term....	4,420,193.70—
\$4,450,902.05	
Balance.....	\$1,114,159.86
Outstanding warrants June 30, 1901.....	29,728.31
Balance in the treasury June 30, 1901.....	
\$1,143,888.17	
At the close of business Dec. 31, 1901, there was in the treasury.....	780,527.75

APPROPRIATIONS ASKED.

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

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

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

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

STATE ARCHITECT.

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

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

EDUCATIONAL INSTITUTIONS.

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

LOSSES BY FIRE.

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

NORMAL SCHOOLS.

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

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

RURAL SCHOOLS.

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

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

CAPITOL IMPROVEMENT COMMISSION.

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

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

LOUISIANA PURCHASE CENTENNIAL EXPOSITION.

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

VICKSBURG NATIONAL PARK COMMISSION.

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

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

SALARIES.

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

OFFICIAL BONDS.

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

INTEREST ON STATE FUNDS.

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

EQUALIZATION OF ASSESSMENTS.

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

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

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

THE PAROLE SYSTEM.

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

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

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

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

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

BUREAU OF LABOR STATISTICS.

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

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

LAKE-BEDS.

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

OIL INSPECTION.

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

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

STATE BOUNDARY.

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

IN MEMORIAM.

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

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

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

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

TEMPORARY APPOINTMENTS.

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

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

CONCLUSION.

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

LESLIE M. SHAW.

JANUARY 13, 1902.

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

President Milliman 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 in November, 1901.

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

The Senate returned from joint convention.

Senator Harriman moved that the Senate adjourn until 1:30 o'clock tomorrow afternoon.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 15, 1902. }

Senate met in regular session at 1:30 o'clock P. M., President Milliman presiding.

Prayer was offered by Rev. R. W. Hughes, of Oskaloosa, Iowa.

On motion of Senator Harriman, the Governor's message was ordered printed in the Journal.

The following messages were received from the House:

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to printing 5,000 additional copies of the Official Register.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to adjournment Thursday, January 16th.

Senator Moffit moved that the Senate take up House messages.

Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution, relative to printing of 5,000 additional copies of Official Register.

Passed on file.

Concurrent resolution relative to adjournment January 16th.

Senator Trewin moved to substitute the words "two P. M." for the words "ten A. M." in the House concurrent resolution relative to adjournment.

Carried.

The Governor's private secretary announced that he had a communication from the Governor relative to the requirements of section 16, article 4, of the constitution, with report of each case of pardon, reprieve, commutation and suspension granted, and the reasons therefor, and also all persons in whose favor remissions of fines and forfeitures have been made during the Governor's official term, which was placed on file.

The Governor's private secretary announced that he had a communication from the Governor relating to the report of the Vicksburg commission, which was placed on file.

Senator Smith of Mitchell, offered the following joint resolution No. 1, which was read first and second times:

Joint resolution relative to extra employes.

JOINT RESOLUTION NO. 1

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

Be it resolved by the General Assembly of the State of Iowa:

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

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

SEC. 3. That John Heater, of Sac county; D. W. Shean, of Keokuk county; Thomas Martin, of Polk county; B. S. Manley, of Taylor county; Wm. Law, of Audubon county; H. T. Barber, of Pottawattamie county; Emanuel Beery, of Warren county; George W. Myers, of Greene county; J. E. Winder, of Taylor county; John W. Cook, of Fayette county; Carl Peters, of Jasper county; and F. E. White, of Muscatine county, are hereby appointed janitors at a salary of \$60 per month each.

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

SEC. 5. That Earl Rainy, of Iowa county, is hereby appointed assistant bill clerk of the Senate, and J. P. Spaulding, Dallas county, is hereby

appointed assistant bill clerk, of the House at a salary of \$60 per month each.

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

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

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

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

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

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

On motion of Senator Smith of Mitchell, the joint resolution in regard to extra employes was taken up and considered.

Senator Smith of Mitchell, 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.

On the question, Shall the joint resolution pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hopkins, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Winne—33.

The nays were:

None.

Absent or not voting:

Senators Bachman, Brighton, Craig, Crossley, Healy, Hobart, Hogue, Hubbard, Junkin, Lyons, Molsberry, Tallman, Townsend, Trewin, Wilson, Young of Lee, Young of Washington—17.

So the joint resolution, having received a constitutional majority, was declared to have passed the Senate, and its title agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate substitute to House amendment in which the concurrence of the House was asked:

Relative to adjournment.

C. R. BENEDICT,
Chief Clerk.

The Senate now took up House messages.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to adjournment read and placed on file.

The President announced that the Senators had received an invitation to visit Iowa City January 23d to inspect the public buildings located there.

Senator Blanchard moved that the Senators accept the invitation.

Carried.

The hour having arrived, the Senate proceeded to the House to meet in joint convention.

JOINT CONVENTION.

Joint convention reconvened at 2 P. M., January 15, 1902, to complete the canvass of the vote.

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

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

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Ball, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Classen, Colclo, Courtright, Cowles, Craig, Crawford, Crossley, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, Emmert, English, Fields, Fitchpatrick, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Griswold, Hamann, Harper, Harriman, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Hertert, Hilsinger, Hobart, Hopkins, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Junkin, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford Larrabee, Leech, Lewis, Lister, Lyman, McClure, McClurkin, McNie, Mardis, Marshall, Maytag, Meservey, Moffit, Molsberry, Moore, Mordhorst, Nagle, Nichols, Patten, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Smith of Mitchell, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Tallman, Teachout, Temple, Trewin, Utterback, Walden, Warren, Whipple, Whiting, Wilson of Buena Vista, Wilson of Clinton, Wilson of Washington, Winne, Wise, Wright, Young of Lee—129.

Absent:

Messrs. Bachman, Bishop, Coburn, Frudden, Garst, Healy, Hogue, Hubbard, Hurn, Lambert, Langan of Clinton, Lyons, Mattes, Payne, Porter, Sweet, Townsend of Calhoun, Townsend of Monroe, Walters, Willett, Young of Washington—21.

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

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

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

Mr. President and Gentlemen of the Joint Convention:

Your tellers appointed by the Senate and House of Representatives on January 14, 1902, to canvass the vote cast for the candidates for Governor

and Lieutenant-Governor at the election held on November 5, 1901, beg leave to make the following report of the total vote cast for governor:

Albert B Cummins received	226,802
T. J. Phillips received.....	143,788
A. U. Coates received.....	15,659
James Baxter received.....	3,463
L. H. Weller received.....	780
E. H. Conger received.....	1
Scattering.....	1
Total.....	390,489

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

John Herriott received.....	227,171
G. E. Ferguson received.....	142,588
A. B. Wray received.....	13,095
W. A. Jacobs received.....	3,391
Perry Engle received.....	766
Total.....	387,011

All of which is most respectfully submitted.

JAMES J. CROSSLEY.

ASMUS BOYSEN,

Tellers.

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

Also:

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

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

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

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

This is to certify that upon a canvass in joint convention of the two houses of the General Assembly of the state of Iowa of the votes cast at the

November election, A. D. 1901, for the office of Governor of the state of Iowa, it appeared that Albert B. Cummins received the highest number of all votes cast for any candidate at said election for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

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

J. C. MILLIMAN,
President of the Senate and President of the Joint Convention.

WILLARD L. EATON,
Speaker of the House.

JAMES J. CROSSLEY,
Teller of the Senate.

ASMUS BOYSEN,
Teller of the House.

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

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

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

J. C. MILLIMAN,
President of the Senate and President of the Joint Convention.

WILLARD L. EATON,
Speaker of the House.

JAMES J. CROSSLEY,
Teller of the Senate.

ASMUS BOYSEN,
Teller of the House.

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

Carried.

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

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

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

Senate returned to its chamber and resumed its sitting.

The Senate took up House messages.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to stationery and assembly laws of the Twenty-seventh and Twenty-eighth General Assemblies for members of House and Senate was read and adopted.

Concurrent resolution relative to adjournment from Thursday, January 16th, to Tuesday, January 21st.

Passed on file.

The Journal of yesterday was taken up, corrected and approved.

Senator Crossley submitted the following report on mail carrier, and moved that it be adopted:

Report of joint committee on the appointment of mail carrier:

MR. PRESIDENT AND MR. SPEAKER—Your joint committee appointed by the Senate and House to select a mail carrier for the Twenty-ninth General Assembly, beg leave to report that they have had the matter under consideration, and that they have selected James H. Wilson, of Adair county, for that position.

JAMES J. CROSSLEY,

Chairman Senate Committee.

WILLIAM G. KERR,

Chairman House Committee.

Adopted.

Senator Ball offered the following resolution, and moved that it be adopted:

Resolved, That all papers, including the answer or other pleadings of the incumbent, and matters now or hereafter presented to this body in the matter of the contest for the senatorship from the Thirty-fifth Iowa Senatorial District, between Thomas F. Nolan and Phineas W. Crawford, be and the same are and shall be referred to the special committee provided for by resolution of January 13, 1903, and that said committee make early and full investigation and inquiry into the facts and the merits of the said contest, and that they make report thereof as to their findings and conclusions to this body. Said committee are hereby authorized to employ such help as they may deem necessary and admissible to expedite the work, and they are further authorized to subpoena and cause to be produced before them such persons, proof and evidence, documentary or otherwise, as they may deem necessary for a full and fair determination of the rights of the

parties, and the chairman of said committee is hereby authorized to sign and issue such subpoenas for and on behalf of said committee

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Joint resolution relating to the selection of additional employes.

C. R. BENEDICT,

Chief Clerk.

The Senate now took up House messages.

HOUSE MESSAGE CONSIDERED.

Joint resolution No. 1 relating to the selection of additional employes.

Passed on file.

Senator Trewin called the attention of the Senate to the fact that it would cost \$500 to build a vestibule at the main door of the Senate, as contemplated in a resolution which passed the Senate yesterday.

The following communication relative to the position of the Iowa troops at the siege of Vicksburg was read:

EXECUTIVE OFFICE
DES MOINES, IOWA, January 15, 1902 }

To the General Assembly:

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

LESLIE M. SHAW.

Senator Garst moved that a committee of three be appointed to investigate as to the advisability of printing the message and reports received from the Governor today in the Journal.

Carried.

The President appointed as such committee Senators Blanchard, Lister and Wilson.

Senator Dowell submitted the following report of the committee on inauguration, and moved that it be adopted.

REPORT OF COMMITTEE ON INAUGURATION.

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

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

Squad of police.

Iowa State Military Band.

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

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

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

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

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

Three carriages containing members of legislative inaugural committee.

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

Three carriages containing military staff of Governor Shaw.

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

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

Carriage containing Senators Allison and Dolliver and Ex-Governors present

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

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

Carriage containing Railroad Commissioners and Secretary of the Senate.

Carriages containing members of the Senate.

Carriages containing the members of the House.

Carriage containing members of the press.

The parade will move over the following line of march: West on East Grand avenue to East Sixth street, south on East Sixth to Locust street,

west on Locust to West Third street, south on Third street to Walnut street, west on Walnut to Seventh street, north on Seventh to Locust street, east on Locust to Fourth street, north on Fourth street to the Auditorium. The occupants of the carriages will be driven to the stage entrance of the Auditorium, where seats have been assigned.

Lieutenant-Governor Milliman will have charge of the ceremonies.

PROGRAM.

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

Calling to order by Lieutenant-Governor Milliman.

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

Music—"The Warrior Bold," Glee club.

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

Inaugural address by Gov. Albert B. Cummins.

Music—"Stern Old Land," Glee club.

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

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

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

All of which is respectfully submitted.

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

Committee on part of the Senate.

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

Committee on part of the House.

Adopted.

On motion of Senator Hayward, the Senate adjourned until 10 o'clock tomorrow morning.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, January 16, 1903. }

Senate met in regular session at 10:00 o'clock A. M., President Milliman presiding. Prayer was offered by Rev. C. L. Stratton, of Red Oak, Iowa.

The journal of yesterday was taken up, corrected and approved

Senator Porter was called to the chair at 10:45 A. M.

Senator Harriman offered the following resolution:

Resolved, That our sincere thanks be, and the same are hereby, most cordially tendered to Lieutenant-Governor J. C. Milliman, for the able, efficient and kindly manner in which he has presided during the opening days of the Twenty-ninth General Assembly.

We recognize that he possesses the indispensable attributes of a valuable public officer, among which are honesty, ability and faithfulness.

Realizing that his duties as President of the Senate will terminate this day, we extend to him our good wishes for his future prosperity and happiness.

In favor of the resolution, Senator Harriman spoke as follows:

In support of the resolution, now pending before the Senate, I desire to say that the few words contained therein, but feebly express the respect and admiration that I entertain for Lieutenant-Governor Milliman as President of the Senate; and I apprehend that this expression not only reflects the sentiment of every member of this Senate, but more emphatically expresses the sentiment of every Senator of the Twenty-seventh and Twenty-eighth General Assemblies, who by longer service with him, have had a better opportunity to observe and appreciate his sterling qualities as a presiding officer. It has been my fortune or misfortune, certainly my privilege, to have served during several sessions of our legislature, beginning with the Twenty-fourth, until the present time. And while I would not detract one iota from the high standing of other presiding officers, I think I do them no injustice when I say that we have never, in my judgment, had a presiding officer during my experience quite the equal of President Milliman. I had the pleasure of serving with him in the House during the Twenty-fifth General Assembly, where I learned of his ability, his integrity and perseverance. Although he at first came, as President of the Senate, a stranger to many of the members, his courteous treatment of

all, and the faithful and impartial manner in which he discharged his every duty, immediately won for him the respect and admiration of every senator of the Twenty-seventh and Twenty-eighth General Assemblies. He is quick to comprehend every situation and point of order, and quick to announce his ruling thereon, and equally quick to execute the same. The cords which bind us together in an official capacity must this day be severed; and as he departs, I would have him accept my heartiest well wishes, with the hope that his future may be as bright as his past services have been valuable to the state.

Senator Lambert spoke as follows:

Senator Lambert, representing the minority, said that he fully endorsed the sentiment expressed by Senator Harriman. The minority realizes the great power of the presiding officer and the opportunity for showing fairness or prejudice. In the case of Governor Milliman, I want to say that he has never abused that opportunity. We have found him at all times and under all conditions both uniformly courteous and absolutely fair in treatment and rulings, and the ties which unite us have been forged into a chain of affection that will endure until the end of our allotted time, and the memories of our past relations will be ever cherished as one of the brightest gems in our legislative experience. The democrats join Mr. Harriman in assuring Mr. Milliman of their esteem and highest regard.

Senator Junkin spoke as follows:

Lieutenant-Governor Milliman at all times has borne himself with such integrity and impartiality that no one at any time during his official career could say whether he was friend or foe to men or measures. He knew no friend, no foe; he knew nothing but the fair discharge of his duties, and I venture the statement that he has been so fair in the discharge of the official duties of his position that no one ever knew what his individual opinions were on pending measures. He paid strict and close attention to the discharge of the duties devolving upon him, and to nothing else, and for that reason he carries with him from this body the good will, love and respect of all who have served here during his administration, regardless of party. I am glad to offer this word of tribute to the retiring presiding officer of the senate.

Senator Ball spoke as follows:

I am glad to add my testimony to the endorsement that has already been given to the retiring presiding officer of the senate. I had the good fortune to be a member of the last session of this body and during that time, and during the few days of the present session, Governor Milliman has in my opinion discharged the duties of his office as well as any man could discharge them under all circumstances. He was always ready and prompt and eminently fair in his decisions, and absolutely impartial. I believe that the highest praise that can be given him at this time is to say that in the discharge of his duties he knew no party lines, and the fact that a man was a Democrat or a Republican made no difference in his decision on any point.

Senator Blanchard spoke as follows

I do not desire to take the time of the Senate but I rise to endorse most heartily what has been said in behalf of the retiring president of this body. Like the Senator from Franklin, I served with Lieutenant-Governor Milliman in the House. When he became President of the Senate he fulfilled the highest expectations of his friends. Governor Milliman seems to be naturally adapted to the position he has so well filled, grasping a point with remarkable clearness and accuracy, and his absolute fairness and impartiality to all commended him especially to the members of the Senate who have had the honor to serve with him. In the consideration of grave questions, where the Senate was divided pro and con, and great interest was manifested by partisans, it was impossible to tell where his sympathies lay. It was because of Lieutenant-Governor Milliman's fairness and impartiality, and because of the honorable manner in which he has always acted, that he has so endeared himself to the members of the Senate. I most cordially endorse the resolution and all that has been said.

Senator Crossley:

Mr. President, while it is possibly unnecessary to add any words to those that have already been spoken in commendation of the excellent services of Lieutenant-Governor Milliman, as presiding officer of this body, I feel it incumbent upon me, as one of the younger members of the Senate during the Twenty-eighth General Assembly, and as one who is serving his first term in a legislative body, to add that Lieutenant-Governor Milliman's action as presiding officer was always courteous in the extreme, and particularly so to those who were serving their first term; and, while I am willing to admit that being a new member of a legislative body, and being, as such members usually are, quite impulsive and radical, he exerted upon me an influence not only restraining upon that impulsiveness, but it was an influence particularly beneficial to me personally, and I feel under lasting obligations to him for his services to me. As President of the Senate, he was not only prompt in decisions, as has been said, but in parliamentary debate and in deciding parliamentary questions he was always sure to decide in the right, and I must say that we have certainly been highly favored in having such a man, so well qualified as Governor Milliman, as presiding officer of the Iowa Senate.

Senator Trewin spoke as follows:

Those of us who served with Governor Milliman in the Twenty-fifth General Assembly, know that no man there better loved debate, or was more ready at rapartee. It was a pleasant surprise for us when he came into this body as presiding officer, and was able to lay aside all ideas of entering into the contests, and to preside with absolute impartiality. We have had contentions here during the Twenty-seventh and Twenty-eighth General Assemblies upon many important questions, and to the fact that Lieutenant-Governor Milliman ever maintained his balance, his equipoise, through all such contentions, is due in large measure the harmony which prevails in the Senate and the good feeling which exists. Lieutenant-Governor Milliman was able to grasp and understand thoroughly

parliamentary questions, with unusual readiness, and I believe that no man can say that when he raised a question before Lieutenant-Governor Milliman, it did not receive proper consideration and was not carefully and accurately decided. Remembering his uniform courtesy and kindness, together with his excellent judgment, and attention to all the members, speaking as one of his earliest friends in public life, as one who was always glad to assist him in the high position he has so honorably filled, it is with sincere regret that I see him passing out of public life, for the time being, at least, and personally I can only wish him a continuance of his success and prosperity in future.

Senator Hayward spoke as follows:

I desire to personally testify to the eminent fairness and signal ability with which Governor Milliman has presided over the deliberations of this body and I most earnestly and cordially endorse all that is expressed in the resolution before us, and that has been said by other Senators.

Senator Garst said that the Governor came into the presiding officer's chair determined to be the best Lieutenant-Governor the state ever had. It was a high ambition and the degree to which it was attained is testified by the Senators.

Senator Molsberry said that he could speak for the appreciation of the new member of the kindness and courtesy and helpfulness of Governor Milliman.

Senator Bishop expressed high esteem for Governor Milliman personally and testified to the absolute fairness of the presiding officer.

Senator Tallman endorsed the resolutions.

Senator Lister emphasized the helpfulness to new members which characterized Governor Milliman's treatment of them, spoken of by Senator Crossley. His courtesy and his friendship were as notable as his perfect discharge of his duties.

On motion of Senator Harriman the resolution was unanimously adopted by a rising vote.

President Milliman then resumed the chair.

Senator Tallman moved that the Senate adjourn until 1:15 o'clock this afternoon.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 1:15 P. M., President Milliman presiding.

A committee from the House announced that they were ready to receive the Senate in joint-convention.

The hour having arrived for joint-convention, the president announced that the Senate would proceed in a body to the House and form there to go to the Auditorium to inaugurate Governor-elect Albert B. Cummins, and Lieutenant-Governor-elect John Herriott.

JOINT CONVENTION.

The joint-convention was called to order by President Milliman, and the roll was called to ascertain a quorum. The following answered to their names.

Present:

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

Washington, Winne, Wise, Wright, Young of Lee, Young of Washington—128.

Absent:

Messrs. Bachman, Blakemore, Brighton, Carter, Coburn, Cowles, Cruikshank, Gilchrist, Hazelton, Healy, Hilsinger, Hogue, Hubbard, Hurn, Lyons, Marshall, Mattes, Payne, Sweet, Townsend of Calhoun, Townsend of Monroe—22.

The joint convention then proceeded in a body to the Auditorium to participate in the inaugural ceremonies, and was called to order by President Milliman, when the following program was carried out:

Song—"The Recessional" Grant Hadley and Grant Glee Club.

Invocation—Rt. Rev. Theodore M. Morrison, Bishop of Iowa.

Song—"A Warrior Bold" Grant Glee Club.

The oath of office was duly administered to Albert B. Cummins, and John Herriott, Governor and Lieutenant-Governor, elect, by Chief Justice Scott M. Ladd, in pursuance of the joint convention.

His Excellency, Albert B. Cummins, then delivered his inaugural address.

Song—"Stern Old Land" Grant Glee Club.

President Milliman announced that the joint convention would now adjourn to meet in the Hall of the House of Representatives.

The Senate repaired to the Hall of the House of Representatives.

The joint convention then dissolved and the Senate repaired to their chamber and was called to order by President Milliman.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following Joint Report:

Relative to appointment of mail carrier.

C. R. BENEDICT,
Chief Clerk.

President Milliman, in taking leave of the Senate, spoke as follows:

SENATORS—At the beginning of the session of the Twenty-seventh General Assembly, the State Treasury was burdened with an indebtedness of nearly \$450,000, while you begin the work of the Twenty-ninth Assembly with a surplus of over \$600,000. The wise and comprehensive measures enacted by the two last Assemblies, together with the faithful discharge of duty by the Executive Officers of the state, have wrought this remarkable change, and these facts are mentioned at this time that we may remember that all things desirable and necessary may be accomplished by the united action of unselfish determined men. During the period now under consideration, partisan spirit and local interests have been subordinated to the public good and it is due to the distinguished gentlemen composing the General Assemblies that their good work be thus noted. The past is history, the present ripe in opportunity, the future laden with possibilities.

SENATORS—I cannot sever my relations with you without attempting to express to you my sense of gratitude for the kindness and forbearance shown me during my four years of service as president of the Senate. When I recall how patiently each Senator has overlooked my shortcomings, and how promptly one and all have approved such rulings as were helpful in the dispatch of business, I am persuaded that nowhere may be found abler and more courteous gentlemen. I retire from the responsible office of president of the Senate of Iowa with sentiments of admiration and friendship toward every Senator who has during such service been a member of this body. Not one has been unkind, and not one has failed in doing his duty to the state and his constituency. It is due to you that I say 'Well done, servants of the people,' for in my position it was given me to know of your work.

Of future legislation by you I feel no apprehension, and I trust the future in your private lives may bring much of success and happiness and little of suffering and sadness which so often fall to the lot of men.

Emotions too deep, for utterance and too delicate for expression crowd upon me and I ask you to read in my eyes as I look into your faces and from my hand clasp as I bid you Good Bye, the benediction of friendship and love known only among manly men. May the blessing of Heaven attend you alway.

On motion of Senator Tallman the remarks of President Millman were ordered printed in the Journal.

On motion of Senator Hubbard a committee of two were appointed to escort the incoming Lieutenant-Governor to the chair.

President Millman appointed as such committee Senators Hubbard and Ball.

The committee escorted President Herriott to the chair.

President Herriott on assuming the chair addressed the Senate as follows:

HERRIOTT'S REMARKS

SENATORS—In entering upon the duties of this high office with which the suffrages of my fellow citizens have honored me, it is both a duty and a pleasure to acknowledge the uniform courtesy extended me by your retiring president, Lieutenant-Governor J. C. Millman, and by the members of the Senate in the incoming days of the session. Even though I have not been able always to indicate a favorable response to your requests and desires, your courtesy has notwithstanding been no less considerate. It is I assure you, my sincere wish that my conduct as your presiding officer will not alienate your good will.

It is, however, but prudence for me to ask for leniency in your judgments as it has fallen to my lot to be concerned with business affairs and administrative duties and but little with parliamentary bodies and their procedure. If, therefore, it happens that I occasionally go far afield in my rulings I ask that the presumption of good intention be accorded me. I shall do my best to expedite business and deal fairly with you and among you.

Shall we proceed with business?

The President announced the following communication, which was read:

To the members of the Twenty-ninth General Assembly:

GENTLEMEN—You are most cordially invited to be present at the formal opening and dedication of the new normal school building Thursday, January 30, 1902.

A special train will leave the Union depot on the Chicago Great Western railway at 8 o'clock A. M. on said date.

Governor-elect A. B. Cummins will deliver the dedicatory address.

HOMER H. SEERLEY,

President of the Faculty.

RICHARD C. BARRETT,

President of the Board of Trustees.

CEDAR FALLS, IOWA, January 15, 1902.

Adopted.

Senator Smith of Mitchell, offered the following resolution, and moved its adoption:

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

Resolved, That the invitation be accepted, and that when adjournment

is had on Wednesday, January 29, 1902, the same be had until 10 o'clock Friday, January 31, 1902.

Adopted.

Senator Garst called up the resolution offered by him January 14th, relative to the appointment of additional messengers, and moved its adoption.

Adopted.

The President then appointed as messengers for the Senate the following:

President's Messenger, Samuel Diller, Polk county; Messengers: Carl J Skinner, Clinton county; Willie Welch, Polk county; John Stevenson, Greene county; Ernest Canfield, Black Hawk county; Ray Brand, Polk county; Frank Toby, Franklin county; Ioan Jones, Jasper county; Lawrence Arthur, Wapello county.

The Senate now took up House messages.

HOUSE MESSAGE CONSIDERED.

Joint Report, relative to appointment of mail carrier.

Adopted.

Senator Craig moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2 o'clock P. M., January 21, 1902.

SENATE CHAMBER,
DES MOINES, January 21, 1902. }

Senate met in regular session at 2 o'clock P. M., President Herriott presiding.

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

Senator Dowell presented President Herriott's gavel which was brought from the Philippines by Capt. Amos Brandt, of Des Moines, said gavel being presented in his name.

President Herriott accepted the gavel, and thanked Senator Dowell and Capt. Amos Brandt for the same.

President Herriott made the following prefatory address before announcing the standing committees of the Senate:

SENATORS—Pursuant to your directions and the procedure of the Senate heretofore, I have assigned the members to various committees for the transaction of the necessary work of the session. The lists are now submitted. Respecting the assignments I desire, first, to submit a suggestion regarding a rearrangement of the committees in the matter of their rank; second, to set forth the reasons for certain changes and additions made; and third, to indicate the purpose in view in the makeup of some of the committees.

By custom the order of mention in their first announcement has been taken as significant of the rank or importance of committees. At each legislative session temporary and fluctuating interests have induced presiding officers to shift their order more or less. This naturally has resulted in some confusion and ill-assortment in rank. Committees related to each other are not grouped together, but are scattered here and there in the list. Thus the committee on Schools, No. 11, appears between the committees on Insurance and Banks; that on Educational Institutions, No. 22, is flanked by Public Health and Military. Later, Charitable Institutions, No. 28, comes between Federal Relations and Elections. The rank of the committees pertaining to our industries and commerce is not less illogically assorted: the order being Agriculture, No. 4, Labor, No. 15; Mines and Mining, No. 16; Commerce, No. 31; Manufactures, No. 32, and Horticulture and Forestry, No. 35. If one were to judge solely from the order of mention, Manufactures and Commerce are matters of title concern to the people of Iowa.

A better arrangement would present the committees in groups comprising those assigned related subjects, and group following group in the order of relative importance. After the committees of Ways and Means, Judiciary, and Appropriations, it is suggested that those relating to the industries and labor industries of the state follow, then those on business corporations, then those on city, county and state affairs and institutions, and finally political and miscellaneous committees. While it is in the discretion of the president under your grant of authority to make such rearrangement, he has not deemed it advisable, but submits the matter as worthy of your consideration.

In harmony with the recommendation just made, the committee on Agriculture has been enlarged and advanced. The predominant interests of our citizens and taxpayers are in the farm, dairy and garden and industries subsidiary thereto, and the advancement of the welfare of those devoted to them is the chief concern of this body. The great wealth which they represent, the high distinction Iowa has attained in the raising of cereals and stock, both on this continent and abroad, the large number of state and local institutions and societies supported or assisted by the state for the promotion of agriculture makes appropriate the action here taken.

In the past few years there has developed a marked popular interest in our public libraries. The number and influence of these educational institutions have greatly increased. The desirability of promoting them, the importance of extending the usefulness of our traveling libraries and the work of the library commission, and the needs of our state and horticultural libraries at the capital have led me to enlarge the committee on libraries. In a rearrangement as urged, this committee should be advanced to the group comprising the state's institutions.

The committee on Rules has been increased from five to nine in number, and the committee on Fish and Game from three to five.

A new committee has been created to consider matters connected with telegraph and telephone companies. The increased use of telephones in our towns and cities, and of late among our farmers, has produced a host of problems. The granting of franchises, the rights of such companies in our streets and highways, the location of poles and wires, and the general regulations of such service are matters that require particular legislative consideration.

Mindful of the fact that you come to this chamber as representatives of the people who support our state government by contributions of taxes levied on their property, the majority of the membership of the two ranking committees in particular have been selected with a view to reformative changes in our revenue laws which the people have indicated they desire. For several years there has been an increasing popular demand for reform in our methods of assessing corporate property for taxation, especially the property of railroads. In the recent conventions of the party whose adherents prevail in this assembly, the contests were squarely made on this issue; numerous resolutions were adopted calling for such modifications of our laws as would insure not only the equitable assessment of the railroads, but the full valuation of their property; and the nominations for state-

offices were generally made in harmony with such sentiments vigorously expressed by the rank and file of the party. The committees on Ways and Means and Judiciary, that have most to do with the consideration of revenue measures, have, therefore, been composed for the most part, of those favorable to legislation that will prescribe definite and uniform procedure which shall guide and assist our administrative officers in assessing railroads, and thereby reduce to the lowest degree practicable the intrusion of personal preferences or prejudices in this important work of government or the perversion of assessorial powers. All views have been recognized, and some who may oppose material modification of the existing statutes have been included in the makeup of the committees.

Aside from selecting a favorable majority of each committee that will be concerned with such reform measures, I have not presumed to indicate, let alone to dictate, what precise form or what the character of the needed legislation should be. This, as I conceive my duties, would be to go beyond my province as your presiding officer. It is perhaps unnecessary for me to say that I shall be in full sympathy with any well ordered measure having such needed reforms in view that may be agreed upon; but not a little practical experience in the administration of the present law, warrants me in urging the desirability of substantial modifications in the directions indicated.

The list of committees was then read by the Secretary.

STANDING COMMITTEES OF THE SENATE.

WAYS AND MEANS.

Senator Junkin,
 Senator Healy,
 Senator Lewis,
 Senator Hayward,
 Senator Classen,
 Senator Griswold,
 Senator Lister,
 Senator Brighton.

Senator Crossley,
 Senator Trewin,
 Senator Arthaud,
 Senator Hartshorn,
 Senator Hogue,
 Senator Porter,
 Senator Emmert,
 Senator Lambert.

JUDICIARY.

Senator Healy,
 Senator Blanchard,
 Senator Trewin,
 Senator Hobart,
 Senator Hazelton,
 Senator Hubbard,
 Senator Lister,
 Senator Dowell,

Senator Moffit,
 Senator Crawford,
 Senator Whipple,
 Senator Courtright,
 Senator Molesberry,
 Senator Ball,
 Senator Townsend,
 Senator Porter.

APPROPRIATIONS.

Senator Garst
 Senator Harriman,
 Senator Alexander,
 Senator Allyn,
 Senator Smith of Mitchell,
 Senator Hopkins,
 Senator Bachman,
 Senator Moffit,

Senator Harper,
 Senator Maytag,
 Senator Spaulding,
 Senator Brooks,
 Senator Fitchpatrick,
 Senator Wilson,
 Senator Ball,
 Senator Lyons.

AGRICULTURE.

Senator Harriman	Senator Hogue,
Senator Classen,	Senator Griswold,
Senator Brooks,	Senator Junkin,
Senator Crossley,	Senator Garst,
Senator Hopkins,	Senator Maytag,
Senator Arthaud,	Senator Wilson,
Senator Allyn,	Senator Young of Lee,
Senator Spaulding,	Senator Smith of Des Moines.

RAILROADS.

Senator Blanchard,	Senator Hubbard,
Senator Hobart,	Senator Fitchpatrick,
Senator Craig,	Senator Bachman,
Senator Classen,	Senator Hopkins,
Senator Mardis,	Senator Hartshorn,
Senator Arthaud,	Senator Townsend,
Senator Smith of Mitchell,	Senator Porter,
Senator Griswold,	Senator Smith of Des Moines.

CITIES AND TOWNS.

Senator Trewin,	Senator Junkin,
Senator Alexander,	Senator Crawford,
Senator Hayward,	Senator Harper,
Senator Blanchard,	Senator Dowell,
Senator Hazelton,	Senator Young of Washington,
Senator Brighton,	Senator Wilson,
Senator Hubbard,	Senator Smith of Des Moines.
Senator Mardis,	

SUPPRESSION OF INTEMPERANCE.

Senator Mardis,	Senator Fitchpatrick,
Senator Harriman,	Senator Brooks,
Senator Arthaud,	Senator Winne,
Senator Bachman,	Senator Young of Lee,
Senator Smith of Mitchell,	Senator Tallman,
Senator Young of Washington,	Senator Lyons.
Senator Spaulding,	

CONGRESSIONAL AND JUDICIAL DISTRICTS.

Senator Hazelton,	Senator Mardis,
Senator Blanchard,	Senator Bachman,
Senator Moffit,	Senator Molsberry,
Senator Lister,	Senator Lambert,
Senator Fitchpatrick,	Senator Lyons.
Senator Harriman,	

CONSTITUTIONAL AMENDMENTS AND SUFFRAGE.

Senator Craig,	Senator Hobart,
Senator Allyn,	Senator Courtright,
Senator Blanchard	Senator Molsberry,
Senator Healy	Senator Bishop,
Senator Hubbard,	Senator Lambert.
Senator Brighton,	

INSURANCE.

Senator Smith of Mitchell,	Senator Hazelton,
Senator Hobart,	Senator Whipple,
Senator Allyn,	Senator Maytag,
Senator Hayward,	Senator Townsend,
Senator Moffit,	Senator Emmert,
Senator Lister,	Senator Lyons.

SCHOOLS.

Senator Crossley,	Senator Molsberry,
Senator Trewin,	Senator Whipple,
Senator Hopkins,	Senator Ball,
Senator Moffit,	Senator Townsend,
Senator Lister,	Senator Bishop.
Senator Fitchpatrick,	

BANKS.

Senator Alexander,	Senator Brooks,
Senator Hayward,	Senator Lewis,
Senator Allyn,	Senator Wilson,
Senator Hopkins,	Senator Tallman.
Senator Young of Washington,	

BUILDING AND LOAN.

Senator Griswold,	Senator Harper,
Senator Mardis,	Senator Courtright,
Senator Healy,	Senator Winne,
Senator Bachman,	Senator Townsend.
Senator Crossley,	

TELEGRAPHS AND TELEPHONES.

Senator Hayward,	Senator Maytag,
Senator Hopkins,	Senator Brooks,
Senator Healy,	Senator Porter,
Senator Junkin,	Senator Lambert,
Senator Trewin,	Senator Bishop.
Senator Whipple,	

LABOR.

Senator Brighton,	Senator Smith of Mitchell,
Senator Mardis,	Senator Harper,
Senator Alexander,	Senator Lyons,
Senator Maytag,	Senator Lambert.
Senator Classen,	

MINES AND MINING.

Senator Arthaud,	Senator Dowell,
Senator Blanchard,	Senator Bishop,
Senator Craig,	Senator Townsend,
Senator Griswold,	Senator Porter.
Senator Fitchpatrick,	

SENATORIAL AND REPRESENTATIVE DISTRICTS.

Senator Hubbard,	Senator Winne,
Senator Hazleton,	Senator Maytag,
Senator Hobart,	Senator Ball,
Senator Lister,	Senator Lyons,
Senator Griswold,	Senator Young of Lee.
Senator Molsberry,	

HIGHWAYS.

Senator Classen,
 Senator Craig,
 Senator Spaulding,
 Senator Hazelton,
 Senator Hartshorn,

Senator Lewis,
 Senator Winne,
 Senator Young of Lee
 Senator Tallman.

CORPORATIONS.

Senator Hobart,
 Senator Blanchard,
 Senator Lister,
 Senator Hazelton,
 Senator Hubbard,

Senator Harriman,
 Senator Whipple,
 Senator Hogue,
 Senator Tallman.

COMPENSATION OF PUBLIC OFFICERS.

Senator Lister,
 Senator Smith of Mitchell,
 Senator Griswold,
 Senator Spaulding,

Senator Hartshorn,
 Senator Porter,
 Senator Smith of Des Moines.

PUBLIC HEALTH.

Senator Bachman,
 Senator Allyn,
 Senator Brighton,
 Senator Moffit,
 Senator Ha ward,
 Senator Dowell,

Senator Molsberry,
 Senator Crawford,
 Senator Young of Washington,
 Senator Emmert,
 Senator Wilson.

EDUCATIONAL INSTITUTIONS.

Senator Courtright,
 Senator Arthaud,
 Senator Alexander,
 Senator Craig,
 Senator Healy,

Senator Tallman,
 Senator Emmert,
 Senator Ball,
 Senator Townsend.

MILITARY.

Senator Moffit,
 Senator Classen,
 Senator B anchard,
 Senator Crawford,
 Senator Harper,

Senator Young of Washington,
 Senator Porter,
 Senator Tallman,
 Senator Wilson.

PHARMACY.

Senator Hopkins,
 Senator Emmert,
 Senator Hayward,
 Senator Junkin,
 Senator Hubbard,

Senator Garst,
 Senator Bachman,
 Senator Wilson,
 Senator Bishop.

PENITENTIARIES AND PARDONS.

Senator Whipple,
 Senator Hubbard,
 Senator Brooks,
 Senator Young of Washington,

Senator Crawford,
 Senator Bishop,
 Senator Young of Lee.

PRINTING.

Senator Allyn,
 Senator Brighton,
 Senator Trewin,
 Senator Mardis,
 Senator Griswold,

Senator Courtright,
 Senator Lambert,
 Senator Bishop,
 Senator Tallman.

FEDERAL RELATIONS.

Senator Crawford,
 Senator Craig,
 Senator Hogue,
 Senator Hartshorn,

Senator Lewis,
 Senator Young of Lee,
 Senator Smith of Des Moines.

CHARITABLE INSTITUTIONS.

Senator Fitchpatrick,
 Senator Hobart,
 Senator Junkin,
 Senator Crossley,
 Senator Hogue,

Senator Hopkins,
 Senator Harper,
 Senator Lyons,
 Senator Porter.

ELECTIONS.

Senator Molsberry,
 Senator Harriman,
 Senator Junkin,
 Senator Lewis,

Senator Courtright,
 Senator Tallman,
 Senator Townsend.

CLAIMS.

Senator Hartshorn,
 Senator Garst,
 Senator Spaulding,
 Senator Crawford,

Senator Lewis,
 Senator Emmert,
 Senator Young of Lee.

COMMERCE.

Senator Harper,
 Senator Griswold,
 Senator Alexander,
 Senator Arthaud,

Senator Dowell,
 Senator Hogue,
 Senator Ball.

MANUFACTURES.

Senator Maytag,
 Senator Smith of Mitchell,
 Senator Hayward,

Senator Bishop,
 Senator Wilson.

PUBLIC BUILDINGS.

Senator Brooks,
 Senator Mardis,
 Senator Garst,

Senator Winne,
 Senator Emmert.

RULES.

Senator Lewis,
 Senator Brighton,
 Senator Trewin,
 Senator Healy,
 Senator Garst,

Senator Dowell,
 Senator Lyons,
 Senator Ball,
 Senator Porter.

HORTICULTURE AND FORESTRY.

Senator Spaulding,
 Senator Crossley,
 Senator Harriman,

Senator Ball,
 Senator Smith of Des Moines.

PUBLIC LANDS.

Senator Hogue,
 Senator Craig,

Senator Wilson.

PUBLIC LIBRARIES.

Senator Dowell,
 Senator Hopkins,
 Senator Allyn,
 Senator Crossley,
 Senator Trewin,
 Senator Healy,

Senator Garst,
 Senator Whipple,
 Senator Lambert,
 Senator Ball,
 Senator Smith of Des Moines.

FISH AND GAME.

Senator Lambert,
 Senator Blanchard,
 Senator Classen,

Senator Winne,
 Senator Bishop.

ENGROSSED BILLS.

Senator Young of Washington,
 Senator Alexander,

Senator Hartshorn.

ENROLLED BILLS.

Senator Winne,
 Senator Trewin,

Senator Townsend.

In the matter of the contest for the seat in the Senate from the Cass-Shelby district between Senator J. M. Emmert and James E. Bruce, contestee, the following committee is appointed pursuant to action of the Senate January 13th:

Senators Crossley, Smith, Molsberry, Ball and Lyons.

In the matter of the contest for the Senate from the Dubuque district between Senator P. W. Crawford and Thomas F. Nolan, contestee, the following committee is appointed pursuant to the action of the Senate January 13th.

Senators Courtright, Dowell, Fitchpatrick, Townsend and Wilson.

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

Resolved, That a committee of three be appointed upon assignment of committee rooms and fixing time of meetings of committees.

Adopted.

The President appointed as such committee, Senators Lewis, Smith of Mitchell, and Junkin.

Senator Harriman moved that the Senate proceed to the election of United States Senators in Congress.

Carried.

Senator Blanchard made the following motion:

I move that we now proceed to the election of a Senator in Congress for the term commencing March 4, 1903.

Carried.

Senator Blanchard nominated William B. Allison for the United States Senate in Congress for the term commencing March 4, 1903.

Senator Lambert nominated Ed. H. Thayer for the United States Senator in Congress for the term commencing March 4, 1903.

Those voting for William B. Allison for United States Senator in Congress were:

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Trewin, Whipple, Winne, Young of Washington—36.

Those voting for Ed. H. Thayer for United States Senator in Congress were:

Senators Ball, Bishop, Emmert, Lambert, Lyons, Porter, Smith of Des Moines, Tallman, Townsend, Young of Lee—10.

Absent or not voting:

Senators Bachman, Healy, Hobart Wilson—4.

President Herriott then declared that William B. Allison having received a majority of all votes cast, and also a majority of the entire membership of this body, is elected on the part of the Senate Senator in Congress for the term beginning March 4, 1903.

Senator Hubbard nominated Jonathan P. Dolliver for United

States Senator in Congress for the unexpired term that began March 4, 1901.

Senator Lambert nominated John J. Seerly for United States Senator in Congress for the unexpired term.

Those voting for Jonathan P. Dolliver for United States Senator in Congress were:

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Trewin, Whipple, Winne, Young of Washington—36.

Those voting for John J. Seerly for United States Senator in Congress were:

Senators Ball, Bishop, Emmert, Lambert, Lyons, Porter, Smith of Des Moines, Tallman, Townsend, Young of Lee—10.

Absent or not voting:

Senators Bachman, Healy, Hobart, Wilson—4.

President Herriott then declared that Jonathan P. Dolliver, having received a majority of all the votes cast and also a majority of the entire membership of this body, is elected on the part of the Senate Senator in Congress for the term beginning March 4, 1901.

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

Resolved, That the President of the Senate is hereby requested to appoint a committee of three to draft and present to the Senate appropriate resolutions on the death of the late Senator Reynolds, of Appanoose county, member of the Senate during the sessions of the Twenty-fourth and Twenty-fifth General Assemblies, and member of the House of Representatives during the sessions of the Nineteenth and Twenty-first General Assemblies.

Adopted.

INTRODUCTION OF BILLS.

By Senator Trewin, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate

the same, and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotation as a supplement to the code, and provide for the appointment of a supervising committee and making an appropriation therefore.

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

By Senator Crossley, Senate file No. 2, a bill for the nomination of officers, and the election of delegates to conventions of political parties or organizations by a primary election.

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

By Senator Lister, Senate file No. 3, a bill for an act regulating the employment of children at labor or services, and to provide punishment for the violation thereof.

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

By Senator Garst, Senate file No. 4, a bill for an act to amend section two thousand, one hundred and forty-six (2146) of the code, relating to discrimination in railway freight rates.

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

By Senator Garst, by request, Senate file No. 5, a bill for an act legalizing the formation of the Independent district of Ralston, located in Greene and Carroll counties.

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

By Senator Lister, Senate file No. 6, a bill for an act to amend section four thousand and seventy-four (4074) of the code relating to proceedings auxiliary to execution.

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

By Senator Dowell, Senate file No. 7, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly or under section seven hundred and forty-two (742) of the code.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to holding joint convention Wednesday, January 22d.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to printing governor's message.

C. R. BENEDICT,
Chief Clerk.

Senator Porter moved that the Senate take up House messages.

Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to printing Governor's message was read and upon motion concurred in.

Concurrent resolution relative to holding joint convention Wednesday, January 22d, was read and upon motion concurred in.

The following committee clerks appeared before the bar of the Senate and were sworn in:

Mary A. Alexander, Banks.
Angie M. Allyn, Printing.
Kathryn Davis, Public Library.
Grace E. Griswold, Building and Loan.
Florence A. Corbin, Agriculture.
Burr J. Clark, Compensation Public Officers.
H. B. Nies, Horticulture and Forestry.
H. L. Frush, Labor.
G. W. Cook, Pharmacy.
F. L. Burbank, Public Lands.
A. K. Lufkin, Manufactures.
A. M. Piper, Schools.

Read first and second time and referred to committee on Cities and Towns.

By Senator Dowell, Senate file No. 8, a bill for an act to provide a water supply for military reservations of the United States in this state.

Read first and second time and referred to committee on Cities and Towns.

By Senator Hubbard, Senate file No. 9, a bill for an act making taxes on property in the hands of receivers a preferred claim.

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

By Senator Ball, Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for the levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa.

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

By Senator Courtright, Senate file No. 11, a bill for an act amending section seven hundred and twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Courtright, Senate file No. 12, a bill for an act to amend section five thousand and fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, corks, kegs and barrels of another.

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

President Herriott appointed the following committee to draft resolutions on the death of Senator Reynolds, of Appanoose county:

Senators Porter, Hubbard and Lewis.

Harriett E. King, Educational Institutions.
A. L. Moser, Appropriations.
Lena McMillan, Railway.
Eleanor L. Hecht, Military.
William H. Flemming, Rules.
Walter P. McCulla, Senatorial and Representative Districts.
T. P. Law, Highways.
John L. Gillespie, Charitable Institutions.
Roy S. Hayword, Telegraph and Telephone.
Laura Flickinger, Congressional and Judicial Districts.
L. Van D. Towle, Engrossed Bills.
Grace Woolson, Ways and Means.
L. Brown, Suppression of Intemperance.
Dee C. Huntoon, Federal Relations.
Lewis Gaston, Commerce.
Frank E. Tripp, Cities and Towns.
Gertrude Preston, Public Buildings.
Frank Herriott, Lieutenant-Governor's private secretary.
Annie Healy, Judiciary.
Mary E. Craig, Constitutional Amendments and Suffrage.
Mamie E. Rollins, Corporations.
J. E. Arthaud, Mines and Mining.
Elsie Colton, Elections.
F. C. McLain, Insurance.

Senator Porter moved that the Senate do now adjourn until 10 o'clock to-morrow morning.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 22, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. E. G. Keith, of Spirit Lake, Iowa.

INTRODUCTION OF BILLS.

By Senator Trewin, Senate file No. 13, a bill for an act to amend section two thousand seven hundred and forty-two (2742) of the code, relating to county superintendents.

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

By Senator Hazelton, Senate file No. 14, a bill for an act to authorize the Governor of the state of Iowa to appoint three commissioners on behalf of said state of Iowa, to act conjointly with a like commission from and of the state of Nebraska, in agreeing upon a boundary line between said states of Iowa and Nebraska, and making an appropriation for the expenses of such commissions and their salaries, and prescribing their powers and duties.

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

By Senator Smith of Des Moines, Senate file No. 15, a bill for an act to amend sections eight hundred and fifty-one (851) and eight hundred and fifty-two (852) of the code of Iowa, as amended by chapter thirty (30) of the acts of the Twenty eighth General Assembly, relating to the park commissioners in certain cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Allyn, Senate file No. 16, a bill for an act to amend section sixteen hundred and ten (1610) of the code, in relation to

the incorporation of farmers' mutual co-operative telephone companies.

Read first and second time and referred to committee on Telegraph and Telephones.

By Senator Alexander, Senate file No. 17, a bill for an act to amend section thirteen hundred and twenty (1320), chapter one (1), title seven (7) of the code of Iowa of 1897, relating to stock of building and loan associations.

Read first and second time and referred to committee on Building and Loan.

By Senator Hubbard, Senate file No. 18, a bill for an act to amend section forty-seven hundred and ninety (4790) of the code, in relation to the possession of burglars' tools.

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

By Senator Hubbard, Senate file No. 19, a bill for an act to amend section forty-eight hundred and forty-five (4845) of the code, in relation receiving stolen goods.

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

By Senator Ball, Senate file No. 20, a bill for an act making appropriations to the State University of Iowa.

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

By Senator Hubbard, Senate file No. 21, a bill for an act making taxes levied on buildings as personal property a lien thereon.

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

By Senator Hubbard, Senate file No. 22, a bill for an act to amend section forty-eight hundred and seven (4807) of the code, relating to malicious mischief and trespass.

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

By Senator Fitchpatrick, Senate file No. 23, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic's Arts.

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

By Senator Smith of Des Moines, Senate file No. 24, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

Read first and second time and referred to committee on Cities and Towns.

By Senator Alexander, Senate file No. 25, a bill for an act to amend section seven hundred and twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

Read first and second time and referred to committee on Cities and Towns.

By Senator Alexander, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

Read first and second time and referred to committee on Cities and Towns.

By Senator Courtright, Senate file No. 27, a bill for an act making appropriations for the State Normal school.

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

By Senator Blanchard, Senate file No. 28, a bill for an act to amend section one hundred and four (104) of the code relating to the payment of interest on warrants.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relating to extending invitation to Hon. Phineas Casady to attend the joint convention for United States senators.

C. B. BENEDICT,
Chief Clerk.

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

WHEREAS, Hon. Henry L. Dashtel, an honored member of the Senate in the Sixteenth and Seventeenth General Assemblies of Iowa, has recently departed this life, therefore, be it

Resolved, That the President of the Senate appoint a committee of three to prepare appropriate resolutions respecting the life and character of the deceased and present them to the Senate.

Adopted.

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

WHEREAS, Col. Daniel Anderson, a distinguished member of the Senate in the Fifth, Sixth and Seventh General Assemblies of Iowa, departed this life during the past year,

Resolved, That a committee of three be appointed by the President of the Senate to prepare and present to the Senate suitable resolutions concerning the life, character and services of the deceased.

Adopted.

Senator Dowell moved that the Senate take up House messages.

Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to extending invitation to Hon. Phineas M. Casady to attend the joint convention for election of United States senator was read, and, upon motion of Senator Dowell, was concurred in.

The President appointed, on the part of the Senate, as a committee to extend to Hon. Phineas M. Casady an invitation to attend the joint convention for election of United States senator, Senator Dowell.

Senator Lewis presented the following report from the committee on assignment of committee rooms, and moved its adoption:

MR. PRESIDENT—The committee on the assignment of committee rooms.

and arranging the hours of meeting of the several committees respectfully offers the following report:

	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Room 16—						
Commerce			3 p. m.			
Manufactures				3 p. m.		
Horticulture and Forestry					3 p. m.	
Room 17—						
Senatorial and Rep. Districts		2 p. m.		2 p. m.		
Mines and Mining	2 p. m.				2 p. m.	
Public Health			3 p. m.			3 p. m.
Pharmacy					4 p. m.	
Room 18—						
Suppression of Intemperance	9 a. m.		9 a. m.		3 p. m.	
Highways		9 a. m.		9 a. m.		2 p. m.
Military		2 p. m.		2 p. m.		
Corporations	2 p. m.		2 p. m.			
Room 19—						
Claims			2 p. m.		2 p. m.	
Building and Loan Association	1:30 p. m.			1:30 p. m.		
Penitentiaries and Pardons	3 p. m.				3 p. m.	
Room 20—						
Congressional and Jud. Dists.	9 a. m.			3 p. m.		
Public Libraries	3 p. m.			9 a. m.		
Fish and Game		9 a. m.	3 p. m.			
Federal Relations		2 p. m.			9 a. m.	
Room 21—						
Educational Institutions	2 p. m.				2 p. m.	
Banks			2 p. m.		9 a. m.	
Labor	9 a. m.					2 p. m.
Room 22—						
Judiciary		3 p. m.	3 p. m.		3 p. m.	3 p. m.
Constitutional Amendments	3 p. m.			3 p. m.		
Enrolled Bills						
Room 23—						
Agriculture		9 a. m.		9 a. m.		4 p. m.
Cities and Towns	3 p. m.	2 p. m.		2 p. m.		
Railroads			3 p. m.		3 p. m.	
Room 24—						
Ways and Means	2 p. m.		2 p. m.		2 p. m.	
Appropriations		2 p. m.		2 p. m.		2 p. m.
Charitable Institutions	9 a. m.			9 a. m.		
Rules			4 p. m.			
Room 25—						
Secretary and Journal Clerks						
Room 26—						
Engrossed Bills						
Public Lands		3 p. m.				3 p. m.
Public Bills and Dem. Senators			3 p. m.		3 p. m.	
Room 28—						
Insurance			1:30 p. m.		1 p. m.	
Schools		2 p. m.	2 p. m.		2 p. m.	
Telegraph and Telephone	2 p. m.			2 p. m.		
Room 29—						
Compensation Public Officers	3 p. m.			3 p. m.		
Elections		4 p. m.				2 p. m.
Printing		2 p. m.		2 p. m.		

Your committee would also recommend that there be a temporary inclosure made in the rear of the Senate chamber for the use of the file clerks.

All of which is respectfully submitted,

L. W. LEWIS,
JAS. A. SMITH,
J. M. JUNKIN.
Committee.

Adopted.

The President announced the following committee:

In accordance with the resolution offered by the Senator from Cass and adopted January 13th, the following committee on the employment of chaplain is appointed:

Senators Emmert, Hayward, Hubbard, Spaulding and Lyons.

The President presented the following communication, which was read by the Secretary:

DES MOINES, JANUARY 21, 1902.

Hon. John Herriott, Lieutenant-Governor, Capitol Building:

MY DEAR SIR—Will you kindly notify the Senators that all new members can obtain volumes one and two bound copies of the Bulletin at the office of this board? Copies were sent to the old members of the Senate last April, and we have not a sufficient quantity to again supply them.

Very truly yours,

BOARD OF CONTROL OF STATE INSTITUTIONS.

L. G. KINNE, *Chairman.*

The Journal of the 16th was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

Senator Hague offered the following resolution, and moved its adoption.

WHEREAS, Lemuel R. Bolter, who served twenty years as an honored member of the general assembly of the state of Iowa, and was a member of the Senate during its last session, has recently departed this life; therefore,

Resolved, That the President of the Senate appoint a committee of three to prepare appropriate resolutions upon the life and character of the deceased and present them to the Senate.

Adopted.

Senator Wilson announced that had he been present yesterday

he would have voted for Ed. H. Thayer and John J. Seerley for United State senators in congress.

Senator Craig moved that the Senate take a recess until 11:45.
Carried.

Senate reconvened at 11:45 A. M.

The President announced the following committees:

Committee to prepare resolutions on the death of Senator Col. Daniel Anderson:

Senators Townsend, Harper and Porter.

Upon the death of Judge H. L. Dashiell:

Senators Townsend, Blanchard and Classen.

Upon the death of Senator L. R. Bolter:

Senators Hogue, Ball and Healy.

Senator Hobart announced that he was absent yesterday on account of sickness, but had he been present he would have voted for William B. Allison for the long term and Jonathan P. Dolliver for the unexpired term as senators in congress.

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

The hour having arrived for joint convention, the President ordered the sergeant-at-arms to form the Senate in procession to proceed to the House.

JOINT CONVENTION.

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

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

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Ball, Barker, Barkley, Bealer, Bishop, Black, Blakemore, Blanchard, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Courtright, Cowles, Craig, Crawford, Crossley, Crouse, Cruiksnank, Cummings, Davenport, Dodds, Donahue, Dowell,

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

Absent or not voting:

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

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

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

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

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

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

IN THE SENATE.

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

IN THE HOUSE.

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

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

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

IN THE SENATE.

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

IN THE HOUSE.

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

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

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

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

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

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

GEO. A. NEWMAN,	JOHN HERRIOTT,
<i>Secretary of Senate.</i>	<i>President of Senate and Joint Convention.</i>
C. R. BENEDICT,	WILLARD L. EATON,
<i>Clerk of House of Representatives.</i>	<i>Speaker of the House.</i>

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

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

GEO. A. NEWMAN,	JOHN HERRIOTT,
<i>Secretary of Senate.</i>	<i>President of Senate and Joint Convention.</i>
C. R. BENEDICT,	WILLARD L. EATON,
<i>Clerk of House of Representatives.</i>	<i>Speaker of the House.</i>

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

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

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

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

Carried.

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

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

The roll call being demanded, the clerk called the roll.

On the question, Shall the resolution be adopted?

The yeas were:

JOINT ROLL CALL.

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Courtright, Cowles, Craig, Crawford, Crossley, Crouse, Cummings, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, English, Fields, Fitchpatrick, Flenniken, Furry, Garst, Graff, Greeley, Greene, Griswold, Hamann, Harriman, Hartshorn, Hawk, Hazelton, Head, Hilsinger, Hobart, Hogue, Hopkins, Hubbard, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClure, McClurkin, McNie, Mardis, Mattes, Maytag, Meservey, Moffit, Molsberry, Moore, Nagle, Nichols, Patten, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Smith of Mitchell, Sokol, Spaulding, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend of Calhoun, Trewin, Walden, Whipple, Wilson of Buena Vista, Wilson of Washington, Winne, Wise, Wright, Young of Washington—112.

The nays were:

Messrs. Colclo, Cruikshank, Emmert, Freeman, Lambert, Langan of Clinton, Marshall, Mordhorst, Smith of Des Moines, Springer, Tallman, Utterback, Whiting, Wilson of Clinton, Young of Lee—15.

Absent or not voting:

Messrs. Bachman, Ball, Bishop, Davenport, Dodds, Frudden, Gilchrist, Harper, Hasselquist, Hayward, Healy, Hertert, Hufschmidt, Jaeger, Jones, Junkin, Koon'z, Lyons, Porter, Townsend of Monroe, Walters, Warren, Willett—23.

So the resolution was declared adopted.

President Herriott announced that Bernard Murphy, having received a majority of all the votes cast and a majority of all the votes of the joint convention, was declared duly elected state printer; and, in like manner, Howard Tedford, having received a majority of all the votes in the joint convention, was declared duly elected state binder; also, John R. Carter, having received a majority of all the votes cast in the joint convention was declared duly elected editor of the code supplement.

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

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

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa in joint convention, on the 22d day of January, 1902, for the purpose of electing a state printer, Bernard Murphy having received a majority of all the votes cast for said office, was declared duly elected state printer for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 22d day of January, A. D. 1902.

<p>GEO. A. NEWMAN, <i>Secretary of Senate.</i></p> <p>C. R. BENEDICT, <i>Clerk of House of Representatives.</i></p>	<p>JOHN HERRIOTT, <i>President of Senate and Joint Convention.</i></p> <p>WILLARD L. EATON, <i>Speaker of the House.</i></p>
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STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES, }
January 22, 1902.

This is to certify that at an election of the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 22d day of January, 1902, for the purpose of electing a state binder, Howard Tedford having received a majority of all the votes cast for said office, was declared duly elected state binder for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 22d day of January,
A. D. 1902.

GEO. A. NEWMAN, <i>Secretary of Senate.</i>	JOHN HERRIOTT, <i>President of Senate and Joint Convention.</i>
C. R. BENEDICT, <i>Clerk of House of Representatives.</i>	WILLARD L. EATON, <i>Speaker of the House.</i>

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

This is to certify that at an election of the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 22d day of January, 1902, for the purpose of electing an editor of the code supplement, John R. Carter having received a majority of all the votes cast for said office, was declared duly elected editor of the code.

Signed in the presence of the joint convention this 22d day of January,
A. D. 1902.

GEO. A. NEWMAN, <i>Secretary of Senate.</i>	JOHN HERRIOTT, <i>President of Senate and Joint Convention.</i>
C. R. BENEDICT, <i>Clerk of House of Representatives.</i>	WILLARD L. EATON, <i>Speaker of the House.</i>

The Journal of the joint convention was then read and approved.

Senator Blanchard of Mahaska moved that the joint convention be now dissolved.

Carried.

Senate returned from joint convention.

Senator Crossley offered the following resolution, and moved its adoption.

Resolved, That five thousand (5,000) extra copies of the Senate Journal of the 21st of January be ordered printed for distribution.

Adopted.

Senator Lister moved that the Senate do now adjourn.

Carried.

Senate adjourned until 10 o'clock A. M. Friday.

SENATE CHAMBER,
DES MOINES, Friday, January 24, 1902. }

Senate met in regular session at 10 o'clock A. M., President *pro tem* Harriman presiding.

Prayer was offered by Rev. W. B. Sandford, of Nevada, Iowa.

On request of Senator Classen, leave of absence was granted Senator Arthaud until Monday.

On request of Senator Classen, leave of absence was granted Senator Hayward until Saturday.

On request of Senator Wilson, leave of absence was granted Senator Townsend indefinitely.

On request of Senator Hogue, leave of absence was granted Senator Hobart indefinitely.

PETITIONS AND MEMORIALS.

Senator Crawford presented petition of barbers of Clinton, Anamosa, New Hampton, Monticello, Storm Lake and Dubuque in favor of a barber license law.

Referred to committee on Public Health.

Senator Hubbard presented petition of thirty-five ministers representing the Presbyterian Synod of Iowa in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Whipple presented petition of citizens of Shellsburg in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Classen offered the following resolution and moved its adoption:

WHEREAS, Hon. Preston M. Sutton, an honored member of the Senate in the Twentieth and Twenty-first General Assemblies of Iowa, has recently departed this life; therefore be it

Resolved, That the President of the Senate appoint a committee of three to draft appropriate resolutions respecting the life and character of the deceased and present them to the Senate.

Adopted.

The President appointed as such committee Senators Classen, Blanchard and Porter.

President Herriott took the chair at 10:10 o'clock A. M.

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

Resolved, That the President of the Senate is hereby requested to appoint a committee of three to draft and present to the Senate appropriate resolutions on the death of the late Senator Henry Hospers of Sioux county, member of the Senate during the sessions of the Twenty-sixth and Twenty-seventh General Assemblies, and member of the House of Representatives during the sessions of the Twenty-second and Twenty-third General Assemblies.

Adopted.

The President appointed as such committee Senators Lister-Harriman and Ball.

INTRODUCTION OF BILLS.

By Senator Lewis, Senate file No. 29, a bill for an act making appropriations for the Hospital for the Insane at Clarinda.

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

By Senator Lewis, Senate file No. 30, a bill for an act to prevent fraud in the sale of articles constructed in whole or in part of gold or silver.

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

By Senator Garst, Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

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

By Senator Craig, Senate file No. 32, a bill for an act to reimburse Lewis Case for money paid by him for clothing to equip a portion of the 9th regiment, Iowa volunteers, in the war of the rebellion.

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

By Senator Bishop, Senate file No. 33, a bill for an act to amend section 1119 of the code, relative to the marking of ballots.

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

By Senator Bishop, Senate file No. 34, a bill for an act to amend section 5134 of the code, relative to the punishment of tramps.

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

By Senator Hubbard, Senate file No. 35, a bill for an act to provide for the collection of certain claims of the state of Iowa against the United States.

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

By Senator Hubbard, Senate file No. 36, a bill for an act to make an appropriation for the Women's and Babies' Home at Sioux City, Iowa.

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

By Senator Spaulding, Senate file No. 37, a bill for an act to amend section 1272 of the code, in relation to filling vacancies in elective city offices.

Read first and second time and referred to committee on Cities and Towns.

By Senator Porter, Senate file No. 38, a bill for an act defining what shall constitute a day's work in public and certain lines of private employment, and to provide a punishment for violations thereof.

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

By Senator Brighton, Senate file No. 39, a bill for an act to repeal sections 2566 and 2567 of the code, and to enact substitutes therefor, relating to vital statistics.

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

By Senator Courtright, Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

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

By Senator Courtright, Senate file No. 41, a bill for an act to amend section 1613, chapter 1, title IX of the code, relative to the publication of notice of incorporation.

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

By Senator Hazelton, Senate file No. 42, a bill for an act making appropriations for the Iowa school for the Deaf at Council Bluffs, Iowa.

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

By Senator Hazelton, Senate file No. 43, a bill for an act providing for free text-books and supplies to be furnished pupils in the public schools of the state, regulating the contract therefor and providing for payment thereof.

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

By Senator Lambert, Senate file No. 44, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and state binder.

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

By Senator Allyn, by request, Senate file No. 45, a bill for an act to appoint an examining commission to examine auctioneers.

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

By Senator Blanchard, Senate file No. 46, a bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090 and 2091 of the code, relating to taxes in aid of railroads.

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

By Senator Garst, Senate file No. 47, a bill for an act to authorize the appointment of state and savings banks, and loan and trust companies organized under the laws of Iowa as executors, administrators, guardians and trustees.

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

The Journal of January 22d was taken up, corrected and approved.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 9, a bill for an act legalizing the independent school district of Ralston.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relating to the printing of 15,000 copies in pamphlet form of report to Governor L. M. Shaw by the Vicksburg park commission for general distribution.

C. R. BENEDICT,
Chief Clerk.

Senator Harriman moved that the Senate take up House messages.

Carried.

HOUSE MESSAGE CONSIDERED.

House file No. 9, a bill for an act legalizing the independent school district of Ralston.

Referred to the committee on Judiciary.

Concurrent resolution relative to the printing of 15,000 copies in pamphlet form of report to Governor L. M. Shaw by the Vicksburg park commission for general distribution was read.

Senator Blanchard offered the following amendment and moved its adoption:

Amend by adding, "That the secretary of state is hereby authorized to print in pamphlet form for distribution 2,000 copies of the governor's report on pardons."

Adopted.

The resolution as amended was adopted.

Senator Blanchard submitted the following report of special committee and moved its adoption:

REPORT OF SPECIAL COMMITTEE

To consider the advisability of printing the report of the Governor on pardons and of the Vicksburg commission:

Your special committee to whom was referred the advisability of printing in the Journal the report of the Governor on pardons and of the Vicksburg commission beg leave to report that they have had the matter under advisement and find that the reports are very lengthy, and we deem it advisable not to print them in the Journal, but recommend that they be printed in pamphlet form as provided in concurrent resolutions.

L. C. BLANCHARD,

GEO. W. LISTER,

JOHN L. WILSON,

Committee.

Adopted.

Senator Emmert filed his answer as incumbent and contestee in the matter of James E. Bruce, contestant, vs. Joseph M. Emmert, incumbent, which was filed with the Secretary, to be referred to the committee on the above contest.

Senator Crossley, chairman of the special committee in the matter of the contest of James E. Bruce, contestant, vs. J. M. Emmert, incumbent, requested that the answer of J. M. Emmert, incumbent, and the notice of contest which were filed with the Secretary in the above named case, be printed in the Journal for information of the committee and the Senate, and by unanimous consent it was granted.

The notice of contest in the matter of James E. Bruce, contestant, vs. J. M. Emmert is as follows:

Before the Honorable the State Senate of the State of Iowa, Regular Session, A. D. 1902.

In the matter of the contest for state senator from the Eighteenth senatorial district of Iowa.

JAMES E. BRUCE, *Contestant*,
vs.
J. M. EMMERT, *Incumbent*. } Notice of Contest.

To Hon. J. M. Emmert, Incumbent:

You, the said J. M. Emmert, are hereby notified that the undersigned, James E. Bruce, will contest your election as state senator from the Eighteenth senatorial district of Iowa, composed of the counties of Cass and Shelby in said state, which said election took place and was held in said district on the 5th day of November, A. D. 1901, and the result thereof declared by the state board of canvassers, as provided by law, on or about the 25th day of November, A. D. 1901, on the grounds, and for the reasons, set forth in the statement and declaration of contest, which is hereunto attached and made a part hereof, and is hereby served upon you as a part of this notice.

You are further hereby notified that a copy of this notice of contest and a statement and declaration of contest hereunto appended, together with the proof of the service of the same upon you, will be filed, as provided by law, with the Hon. W. B. Martin, secretary of the state of Iowa, on or before the 24th day of December, A. D. 1901, to be by him delivered to the presiding officer of the next regular session of the state senate of the state of Iowa, the same to be submitted to the said state senate for trial and determination as to whether you or the undersigned was elected at said general election, and as to whether or not you or the undersigned is entitled to represent said district in said state senate from the said Eighteenth district of Iowa, all as provided by law.

You are further notified that unless you appear before said body and make such answer and defense as you may deem proper and advisable, and, in the event that you fail so to do, as provided by law, the said contest will be heard and determined without reference to you.

Dated at Anits, Iowa, this 16th day of December, A. D. 1901.

JAMES E. BRUCE,

Contestant.

Before the Honorable the State Senate of the State of Iowa, Regular Session, A. D. 1902.

In the matter of the contest for state senator from the Eighteenth senatorial district of Iowa.

JAMES E. BRUCE, *Contestant*,
vs.
J. M. EMMERT, *Incumbent*. } Statement and Declaration of Contest.

To the Honorable the State Senate of the State of Iowa:

Comes now James E. Bruce, contestant in the above entitled matter, and hereby declares his intention to contest the election of the Hon. J. M.

Emmert as state senator from the Eighteenth senatorial district of Iowa, composed of the counties of Cass and Shelby in said state, said election being held in said district at the general election therein, on the 5th day of November, A. D. 1901, and the result thereof determined and declared by the board of state canvassers on or about the 25th day of November, A. D. 1901, and presents and serves notice of, and files this, his written statement and declaration of contest, and states:

That the undersigned, James E. Bruce, contestant herein, is now, and has been at all times for the twenty years and more last past, a male citizen of the United States, and an inhabitant and citizen of the state of Iowa, and has during all of that time been a resident citizen and qualified elector of the voting precinct known as the township of Grant, in the county of Cass, and the state of Iowa, the same being a part of the Eighteenth senatorial district of Iowa; and that he was on the 5th day of November, A. D. 1901, over 41 years of age, and is and was on said date duly qualified to hold the office, as provided by law, of state senator of and from said district.

That the undersigned, James E. Bruce, contestant herein, was a candidate, duly nominated on the republican ticket, at the said general election for the state of Iowa, held on November 5th, A. D. 1901, for the office of state senator, in, for and from the said Eighteenth senatorial district of Iowa, and the said J. M. Emmert was a candidate on the democratic ticket at the same time for the office of senator from said district, and upon the canvass of the votes cast for the said office at said election, the said board of state canvassers did, on or about the 25th day of November, A. D. 1901, determine and declare that James E. Bruce, contestant herein, received 4,040 votes, that J. M. Emmert received 4,041 votes, that A. D. Beckhart received — votes, and that one J. E. Bebee received one vote, and thereupon they found, determined and declared the said J. M. Emmert, incumbent, elected as state senator from said district, and certificate was issued to him, as provided by law.

That the voting precincts in said senatorial district, on the said 5th day of November, A. D. 1901, as provided by law, were known and designated as follows, to-wit: In the county of Shelby: Jefferson township; Union township; Grove township; Washington township; Westphalia precinct No. 1, Westphalia precinct No. 2, in the township of Westphalia; Douglas township; Polk township; Jackson township; Center township; first ward, second ward, third ward and fourth ward, in the township and town of Harlan; Lincoln township; Cass township; Shelby township; Fairview township; Monroe township, and Clay township. And in the county of Cass: Grant township; Lincoln township; Massena township; Victoria township; Edna township; Union township; Franklin township; Benton township; Pymosa township; Grove township; Bear Grove township; Noble township; Pleasant township; Cass township; Washington township; Brighton township, and first, second, third and fourth wards in the city and township of Atlantic, making in the aggregate forty-one voting precincts in the said senatorial district.

That the judges of the election in the fourth ward of the city of Harlan, Iowa, wrongfully determined and returned one vote cast for one J. E. Bebee for state senator from said district, and contestant alleges that said

ote was cast, and ought in truth and fact to have been counted for constant herein.

That in the said precinct of Clay, in the county of Shelby, there were ten official ballots, more or less, cast and voted with a cross in the circle at the top of the republican ticket, and a cross in the square opposite the name, J. M. Emmert, on the democratic ticket; and said votes were wrongfully counted by said judges, and returned for and in favor of the said J. M. Emmert, when in truth and in fact they ought not to have been counted for the office of state senator.

That in the precinct of Jackson township, in said Shelby county, there were ten official ballots, more or less, cast and voted, that had been marked by the voters with a cross in the circle at the top of the republican ticket, and a cross in the square opposite the name of J. M. Emmert on the democratic ticket, and each and all of said votes were wrongfully counted by the judges in favor of, and for, the said J. M. Emmert, when in truth and in fact said ballots ought not to have been counted for the office of state senator.

That in the township of Brighton, in said county of Cass, there were twelve official ballots, more or less, cast at said general election marked with a cross in the circle at the head of the republican ticket and a cross in the square opposite the name of J. M. Emmert on the democratic ticket, and the said ballots so cast were, by the judges of said election in said precinct, unlawfully counted and determined in favor of the said J. M. Emmert, when in truth and in fact such ballots ought not to have been counted for the office of state senator.

That in the precincts of the first, second, third and fourth wards, in the city and township of Atlantic, and in the precincts of Bear Grove, Grove, Pymosa and Cass, in the county of Cass, there were a large number of official ballots cast at said general election marked with a cross in the circle at the head of the prohibition ticket, and there being no name printed for the office of state senator on said official ballot under the head of prohibition ticket, the name, J. M. Emmert, was written in the blank space left for the office of senator on said prohibition ticket, and by reason thereof the name J. M. Emmert, as contestant alleges, appeared twice upon said official ballots, and said official ballots marked and cast, as aforesaid, were by the judges of the said election in the several precincts wrongfully counted, determined and returned as votes in favor of the said J. M. Emmert, when in truth and in fact the same ought not to have been counted for the office of state senator.

That in the townships and precincts of Grove and Bear Grove there were two or more official ballots cast at said general election where two ballots had been given by the judges to voters folded together, and the voter threw aside the one which had the endorsement of the judges' initials and marked a cross in the circle at the head of the republican ticket on the other, and then cast and voted such ballot, and in the canvass of the votes in said precincts the judges of said election wrongfully refused to count and return said ballots so cast in favor of contestant, and threw out and refused to count such ballots.

That in each and all of the precincts in the said Eighteenth senatorial district, as named above, at said general election, held on November 5, 1901, there were a great many official ballots cast marked with a cross in the circle at the head of the republican ticket and a cross in the square opposite the name of J. M. Emmert on the democratic ticket, and said ballots and votes marked and cast, as aforesaid, were by the judges of the said election in said several precincts wrongfully counted determined and returned as votes cast for and in favor of the said J. M. Emmert, when in truth and in fact they ought not to have been counted as votes cast for the office of state senator at said election.

That in each of the said precincts in the said senatorial district, as above named, there were a great many official ballots cast at said general election where the voter had marked a cross in the circle at the head of the republican ticket and had then marked a cross in each square opposite the name of each candidate named on such republican ticket excepting name of contestant herein, and had marked a cross in the square opposite the name of said J. M. Emmert, incumbent, under the head of the democratic ticket on said official ballots, and the contestant alleges the facts to be that such official ballots and votes marked and cast, as aforesaid, were by the judges of said election in said several precincts wrongfully counted, determined and returned as votes cast for and in favor of the said J. M. Emmert, when in truth and in fact they ought not to have been counted for the office of state senator from said district.

That in each and all of the said precincts in said district, as named above, at said general election, there were a great many official ballots cast where the voter had marked a cross in the circle at the top of the prohibition ticket and wrote the name of J. M. Emmert in the blank space under the heading for state senator on such prohibition ticket, thus causing the name, J. M. Emmert, to appear twice on said official ballot, and contestant alleges the facts to be that such votes and official ballots cast, as aforesaid, were by the judges of the election in said several precincts wrongfully counted, determined and returned as votes cast for and in favor of the said J. M. Emmert as senator from said district, when in truth and in fact they ought not to have been counted for the office of state senator.

That in each of the said precincts in the said Eighteenth senatorial district, as named above, at said general election there were a great many official ballots cast marked with a cross in the circle at the head of the democratic ticket, or with a cross in the circle at the head of the republican ticket, and with a cross in the square opposite the name of J. M. Emmert on the democratic ticket, as the same appeared on said official ballots, and where the voter had made and placed identifying and recognition marks on such ballot by drawing lines with a pen or pencil across and over the name of contestant herein as it appeared on said official ballot, or by placing other identifying and recognition marks on such ballots, and contestant alleges the fact to be that in a great many instances official ballots marked and cast, as aforesaid, were by the judges of said election in said several precincts wrongfully counted, determined and returned as ballots and votes cast for, and in favor of, the said J. M. Emmert, when in

truth and in fact they ought not to have been counted for the office of state senator.

That the judges of election of the said several townships and precincts committed errors, as aforesaid, and committed other errors, the exact nature of which this contestant is now unable to state, which said errors, and each and all of them affected the result of the said election in the said district, and they, the said judges, neglected, failed and refused to count votes which had been legally and properly cast in favor of contestant herein, and wrongfully failed, neglected and refused to return to the county board of canvassers many votes which had been cast in favor of contestant, and the acts, as aforesaid, of the said several boards of canvassers in the said precincts, resulted in contestant being declared defeated, when in truth and in fact contestant was elected, and would have been declared elected if all the votes cast for him had been properly counted and returned to the state board of canvassers, as provided by law.

That the several errors and mistakes hereinbefore alleged in the matter of counting the votes cast for the office of state senator in said district, were each and all of them affirmed, accepted and acted upon by the board of county canvassers in each of the said counties, and by the board of state canvassers in declaring the said J. M. Emmert incumbent herein, elected and contestant herein alleges the facts to be that if the said errors in the matter of the counting of said votes be corrected, and that if said official ballots are correctly counted and canvassed, it will be shown that this contestant received a greater number of votes for the office of state senator in said district than cast for the said J. M. Emmert, incumbent.

Wherefore, petitioner, contestant herein, respectfully petitions and prays the Honorable State Senate of the state of Iowa to take notice and jurisdiction of this contest as provided by law, and that prompt action be taken and had thereon as soon as may be conveniently done after said state Senate is convened at its regular session, as provided by law, in the month of January, 1902, and that the auditors of the counties of Cass and Shelby be summoned to appear before your honorable body, and that they be ordered and commanded to bring with them and produce for inspection by your honorable body all returns, papers and ballots returned to their respective offices and that may be in the official possession of said officers, showing, or tending to show, the acts complained of herein, and especially all the ballots cast and voted at the general election held November 5, 1901, in each of the said precincts in the Eighteenth senatorial district of Iowa, and that it summon and bring before it such other witnesses and papers as in the judgment of the Senate shall be deemed necessary to show the acts and facts as to all matters done pertaining to said election in said district, and that said official ballots cast at said general election in said district be recounted and recanvassed by your honorable body, and that your honorable body take such further action, and make such further, other and additional orders as in the judgment of the said Senate may be deemed necessary and lawful in the premises in the matter of determining the rights of the respective parties hereto to the office of state senator from said district in order that public interests be best subserved, and that the rights of the parties hereto and the people of said district be recognized,

and that the ends of justice be accomplished. All of which is respectfully submitted.

Dated at Anita, Iowa, this 16th day of December, A. D. 1901.

JAMES E. BRUCE,
Contestant.

STATE OF IOWA. }
Cass County. } ss.

I, James E. Bruce, being first duly sworn, upon my oath do depose and say that I am the contestant named in the above and foregoing notice of contest and statement and declaration of contest, and I have made due and diligent inquiry as to all the matters referred to in the above and foregoing statement and declaration, and have received information which I deem reliable and creditable from judges and clerks of election and other reliable parties in said district as to the matters and facts referred to and stated in my said above and foregoing statement and declaration of contest, and the allegations and statements contained in my above and foregoing statement and declaration of contest are true and correct, as I verily believe.

JAMES E. BRUCE.

Subscribed and sworn to before me and in my presence by the said James E. Bruce, this 16th day of December, A. D. 1901.

ED. M. BLAKESLEY,
Notary Public in and for Cass county, Iowa.

STATE OF IOWA. }
Cass County. } ss.

I, J. P. Hill, a sheriff in and for said county and state aforesaid, being first duly sworn, upon my oath do depose and say that the original of the above, foregoing and attached notice, statement and declaration of contest of which the above, foregoing and attached notice, statement and declaration is a true and exact copy and duplicate, came into my hands for service on December 17th, A. D. 1901, and on the 17th day of December, A. D. 1901, I served the same on the Hon. J. M. Emmert, incumbent therein named, by offering to read the same to him, which he waived, and by delivering to him the said original notice, statement and declaration of contest, the above, foregoing and attached, being a true, exact duplicate and copy thereof.

All done in the city of Atlantic, Iowa.

J. P. HILL,
Sheriff in and for Cass county, Iowa.

One dollar fees paid by contestant.

Subscribed in my presence and sworn to before me by the above named J. P. Hill this 17th day of December, 1901.

LAWRENCE R. TEMPLE,
Notary Public in and for Cass county, Iowa.

In the matter of the contest for the office of state senator from the

Eighteenth senatorial district of Iowa, before the Senate of the Twenty-ninth General Assembly.

JAMES E. BRUCE, *Contestant*,
 vs.
 J. M. EMMERT, Incumbent, *Contestee*, } Answer of incumbent, contestee.

To the Honorable Lieutenant-Governor and Senate of the Twenty-ninth General Assembly of Iowa:

Comes now J. M. Emmert, incumbent and contestee, and at all times hereinafter saving to himself all and all manner of benefit or advantage of exceptions that can or may be had or taken to the many errors, uncertainties and imperfections in the said declaration of contest contained, filed herein by James E. Bruce, contestant, for answer thereto or so much thereto or so much thereof as this contestee is advised it is material or necessary for him to make answer to, answering to the Senate, states:

First.—He admits and avers that the said James E. Bruce, contestant, and this incumbent, contestee, are both citizens of the Eighteenth senatorial district of Iowa, and that they both were, at the time of the last general election, and are now, qualified electors of said state senatorial district, and that they were both candidates for the office of state senator, the said James E. Bruce on the republican ticket and the said J. M. Emmert on the democrat ticket, at said general election held on the 5th of November, A. D., 1901. That the Eighteenth senatorial district of Iowa is composed of the counties of Cass and Shelby.

That on or about the 25th day of November, A. D., 1901, the board of state canvassers canvassed the vote of said district for state senator, and found and declared that the said J. M. Emmert, contestee, was duly and legally elected to the office of state senator for the said Eighteenth senatorial district, that he had a majority as declared by said canvassers of one (1) over the said contestant, James E. Bruce.

Second.—He admits that the voting precincts in said senatorial district on the said 5th day of November, 1901, as provided by law, were known and designated as stated in contestant's statement and declaration of contest.

Third.—He denies that the board of canvassers in the several precincts designated and set forth in the declaration of contest, made errors against contestant and in favor of contestee, which did materially change the result of said election to the prejudice of contestant.

Fourth.—He denies that the contestant on a proper and correct canvass and counting of the votes so cast at said election in said district received more votes than did the contestee, and he avers that on a proper and correct canvass of the votes lawfully cast in said senatorial district for contestant and contestee for the office of senator, he received more votes than did contestant.

Fifth.—He denies that the judges of the election in the fourth ward of the city of Harlan, Iowa, wrongfully determined and returned one vote cast

for J. E. Beebe for state senator from said district, which ought to have been counted for contestant herein.

Sixth—He denies that in the said precinct of Clay, in the county of Shelby, there were nine official ballots more or less cast and counted for J. M. Emmert, contestee, with an (X) in the circle at the top of the republican ticket and an (X) in the square opposite the name of J. M. Emmert on the democrat ticket, and denies that any of said votes were wrongfully counted by said judges and returned for and in favor of the said J. M. Emmert, contestee.

Seventh.—He denies that in the precinct of Jackson township, in said Shelby county, there were ten official ballots more or less cast and counted for J. M. Emmert, contestee, that were marked by the voters with an (X) in the circle at the top of the republican ticket and an (X) in the square opposite the name of J. M. Emmert on the democrat ticket, and denies that any of said votes so cast were wrongfully counted by the judges of election in said precinct in favor of and for the said J. M. Emmert, contestee.

Eighth.—He denies that in the township of Brighton, in said county of Cass, there were twelve official ballots more or less cast and counted for J. M. Emmert, marked with an (X) in the circle at the head of the republican ticket and an (X) in the square opposite the name of J. M. Emmert on the democrat ticket, and he denies that any of said ballots so cast were by the judges of said election, in said precinct, counted and determined in favor of said J. M. Emmert.

Ninth.—He denies that in the said precincts of the first, second, third and fourths wards in the city and township of Atlantic and in the precincts of Bear Grove, Grove, Pymosa and Cass, in the county of Cass, there were a large number of official ballots cast at said general election marked with an (X) in the circle at the head of the prohibition ticket, and that the name of J. M. Emmert was written in the blank space left for the office of senator on said prohibition ticket which were cast and counted for J. M. Emmert, contestee, and he denies that any such ballots were counted and determined by the judges of said several election precincts, or either of them, and returned as votes in favor of the said J. M. Emmert.

Tenth.—He denies that in the township and precinct of Grove and Bear Grove there were two or more official ballots cast at said general election where two ballots had been given by the judges to voters folded together, and that the voter threw aside the one which had the endorsement of the judges' initials and marked an (X) in the circle at the head of the republican ticket and then cast and voted such ballot, and he denies that the judges of election in said precincts wrongfully refused to count and return said ballots so cast in favor of contestant, and he avers that if any ballot or ballots were cast in said precincts at said election which were not endorsed by the judges' initials the same were not official ballots and were not entitled to be counted.

Eleventh.—He states that he has neither knowledge or information sufficient to form a belief as to whether there were a great many or any official ballots cast in all or any of the election precincts in said senatorial district marked with an (X) in the circle at the head of the republican ticket, and

an (X) in the square opposite the name of J. M. Emmert on the democrat ticket, which were by the judges of the said election in said several precincts wrongfully counted, determined and returned as votes cast for and in favor of the said J. M. Emmert, and he therefore denies the same.

Twelfth.—He states that he has neither knowledge or information sufficient to form a belief as to whether there were a great many or any official ballots cast in each or any of said election precincts at said general election where the voter had marked an (X) in the circle at the head of the republican ticket, and had then marked an (X) in each square opposite the name of each candidate named on said republican ticket, excepting name of contestant herein, and had marked an (X) in each square opposite the name of the said J. M. Emmert, incumbent, contestee, under the head of the democrat ticket, which said official ballots so marked and cast were by judges of said election in said several precincts wrongfully counted, determined and returned as votes cast for and in favor of J. M. Emmert, and he therefore denies the same.

Thirteenth.—He states that he has neither knowledge or information sufficient to form a belief as to whether there were a great many or any official ballots cast in each or any of said election precincts in said district at said general election where the voter had marked an (X) in the circle at the top of the prohibition ticket, and wrote the name of J. M. Emmert in the blank space under the heading for state senator on said prohibition ticket, thus causing the name of J. M. Emmert to appear twice on said official ballot, which ballots so cast were by the judges of election in said several precincts wrongfully counted, determined and returned as votes cast for and in favor of J. M. Emmert, and he therefore denies the same.

Fourteenth.—He states that he has neither knowledge or information sufficient to form a belief as to whether there was a great many or any official ballots cast marked with an (X) in the circle at the head of the democrat ticket or with an (X) in the circle at the head of the republican ticket and with an (X) in the square opposite the name of J. M. Emmert on the democrat ticket as the same appeared on said official ballots, and where the voter had made and placed identifying and recognition marks on said ballot by drawing lines with a pen or pencil across and over the name of contestant herein as it appeared on said official ballot, or by placing other identifying and recognition marks on such ballots, which said ballots were by the judges of said election in said several precincts wrongfully counted, determined and returned as ballots and votes cast for and in favor of the said J. M. Emmert, and he therefore denies the same.

Fifteenth.—He denies that the judges of election of the said several townships and precincts committed errors as stated in said statement and declaration of contest, and denies that they omitted other errors to the prejudice of contestant.

He denies that said judges neglected, failed and refused to count votes which had been legally and properly cast in favor of contestant herein; denies that they wrongfully failed, neglected and refused to return to the county board of canvassers many or any votes which had been cast in favor of contestant, and he denies that by reason of any wrongful act or

neglect on the part of said several boards of canvassers the contestant was declared defeated.

He denies that contestant would have been declared elected if all the votes cast for him had been properly counted and returned to said board of canvassers, and he avers that each and every vote lawfully and legally cast for contestant at said election was counted and returned for him as provided by law.

Sixteenth.—He admits that the canvass and returns for the several voting precincts mentioned in contestant's declaration were each and all of them affirmed, accepted and acted upon by the board of county canvassers and board of state canvassers in declaring the incumbent elected; but he denies that there were any errors or mistakes against contestant therein which, if corrected, and said ballots correctly canvassed would give to said contestant a greater number of votes for senator than were canvassed and returned for him.

Seventeenth.—He denies each and every allegation contained in said declaration of contest not herein admitted or otherwise answered.

He denies that there were any errors made by the board of canvassers against the contestant in the canvass of the votes of the several precincts referred to in contestant's declaration of contest; denies that any votes were counted for this incumbent which ought not to have been so counted in any of the several precincts referred to by the contestant in his declaration of contest.

Denies that any of the votes counted for this incumbent contain distinguishing, recognition or identifying marks; denies that any of the votes cast for the contestant were rejected by the board of canvassers in any of the several precincts referred to in contestant's declaration of contest, that should have been received and counted for him.

Eighteenth.—He avers that upon a true, careful and complete canvass of all the votes cast in each and every precinct of the said Eighteenth senatorial district of Iowa, this incumbent will have a majority of more than 150 votes over said contestant, for that the board of canvassers of the several precincts of the said district, in their canvass of the vote in the respective precincts, refused and failed to count for contestee votes to the number of not less than 150 which were legally and lawfully cast for contestee, wherein the plain and manifest intention of the voter was to cast his ballot for contestee, which ballots were by the said canvassers rejected because of some unimportant defect in the marking and depositing of each of said ballots.

That contestee is unable to state how many of such votes were rejected in each of the several precincts in said district, but avers that the total number is not less than 150, as above stated, and that each of said 150 votes should have been counted for this contestee because they were legal in form, properly deposited and clearly manifested an intent on the part of the voters of said district to reject the contestant for the office of state senator and confer the same upon contestee.

Nineteenth.—That the judges of election and board of canvassers in the precinct known and designated as Pleasant township, Cass county, Iowa, contrary to, and in violation of law, after the polls were closed on said election day, emptied the ballots cast at said precinct, out of the ballot box upon the table, some of said ballots falling upon the floor. That all of said ballots were exposed to all persons who might be inclined to meddle with, change, alter or tamper with the same, and a large number of persons other than the judges of election and canvassing board were present and had access to said ballots and handled, manipulated and passed the same from one person to another, and some of said ballots were wrongfully taken by parties not connected with said canvassing board and carried away.

That by reason of such facts it cannot be known that said ballots canvassed and returned from said precinct as having been cast for the contestant and incumbent were the ballots and all the ballots so voted at said election, and said contestee avers that the election in said precinct was vitiated thereby, and became and is void, and the returns therefrom are of no validity or effect, and ought not to have been counted, canvassed and returned, and ought not now to be considered herein.

That said election board of said precinct canvassed and returned 363 votes as having been cast for senator, of which the contestant received 211 votes and the contestee 152 votes, and so returned the same, and their said return was considered by the board of canvassers of Cass county in canvassing the vote of said county and by the state canvassing board in canvassing the vote of said district.

Twentieth.—That the judges of election in the precinct known and designated as Grant township, Cass county, Iowa, furnished to a certain elector in said voting precinct an official ballot. That said elector passed into the booth provided for the purpose of marking ballots, and on coming out handed to the judges of election a fraudulent ballot commonly known and designated as a "sample ballot," and said judges of election wrongfully, contrary to and in violation of law accepted the same as the vote of said elector and placed the same in the ballot box, thereby leaving in the hands of said elector an official ballot, thereby placing it in the power of such elector or such person as he delivered said official ballot to, to mark the same and to place it in the hands of another elector, who passing into the room where the judges of election were would receive from them an official ballot, pass into the booth where ballots are marked, return and vote the ballot which had been marked and prepared for him, leaving in his hands the official ballot which the judges had given him, thereby creating an endless chain and putting it in the power of evil disposed persons to bribe and corrupt the voters, thereby breaking down and destroying the safeguard which it was the object of our present election laws to throw around the ballot box.

Wherefore this contestee says that the vote of said election precinct ought not to be counted and should not be considered in determining the question as to whether the contestant or contestee was elected to the office of senator.

Twenty-first—He states that in each and all of the several precincts in said senatorial district there were a great many official ballots (the exact

number contestee is unable to state) cast and counted with a cross in the circle at the top of the democrat ticket and a cross in the square opposite the name of James E. Bruce on the republican ticket, and said votes were wrongfully counted by the judges of election in each of said precincts and returned for and in favor of the said James E. Bruce, when, under the laws of the state of Iowa, they ought not to have been counted for the office of state senator.

Twenty-second.—That in each and all of said election precincts there were cast a great many official ballots (the exact number of which this contestee is unable to state) which had upon them identifying and recognition marks, which said ballots were wrongfully counted and returned by the canvassing boards of said several election precincts for and in favor of the said James E. Bruce, when, under the laws of the state of Iowa, they ought not to have been counted for the office of state senator.

Twenty-third.—That in each and all of said election precincts in said senatorial district there were a great many ballots cast and counted for the said James E. Bruce for the office of state senator on which there was no cross in the circle at the head of the republican ticket and no cross in the square opposite the name of James E. Bruce as the same appeared upon said ballots.

That said ballots were wrongfully counted and returned for and in favor of James E. Bruce, when, under the laws of the state of Iowa, they ought not to have been counted for contestant.

Twenty-fourth.—That the election board and board of canvassers within and for the township and precinct of Union, in Cass county, Iowa, canvassed and returned 119 votes as cast for the contestant herein, James E. Bruce, when in fact there were but 114 votes cast in said precinct for the said contestant, and that the board of supervisors of Cass county, Iowa, in canvassing and making returns of the votes cast in said township and precinct of Union, certified that the contestant had received 119 votes in said township and precinct.

Twenty-fifth.—That in the township and precinct of Washington, in Shelby county, Iowa, there were three ballots cast for the incumbent, which the judges at said election refused to count, and which were thrown out and excluded from the returns made by the said judges to the county auditor of said county, and that by the returns made by the canvassing board of Shelby county the incumbent has been deprived of the said three ballots so cast for him in said township and precinct of Washington, in Shelby county, Iowa.

Twenty-sixth.—That in the township and precinct of Bear Grove, in Cass county, Iowa, there was one ballot cast for the incumbent which the judges of said election refused to count for the incumbent, and said ballot was thrown out and excluded from the returns by the said judges as a ballot cast for the incumbent and that the returns were made to the county auditor of said county excluding said ballot, and the board of canvassers for said county made returns exclusive thereof and the incumbent has been

deprived of the said ballot so cast for him in said township and precinct of Bear Grove, in Cass county, Iowa.

Twenty-seventh.—That in each and all of the townships and voting precincts in the said Eighteenth senatorial district as named by the contestant in his declaration of contest at the said general election held on November 5, 1901, there were a large number of the official ballots in each and every one of the said townships and voting precincts cast in each and every one of said townships and voting precincts which were marked with a cross in the circle at the head of the democratic ticket on which appeared the name of the incumbent as the candidate for senator from said district, and a cross in the square opposite the name of J. E. Bruce, the contestant, whose name appeared upon the republican ticket as the candidate for senator; that said ballots and votes thus marked and cast as aforesaid were by the judges of said election, in each and every one of the said townships and voting precincts illegally counted and returned as votes cast for and in favor of the said James E. Bruce, contestant, when, according to law, said ballots ought not to have been counted at all for either the contestant or the incumbent for the office of state senator.

Twenty-eighth.—That in each and all of the townships and voting precincts in the said Eighteenth senatorial district, as named by the contestant in his declaration of contest, at the said general election held on November 5, 1901, there were a large number of the official ballots in each and every one of the said townships and voting precincts cast in each and every one of the said townships and voting precincts at said election which were marked with a cross in the circle at the head of the republican ticket and then with a cross in the square opposite the name of the incumbent on the democratic ticket, and that the judges of election refused to count said ballots as having been cast for the incumbent, and counted and returned the same as having been cast for the contestant, James E. Bruce, and which ballots should have either been canvassed and returned as votes cast for the incumbent, or they should have been disregarded and canvassed and returned as votes and ballots not having been properly cast for any person as state senator.

Twenty-ninth.—That in each, and all and every one of the said townships and voting precincts of the said Eighteenth senatorial district, there were ballots counted, canvassed and returned as having been cast for the contestant which were not so cast for him, and which ought not to have been counted, canvassed and returned as having been cast for him, the said contestant.

Thirtieth.—That in each, all and every one of the said townships and voting precincts of the said Eighteenth senatorial district, there were ballots counted, canvassed and returned as not having been cast for any person for the office of state senator, and which were in fact cast for the incumbent, and which ought to have been so counted, canvassed and returned as ballots cast for and in favor of the incumbent, and of which ballots the incumbent has been unlawfully deprived in the canvass by the county boards of canvassers, as well as by the state board of canvassers.

Thirty-first.—That in each, all and every one of the said townships and voting precincts of the said Eighteenth senatorial district, there were ballots cast for this incumbent which ought to have been counted, canvassed and returned for him, the incumbent, which were in fact counted, canvassed and returned as ballots cast for the contestant.

Wherefore, by reason of the premises and the facts hereinbefore stated, the incumbent and contestee asks the honorable Senate to make a full, thorough and complete canvass of all the votes and ballots legally and lawfully cast and properly preserved in each of the several precincts of said senatorial district of Iowa; that contestant's statement of consent be dismissed, and that the incumbent and contestee be declared duly elected to the said office of state senator for the said Eighteenth senatorial district of Iowa; and that the incumbent and contestee have such other and further relief herein as to this honorable Senate seems most equitable and just.

J. M. EMMERT.

STATE OF IOWA, } ss.
POLK COUNTY, }

I, J. M. Emmert, being first duly sworn according to law, depose and say that I am the incumbent and contestee named in the foregoing answer and specifications; that I have read the same over and know the contents thereof, and the statements and allegations contained therein to the best of my knowledge and information are true, as I do verily believe.

J. M. EMMERT.

{ L. S. }

Sworn to before me and in my presence subscribed by the said J. M. Emmert, this 24th day of January, 1902.

J. F. KENNEDY.

Notary Public, Polk County.

Edward Murphy was sworn in as clerk of the committee on Enrolled Bills.

Kittie Herring was sworn in as clerk of contested election case of *Nolan vs. Crawford*.

Gordon S. Elliott was sworn in as clerk of contested election case of *Bruce vs. Emmert*.

Geo. G. Smith was sworn in as clerk of committee on Claims

Senator Harper moved that the Senate do now adjourn until 10 o'clock A. M. tomorrow morning.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, January 25, 1902. }

Senate met in regular session at 10 o'clock A. M., President *pro tem* Harriman presiding.

Prayer was offered by Rev. Horace S. Graves of Des Moines.

On request of Senator Lister, leave of absence was granted Senator Smith of Mitchell until Monday.

On request of Senator Moffit, leave of absence was granted Senator Molsberry until Monday.

On request of Senator Harper, leave of absence was granted Senator Brooks until Monday.

On request of Senator Allyn, leave of absence was granted Senator Trewin until Monday.

On request of Senator Young of Lee, leave of absence was granted Senator Fitchpatrick until Monday.

On request of Senator Garst, leave of absence was granted Senator Maytag until Monday.

PETITIONS AND MEMORIALS.

Senator Ball presented petition of the Presbytery of Iowa City, requesting the annulment of all saloon consent petitions now in operation three years after the date of their being granted by the board of supervisors.

Referred to committee on Suppression of Intemperance.

Senator Blanchard presented petition from Modern Woodmen of America, of Muchakinock, petitioning for the enactment of a law favorable to the introduction of free text-books in the schools of this state.

Read and referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Junkin, Senate file No. 48, a bill for an act relating to the assessment and collection of the collateral inheritance tax, and repealing chapter four of title seven of the code, and chapter thirty-seven of the acts of the Twenty-seventh General Assembly, and chapter fifty-one of the acts of the Twenty-eighth General Assembly.

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

By Senator Hogue for Senator Hobart, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund.

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

By Senator Bishop, Senate file No. 50, a bill for an act to amend section thirteen hundred and eleven of the code relative to listing of property for assessment and taxation.

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

By Senator Hayward, Senate file No. 51, 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.

By Senator Hayward, Senate file No. 52, a bill for an act to amend section one of chapter one hundred and forty-one of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home.

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

By Senator Hayward, Senate file No. 53, a bill for an act to amend section twenty-seven hundred and sixty-four of the code relating to the taking of school census.

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

By Senator Hayward, Senate file No. 54, a bill for an act to repeal sections 3050, 3051 and 3052 of the code, relating to days of grace.

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

By Senator Crossley, Senate file No. 55, a bill for an act providing for the listing and taxing of mortgages and other liens upon real estate.

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

By Senator Bishop, Senate file No. 56, a bill for an act to repeal section thirteen hundred and eleven of the code, relative to the listing of property for taxation.

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

By Senator Winne, Senate file No. 57, a bill for an act to amend section two hundred and fifty-four of the code, relating to compensation of short-hand reporters.

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

By Senator Dowell, Senate file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

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

By Senator Dowell, Senate file No. 59, a bill for an act making an appropriation for the completion of the state historical building, and to provide for the completion of the same.

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

By Senator Courtright, Senate file No. 60, a bill for an act authorizing and providing for the organization of mutual insurance companies, or associations for the purpose of insuring the members of said companies or associations against loss of salary from illness, accident, or from being quarantined.

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

By Senator Lister, Senate file No. 61, a bill for an act establishing a law uniform with the laws of other states relative to migratory divorces.

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

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

Resolved, That when the Senate adjourns on each Saturday, such adjournment shall be until the following Monday at 2 P. M., unless otherwise ordered.

A roll call was demanded.

On the question, Shall the resolution pass?

The yeas were:

Senators Alexander, Allyn, Blanchard, Brighton, Courtright, Craig, Crawford, Griswold, Hartshorn, Hayward, Hazelton, Hopkins, Lambert, Smith of Des Moines, Whipple, Young of Washington—16.

The nays were:

Senators Ball, Bishop, Classen, Crossley, Dowell, Garst, Harper, Healy, Hogue, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Porter, Spaulding, Tallman, Wilson, Winne, Young of Lee—21.

Absent or not voting:

Senators Arthaud, Bachman, Brooks, Emmert, Fitchpatrick, Harriman, Hobart, Maytag, Moffit, Molsberry, Smith of Mitchell, Townsend, Trewin—13.

So the resolution, having failed to receive a majority, was declared lost.

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

Resolved, That when the Senate adjourns Saturday such adjournment be until 2 P. M. on Monday next.

Adopted.

REPORTS OF COMMITTEES.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 12, a bill for an act to amend section 5052 of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOMAS D. HEALY,
Chairman.

Ordered passed on file.

Also:

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 46, a bill for an act to amend sections two thousand and eighty-four (2084), two thousand and eighty-five (2085), two thousand and eighty-six (2086), two thousand and eighty-seven (2087), two thousand and eighty-eight (2088), two thousand and eighty-nine (2089), two thousand and ninety (2090), and two thousand and ninety-one (2091) of the code, relating to taxes in aid 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 Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

On request of Senator Courtright from the special committee in the matter of Thomas F. Nolan, contestant, vs. Phineas W. Crawford, incumbent, the notice and declaration of contest, motion to dismiss, answer of incumbent to notice and declaration of contest, and reply to answer of incumbent were ordered printed in the Journal.

In the matter of the contest for the state senatorship, from the Thirty-fifth senatorial district of Iowa.

THOMAS F. NOLAN, <i>Contestant.</i>	}	Notice and Declaration of Contest.
PHINEAS W. CRAWFORD, <i>Incumbent.</i>		

To Phineas W. Crawford, Incumbent:

Comes now Thomas F. Nolan and declares his intention to contest the election of Phineas W. Crawford, as member of the senate of the state of Iowa from the Thirty-fifth senatorial district, pursuant to the statutes in such cases made and provided; and further declares that he has been for

many years, and is now, a qualified elector of Dubuque county, Iowa, and is qualified to hold the office of state senator from said Thirty-fifth senatorial district. That at the last general election held in the state of Iowa, on the 5th day of November, 1901, he was a candidate on the democratic ticket for the office of state senator in the Thirty-fifth senatorial district of the state of Iowa, and that the incumbent, Phineas W. Crawford, was a candidate at said election for said office on the republican ticket. That on or about November 14, 1901, the board of supervisors of Dubuque county, Iowa, being *ex-officio* the board of canvassers for said county and said Thirty-fifth senatorial district, declared that the contestant received 4,649 votes, and that the said incumbent received 4,677 votes, and that William D. Wilbur received 305 votes; and they further declared the said incumbent elected senator from the said Thirty-fifth senatorial district of Iowa.

That this contestant alleges that the judges of election and board of canvassers in the election precincts of said Dubuque county, Iowa, committed errors, and were guilty of such misconduct, as that if they had properly performed their duty they would have found that this contestant had received more votes at said election than said incumbent, and the errors complained of and misconduct are as follows:

First.—That the judges of election and board of canvassers of the voting precinct known as Iowa township, Dubuque county, Iowa, erroneously reported as having been cast for this contestant eighty-three votes, when in truth and in fact, as shown by the ballots, tally sheet and records of said precinct, this contestant received at least eighty-eight votes in said precinct.

Second.—That the judges of said election and board of canvassers of the voting precinct known and designated as Vernon township, Dubuque county, Iowa, erroneously reported as having been cast for this contestant 100 votes, when by the ballots, tally sheet and records of said precinct, this contestant received at least 101 votes in said precinct.

Third.—That the judges of election and board of canvassers of the voting precinct known and designated as Farley precinct, of Taylor township, Dubuque county, Iowa, rejected a ballot with a cross in the circle at the head of the democratic ticket, which cross was made with pen and ink, when said ballot should have been counted for this contestant, and further, that said judges and board of canvassers of said precinct refused to allow John Keefe, John Jennings, Ed Jennings, John Huber or Uber, Anthony Huber or Uber, Frank Huber or Uber, Joseph Huber or Uber, and Richard Lynch and others, whose names are at present unknown to this contestant, to cast their votes at said election, although such persons were duly qualified voters of said precinct and presented themselves for voting at the proper place and within the time provided by law for the casting of their said ballots, and as this contestant is informed and believes, they would have cast their votes for him had they been received, and this contestant is informed and believes that the rejection of said ballots was due to the fraudulent intentions of one of the members of said election board. Therefore contestant avers and believes that by reason of the fraudulent, unlawful and illegal actions of said judges of election and board of canvassers of said precinct, that the voters of said precinct were not all permitted to cast

their votes at said election, and for this reason the election in said precinct is invalid and void, and the votes therein cast ought not to be canvassed and counted, for it is not the result of an election at which all the voters in said precinct were permitted to cast their votes.

Fourth.—That in the first precinct of the fourth ward of Julian township, Dubuque county, Iowa, there were two republican clerks, although there was no vacancy in said board of election, and one of said clerks was not appointed by the board of supervisors and there was no necessity for said extra clerk, and therefore this contestant believes that the vote of said precinct should be rejected.

Fifth.—That the judges of election and board of canvassers in each of the precincts of Dubuque county, Iowa, counted a great number of votes the exact number being unknown to this contestant, for the incumbent, Phineas W. Crawford, which were voted in said precincts at said election, marked with a cross in the circle at the head of the democratic ticket and with a cross placed in the square opposite the name of the incumbent, Phineas W. Crawford, which appeared in the line and under the appellation or title of "Republican," of the ballots prepared and used in said election. That the number of said ballots so erroneously counted for the incumbent in said several precincts of said Dubuque county were greater in number than the majority the incumbent had over the contestant for said office of senator as declared by the canvassing board, all of which errors the board of county canvassers ratified, accepted and acted upon in declaring the incumbent elected.

Sixth.—That the judges of election and board of canvassers of the several voting precincts of said Dubuque county, Iowa, committed errors in the counting and canvassing of the ballots, in that ballots were counted and returned as having been cast for the incumbent, Phineas W. Crawford, which were in fact voted for him, some of which had identification marks, and failed to count and return ballots as having been cast for this contestant, which were in fact voted and cast for him according to law, but the exact number so wrongfully counted and returned for the incumbent, and the failure to count and return for this contestant, he is unable to state, but he alleges that the errors so made in favor of the incumbent and against the contestant if counted would give him, the contestant, a greater number of votes than were cast for the incumbent.

Seventh.—Contestant further alleges that the several errors and mistakes herein alleged, were each and all of them affirmed, accepted and acted upon by the board of county canvassers in declaring the incumbent elected, and if the same ballots be counted and said ballots correctly canvassed, this contestant will receive a greater number of votes for senator than was counted for the incumbent.

Wherefore and by reason of the premises, the contestant asks the honorable senate to make a thorough and complete canvass of all the votes cast in each of the several precincts of said Dubuque county, Iowa, being said Thirty fifth senatorial district, and that it summon the auditor of Dubuque county, Iowa, with all returns, papers and ballots, showing the acts and transactions complained of herein, and that it summon and bring

before it such witnesses and papers as shall be necessary to show the acts and transactions complained of herein, and that said honorable senate may do what may be needful and lawful in the matter, to the end that the rights of this contestant may be ascertained and declared, and the ends of law and justice be accomplished and public interests be subserved.

THOS. F. NOLAN,
Contestant.

STATE OF IOWA, }
Lee County, } ss.

I, Thomas F. Nolan, on my oath depose and say that I am the contestant in the above and foregoing statements and declaration of contest and that I have read the allegations and causes of contest set forth in the foregoing, and said declarations and statements are true as I verily believe.

THOS. F. NOLAN.

Subscribed and sworn to before me by Thomas F. Nolan, this 9th day of December, 1901.

JOHN T. P. POWER,
Notary Public in and for Lee county, Iowa.

In the senate of Iowa.

THOMAS A. NOLAN, *Contestant*, }
vs. } Motion to Dismiss.
PHINEAS W. CRAWFORD, *Defendant.* }

Comes now the incumbent, Phineas W. Crawford, and moves that the contest of Thomas A. Nolan, contestant, be dismissed for the following reasons:

First.—Because the contestant did not serve upon the incumbent any list of illegal votes as required by section 1283, of the code of 1897, laws of Iowa.

Second.—Because the declaration and notice of the contestant in the statement of facts as distinguished from the statements of conclusions does not make a showing which if taken as true would entitle the contestant to the office claimed by him.

Third.—Because in the declaration and notice of the contest, he does not raise an issue or make a claim to the office that the senate can investigate.

Fourth.—Because on the whole record the contestant does not show that the contestant has any cause of contest.

P. W. CRAWFORD,
Incumbent.

In the Senate of Iowa, session of 1902.

THOMAS F. NOLAN, *Contestant*, }
vs. } Answer of incumbent to notice and
PHINEAS W. CRAWFORD, *Incumbent.* } declaration of contest.

The incumbent denies that the judges of election and board of canvassers at the election precincts of Dubuque county, Iowa, committed any errors,

or were guilty of any misconduct; and further, incumbent objects to the allegation, that "if such judges and canvassers had properly performed their duty, they would have found that the contestant had received more votes than the incumbent," as being the statement of a conclusion and an allegation so general and indefinite as not to be entitled to receive the consideration of any tribunal.

First.—For answer to the first specification of the contestant, the incumbent denies, that in truth and in fact as shown by the ballots, tally sheets and records of said precinct, the contestant received eighty-eight votes in the voting precinct of Iowa township, Dubuque county, Iowa.

Second.—For answer to the second specification of the contestant, the incumbent denies that the contestant received 101 votes in the precinct known as Vernon township, Dubuque county, Iowa.

Third.—For answer to the third specification of the contestant, the incumbent denies that the judges of election and board of canvassers of the voting precinct known as Farley precinct, of Taylor township, Dubuque county, Iowa, rejected a ballot with a cross in the circle at the head of the democratic ticket, being a ballot that should have been counted for the contestant. Further, the incumbent denies that the said judges and board of canvassers of said last named precinct refused to allow John Keefe, John Jennings, Ed Jennings, John Huber or Uber, Frank Huber or Uber, Joseph Huber or Uber, Richard French and others to cast their votes at said election; and further, the incumbent states, that if the said judges of election and board of canvassers of Farley precinct, Taylor township, Dubuque county, Iowa, refused to permit any persons to vote at the general election held in November, 1901, in Dubuque county, Iowa, such refusal was because the said persons were not entitled to vote at said election.

Fourth.—For answer to the fourth specification of the contestant, the incumbent states that he denies the allegation that there were two republican clerks in the first precinct of the fourth ward of Julien township, Dubuque county, Iowa, and further, incumbent denies each and every allegation in the fourth specification of the declaration of the contestant.

Fifth.—For answer to the fifth specification of the contestant, the incumbent first objects to the allegations in the said fifth specification as being too general and indefinite; that the said contestant should state the precincts in which the said ballots marked with a cross in the circle at the head of the democratic ticket and with a cross placed in the square opposite the name of the incumbent were cast. The incumbent further denies that the judges of election and board of canvassers counted any votes for the incumbent that were marked with a cross in the circle at the head of the democratic ticket and with a cross placed in the square opposite the name of the incumbent. Further, the incumbent denies each and every allegation in the fifth specification of the declaration of the contestant; and further, the incumbent objects to the consideration of the fifth specification of the declaration because the same is general and indefinite and merely states conclusions.

Sixth.—For answer to the sixth specification of the declaration, the incumbent objects to the said specification as indefinite and general and stating merely conclusions; and further, the incumbent objects to the consideration of the said sixth count for the reason that the allegations therein are uncertain, general and indefinite; and further, incumbent denies that the judges of election and canvassers of the several voting precincts of Dubuque county, Iowa, committed errors in the counting and canvassing of the ballots, or that the said judges and canvassers counted and returned ballots as having been cast for the incumbent, Phineas W. Crawford, that were not in fact voted for him. Further, incumbent denies that the said judges and canvassers failed to count and return ballots that had been cast for the contestant; and further, the incumbent denies each and every allegation in the sixth specification of the declaration, and further alleges, that matters alleged in the sixth specification are insufficient to entitle them to the consideration of the senate.

Seventh.—For answer to the seventh paragraph of the declaration of the contestant, the incumbent denies the board of county canvassers accepted and acted upon any errors in declaring the incumbent elected. Further, incumbent denies that a correct count of the ballots cast would have given the contestant a greater number of votes than the incumbent, and further denies each and every allegation in the seventh specification of the declaration of the contestant.

Eighth.—The incumbent expressly denies that there was any fraudulent conduct on the part of the judges of election and board of canvassers of Farley precinct, Taylor township, Dubuque county, Iowa; and further denies that any legal voters were prevented from voting at the said Farley precinct at the general election in Dubuque county, Iowa, in November, 1901.

Tenth.—The incumbent states that at the general election held in Prairie Creek township, Dubuque county, Iowa, in November, 1901, the judges of election and board of canvassers closed the polls at the hour of 8 o'clock, P. M., and that the contestant received 112 majority over the incumbent, as shown by the returns of the said Prairie Creek township.

Eleventh.—The incumbent states that the contestant does not allege and show that the ballots cast at Dubuque county, Iowa, at the general election in November, 1901, have been so kept since the said ballots were canvassed by the board of supervisors of Dubuque county, Iowa, as to warrant the same being recounted by the senate of Iowa.

Twelfth.—The incumbent asks the senate not to consider the third fourth, fifth, sixth and seventh specifications of the declaration of contest, because the matters alleged in such third, fourth, fifth, sixth and seventh specifications are vague, uncertain and indefinite, and not sufficiently certain and specific to entitle an investigation of such specifications by the senate.

Wherefore the incumbent asks, that the senate do not make a thorough and complete canvass of all the votes cast at each of the several precincts of said Dubuque county, Iowa, being the Thirty-fifth senatorial district, and

that the prayer of the contestant be wholly denied, and that the declaration of contest of the contestant be dismissed.

PHINEAS W. CRAWFORD,
Incumbent.

STATE OF IOWA, }
Polk County, } ss.

I, Phineas W. Crawford, being first duly sworn, do depose and say, that I am the incumbent above named; that I have read the foregoing answer of the declaration of contest of the contestant, Thomas F. Nolan; that I am acquainted with the matters and facts in the said answer stated, and that the matters and facts in the said answer stated are true as I verily believe.

PHINEAS W. CRAWFORD.

Signed in my presence and sworn to before me by the said Phineas W. Crawford, this 22d day of January, A. D. 1902, as witness my hand and notarial seal the day and year last above written.

CHARLES MAKENZIE,
Notary Public of Iowa in and for Polk County.

In the senate of Iowa, session 1902.

THOMAS F. NOLAN, *Contestant.*
vs.
PHINEAS W. CRAWFORD, *Incumbent.* } Reply to answer of incumbent.

Comes now Thomas F. Nolan, contestant, and in reply to new matter in answer to incumbent, and states:

First.—That as to the closing of the polls in Prairie Creek township, Dubuque county, Iowa, he has neither knowledge or information sufficient to form a belief, and therefore denies the same, and there is no allegation that incumbent was prejudiced by same even if his allegation were true.

Second.—The contestant further states that it was not necessary for him to make allegation with regard to the preservation of the ballots, as the law requires that same should be kept for certain specified time.

Wherefore, contestant prays as in his original statement.

THOS. F. NOLAN,

STATE OF IOWA, }
Polk County. } ss.

I, Thomas F. Nolan, being first duly sworn, say that I am the contestant above named; that I have read the foregoing reply, and that the matters stated therein are true as I verily believe.

THOS. F. NOLAN.

Subscribed and sworn to before me by the said Thomas F. Nolan this 24th day of January, 1902.

H. M. JONES,
Deputy Clerk Supreme Court, Iowa]

Senator Hopkins made the following motion:

MR. PRESIDENT—I move that the Secretary be instructed to procure 600 copies of the report of committee (including list of committees) upon assignment of committee rooms and fixing time of meetings; also list of Senators with committees to which they are assigned, to be in form most convenient for use of Senators.

Carried.

The Journal of yesterday was taken up, corrected and approved.

Senator Lister moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2 o'clock P. M., Monday.

SENATE CHAMBER
DES MOINES, Monday, January 27, 1902. }

Senate met in regular session at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by Rev. B. F. W. Crozier, of Humeston, Iowa.

On request of Senator Harriman, leave of absence was granted Senator Trewin indefinitely.

On request of Senator Hayward, leave of absence was granted Senator Courtright indefinitely.

On request of Senator Tallman, leave of absence was granted Senator Lambert for the day.

On request of Senator Lister, leave of absence was granted Senator Smith of Mitchell for today.

On request of Senator Wilson, leave of absence was granted Senator Porter until Wednesday morning.

On request of Senator Harper, leave of absence was granted Senator Brooks for the day.

On request of Senator Emmert, leave of absence was granted Senator Townsend indefinitely.

PETITIONS AND MEMORIALS.

Senator Junkin presented petition of United Presbyterian Synod of Iowa assembled at Monroe, petitioning for a law declaring all saloon consent petitions void after three years.

Referred to committee on Suppression of Intemperance.

Senator Winne presented petition of the Presbytery of Fort Dodge assembled at Washington, Iowa, petitioning for a law declaring all saloon consent petitions void after three years; also, petition of Methodist Episcopal church, session held at Algona, asking the limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Hubbard, Senate file No. 62, a bill for an act to amend section 2254 of the code, providing for the finding and presentment of indictments without intervention of grand jury.

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

By Senator Emmert, Senate file No. 63, a bill for an act to establish a reformatory for men, to make appropriations therefor and to provide for transfer of prisoners.

Read first and second time and referred to committee on Charitable Institutions.

By Senator Lister, Senate file No. 64, a bill for an act regulating the marriages of divorced persons and providing punishment for the violation thereof.

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

By Senator Whipple, Senate file No. 65, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

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

By Senator Whipple, Senate file No. 66, a bill for an act to repeal section 2718 of the code and chapter 82, laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor relating to the support of the College for the Blind at Vinton, Iowa.

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

By Senator Harriman:

JOINT RESOLUTION NO. 2.

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

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

That section thirty-four (34) thirty-five (35), and thirty-six (36) of the

constitution of the state of Iowa be repealed, and the following be adopted in lieu thereof:

Section 34. The Senate shall be composed of fifty members, to be elected from the several senatorial districts established by law, and at the next session of the general assembly, held following the taking of the state and national census, they shall be apportioned among the several counties, or districts of the state according to population as shown by the last preceding census.

Sec. 35. The House of Representatives shall consist of not more than one hundred and fifteen members. The ratio of representation shall be determined by dividing the whole number of the population of the state, as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number as herein provided of three-fifths or more of such ratio number shall be entitled to one additional representative.

Sec. 36. The general assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation and apportion the additional representatives as hereinbefore required.

Be it further Resolved, That this resolution and the amendment to the constitution therein contained and proposed be and the same is hereby referred to the next succeeding General Assembly for action, and the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next general assembly, as provided by law.

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

INTRODUCTION OF BILLS.

By Senator Healy, Senate file No. 67, a bill for an act to amend section 600 of the code, relating to the incorporation of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Healy, Senate file No. 68, a bill for an act to amend section 3346 of the code, relating to claims of executors or administrators, or in which they may be interested.

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

By Senator Healy, Senate file No. 69, a bill for an act to amend section 3172 of the code, relative to the filing of petitions for divorces.

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

By Senator Molsberry, Senate file No. 70, a bill for an act to repeal section 953 of the code, and section 2, chapter 28 of the acts of the Twenty-seventh General Assembly, and amend subdivision of section 1005 of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters.

Read first and second time and referred to committee on Cities and Towns.

By Senator Healy, Senate file No. 71, a bill for an act relating to the time in which actions or proceedings may be brought for recovery of taxes alleged to be due or personal property omitted, not listed, withheld or overlooked.

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

By Senator Young of Lee, Senate file No. 72, a bill for an act to amend sections 1370 and 1371 as amended, 1372 as amended and 1373, relating to the regulation of taxes and appeals from the local board of review applicable to cities acting under special charters.

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

By Senator Young of Lee, Senate file No. 73, a bill for an act to repeal section 933 of the code, relating to the application of laws to cities acting under special charters.

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

By Senator Garst, Senate file No. 74, a bill for an act to amend section 65, chapter 1 of the code of 1897, in relation to the salary of governor and the secretary to the governor.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Dowell, Senate file No. 75, a bill for an act governing the election of city superintendents of schools, and defining their duties in cities of 3,000 inhabitants.

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

By Senator Lewis, Senate file No. 76, a bill for an act providing for interest on state funds, establishing state depositories and repealing sections 111, 112, 113 and 114 of the code.

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

By Senator Alexander, Senate file No. 77, a bill for an act to amend section 1869, chapter 12, title 9 of the code, relating to directors of state and savings banks.

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

By Senator Alexander, Senate file No. 78, a bill for an act to amend section 1850, chapter 10, title 9, paragraph 4 of the code, relating to investment of funds of savings banks.

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

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

CONCURRENT RESOLUTION,

WHEREAS, The code of 1897, furnished to Senator Fred. N. Smith of Des Moines county, by the secretary of state, under the provision of section four of the code, has been removed from his desk in the Senate and cannot be found; therefore, be it

Resolved, By the Senate, the House concurring: That the secretary of state be and is hereby authorized and instructed to deliver to the said Senator Fred. N. Smith another code.

Adopted.

A communication, which was on the President's table, inviting the Senate to attend the Iowa Congress of Mothers, to be held in Des Moines, Wednesday, January 28th, was read by the Secretary.

Senator Harriman offered the following resolution:

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That a joint committee of the Senate and House be appointed to purchase a suitable chair for the Governor, and a suitable chair and gavel each for the President of the Senate and Speaker of the House.

Laid over under the rule.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to furnishing first assistant clerk of the House and first assistant secretary of the Senate a code of Iowa.

C. R. BENEDICT,
Chief Clerk.

Senator Craig moved that the Senate take up House messages.

Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution, relative to furnishing first assistant clerk of the House and first assistant secretary of the Senate a code of Iowa, was read and adopted.

The Journal of Saturday was taken up, corrected and approved.

The governor's private secretary was announced and presented a communication from the Governor in writing.

Senator Harriman offered the following resolution and moved its adoption:

Resolved, That rule eleven, under which the Senate is now acting, be amended to read as follows:

11. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote upon the pending amendments and then upon the main question, unless otherwise indicated by the motion and ordered by the Senate, except that the member in charge of the measure under consideration shall have ten minutes in which to close the discussion, immediately before the vote is taken upon the main question. The previous question may be applicable to all debatable motions and amendments when so ordered by the Senate. If the previous question is decided in the nega-

tive, the Senate shall proceed with the matter before it, the same as though the previous question had not been moved.

Referred to the committee on Rules.

On motion of Senator Garst, the Senate took up the communication received from the Governor.

The Secretary read the communication, which was ordered printed in the Journal.

EXECUTIVE OFFICE,
DES MOINES, IOWA, JANUARY 27, 1902. }

To the Senate and House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:

I beg to inform your honorable bodies that I have received, and have accepted, the resignation of Perry D. Rose, Esq., of Jefferson, trustee of the State Normal school. I have been advised by the attorney-general that it is the duty of the Governor to appoint a successor for the unexpired term, and pursuant thereto, I have appointed Mr. B. F. Osborn of Rippey, Greene county, Iowa, for such unexpired term. Notwithstanding the appointment, I deem it my duty to acquaint your honorable bodies with the facts.

Respectfully submitted,

ALBERT B. CUMMINS.

EXECUTIVE OFFICE,
DES MOINES, IOWA, JANUARY 27, 1902. }

To the Senate and House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:

My predecessor having appointed a commission to arrange the preliminaries for the representation of the state at the Louisiana Purchase Centennial Exposition to be held at St. Louis, Missouri, in 1903, I beg to inform your honorable bodies that the commission so appointed has filed a report of its acts and doings with me, and has included in said report certain recommendations. I have the honor to transmit to your honorable bodies a copy of the report and recommendations for your information, and for such proceedings thereon as may seem to you wise.

Respectfully submitted,

ALBERT B. CUMMINS.

LOGAN, IOWA, JANUARY 24, 1902.

Hon. A. B. Cummins, Governor, Des Moines, Iowa:

DEAR SIR—Complying with the instructions of the commission for Iowa appointed by your predecessor to arrange the preliminaries for our representation at the Louisiana Purchase Exposition at St. Louis in 1903, I have the honor to lay before you the estimates in detail of the amount required so suitably accomplish such purpose.

The estimates herewith submitted are the result of careful labor and thought of a sub-committee of which Mr. S. M. Leach of Adel is chairman, and I need not assure you that while the sum is large the committee has not been more enthusiastic than the great opportunity now presented

to fairly exhibit our wonderful advantages and resources fully warrants; in fact, as such commission have considered the matters properly before them, the future greatness of Iowa has grown in our minds and the opportunity to reap for our sowing so impressed the commission that, without a dissenting vote, \$250,000 should be recommended, was adopted as its judgment.

The commission have labored without compensation, expenses paid by the membership, and submit this report of its doings in the hope that its work may be helpful. Very respectfully yours,

J. C. MILLIMAN,
Chairman.

Hon. A. B. Cummins, Governor, Des Moines, Iowa:

Your immediate predecessor appointed commissioners for Iowa for the Louisiana Purchase Exposition, to be held at St. Louis in 1903. At their meeting held on the 17th day of January, 1902, at Des Moines, a report was ordered made which should include an estimate of the necessary amount of money which your commissioners are of the opinion should be provided, and which it is hoped the present general assembly will appropriate.

The first meeting of the commission was held in the city of St. Louis, in January, 1899, which was merely of an introductory and social character.

The next meeting was held in Des Moines, 1901, at which time a chairman and secretary were elected and a committee was appointed to go to St. Louis to look over the grounds where the exposition is to be held, and to confer with the principal officers and promoters of the enterprise. This committee reported to the commission on its findings as to the requirements of Iowa, and it is of the opinion that the opportunity which this great enterprise will give to us if we shall do our part is beyond computation in dollars.

The subjoined report of the requirements of the money for Iowa's part is hereby submitted as follows:

ESTIMATE.

Preliminary promotion.....	\$ 5,000
Building and plumbing	100,000
Architect	5,000
Commissioners	9,900
Superintendents and employes.....	20,000
Secretary, bookkeepers and stenographers.....	3,000
Telegraph, telephone and express	2,200
Printing, stationery and postage.....	15,000
Postoffice and mail carrier	1,500
Collecting exhibits.....	6,000
Agricultural and horticultural.....	16,000
Dairy	4,000
Apiary.....	1,000
Forestry and minerals	3,000
Manufactures and machinery	6,000
Fine arts.....	1,500

Educational.....	\$ 6,000
Historical and woman's department.....	6,000
Press.....	1,000
Dedication exercises and special days.....	7,000
Music.....	4 000
Illustrated printing for the state.....	5,000
Sundries, contingent and publicity.....	12,500
Decorating grounds, grades, walks, etc.....	5,000
Furniture, fixtures, heat and wiring building.....	8,000
Bureau of information.....	3,000
Live stock.....	15,000
Total.....	<u>\$258,100</u>

Your commission is not unmindful of the fact that the various amounts in the general estimate may be too high in some places and too low in others, but in view of the fact that it has for its basis the expenditures made at Chicago in 1893, and in Omaha in 1898, it may be accepted as approximately correct.

It is the intention of the management at St. Louis to group in a village the buildings of the states that have been made out of the Louisiana Purchase, and to reserve for them the most commanding locations, therefore it is important that the Iowa building be of such proportions and of such style and finish as shall suitably reflect the culture, advancement and prosperity of our people

Most respectfully submitted,

J. C. MILLIMAN,
Chairman of Commission.

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

Resolved, That the state printer be requested to give first and prompt attention to the printing of the corrected Journal, and that all bills be printed in the order of their numbers.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to printing report to Gov. L. M. Shaw of the Vicksburg Park Commission, and Gov. L. M. Shaw's report on pardons.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the

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

Relative to observing the 29th day of January, birthday of the late President McKinley.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to printing report to Gov. L. M. Shaw, of the Vicksburg Park Commission, and Gov. L. M. Shaw's report on pardons was read and placed on file.

Concurrent resolution relative to observing the 29th day of January, birthday of the late President McKinley, was read, and upon motion of Senator Blanchard the resolution was concurred in

The President appointed as the committee on part of the Senate, Senators Blanchard, Healy and Ball.

Senator Blanchard moved the following:

I move that the question of filling the vacancy in the office of trustee in State Normal school be referred to Judiciary committee with directions to report to the Senate whether any action should be taken by the Senate in relation to the matter.

Carried.

On motion of Senator Winne, the Senate adjourned until 10 o'clock tomorrow morning.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, January 28, 1902 }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Arthur C. Stillson of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Wilson presented petition of the Tri-City Labor Congress of Lyons, also petition of Federal Labor Union of Clinton, also petition of Dewey Lodge Association of Machinists of Clinton, Iowa, requesting the passage of a law favorable to free text-books.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Fitchpatrick, Senate file No. 79, a bill for an act to reorganize the congressional districts of the state.

Read first and second time and referred to committee on Congressional Districts.

By Senator Hayward, Senate file No. 80, a bill for an act to protect deserving wives and minor children against non-support by husband.

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

By Senator Classen, Senate file No. 81, a bill for an act making an appropriation for the Iowa Soldiers' Home at Marshalltown, Iowa.

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

By Senator Classen, Senate file No. 82, a bill for an act to

amend section 2608 of the code, and provide additional support for the Soldiers' Home at Marshalltown.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Classen, Senate file No. 83, a bill for an act to amend section 508 of the code, relating to sheriffs' fees.

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

By Senator Harper, Senate file No. 84, a bill for an act to amend section 2 of chapter 41, of the acts of the Twenty-eighth General Assembly, limiting the indebtedness of political and municipal corporations.

Read first and second time and referred to committee on Cities and Towns.

By Senator Emmert, Senate file No. 85, a bill for an act for the keeping by county treasurers of a monthly apportionment record book of all taxes collected.

Read first and second time and referred to committee on Cities and Towns.

By Senator Griswold, Senate file No. 86, a bill for an act to amend section 1784, chapter 7, title 9 of the code of Iowa, relating to stipulated premiums and assessment life insurance associations.

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

By Senator Harriman, Senate file No. 87, a bill for an act to amend section 136 and section 1 of chapter 5, laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences.

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

By Senator Alexander, Senate file No. 88, a bill for an act creating the Twenty-first judicial district of the state of Iowa, and providing for the election of two judges therein; and also providing for the election of one judge in the Eighteenth judicial district of Iowa; and defining the jurisdiction of said courts

therein, and providing for the holding terms of court in said districts.

Read first and second time and referred to committee on Judicial Districts.

By Senator Young of Washington, Senate file No. 89, a bill for an act making an appropriation for the construction, repair, support and contingent fund for the state hospital at Mount Pleasant, Iowa.

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

By Senator Ball, Senate file No. 90, a bill for an act legalizing ordinances and resolutions passed by city councils and town councils by less than the required number of votes.

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

REPORT OF COMMITTEE.

Senator Healy from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 6, a bill for an act to amend section 4074 of the code, relating to proceedings auxiliary to execution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

The joint committee appointed to recommend a program for the anniversary service of the birth of President McKinley, made the following report:

REPORT TO THE SENATE AND HOUSE OF REPRESENTATIVES.

MR. PRESIDENT AND SPEAKER.—Your committee appointed to recommend a program for the anniversary of the birth of President William McKinley, beg leave to report that we have had the matter under consideration, and have agreed on the following program, viz:

1. The two houses will meet in joint convention in the House of Representatives at 8 P. M. of January 29, 1902.
2. The President of the Senate will call the joint convention to order.

3. Prayer by Rev. A. B. Marshall.
4. Music—"Lead, Kindly Light," by Grant Glee Club.
5. Address by Gov. A. B. Cummins.
6. Music—"Nearer My God to Thee," by Grant Glee Club.

The joint convention will be dissolved, and the Senators will return to the Senate.

L. C. BLANCHARD,
THOS. D. HEALY,
G. W. BALL,
On part of the Senate.

G. W. BLACK,
G. E. HILSINGER,
A. F. FRUDDEN,
On part of the House.

On motion of Senator Ball, the report of the joint committee was adopted.

The Journal of yesterday was taken up, corrected and approved.

On motion of Senator Garst, the Senate adjourned until 10 o'clock tomorrow morning.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, January 29, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Dr. Breeden of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Hazelton presented petition of citizens of Carson, Iowa, asking for the passage of a law declaring all saloon consent petitions void after three years from the date of their granting.

Referred to committee on Suppression of Intemperance.

Senator Harper presented petition of local lodge of coopers' union of Ottumwa, Iowa, requesting the passage of a state law favorable to the adoption of free text-books in Iowa.

Referred to committee on Schools.

Senator Molsberry presented petition of barbers' union of Muscatine; also, of Federal Labor Union of Muscatine; also, of the box makers and sawyers of Muscatine, asking for legislation favorable to free text-books.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Arthaud, Senate file No. 91, a bill for an act to amend section 1370 and section 1373 of the code, relating to the local board of review and appeal therefrom.

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

By Senator Arthaud, Senate file No. 92, a bill for an act to amend section 2635, section 2639 and section 2676 of the code of Iowa, relative to tuition of students of the State University, the

State College of Agriculture and Mechanic Arts and the State Normal School.

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

By Senator Garst, Senate file No. 93, a bill for an act to amend sections 3334 and 3337, of title 7, chapter 7 of the code of 1897, relating to the assessment of taxes.

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

By Senator Junkin, Senate file No. 94, a bill for an act to amend section 3338 of the code, relating to claims against estates of decedents.

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

By Senator Junkin, Senate file No. 95, a bill for an act to amend section 3287 of the code, relating to the recording of wills.

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

By Senator Junkin, Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters.

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

By Senator Dowell, Senate file No. 97, a bill for an act to amend section 1806 of the code of Iowa, relating to the investment of funds of life insurance companies and associations.

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

By Senator Spaulding, Senate file No. 98, a bill for an act to repeal section 1374 of the code and chapter 50 of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor.

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

By Senator Fitchpatrick, Senate file No. 99, a bill for an act

to amend section 3219 of the code, relating to the appointment of guardians for insane persons.

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

By Senator Smith of Mitchell, Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars, or so much thereof as may be necessary, to pay the additional employes of the general assembly.

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

By Senator Crawford, Senate file No. 101, a bill for an act in regard to supervisor districts.

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

By Senator Lewis, Senate file No. 102, a bill for an act providing for the assignment of mortgages.

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

By Senator Lewis, Senate file No. 103, a bill for an act to legalize certain assignments of mortgages.

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

By Senator Ball, Senate file No. 104, a bill for an act making appropriation to the Iowa State Historical Society.

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

By Senator Crawford, Senate file No. 105, a bill for an act permitting all ex-Union soldiers and sailors honorably discharged from the military or naval service of the United States, residents of the state of Iowa to vend, hawk and peddle goods, wares and fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the state of Iowa.

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

By Senator Hazelton, Senate file No. 106, a bill for an act to repeal section twenty-seven hundred and twenty-seven of the code and chapter eighty-three of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs, Iowa.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the joint committee as to arrangements for the observance of the birthday anniversary of the late President McKinley.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to distribution of acts of the general assembly, Eighth to the Fourteenth, both inclusive.

C. R. BENEDICT,
Chief Clerk

Also:

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

Relating to appointing committee to prepare resolution relating to the life and character of the late Hon. John H. Gear.

The Speaker appointed the following committee on behalf of the House: Larrabee of Fayette, Barkley of Boone, Carter of Sioux.

C. R. BENEDICT,
Chief Clerk.

Senator Allyn offered the following joint resolution:

JOINT RESOLUTION NO. 3.

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

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

That the following amendments to the constitution of the state of Iowa be and the same are hereby proposed:

First.—Strike out the word "male" in section 1, article 2 of said constitution.

Second.—Strike out the word "male" in section 4, article 3 of said constitution.

And be it further Resolved, That the foregoing proposed amendments to the constitution be, and the same are hereby referred to the Legislature to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of said election, as provided by law.

Referred to committee on Constitutional Amendments and Suffrage.

REPORT OF COMMITTEE.

Senator Lewis, from the committee on Rules, submitted the following report:

MR. PRESIDENT—The committee on Rules, to which was referred the amendment to rule No. 11 of the Senate rules, having had the same under consideration, has instructed me to report it back to the Senate with the recommendation that it be indefinitely postponed, all of said amendment that the committee deems it desirable to adopt being incorporated in the report this day made to the Senate, covering the entire body of the rules.

L. W. LEWIS,
Chairman.

January 29, 1902.

Adopted.

REPORT OF COMMITTEE ON RULES.

Senator Lewis, from the committee on Rules, submitted the following report:

MR. PRESIDENT—Your committee on Rules, having had under consideration the matter of rules for the government of the business of the Senate of the Twenty-ninth General Assembly, would report as follows:

We recommend—

I. That the rules of the Senate of the Twenty-eighth General Assembly be adopted by the Senate of the Twenty-ninth General Assembly, except as hereinafter otherwise indicated.

II. That rule No. 7 be amended by inserting, between the words "or" and "in" in the fourth line, the words, "except by consent of the Senate."

III. That rule No. 11 be amended by inserting after the word "ques-

tion" in the sixth line, the words, "unless otherwise indicated by the motion and ordered by the Senate."

IV. That the unnumbered rule following rule No. 24 be added to, and made a part of, rule No. 25.

V. That rule No. 32 be amended by inserting, after the word "Senate" in the tenth line, the words, "or into the cloak rooms."

VI. That rule No. 32 be further amended by adding thereto the following:

"No officer, or employe, elected or appointed by the Senate or any of its committees, shall solicit or endeavor to influence members of the Legislature, in their official action. Any person violating this rule shall be summarily dismissed by the Senate."

VII. That rule No. 39 be amended by adding thereto the following:

"At least four messengers shall be on duty in the Senate chamber upon every day of the session except Sundays, from 8:30 A. M. until 6 P. M. whether the Senate is in session or not."

VIII. That the list of committees in the pamphlet of the rules shall be arranged as follows (the numbers at the right of the names of the committees respectively indicating the numerical strength thereof):

1. Ways and Means.....	16
2. Judiciary	16
3. Appropriations	16
4. Agriculture.....	16
5. Railroads.....	16
6. Cities and Towns.....	15
7. Suppression of Intemperance.....	13
8. Insurance	12
9. Schools	11
10. Congressional and Judicial Districts.....	11
11. Senatorial and Representative Districts.....	11
12. Constitutional Amendments and Suffrage.....	11
13. Public Health.....	11
14. Public Libraries	11
15. Telegraphs and Telephones.....	11
16. Banks.....	9
17. Labor	9
18. Mines and Mining.....	9
19. Highways	9
20. Corporations	9
21. Educational Institutions	9
22. Military	9
23. Pharmacy	9
24. Printing.....	9
25. Charitable Institutions.....	9
26. Building and Loan	9
27. Rules	9

28. Compensation of Public Officers.....	7
29. Penitentiaries and Pardons.....	7
30. Federal Relations.....	7
31. Elections.....	7
32. Claims.....	7
33. Commerce.....	7
34. Manufactures.....	5
35. Public Buildings.....	5
36. Horticulture and Forestry.....	5
37. Fish and Game.....	5
38. Public Lands.....	3
39. Engrossed Bills.....	3
40. Enrolled Bills.....	3

All of which is respectfully submitted,

L. W. LEWIS,
Chairman.

Senator Lewis moved that the Senate take up the report of the committee on rules, section by section, and consider same at this time.

Carried.

The Secretary read the report of the committee on rules, section by section.

On motion of Senator Lewis, the report of the committee was adopted.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to distribution of acts of the general assembly from the Eighth to the Fourteenth, both inclusive.

Senator Balloffered the following amendment and moved its adoption:

Provided, That ten copies of each of said volumes shall be sent to the library of the State Historical Society at Iowa City, and ten copies to the library of the State University.

Adopted.

The concurrent resolution as amended was adopted.

Concurrent resolution relative to appointing committee to prepare resolutions relative to the life and character of the late Hon. John H. Gear.

Senator Blanchard moved that the Senate concur in the concurrent resolution.

Carried.

The President appointed as such committee on the part of the Senate, Senators Blanchard, Mardis and Emmert.

BILLS ON THIRD READING.

On motion of Senator Blanchard, Senate file No. 46, a bill for an act to amend sections twenty hundred and eighty-four, twenty hundred and eighty-five, twenty hundred and eighty-six, twenty hundred and eighty-seven, twenty hundred and eighty-eight, twenty hundred and eighty-nine, twenty hundred and ninety and twenty hundred and ninety-one of the code, relating to taxes in aid of railroads, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Garst, the Senate adjourned until 2 o'clock P. M.

Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Herriott presiding.

The Journal of yesterday was taken up, corrected and approved.

On motion of Senator Classen, Senate file No. 82 was referred to the committee on Appropriations.

The Senate resumed consideration of Senate file No. 46.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

Relative to meeting in joint convention, February 4th, to elect regent and trustees of state educational institutions.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to furnishing Senator Fred N. Smith of Des Moines county a code.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to creating a commission to inquire into and investigate the cause of explosions in coal mines, and to recommend means for prevention thereof.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Hubbard, the Senate took a recess of ten minutes for the purpose of meeting with members and delegates of the Women's Congress.

The Senate resumed consideration of Senate file No. 46.

A committee from the House announced that the House was ready to receive the Senate in joint convention to observe the anniversary of the birth of President McKinley.

On motion of Senator Harriman, further consideration of Senate file No. 46, was postponed and made a special order for 10:30 o'clock Tuesday morning.

Senator Arthaud filed the following amendment to Senate file No. 46:

AN AMENDMENT TO SENATE FILE NO. 46.

I move to amend said bill by striking the word "amend" from the first line of the title to said bill and insert in lieu thereof the word "repeal," and strike from section 1 of said bill all that part following the word "hereby" in the second line of said section and insert in lieu thereof the word "repealed," and strike all that part from section 2 of said bill following the word "hereby" in the fourth line of said section 2, and insert in lieu thereof the word "repealed."

Senator Ball offered the following resolution:

Resolved, That a copy of each bill introduced in the Senate shall be furnished to the Secretary of the Senate by the author of the bill, such copy to be delivered by the Secretary to the state printer, instead of the original bill.

Referred to committee on Rules.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution, relative to meeting of joint convention February 4th to elect regents and trustees of state educational institutions, was read and, upon motion of Senator Hubbard, concurred in.

Concurrent resolution, relative to furnishing Senator Fred N. Smith of Des Moines county a code, placed on file.

Concurrent resolution, relative to creating a commission to inquire into and investigate the cause of explosions in coal mines, and to recommend means for prevention thereof, was read and referred to committee on Mines and Mining.

The Senate formed in procession and proceeded to the House to meet in joint convention.

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

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, ()
3 P. M., Wednesday, January 29, 1902.)

The joint convention was called to order by Lieutenant-Governor Herriott, President of the Senate, at 3 P. M.

The following program, as arranged by the joint committee, was carried out:

Song—Selected, Grant Glee Club.

Prayer—Rev. Dr. A. B. Marshall.

Music—"Lead Kindly Light."

Address—Gov. A. B. Cummins.

Music—"Nearer My God to Thee."

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

Resolved, That an engrossed copy of our proceedings in joint convention, together with a copy of the address of Gov. A. B. Cummins, be sent to the family of the late President Wm. McKinley, and that the address be printed in the Journals of both houses of the Legislature.

The resolution was adopted.

The address of the Governor follows:

Gentlemen of the Twenty-ninth General Assembly:

I respond to the kind invitation of your committee with many misgivings. Under the most favorable circumstances I could bring you nothing worthy of the occasion; but with the few hours given me for preparation—hours filled to overflowing with other duties—I may well challenge your utmost forbearance. I consent to do inadequately what ought to be done adequately or not at all simply because I still hold and cherish the old-fashioned idea that the request of a sovereign is a command, and I am here to recognize your authority and answer your imperial summons.

I knew William McKinley well, and the better I knew him, the more I loved him. There is, therefore, no poverty of thought when I reflect upon his life and death; and if it were possible to express what I feel in every fibre of my being, my task would be an easy one. But there are subjects which cannot be put into propositions; there are sentiments which defy analysis; there are meanings which language will not convey; there are qualities which words will not describe, and there are distinctions which phrases cannot trace.

Greatness of whatever kind, is instinctively appreciable to the senses of both the learned and the unlearned; but to differentiate greatness from mediocrity is the work of the master, and he oftener fails than succeeds. A strong and lovely character, like fragrance in the air, is as perceptible to one as to another; but he who would define this precious attribute of humanity must sound the profoundest depths of his mother-tongue. Homer, Virgil, Dante and Milton exhausted all the treasures of human speech and called up all the imagery of the imagination, and yet fell short of the hero who sits enthroned in the commonest mind.

These are the reflections which press hard upon me as I attempt to speak of the man whose life overflowed with honor, and whose death was full of tragedy and noble with Christian majesty. We have gathered together to commemorate the anniversary of his birth and to surrender an hour from busy lives and high duties to his memory. We do this not so much for his sake as our own. These mournful occasions—and they will grow more frequent as time rolls on—are significant only of the living. The shafts of censure or of criticism fly harmless when they go toward the golden streets of the New Jerusalem, and our fervent praise cannot be heard in the glorified air of the heavenly land. When, however, we gratefully and rever-

ently recall his blameless life and his Christian death, his courageous struggles, his purity of thought, his loftiness of purpose, his steadiness of design, his sincerity of mind, and his deep and absorbing devotion to the public good, we baptise ourselves in the fountain of civic righteousness and will go forth better armed for the great struggle of the world. It is an hour of dedication and consecration, as well as of commemoration. In our civilization there is no greatness that will command a memorial day or hour unless it be accompanied, lighted up and inspired by goodness; in truth, measured by the highest standard of this age, there can be no greatness without goodness. Men do not remember and mark as years go on the natal day of any being simply because he was learned, scholarly, intellectual or profound; and it is a gracious compliment to humanity that they do not. We assemble year by year to lay our tribute upon the memories of Washington, Lincoln and Grant because they lived for their fellow men; and we will hereafter assemble to do equal honor to the birthday of William McKinley because he had a heart that sought to promote the welfare of his people, and a mind forceful and comprehensive enough to put his unselfish conceptions into the institutions of his country.

You are all familiar with his history, and I may be brief in referring to its well known features. He was born at Niles, Ohio, January 29, 1843. In his boyhood he was not distinguished above his fellows, but it may be inferred that the conditions which surrounded him gave him that settled conviction respecting an important question in public affairs that years afterwards he worked out with a steadfastness and persistence which made him a leader in the political economy of the nation. He enlisted as a private in the Twenty-third Ohio volunteers June 11, 1861. Three times he was promoted for gallantry and courage upon the field of battle, and it was the memory of these perilous days that stirred the hearts of his companions in arms as they limped along, bowed with age as well as with grief, through the streets of Canton toward the hillside brilliant with flowers, where they laid him to rest. I never have seen, nor do I ever expect to see, so pathetic a sight as I witnessed that mournful day in September last, as I passed his old regiment—old men all of them, gray-haired, age-seamed faces, bending under the burden of years, with the tears streaming down their cheeks, with their sobs breaking upon the solemn air as they stood around his flower-wreathed coffin and saw it borne forever from their mortal eyes. It was the climax of sorrow, and the picture of it will go with me to my dying day.

He was admitted to the bar in 1867 and began the practice of law in Canton. The period intervening between that time and his election to congress in 1878 is notable for but one event, his marriage, and this only because his devotion to the lovely companion of his life has become the embodiment, the highest exemplification of human affection the country over. For fourteen years he was a member of the house of representatives. He became the leader of congress and of the party to which he belonged, not so much because providence had endowed him with a more powerful intellect than those who surrounded him, but because he had learned one lesson which every boy and every girl and every man and every woman ought speedily to learn if it is not already the motto of their existence. He knew and acted upon the knowledge that in the vast range of learning and

tremendous scope of public questions a man could not master all the learning nor answer all the questions. He believed and acted upon the belief that to be great and helpful and powerful a man must know some one thing better than anyone else knew it, and that the world was always on the lookout for such men. He chose for his special study one of the most difficult, as well as one of the most controverted, subjects of his time, and he mastered it absolutely, so that before many years had passed over his congressional career, William McKinley knew more about the productive capacity of the United States, more about the conditions under which labor earned its wage and capital its return, more about the possibilities of our magnificent future, than any other man in America. I do not suggest that he was either ignorant or unmindful of other things, but he had the foresight to perceive the vital truth of the period and the courage to enforce it, and it was this foresight and courage that made him president of the United States and which endeared him to the members of the party to which he belonged as no other man ever was.

He was defeated for speaker, but became chairman of the committee on ways and means, and those who thwarted his ambitions "bulted better than they knew;" and although he knew it not, this adversity opened up to him the doors of the widest opportunity into which mortal ever trod. He probably did not, but he well might have thought, as he stood in the gloom of failure,

"And behind the dim unknown
Standeth God within the shadow,
Keeping watch above his own."

A change in his congressional district, rather than a diminution of any confidence in him, rendered his return to congress impossible, and he became governor of Ohio; and though removed from national activity, he grew in favor until, in 1896, he was the almost unanimous choice of the republicans of the United States for president.

The four years and a half during which he occupied the highest office known to the institutions of society were in many respects the most eventful years of the nation's history. He took the oath which made him president amid profound national peace and profound commercial depression. From that moment the skies of industry began to brighten, and within an incredibly brief time the whole country was clothed with a radiance of prosperity unparalleled and unequalled in the history of man.

Within a year the clouds of war filled all the heavens, and slow as he was, reluctant as he was, to take up the sword, when once it flashed from its sheath, its lightnings played with incessant gleam until peace again reigned in the land. I yield to no man in admiration for all that McKinley had done in the years preceding the Spanish war. He earned the crown that he wore, and it was brilliant with the rare jewels which always sparkle in the diadem of the highest representative of a free people; but the years which intervened between the close of the Spanish war and his death are the years which developed and exhibited a serene greatness, a true heart, an unselfish patriotism, a tender persistence more wonderful than the world had ever before seen. We had entered upon a new path, and although it was a path of glory, it was dark and obscure. It was a strange country

into which we had gone, and we were full of fear and apprehension. It was through this path and this country that God sent William McKinley to lead us; and I am sober-minded when I say that there was not another man in all the republic whom the people would have followed so trustfully and confidently as this man whose memory is now filling our hearts. I do not know why it was so, but we gave him our whole faith, as it had never been given to a president of the United States. We were following him and trusting him, rejoicing that we were beginning to see light beyond, when he was stricken down, stricken by a cruel, senseless hand that sought not his life, but the life of the government. I do not dwell upon the foul deed which made William McKinley a martyr and all the world mourners. I cannot disturb the solemnity of the moment by the righteous indignation so easy to kindle. I remember only those immortal words, "Thy will, not mine, be done," which closed a career the like of which this generation may not again behold. The Ruler of the Universe is not prodigal with such spirits, but we rest content with the thought that, while they do not come often, they come at the right time.

On motion of Senator Hubbard of Woodbury, the joint convention was dissolved and the Senate retired.

Senate returned from joint convention.

Senator Smith of Mitchell submitted the following report from the committee appointed to recommend additional employes.

MR. PRESIDENT AND SPEAKER—Your committee appointed to recommend additional employes of the general assembly beg leave to recommend the adoption of the following joint resolution.

JAS. A. SMITH,
F. L. MAYTAG,
A. S. HAZELTON,

On the part of the Senate.

M. L. TEMPLE,
WM. LARRABEE, JR.
M. J. FURRY,

On the part of the House.

JOINT RESOLUTION NO. 4.

Recommending changes as to additional employes.

Be it resolved by the General Assembly of the State of Iowa:

SECTION 1. That William Lenihan of Jasper county, and Jule Parmelee, of Shelby county, be appointed janitors in the place of F. E. White of Muscatine county, and John Heater of Sac county, both of whom declined to accept the positions to which they were appointed.

SEC. 2. That the time of the above named employes be certified, and warrants drawn in their favor in accordance with joint resolution No. 1

The joint resolution was read first and second time by title.

On motion of Senator Smith of Mitchell, joint resolution No. 4,

recommending changes as to additional employes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The joint resolution was read for information.

Senator Smith of Mitchell moved that the rule be suspended, and that the joint resolution be considered engrossed and the reading just had be its third reading, which motion prevailed.

On the question, Shall the joint resolution pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brooks, Classen, Craig, Crawford, Crossley, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Junkin, Lewis, Lister, Lyons, Mardis, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Bachman, Blanchard, Brighton, Courtright, Dowell, Healy, Hogue, Hubbard, Lambert, Maytag, Smith of Des Moines, Townsend, Trewin—13.

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

Senator Junkin moved that the Senate do now adjourn until Friday morning at 10 o'clock A. M.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, January 31, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Emil Mueller of Ackley, Iowa.

On request of Senator Griswold, leave of absence was granted Senator Whipple until Monday.

On request of Senator Lister, leave of absence was granted Senator Arthaud until Monday.

On request of Senator Tallman, leave of absence was granted Senator Smith of Des Moines until Tuesday.

On request of Senator Wilson, leave of absence was granted Senator Bishop until Tuesday.

On request of Senator Wilson, leave of absence was granted Senator Lyons until Tuesday.

On request of Senator Young of Washington, leave of absence was granted Senator Winne until Monday.

On request of Senator Griswold, leave of absence was granted Senator Alexander until Monday.

On request of Senator Courtright, leave of absence was granted Senator Crawford until Monday.

PETITIONS AND MEMORIALS.

Senator Brooks presented petition of citizens of Sigourney, asking for the limiting of saloon consent.

Petition was read and referred to committee on Suppression of Intemperance.

Senator Classen presented petition of anti-saloon league of

Pocahontas county, asking legislation limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Tallman presented petition of members of W. C. T. U. of Woodburn, Iowa, petitioning for pardon of a life sentence convict at Fort Madison, which was read and referred to committee on Pardons.

INTRODUCTION OF BILLS.

By Senator Harper, joint resolution No. 5.

JOINT RESOLUTION NO. 5.

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

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

That the following amendment to the constitution of the state of Iowa 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 31st, 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 biennially there after.

Resolved further, That the foregoing proposed amendment to the constitution of the state of Iowa be and the same is hereby referred to the legislature, to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election as provided by law.

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

By Senator Young of Lee, Senate file No. 107, a bill for an act making appropriations for the penitentiary at Fort Madison.

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

By Senator Young of Lee, Senate file No. 108, a bill for an act to amend section fifty-seven hundred and sixteen of the code, in relation to the compensation of officers of and employes of the penitentiaries of the state.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Allyn, Senate file No. 109, a bill for an act to amend section forty-seven hundred and sixty-five of the code, relating to the punishment of kidnapping for ransom.

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

By Senator Harper, Senate file No. 110, a bill for an act to amend section thirteen hundred and four, article seven of the code of eighteen hundred and seventy nine, of the state of Iowa, pertaining to the exemption of homesteads of Union soldiers and sailors.

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

By Senator Howell, Senate file No. 112, a bill for an act to amend section 5256 of the code, relating to the compensation of clerks of grand juries.

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

By Senator Ball, Senate file No. 113, a bill for an act relating to bonds given by contractors for erection and construction of public buildings and public improvements.

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

By Senator Emmert, Senate file No. 114, a bill for an act to amend section three hundred and eight of the code, in relation to the time of payment of compensation of county attorneys.

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

Senator Crossley presented the following resolution, on request of Senator Hubbard in his absence, and moved its adoption:

CONCURRENT RESOLUTION.

Be it resolved, By the Senate, the House concurring:

WHEREAS, Under technical definitions of conspiracy, citizens have been restrained in their rights of peaceable assemblage and association, and subjected to punishment for acts not in themselves criminal; therefore, be it

Resolved, That our senators and representatives in congress be requested to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

Senator Lewis moved that the concurrent resolution be referred to the committee on Federal Relations.

A roll call was demanded.

On the question, Shall the concurrent resolution be referred to the committee on Federal Relations?

The yeas were:

Senators Allyn, Brighton, Brooks, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hayward, Hazelton, Hobart, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Tallman, Young of Washington—28.

The nays were:

Senators Ball, Crossley, Emmert, Lambert, Porter, Townsend, Young of Lee—7.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Bishop, Blanchard, Crawford, Healy, Hogue, Hubbard, Lyons, Smith of Des Moines, Trewin, Whipple, Wilson, Winne—15.

So the concurrent resolution was referred to the committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Harriman, Senate file No. 111, a bill for an act making an appropriation to print additional railway maps.

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.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the railroad commissioners are hereby instructed to procure thirty thousand (30,000) copies of the railroad commissioners' official map of Iowa, five thousand (5,000) of said maps to be printed on heavy paper, mounted and with tape sides; twenty-five thousand (25,000) of said maps to be folded and enclosed in suitable envelopes. One hundred (100) copies in envelopes and ten (10) 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 railroad commissioners.

SEC. 2. There is hereby appropriated, out of any moneys not otherwise appropriated, the sum of two thousand and five hundred dollars (\$2,500), or so much thereof as shall be necessary for the purpose herein stated.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Read first and second time.

On motion of Senator Harriman, Senate file No. 111 was read for information.

Senator Harriman moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Brighton, Brooks, Classen, Courtright, Crossley, Dowell, Emmert, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Tallman, Townsend, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Ball, Bishop, Blanchard, Craig, Crawford, Garst, Healy, Hogue, Hubbard, Lyons, Porter, Smith of Des Moines, Trewin, Whipple, Wilson, Winne—19.

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

The Journal of Wednesday was taken up, corrected and approved.

Senator Junkin moved that the Senate do now adjourn until Monday at 10 o'clock A. M.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, February 8, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Charles Lee Reynolds of Des Moines, Iowa.

Senator Lewis submitted the following report of the committee on Rules.

REPORTS OF COMMITTEES.

Senator Lewis, from the committee on Rules, submitted the following report:

MR. PRESIDENT—Your committee on Rules, to whom was referred a resolution in relation to copies of bills and joint resolutions accompanying the same on their introduction, has had the resolution under consideration and has instructed me to report thereon, and recommend that, in accordance with the tenor of said resolution, the rules of the Senate be amended by adding to rule 25 the following:

Each bill and proposed joint resolution, when introduced, shall be accompanied by a copy thereof, which shall be delivered, instead of the original bill, to the state printer, by the secretary of the Senate.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

Senator Lewis, from the committee on Rules, submitted the following report:

MR. PRESIDENT—Your committee on Rules instructs me to ask leave to offer the following resolution for the consideration of the Senate:

Resolved, That until otherwise ordered the sessions of the Senate shall be from 10 A. M. until 12 M. on every day except Sabbath days.

L. W. LEWIS,
Chairman.

Ordered passed of file.

Also:

Senator Lewis, from the committee on Rules, submitted the following report:

MR. PRESIDENT—Your committee on Rules instructs me to ask leave to offer the following for the consideration of the Senate:

Resolved, By the Senate, the House of Representatives concurring: That 300 copies of the calendar of each house of the general assembly be printed as the same shall be ordered, from time to time, by the Secretary of the Senate and the Clerk of the House of Representatives respectively, and that a copy of each such calendar, when so printed, shall be promptly laid upon the desk of every member of the general assembly.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 50, a bill for an act to amend section one thousand three hundred eleven (1311) of the code, relative to the listing of property for assessment and taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Ways and Means.

WARREN GARST,
Chairman.

Adopted.

Also:

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars or so much thereof as may be necessary to pay the additional employes of the general assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT — Your committee on Appropriations, to whom was referred Senate file No. 52, a bill for an act to amend section one (1), of chapter one hundred and forty-one (141) of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Compensation of Public Officers.

WARREN GARST,
Chairman.

Adopted.

PETITIONS AND MEMORIALS.

Senator Crossley presented petition of citizens of Adair county, asking for the repeal of the tax ferret law.

Read and referred to committee on Judiciary.

Senator Hayward presented petition of citizens of Davenport, asking for legislation putting foreign fire insurance companies on the same basis under the law as American companies outside of Iowa.

Read and referred to committee on Ways and Means.

Senator Lewis presented petition of citizens of Fremont county asking for the limiting of saloon consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 115, a bill for an act to amend section thirteen hundred and thirty-three of the code, relating to the assessment of taxes upon foreign insurance companies.

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

By Senator Arthaud, Senate file No. 116, a bill for an act to repeal sections twenty hundred and eighty-four, twenty hundred and eighty-five, twenty hundred and eighty-six, twenty hundred

and eighty seven, twenty hundred and eighty-eight, twenty hundred and eighty-nine, twenty hundred and ninety, twenty hundred and ninety-one of the code of Iowa, relating to taxes in aid of railroads.

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

By unanimous consent, Senator Lewis called up report of committee on Rules relative to furnishing to the Secretary of the Senate, by the author of bills, a copy of such bill or joint resolution for use of state printer instead of original bill.

On motion of Senator Lewis, the report of the committee and amendment was adopted.

By unanimous consent, Senator Lewis called up resolution recommended by committee on Rules relative to holding sessions of the Senate from 10 A. M. until 12 M. on every day except Sabbath days.

On motion of Senator Lewis, the report of the committee and resolution was adopted.

By unanimous consent, Senator Lewis called up the report of the committee on Rules relative to printing of 300 copies of the calendar of each house of the general assembly and the distribution thereof.

On motion of Senator Lewis, the report of the committee and resolution was adopted.

Senator Fitchpatrick moved that the Senate do now adjourn.

Carried.

The Senate stood adjourned until 10 A. M. tomorrow.

SENATE CHAMBER,
DES MOINES, Tuesday, February 4, 1902. }

Senate met in regular session at 10 o'clock, A. M., President Herriott presiding.

Prayer was offered by Rev. L. E. Follansee of Winterset, Iowa.

On request of Senator Fitchpatrick, leave of absence was granted Senator Young of Lee until Thursday.

On motion of Senator Smith, the committees on the Bruce-Emmert and Nolan-Crawford contested election cases were excused for the day.

PETITIONS AND MEMORIALS.

Senator Dowell presented petition of citizens of city of Des Moines, asking that the discrimination tax against branches of foreign fire insurance companies be removed.

Referred to committee on Ways and Means.

Senator Griswold presented petition of citizens of Winthrop and others, asking for the limiting of the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Hogue presented petition of citizens of Mapleton, Iowa, asking for the limiting of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Healy presented petition of Lodge No 29, I. O. O. F., of Rockwell City, protesting against the use of the state capitol building for anything but public purposes.

Referred to committee on Public Buildings.

Senator Molsberry, presented petition of Trades and Labor Assembly of Muscatine, also Typographical Union No. 257, Muscatine, asking legislation favorable to the introduction of free text-books.

Referred to committee on Schools.

Senator Blanchard presented petition of Mothers' Club of Fifth ward, Oskaloosa, Iowa, favoring a bill for compulsory education.

Referred to committee on Educational Institutions.

Senator Lewis presented petition of citizens of Page county, asking change in fish laws.

Referred to committee on Fish and Game.

Senator Smith of Des Moines, presented petition of Cigar-makers Union No. 72, of Burlington, Iowa; also, Labor's Protective Union No. 9145, of Burlington, Iowa, asking favorable legislation on free text-books question.

Referred to committee on Schools.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 26, a bill for an act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 18, a bill for an act to amend section twenty-four hundred and eighty-two of the code, relating to mines and mining.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the poor, and legalizing the tax so levied.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to concurrent resolution relative to distribution of session laws of the Eighth to Fourteenth General Assemblies, inclusive.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Hubbard, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stock, bonds or securities of railroads in other states.

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

By Senator Garst, Senate file No. 118, a bill for an act to repeal section 1765, chapter 5 of the code, and enact a substitute therefor.

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

By Senator Garst, Senate file No. 119, a bill for an act to amend section 1759, chapter 5 of the code.

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

By Senator Blanchard, Senate file No. 120, a bill for an act to provide for the collection, arrangement and display of the products of the state of Iowa at the Louisiana Purchase Exposition of 1903, and to make an appropriation therefor.

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

By Senator Blanchard, Senate file No. 121, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park, to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

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

By Senator Alexander, Senate file No. 122, a bill for an act to amend section 2, of chapter 67 of the laws of the Twenty-eighth General Assembly, relative to savings banks.

Read first and second time and referred to committee on Banks

By Senator Alexander, Senate file No. 123, a bill for an act to amend section 1305 of the code, relating to the assessment of property for taxes and the valuation thereof by making the said section applicable to cities acting under special charters, that now have a population of over 25,000 and under 30,000, according to the United States census of 1900.

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

By Senator Courtright, Senate file No. 124, a bill for an act authorizing and providing for the organization of mutual plate glass insurance companies.

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

By Senator Courtright, Senate file No. 125, a bill for an act to amend section 355, chapter 12, title 3 of the code, providing form of bond to be given under the requirements of this section.

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

By Senator Courtright, Senate file No. 126, a bill for an act to amend section 212 of the code, relating to the salary of assistant attorney-general.

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

By Senator Courtright, Senate file No. 127, a bill for an act to amend chapter 17, title 12 of the code of 1897, requiring the secretary of the state board of medical examiners to give an official bond, and for other purposes.

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

By Senator Courtright, Senate file No. 128, a bill for an act to amend section 2564, chapter 16, title 12 of the code of 1897, as amended by chapter 88 of the laws of the Twenty-eighth General Assembly, in relation to public health districts.

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

By Senator Junkin, Senate file No. 129, a bill for an act relating to notice and proof of personal property insured.

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

By Senator Hayward, Senate file No. 130, 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 Charitable Institutions.

HOUSE MESSAGES CONSIDERED.

House file No. 26, a bill for an act to legalize and confirm the official acts of Geo. C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

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

House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

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

House file No. 13, a bill for an act to amend section 2482 of the code, relating to mines and mining.

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

House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

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

Amendments to concurrent resolution, relative to distribution of session laws of the Eighth to Fourteenth General Assemblies, inclusive.

Placed on file.

On request of Senator Blanchard, consideration of Senate file No. 46 was postponed until Friday, February 7th, at 10:30 o'clock A. M., and made a special order for that time.

REPORTS OF COMMITTEE.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 66, a bill for an act to repeal section twenty-seven hundred and eighteen of the code, and chapter eighty-two, laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Appropriations.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 28, a bill for an act to amend section 104 of the code, relating to the payment of interest on warrants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be adopted as a substitute therefor:

SUBSTITUTE FOR SENATE FILE NO. 28.

A bill for an act to amend section 488 of the code, relating to the payment of interest on county warrants.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That section 488 of the code, be amended as follows:

Strike out the word "six" in the fifth line of said section and insert in lieu thereof the word "five," and that said substitute do pass.

THOS. D. HEALY,
Chairman.

The substitute was read first and second time by its title.

Ordered passed on file and printed in Journal.

On motion of Senator Smith of Mitchell, Senate file No. 100 was taken up for consideration.

THIRD READING OF BILLS.

On motion of Senator Smith of Mitchell, Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars, or so much thereof as may be necessary to pay the additional employes of the general assembly, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell 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:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Hartshorn, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Wilson, Winne, Young, of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Bachman, Brighton, Craig, Crawford, Emmert, Harper, Harriman, Hazelton, Lyons, Moffit, Porter, Spaulding, Trewin, Young of Lee—14.

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

By unanimous consent, Senator Courtright called up Senate file No. 12.

On motion of Senator Courtright, Senate file No. 12, a bill for an act to amend section 5052 of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Courtright 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:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Townsend, Whipple, Wilson, Winne, Young of Washington—34.

The nays were:

Senators Garst, Tallman—2.

Absent or not voting:

Senators Bachman, Brighton, Craig, Crawford, Dowell, Emmert, Harper, Harriman, Lyons, Moffit, Porter, Spaulding, Trewin, Young of Lee—14.

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

On motion of Senator Blanchard, Senate file No. 28, a bill for an act to amend section 104 of the code, relating to the payment of interest on warrants, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

On motion of Senator Blanchard, the substitute was adopted.

The bill was read for information.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Ball, Bishop, Blanchard, Court-right, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Wilson, Winne, Young of Washington—35.

The nays were:

Senators Arthaud, Brooks—2.

Absent or not voting:

Senators Bachman, Brighton, Classen, Craig, Crawford, Emmert, Harper, Lyons, Moffit, Porter, Spaulding, Trewin, Young of Lee—13.

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

On motion of Senator Lister, Senate file No. 6, a bill for an act to amend section 4074 of the code, relating to proceedings auxiliary to execution, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lister moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Courtright, Crossley, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Wilson, Winne, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Bachman, Brighton, Classen, Craig, Crawford, Emmert, Garst, Harper, Lyons, Moffit, Porter, Spaulding, Trewin, Young of Lee—14.

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

On request of Senator Lewis, by unanimous consent, 200 additional copies of Senate file No. 76 were ordered printed.

By unanimous consent, on request of Senator Courtright, Senate file No. 40 was re-referred from the committee on Corporations to the committee on Ways and Means.

By unanimous consent, on request of Senator Crossley, 500 copies of Senate file No. 2 were ordered printed and distributed among the Senate.

The Journal of Friday was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

Senator Harriman moved that the Senate do now adjourn until 1:45 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 1:45 P. M., President Herriott presiding.

By unanimous consent, Senator Harriman withdrew concurrent resolution relating to purchasing a chair and gavel for the Governor, President of the Senate and Speaker of the House, offered by him January 27th, and offered the following joint resolution in lieu thereof.

JOINT RESOLUTION NO. 6.

For the appointment of a joint committee to purchase a chair for the Governor, President of the Senate, and Speaker of the House.

Be it resolved by the General Assembly of the State of Iowa, That a joint committee of the Senate and House be appointed and hereby authorized to purchase a suitable chair for the Governor and a suitable chair and gavel for the President of the Senate and the Speaker of the House.

The joint resolution was read first and second time by title.

On motion of Senator Harriman, joint resolution No. 6, for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate and Speaker of the House, was taken up and considered.

The joint resolution was read for information.

Senator Harriman moved that the rule be suspended, and that the joint resolution be considered engrossed, and the reading just had be its third reading, which motion prevailed.

On the question, Shall the joint resolution pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bishop, Blanchard Brooks, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Smith of Des Moines, Townsend, Whipple Wilson, Winne—33.

The nays were:

None.

Absent or not voting:

Senators Bachman, Ball, Brighton, Dowell, Emmert, Harper, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Young of Lee, Young of Washington—17.

So the joint resolution having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

By unanimous consent, on request of Senator Courtright, Senate file No. 27 was withdrawn from the Senate files for the purpose of correction.

On motion of Senator Healy, the Senate took a recess until 2:55 o'clock, for the purpose of getting the committee to work.

The Senate resumed its session.

A committee from the House announced that the House was now ready to meet the Senate in joint convention.

The Senate formed in procession and proceeded to the House to meet in joint convention.

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 Tuesday, February 4, 1902. }

The joint convention was called to order by Lieutenant-Governor Herriott, President of the Senate and President of the joint convention.

The roll was then called to ascertain if there be a quorum present, with the following result:

Those present were:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Cowles, Craig, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Eaton, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Garst, Graff, Greeley, Greene, Griswold, Hamann, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Healy, Hertert, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Jenks, Jones, Junkin, Kendall, Kerr, Kling, Kolthoff, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClurkin, McNie, Mardis, Marshall, Mattes, Maytag, Molsberry, Moore, Mordhorst, Nichols, Patten, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Townsend of Calhoun, Utterback, Walden, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Winne, Wise, Wright, Young of Washington—121.

Those absent or not answering were:

Messrs. Bachman, Ball, Bishop, Brighton, Courtright, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Gilchrist, Harper, Harriman, Hilsinger, Hurn Jaeger, Keagy, Koontz, Lyons, McClure, Meservey, Nagle, Smith of Mitchell, Townsend of Monroe, Trewin, Walters, Wilson of Clinton, Young of Lee.—29.

There being a quorum present, President Herriott declared the joint convention duly organized.

President Herriott announced the purpose of the joint convention to be the election of four regents of the State University for

full term, and one to fill vacancy caused by the death of M. A. Higley; two trustees for the State Normal School for full term and one to fill vacancy caused by the resignation of P. D. Rose; and three trustees of the College of Agriculture and Mechanic Arts for full term.

President Herriott announced as teller on the part of the Senate, Senator Hobart of Cherokee.

Speaker Eaton announced as teller on the part of the House, Representative Carden of Henry.

Wise of Black Hawk offered the following resolution:

Resolved, By the Senate and House of Representatives of the State of Iowa, in joint convention assembled:

That the following named persons are hereby elected regents and trustees of the following state educational institutions:

REGENTS OF THE STATE UNIVERSITY.

C. E. Pickett, six years, Third congressional district.
 Alonzo Abernethy, six years, Fourth congressional district.
 Joseph H. Allen, six years, Tenth congressional district.
 P. K. Holbrook, six years, Eleventh congressional district.
 Thomas B. Hanley, two years, Fifth congressional district, to fill unexpired term of M. A. Higley, deceased.

TRUSTEES OF THE STATE NORMAL SCHOOL.

C. H. McNider, six years, Cerro Gordo county.
 W. A. McIntire, six years, Wapello county.
 B. F. Osborn, two years, Greene county, to fill unexpired term of P. D. Rose, resigned.

TRUSTEES OF THE IOWA STATE COLLEGE OF AGRICULTURE AND
 MECHANIC ARTS.

E. A. Alexander, six years, Third congressional district.
 W. O. McElroy, six years, Sixth congressional district.
 James H. Wilson, six years, Ninth congressional district.

Mr. Wise moved the adoption of the resolution.

On the question, Shall the resolution be adopted?

Those voting aye were:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Cowles, Craig, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Eaton, Edwards, Eiker, English, Fields, Flenni-

ken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Griswold, Hamann, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Healy, Hertert, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Junkin, Kendall, Kerr, Kling, Kolthoff, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClurkin, McNie, Mardis, Marshall, Mattes, Maytag, Molsberry, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Townsend of Calhoun, Utterback, Walden, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Winne, Wise, Wright, Young of Washington—121.

Those absent or not answering were:

Messrs. Bachman, Ball, Bishop, Brighton, Courtright, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Gilchrist, Harper, Harriman, Hilsinger, Hurn, Keagy, Koontz, Lyons, McClure, Mcervy, Moffit, Nagle, Smith of Mitchell, Townsend of Monroe, Trewin, Walters, Wilson of Clinton, Young of Lee—29.

So the resolution was declared adopted, and the persons named therein were declared duly elected to the offices for which they were named for the time specified.

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

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two Houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, C. E. Pickett, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of February, A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

WILLARD L. EATON,

Speaker of the House of Representatives.

A. C. HOBART,
Teller on the part of the Senate.

WILLIAM CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D., 1902, for the purpose of electing the officers of the various state institutions, Alonzo Abernethy, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of February, A. D., 1902.

JOHN HERRIOTT,
President of the Senate.

WILLARD L. EATON,

Speaker of the House of Representatives.

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, Joseph H. Allen, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of February, A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

WILLARD L. EATON,

Speaker of the House of Representatives.

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, 1902, for the purpose of electing the officers of the various state institutions, P. K. Holbrook, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,
A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, Thomas B. Hanley, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University to fill the unexpired term of M. A. Higley, deceased.

Signed in the presence of the joint convention this 4th day of February
A. D., 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, O. H. McNider, having received a majority of all the votes cast for said office, was declared duly elected as trustee of State Normal School for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,
A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, W. A. McIntire, having received a majority of all the votes cast for said office, was declared duly elected as trustee of State Normal School, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February, A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, 1902, for the purpose of electing the officers of the various state institutions, B. F. Osborn, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the State Normal school to fill the unexpired term of P. D. Rose, resigned.

Signed in the presence of the joint convention this 4th day of February, A. D. 1900

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, E. A. Alexander, having received a majority of all the votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified

Signed in the presence of the joint convention this 4th day of February,
A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, W. O. McElroy, having received a majority of all the votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,
A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election of the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, James H. Wilson, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the College of Agriculture and Mechanic Arts for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,
A. D. 1902.

JOHN HERRIOTT,
President of the Senate.

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

A. C. HOBART,
Teller on the part of the Senate.

WM. CARDEN,
Teller on the part of the House.

Journal of the joint convention was read and approved.

On motion of Senator Tallman of Clarke, the joint convention was dissolved.

Senate returned from joint convention.

Senator Crossley filed a reply in the matter of James E. Bruce, contestant, vs. J. M. Emmert, incumbent, which was ordered printed in the Journal.

Following is the reply of contestant James E. Bruce:

Before the honorable the state Senate of the state of Iowa. Regular session of the Twenty-ninth General Assembly of Iowa.

JAMES E. BRUCE, <i>Contestant,</i>	} Reply of contestant.
vs.	
J. M. EMMERT, <i>Incumbent.</i>	

Comes now James E. Bruce, contestant in the above entitled matter, and for reply to the answer and especially the affirmative statements and allegations of the new matter therein contained, states:

First.—He denies each and every allegation contained in said answer that is contradictory of or contrary to the allegations and statements contained in contestant's original statement and declaration of contest except such as are hereinafter specifically admitted or otherwise pleaded.

Second.—He specifically and expressly denies each and every allegation of the said incumbent contained and set out in the eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fifth, twenty-sixth, twenty-seventh, twenty-ninth, thirtieth and thirty-first paragraphs of the said answer of incumbent.

Third.—As to the allegations and statements contained in the twenty-fourth paragraph of the answer of said incumbent, contestant states and avers the facts to be that he believes that the return made by the judges of election of and from said township was substantially correct, and as to whether or not they made an error in returning a larger number of votes than contestant received, your contestant alleges the facts to be that he has neither knowledge nor information sufficient to form a belief as to the truth or falsity of such statement, and therefor denies the same and alleges and avers the facts to be that he received a large number of votes in said township that were cast for him and which were not properly counted and returned by the said judges of election as required by law.

Fourth.—That as to the allegations made in the twenty-eighth paragraph of the said answer of incumbent, contestant states that he has neither knowledge or information sufficient to form a belief as to the truth or falsity of the same, and he therefore denies the same, but alleges the facts to be that if votes and ballots were cast and marked as stated in said paragraph, then the same ought not to have been counted for the said incumbent, and he was not legally entitled to the same.

WHEREFORE, The contestant asks and prays for the relief as in his original statement and declaration of contest sought, and asks that he be declared elected as the senator from the Eighteenth Iowa senatorial district, and for such other, further and additional orders and relief as to this honorable Senate may seem just, right and equitable in the premises.

JAMES E. BRUCE,
Contestant.

STATE OF IOWA, }
Cass County. } ss.

I, James E. Bruce, being first duly sworn, upon my oath do depose and say that I am the contestant named in the above and foregoing reply, that I have read over the same, and know the contents thereof, and that the statements and allegations therein contained are true and correct as I verily believe.

JAMES E. BRUCE.

Subscribed in my presence and sworn to before me by the above named James E. Bruce, this 8d day of February, A. D. 1902.

ED. M. BLAKESLEY,
Notary Public in and for Cass County

Senator Healy moved that the Senate do now adjourn

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, February 5, 1902. }

Senate met in regular session at 10 o'clock A. M., President *pro tem* Harriman presiding.

Prayer was offered by Rev. J. P. McKnight of Oskaloosa, Iowa.

PETITIONS AND MEMORIALS.

Senator Harper presented petition of Carpenters' and Joiners' Union No. 767 of Ottumwa, Iowa, asking for legislation in favor of free text-books.

Was read and referred to committee on Schools.

Senator Lewis presented petition of W. G. Kinsey of Page county, praying for the enactment of a law in favor of giving soldiers and sailors of the war of the rebellion preference over other applicants for position.

Was read and referred to committee on Military.

INTRODUCTION OF BILLS.

By Senator Hubbard, by request, Senate file No. 131, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

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

By Senator Hubbard, Senate file No. 132, a bill for an act to amend section twenty-five hundred and forty-seven of the code of eighteen hundred and ninety-seven, and to prohibit the taking of fish from certain waters of the state except with hook and line.

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

By Senator Crossley, Senate file No. 133, a bill for an act relating to the granting of state certificates and life diplomas to teach upon the diplomas issued by certain institutions when professional pedagogical preparation shall have been included in the course of study leading thereto.

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

By Senator Garst, Senate file No. 134, a bill for an act appropriating money to pay express, freight and cartage.

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

By Senator Smith of Mitchell, Senate file No. 135, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports.

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

By Senator Mardis, Senate file No. 136, a bill for an act to amend section two hundred and twenty-seven of the code and to provide an additional judge for the Third judicial district.

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

By Senator Molsberry, Senate file No. 137, a bill for an act to provide for the punishment of persons who advise or counsel the commission of homicide, additional to title twenty-four, chapter two of the code.

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

By Senator Molsberry, Senate file No. 138, a bill for an act to amend section sixteen hundred and eleven, title nine, chapter twelve of the code, relating to the authorized indebtedness of certain corporations.

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

By Senator Emmert, Senate file No. 139, a bill for an act to amend section twenty-five hundred and seventy-one of the code, relating as to time of meetings for local boards of health.

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

By Senator Tallman, Senate file No. 140, a bill for an act to require railroad companies operating passenger trains in the state of Iowa to keep posted in their stations bulletins or time cards giving the time of departure of trains.

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

By Senator Whipple, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

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

By Senator Hayward, Senate file No. 142, a bill for an act to amend section 495 of the code, relating to compensation of county recorders.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Hayward, Senate file No. 143, a bill for an act to amend section 498 of the code, relating to fees for county recorders.

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

By Senator Porter, Senate file No. 144, a bill for an act to provide for and regulate the rights at railroad crossings of telegraph and telephone companies constructed along the public highway.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars, or so much thereof as may be necessary to pay the additional employes of the general assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 111, a bill for an act to make an appropriation for the purchase of thirty thousand railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars or so much thereof as may be necessary to pay the additional employes of the general assembly.

Passed on file.

Senate file No. 111, a bill for an act to make an appropriation for the purchase of thirty thousand railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.

Passed on file.

House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

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

REPORTS OF COMMITTEES.

Senator Geo. S. Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 44, a bill for an act to amend sections 118 and 119 of the code, defining the duties of the state printer and binder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Also:

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 68, a bill for an act to amend section thirty-three hundred and forty-six of the code, relative to claims of executors or administrators, or in which they may be interested, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof:

SUBSTITUTE FOR SENATE FILE NO. 68.

A bill for an act to amend section three thousand three hundred and forty-six (3346) of the code, relating to claims of executors or administrators, or in which they may be interested.

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

SECTION 1. That section three thousand, three hundred and forty-six (3346) of the code be amended by adding at the end thereof the following:

“And no such claim shall be allowed until an original notice has been served in the manner and for the time required for the service of an original notice in ordinary actions upon the surviving spouse and on all the heirs, devisees or legatees of the decedent’s estate, which notice shall set forth the character of such claim, the items composing the same, and the term of court and time at which the same will be presented for allowance, but this shall not be applicable to claims incurred in administration of estate. The surviving spouse or any heir, devisee or legatee interested in said claim, or in resisting the same, can defend with the same rights granted to defendants in ordinary actions.”

And that said substitute do pass.

THOS. D. HEALY,
Chairman.

The substitute was read first and second time.

Ordered passed on file.

Also:

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 69, a bill for an act to amend section 3172 of the code, relating to the filing of petitions for divorces, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof:

SUBSTITUTE FOR SENATE FILE NO. 69.

A bill for an act to amend section three thousand one hundred and seventy-two (3172) of the code, relating to the filing of petitions for divorce.

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

Section 1. That section three thousand, one hundred and seventy-two (3172) of the code be amended by adding at the end thereof the following:

No divorce shall be granted unless it be proven on the hearing that the petition has been on file for at least ten (10) days before the first day of the term of court at which the hearing is had, and that the said petition remained on file in the office of the clerk of the district court during said time.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Des Moines Leader and Iowa State Register, newspapers published at Des Moines, Iowa.

And that the said substitute do pass,

THOS. D. HEALY,
Chairman.

The substitute was read first and second time.

Ordered passed on file.

Also:

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 85, a bill for an act to provide for the collection of certain claims of the state of Iowa against the United States, for costs, charges and expenses properly incurred by the state in aiding the United States to suppress the insurrection of 1861, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof:

SUBSTITUTE FOR SENATE FILE NO. 85.

A bill for an act to provide for the collection of certain claims of the state of Iowa against the United States, for costs, charges and expenses, properly incurred by the state, in aiding the United States to suppress the insurrection of 1861.

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

SECTION 1. That the Governor of the state be, and he is hereby directed to prosecute to a final determination the claim of the state of Iowa against the United States for costs, charges and expenses, properly incurred by the state, in enrolling, arming, equipping, subsisting and transporting the troops of the state, to be and which were employed in aiding the United States to suppress the rebellion of 1861-5, as provided for by the act of congress of July 27, 1861, entitled, "An act to indemnify the states for expenses incurred by them in defense of the United States," as defined and construed by resolution of congress of March 8, 1863; and to this end J. S. Lothrop, of Woodbury county, Iowa, is hereby appointed and employed as the agent and attorney of the state to prosecute said claims in the proper departments of the national government and in the court of claims, as the case may be; and the Governor is hereby authorized to also employ the services of the attorney-general of the state in said matters, under the provisions of chapter three, title three of the code.

SEC. 2. All sums collected upon said claims shall be paid into the general revenue fund of the state, and as compensation for his services in collecting the same, the said J. S. Lothrop shall receive a sum equal to twenty-five percentum upon the amount collected up to the sum of one hundred thousand dollars thereof, and a further sum equal to five percentum upon all in excess of one hundred thousand dollars, to be paid from the moneys actually collected upon said claims and paid into the treasury of the state, and such sum as may be necessary to pay such compensation to the said J. S. Lothrop for his said services is hereby appropriated out of any money so collected and paid into the state treasury, and to be paid to him upon a warrant drawn by the auditor therefor, provided the state shall in no case pay, or be liable for any costs or expenses that may be incurred by the said J. S. Lothrop in the prosecution of said claims. In the event that no collection is made on said claims, said Lothrop shall be entitled to no compensation whatever.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

And that the substitute do pass.

THOS. D. HEALY,
Chairman.

The substitute was read first and second time by title.

Ordered passed on file.

Also:

Senator Garst, from the committee on Appropriations, submitted the following report:

Mr. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

By unanimous consent, on motion of Senator Garst, Senate file No. 49 was taken up and considered.

BILL ON THIRD READING.

On motion of Senator Garst, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rules be suspended, and that the bill be considered engrossed and its reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Bachman, Crawford, Hayward, Hazelton, Lyons, Young of Lee—6.

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

The Journal of yesterday was taken up, corrected and approved.

Senator Emmert offered the following resolution and moved that it be adopted:

Resolved, That a committee of three be appointed to consider the imperfect ventilation of the Senate chamber and the Senate committee rooms.

Adopted.

Senator Crawford moved that Judge Powers of Dubuque, state Senator from Black Hawk county thirty-six years ago, be invited to the President's desk.

Carried.

The President appointed Senator Crawford to escort Judge Powers to the desk.

Judge Powers was introduced to the Senate and made a brief address thanking the Senate for the courtesy extended.

The President appointed as the committee provided for under the resolution offered by Senator Emmert this morning, Senators Emmert, Hogue and Crossley.

On motion of Senator Arthaud, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, February 6, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. L. A. Crull of Danville, Iowa.

On request of Senator Lyons, leave of absence was granted Senator Emmert indefinitely.

INTRODUCTION OF BILLS.

By Senator Hopkins, Senate file No. 145, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fireproof building for live stock exhibits.

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

By Senator Hopkins, Senate file No. 146, a bill for an act to amend section 106 of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

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

By the inauguration committee, Senate file No. 147, a bill for an act to appropriate money to defray the expenses of the inauguration ceremonies.

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

By Senator Hayward, Senate file No. 148, a bill for an act to amend section 2768 of the code, in relation to the interest on school orders.

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

By Senator Harriman, Senate file No. 149, 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 referred to committee to Agriculture.

By Senator Smith of Des Moines, Senate file No. 150, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc.

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

By Senator Emmert, Senate file No. 151, a bill for an act to amend section twenty-five hundred and eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery.

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

By Senator Young of Washington, Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout mountain and Missionary ridge, the battles of Chattanooga.

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

By Senator Fitchpatrick, Senate file No. 153, a bill for an act to repeal chapter ninety nine (99) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth mill for the erection, repair, improvement and equipment of buildings for Iowa State College of Agriculture and Mechanic Arts.

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

By Senator Arthaud, Senate file No. 154, a bill for an act to amend section forty hundred and eleven (4011), chapter three (3), title nineteen (19) of the code of 1897, relating to personal earnings.

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

By Senator Courtright, Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption who die intestate without issue.

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

By Senator Courtright, Senate file No. 156, a bill for an act to amend section thirty-two hundred and fifty-three (3253), chapter eight (8), title sixteen (16) of the code, relating to the rights, duties and relations between parent and child by adoption.

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

BY SENATOR BLANCHARD, FOR THE COMMITTEE ON JUDICIARY, SENATE FILE 157.

A bill for an act to validate certain conveyances of real estate in which the husband and wife conveyed the contingent dower interest of the other spouse.

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

Section 1. No conveyance heretofore made, wherein the husband or wife conveyed or contracted to convey the contingent dower interest of the other spouse, acting under a power of attorney from such spouse, shall be held invalid because the same contravenes the provisions of section thirty-one hundred and fifty-four (3154) of the code, and all such conveyances are hereby legalized and made effective.

Provided, That this act shall not affect titles where the dower interest has already vested prior to the taking effect of this act, and that this act shall not affect the rights of parties in any 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 Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Read first and second time by title and placed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly, or under section seven hundred and forty-two (742) of the code, and to legalize

a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to the memorializing the Iowa delegation in congress to further the passage of House Roll No. 8325.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution, relative to the memorializing the Iowa delegation in congress to further the passage of H. R. 8325.

Passed on file.

House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one of the acts of the Twenty-sixth General Assembly, or under section 742 of the code, and legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

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

An invitation was upon the President's table inviting the legislature to visit the city of Knoxville on the afternoon of the 15th day of February, 1902, which was read by the Secretary.

Senator Townsend moved that the invitation be accepted.

Senator Moffit moved as a substitute that the invitation be referred to the committee on Schools for their report.

The substitute was lost and the invitation was accepted.

President *pro tem* Harriman took the chair at 10:45 A. M.

On motion of Senator Blanchard, the Senate took up House concurrent resolution relative to the memorializing the Iowa delegation in congress to further the passage of House resolution 8325.

Senator Blanchard submitted the following report from the

committee on Judiciary, in the absence of Senator Healy, which recommended the following as a substitute:

REPORT OF COMMITTEE.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary beg leave to report that they have instructed me to report the following concurrent resolution to the Senate with the recommendation that the same do pass.

CONCURRENT RESOLUTION.

WHEREAS, The act of congress of September 28, 1850, granted to the state of Iowa and other states all the swamp lands situated within the several states, and

WHEREAS, It is claimed that the secretary of the interior failed to comply with the requirements of said law and proceeded thereafter to sell a great amount of land that was swamp and overflowed land, and under such sale the United States caused patent to issue for said lands, and

WHEREAS, There is now pending in the congress of the United States a bill entitled "A bill to finally adjust the swamp land grant and other purposes," and

WHEREAS, The several counties of the state of Iowa have claims filed with the secretary of the interior against the government of the United States for the purchase price of various tracts of swamp land sold and patented by the government of the United States, which claim could be fully adjusted under said bill; therefore, be it

Resolved, By the Senate the House concurring: That the United States senators and representatives from the state of Iowa are respectfully requested to give favorable consideration to said bill now pending before the house of representatives, being designated H. R. 8325. Be it further

Resolved, That the Governor of the state of Iowa is requested to cause a copy of this resolution to be furnished to the United States senators and representatives in congress from Iowa.

THOS. D. HEALY,
Chairman.

The concurrent resolution was read for information.

Ordered passed on file.

Senator Trewin moved that the report of the committee of the Senate and the Senate resolution and House resolution be referred to the committee on Federal Relations.

Carried.

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 21, a bill for an act making taxes levied on buildings as personal property a lien thereon, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass:

That the title be amended by inserting after the word "act," the words and figures "to amend section fourteen hundred (1400) of the code."

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 9, a bill for an act making taxes on property in the hands of receivers a preferred claim, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass: That the title be amended by inserting after the word "act" the words and figures "to amend section thirty-eight hundred and twenty-five (3825) of the code."

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Alexander, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate file No. 47, a bill for an act to authorize the appointment of state and savings banks and loan and trust companies organized under the laws of Iowa, executors, 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 Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman.

Ordered passed on file.

Also:

Senator Alexander, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate file No. 78, a bill for an act to amend section eighteen hundred and fifty (1850), chapter ten (10), title nine (9), paragraph four (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 Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman.

Ordered passed on file.

Senator Arthaud, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred concurrent resolution relative to appointing a commission to investigate the cause for explosions in mines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. ARTHAUD,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 18, a bill for an act to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Compensation of Public Officers.

JAMES J. CROSLLEY,
Chairman.

Adopted.

Also:

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervisory committee and making an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 18, a bill for an act to amend section forty-seven hundred and ninety (4790) of the code, in relation to the possession of burglars' tools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 19, a bill for an act to amend section four thousand eight hundred and forty-five of the code in relation to securing stolen goods, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 100, a

bill for an act to appropriate forty-five hundred dollars, or so much thereof as may be necessary, to pay the additional employes of the general assembly.

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

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars, or so much thereof as may be necessary to pay the additional employes of the general assembly.

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

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed of file.

Senator Classen, from the special committee appointed to draft resolutions on the death of Hon. P. M. Sutton, late of Marshall county, submitted the following report:

WHEREAS, Hon. Preston M. Sutton, late senator representing Marshall county in the Senate, in the Twentieth and Twenty-first General Assemblies of this state, departed this life November 19, 1901, and it being desirable and fitting that there be entered upon the records of this body a testimonial of its respect and consideration of our departed associate, we therefore unite in the following expression of our regard and esteem:

As a Senator, he was able, faithful and patriotic, and in the work allotted him he was diligent, energetic and patient. In his conduct and intercourse he was courteous, generous and tolerant.

He believed in the union of the states, and shouldered his musket to defend it. As a man and citizen he believed in the plain, common people. He was a teacher and was largely trained in our common schools. Believing that the education of the people the most effective way of perpetuating our institutions, and that the schoolhouse is the birthplace of American citizenship, his best thought and endeavors were given to the advancement of education.

In his death his family, friends and the community, have suffered a great loss. We share their sorrow and loss, and extend them our sympathy and compassion.

Resolved, That these resolutions be spread at length in the Journal of this Senate and an engrossed copy be furnished the family of the deceased by the Secretary of the Senate.

J. B. CLASSEN,
L. C. BLANCHARD,
CLAUDE R. PORTER,
Committee.

On motion of Senator Classen the resolution was adopted unanimously by a rising vote.

Senator Townsend moved that the remarks of Senator Classen be printed in full in the Journal.

Carried.

Senator Classen spoke as follows:

Hon. P. M. Sutton was a remarkable man in many respects. We find him teaching school at Normal, Illinois, at the age of sixteen years, and one year thereafter he had charge of a department in the Iowa Lutheran College at Albion, Marshall county, Iowa. At eighteen years of age he shouldered his musket and made a valued soldier for the union cause. When he returned from the war he located in Marshalltown, which has been his home ever since and up to the time of his death. When he gained his majority he was elected as a member of the school board and chosen president thereof immediately afterwards. At the age of twenty-eight he was elected clerk of courts of Marshall county, and while occupying this position he read law with one of the leading firms of the city. He held the office of clerk of the courts of Marshall county for four years, and was admitted to the bar upon his retirement from the office and at once became one of the leading criminal lawyers of the state. He was also elected city solicitor.

Mr. Sutton then aspired to higher honors and was elected to the state senate, which position he filled for four years and served on the leading committees of that body, and in his second session he distinguished himself by the great fight he made for the Iowa Soldiers' Home and its location. It was largely through his efforts that the Soldiers' Home was located at Marshalltown. We find him here as elsewhere, whatever he undertook he done with all his might and knew no such word as "fail." All this, Senator Sutton achieved without ever attending college or law school of any kind whatever. By his death Marshall county has lost one of its brightest men and the state of Iowa one of its best citizens.

President Herriott resumed the chair at 11:20 o'clock A. M.

THIRD READING OF BILLS.

On motion of Senator Trewin, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-

seventh, **Twenty-eighth** and **Twenty-ninth** General Assemblies, to annotate the **same** and the code and rules of the supreme court to and including the **May term, 1902**, of the supreme court, and to publish said **compilation** and annotations as a supplement to the code, and to **provide** for the appointment of a supervisory committee, and **making** an appropriation therefor, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—45.

The nays were.

None.

Absent or not voting:

Senators Bachman, Emmert, Harper, Healy, Young of Lee—5.

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

On motion of Senator Hubbard, Senate file No. 35, a bill for an act to provide for the collection of certain claims of the state of Iowa against the United States for costs, charges and expenses properly incurred by the state in aiding the United States to suppress the insurrection of 1861, with report of committee recommending a substitute was taken up and considered.

The bill was read for information.

On motion of Senator Garst, Senate file No. 35 was referred to the committee on Ways and Means.

On motion of Senator Townsend, the time for adjournment was extended ten minutes.

On motion of Senator Blanchard, concurrent resolution relative to appointing a commission to investigate explosions in coal mines, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The resolution was read for information.

On motion of Senator Blanchard, the Senate concurred in the resolution.

The President announced that he had signed in the presence of the Senate, Senate file No. 100 and joint resolution No. 1.

Senator Lister moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, February 7, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. S. R. Ferguson, of Parkersburg, Iowa.

On request of Senator Moffit, leave of absence was granted Senator Lambert until Tuesday morning.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate joint resolution No. 4, recommending changes as to additional employes.

C. R. BENEDICT,
Chief Clerk.

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

Senate joint resolution No. 6, joint resolution for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate and Speaker of House.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Harper presented petition of Modern Woodmen of America of Ottumwa, Iowa, asking for the enactment of a law in favor of the adoption of free text-books.

Was read and referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Crawford, Senate file No. 158, a bill for an act to establish the Eastern Iowa School for the Deaf, and to provide for the building and government of the same.

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

By Senator Allyn, Senate file No. 159, a bill for an act providing for the purchase of engravings or cuts for state publications, and fixing the manner of paying the cost of the same.

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

By Senator Hogue, Senate file No. 160, a bill for an act to amend section twenty-one hundred and sixteen of the code, relating to the duty of railway corporations to transport.

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

By committee on Appropriations, Senate file No. 161, a bill for an act to provide for the hospital for the insane, and for the transfer of patients on account of the opening of the hospital at Cherokee.

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

By Senator Townsend, Senate file No. 162, a bill for an act to repeal section twenty hundred and fifteen and twenty hundred and sixteen of the code, and to enact the following in lieu thereof as a substitute therefor.

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

Senator Allyn offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That the secretary of state be authorized and directed to have mounted with cloth and properly arranged in volumes of convenient size the photolithographic plats of all the congressional townships of the state which were furnished the state department by the commissioner of the general land office, and also that the secretary of state be further authorized and directed to have the volumes containing the original field notes of survey and records of conveyances

rebound, the covers of which are now badly worn from age and constant use.

On motion of Senator Brooks, the concurrent resolution was referred to the committee on Printing.

HOUSE MESSAGE CONSIDERED.

Senate joint resolution No. 6, joint resolution for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate and Speaker of the House.

THIRD READING OF BILLS.

Senator Harriman moved that the Senate concur in House amendments.

On the question, Shall the joint resolution pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Des Moines, Spaulding, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Bachman, Ball, Emmert, Garst, Harper, Hazelton, Healy, Lambert, Lyons, Molsberry, Porter, Smith of Des Moines Tallman—13.

So the joint resolution having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senate joint resolution No. 4 recommending changes as to additional employes.

Placed on file.

REPORTS OF COMMITTEES.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 8, a bill for an act to provide a water supply for military reservations of the United States in this state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking out of the fourth, fifth and sixth lines of section 1 thereof the words, "including the Des Moines Water Works Company now owning and operating such a plant in the city of Des Moines." Also by striking out of the eighth line of said section the words, "either of the boundaries of," and also by striking out the word "cities" in the fifteenth line of said section and inserting the word "city," and when so amended that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for the location of libraries and for additional library grounds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By inserting in the second line of section 1 thereof, between the words "been" and "established," the words "or may hereafter be," and when so amended that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 25, a bill for an act to amend section seven hundred and twenty-seven (727) of the code, relating to gifts and bequests for library purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Also:

Senator Alexander, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate file No. 122, a bill for an act to amend section 2 of chapter 67 of the laws of the Twenty-eighth General Assembly, relating to savings banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 19, a bill for an act to authorize the loaning of funds accumulating under chapter one of the acts of the Twenty-sixth General Assembly, or under section seven hundred and forty two of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works Company for a loan of such funds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars or so much thereof as may be necessary to pay the additional employes of the general assembly.

E. K. WINNE,
Chairman.

February 6, 1902.

The time having arrived, the Senate took up Senate file No. 46, which was made a special order for this time.

Senator Arthaud moved that the amendment offered by him, and printed in the Journal January 29th, be adopted.

Senator Crawford raised the point of order that the amendment offered by Senator Arthaud was not germane to the original bill.

The President sustained the point of order raised by Senator Crawford.

Senator Porter offered the following amendment and moved its adoption:

Amend by adding at the end of section two (2) the following:

" Provided, however, that where any aid shall hereafter be voted to any railway company, trolley or electric railway, under power granted in this section, stock in such railway company, trolley or electric railway shall be given to the persons for taxes levied in payment of such aid as contemplated by section twenty hundred and eighty-eight of the code; the persons receiving such stock under said section twenty hundred and eighty-eight shall be entitled to own and hold, pro rata, all other capital stock of said railway company, trolley or electric railway, not fully paid in cash at the time it was issued, whether issued before or after such aid has so been voted, whether the same be held by the person to whom it was originally issued or by transfer."

Senator Porter moved that the amendment and bill be recommitted to the committee on Railroads.

Carried.

The Journal of Wednesday was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

By unanimous consent, on request of Senator Crawford, Senate file No. 158 was referred to the committee on Schools.

On motion of Senator Lewis, the Secretary of the Senate was instructed to prepare a calendar and have the same printed twice a week, and placed upon the desks of the Senators.

THIRD READING OF BILLS.

On motion of Senator Brighton, House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brighton moved that the rule be suspended, and its reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Court-right, Craig, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Wilson, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bachman, Bishop, Brooks, Classen, Dowell, Emmert, Hazelton, Healy, Hobart, Hogue, Hubbard, Lambert, Spaulding, Trewin, Winne—16.

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

Senator Porter moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, February 8, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Lawrence F. McCray of Valley Junction, Iowa.

On request of Senator Classen, leave of absence was granted Senator Arthaud until Monday.

On request of Senator Hopkins, leave of absence was granted Senator Hartshorn until Monday noon.

INTRODUCTION OF BILLS.

By Senator Hopkins, Senate file No. 163, a bill for an act relating to the transfer by the treasurer of state to his successor of funds of the state, and liabilities thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits for the recovery of taxes of fees.

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

By Senator Hopkins, Senate file No. 164, a bill to repeal chapter 109, acts of the Twenty-eighth General Assembly, relative to teaching vocal music in the public schools.

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

By Senator Hobart, Senate file No. 165, a bill for an act repealing sections 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1553, 1554, 1555, 1566, 1567, 1568 of the code, relating to the working of roads, and enacting a substitute therefor.

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

By Senator Courtright, Senate file No. 166, a bill for an act to amend section 1675, title 9, chapter 3 of the code, in relation to farmers' county institutes.

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

By Senator Young of Washington, Senate file No. 167, a bill for an act to amend section 2794 of the code of Iowa, relating to the organization of independent districts.

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

By Senator Young of Lee, Senate file No. 168, a bill for an act to amend section 490 of the code of Iowa.

Read first and second time and referred to committee on Cities and Towns.

By Senator Young of Lee, Senate file No. 169, a bill for an act to amend chapter 14, title 5 of the code of Iowa.

Read first and second time and referred to committee on Cities and Towns.

By Senator Griswold, Senate file No. 170, a bill for an act making appropriations for construction, repair and contingent funds for the state hospital at Independence.

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

By Senator Spaulding, Senate file No. 171, a bill for an act to amend chapter forty-three, acts of the Twenty-seventh General Assembly, in relation to district fairs.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 166, a bill for an act to amend section eighteen hundred and sixty-nine of the code, relating to directors of state and savings banks.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 119, a bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes.

C. R. BENEDICT,
Chief Clerk.

Also:

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

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

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 105, a bill for an act to amend section forty-five hundred and forty-four of the code, relating to garnishment proceedings.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 49, a bill for an act appropriating money to aid in completing the hospital for the insane at Cherokee, for the purchase of land and for a contingent and repair fund.

C. R. BENEDICT,
Chief Clerk

HOUSE MESSAGES CONSIDERED.

House file No. 166, a bill for an act to amend section 1869 of the code, relating to directors of state and savings banks.

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

House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes.

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

House file No. 119, a bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in issuing bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district, and to enable such district to issue such bonds.

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

House file No. 105, a bill for an act to amend section 4544 of the code, in relation to garnishment proceedings.

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

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

Read first and second time and placed on file.

Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund.

Read first and second time and placed on file.

REPORTS OF COMMITTEES.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was re-referred Senate file No. 46, a bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090 and 2091 of the code, relating to taxes in aid of railroads, with amendment offered by Senator Porter, beg leave to report that they

have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding thereto at the end of section two of the bill the following:

"Provided, that no stock shall be issued by any such company except upon payment therefor of the full par value thereof in cash or its equivalent."

And that as thus amended the bill do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 160, a bill for an act to amend section 2116 of the code, relating to the duty of railroad corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Geo. S. Allyn, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred Senate file No. 159, a bill for an act providing for the purchase of engravers' plates or cuts for state publications and fixing the manner of paying the cost of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Porter, from the special committee appointed to draft resolutions on the death of Senator Ephriam M. Reynolds, late of Appanoose county, submitted the following report and moved its adoption:

WHEREAS, Honorable Ephriam M. Reynolds, a member of this body in the Twenty-fourth and Twenty-fifth General Assemblies, departed this life at his home in the city of Centerville on the 8th day of January, 1903; therefore, be it

Resolved, That the Senate takes occasion to express its sense of the loss sustained in the death of one who, as a member of each house of the general assembly, and as one of the first members of the state board of health, and

some time its president, rendered the state in each capacity honorable and efficient service.

Resolved, That the Senate unites with the community in which he long lived and labored, an honored physician and citizen, in regret at his departure from earth, and tenders to his bereaved family its sympathy in its severe affliction.

Resolved, That a copy of these resolutions, suitably engrossed, be transmitted by the Secretary of the Senate to the bereaved family of Dr. Reynolds.

CLAUDE R. PORTER,
E. H. HUBBARD,
L. W. LEWIS,
Committee.

In support of the resolution Senator Porter spoke as follows:

I am not acquainted with the custom of the Senate entirely in relation to resolutions of the character of this one. I cannot believe, however, that it is inappropriate that I should say something regarding the life of one, who as a resident of Appanoose county for more than half a century, was well and favorably known to nearly all of its inhabitants, though perhaps personally known to but few of those who now compose this body.

Senator Reynolds was born in Indiana in 1843. When he was but six years of age, he moved with his parents to the county of his adoption, of which he was during the entire remainder of his life an honored citizen, loved and respected by all. He served one year in the civil war, enlisting in Company I, Third Iowa cavalry, being but eighteen years of age when he enlisted.

Upon his return from the army, he attended the district schools of the county and the academy of Troy, Davis county, at that time the leading school in that section of the state.

He early in life selected the medical profession as his chosen line of work, and for more than thirty years devoted himself to his chosen labor. Quietly but steadily he won for himself an extensive practice. Thoroughly versed in his profession, well read on all subjects, of strong personal characteristics, he was accorded that high standing to which his talents so justly entitled him.

He was a member of the state board of health for fourteen years, a part of which time he was its president.

Dr. Reynolds always took a keen interest in politics and was an ardent member of the republican party. He was honored by an election to two terms in the House of Representatives and one term as a member of this body.

He was prominent in framing and aiding many of the more notable laws that came up during that period, and was always faithful to the best interests of the people he was chosen to represent.

With the exception of the period he served in the legislature, he devoted himself continuously to his profession. No night was too dark or the weather never too stormy to prevent his attending the call of the sick and suffering. Neither did he stop to inquire as to the probability of his being remunerated, but with kindness seldom excelled, he spent his life ministering to the wants of all who requested, winning the admiration, love and highest esteem of every man, woman or child with whom he came in contact.

His was a life of unselfish devotion to humanity, and when the names are revealed of those who loved their fellow men, surely his name will be among those who "led all the rest."

Senator Lewis spoke as follows:

MR. PRESIDENT—For twenty years it has been my privilege to know this kindly, sympathetic, unvarnished gentleman. He was a family physician of the old school, both adviser and friend; yet he was alert and useful in the broader walks of his chosen profession.

As a member of the state board of health his services were marked by unselfish devotion and generous helpfulness. During the two sessions I sat with him as a member of this body he was modest and retiring, seldom claiming the floor except on measures in which he was deeply interested. I remember well his untiring efforts for bettering the condition of Iowa coal miners, who formed so large a part of his constituency. He insistently urged the enlargement of the state board of health for the benefit of the people of the whole state.

During the four sessions that he was a member of the general assembly his efforts were easily enlisted for every good cause, and he was prompt to respond to every call for medical assistance from any fellow member and his services were rendered without money or price. He left naught but friends and kindly remembrance.

I feel a personal loss and I loved the man. I cherish his memory.

Senator Hubbard spoke briefly in support of the resolution, he having served with Senator Reynolds as a member of the House.

The resolution was adopted by a rising vote.

Senator Blanchard moved that the remarks of Senators Porter, Lewis and Hubbard be printed in the Journal.

Carried, and so ordered.

The Governor's private secretary announced a communication from the Governor, which was filed with the Secretary.

THIRD READING OF BILLS.

On motion of Senator Blanchard, Senate file No. 46, a bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090

and 2091 of the code, relating to taxes in aid of railroads, with report of committee recommending amendment, was taken up, considered, and the report of the committee adopted.

Senator Blanchard moved that the following amendment be adopted:

Amend by adding thereto at the end of section two of the bill, the following:

“Provided that no stock shall be issued by any such company except upon payment therefor, of the full par value thereof, in cash or its equivalent.

Adopted.

President *pro tem* Harriman took the chair at 10:45 A. M.

Senator Blanchard 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:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Harper, Harriman, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Trewin—30.

The nays were:

Senators Crossley, Garst, Griswold, Lister, Porter, Smith of Des Moines, Tallman, Whipple, Wilson, Winne, Young of Lee, Young of Washington—12.

Absent or not voting:

Senators Arthaud, Emmert, Fitchpatrick, Hartshorn, Hazelton, Healy, Lambert, Townsend—8.

By unanimous consent the title was amended by adding to the end thereof the following: “And extending the provisions thereof to trolley and electric railways.”

So the bill having secured a constitutional majority, was declared to have passed the Senate and its title as amended agreed to.

On motion of Senator Dowell, House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one of the acts of the Twenty-sixth General Assembly, or under section seven hundred and forty-two of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Bal', Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Harriman, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Winne, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Emmert, Fitchpatrick, Garst, Hartshorn, Hazelton, Healy, Lambert, Townsend, Trewin—10.

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

On motion of Senator Dowell, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state was taken up, considered.

The bill was read for information.

Senator Dowell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Harriman, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Emmert, Fitchpatrick, Garst, Hartshorn, Hazelton, Healy, Lambert, Lyons, Tallman, Townsend, Trewin, Wilson—13.

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

On motion of Senator Dowell, Senate file No. 8 was indefinitely postponed.

On motion of Senator Hubbard, Senate file No. 9, a bill for an act making taxes on property in the hands of a receiver a preferred claim, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Harriman, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Winne, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Emmert, Fitchpatrick, Garst, Hartshorn, Hazelton, Healy, Lambert, Townsend, Trewin—10.

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

On motion of Senator Hubbard, Senate file No. 21, a bill for an act making taxes levied on buildings as personal taxes a lien thereon, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ball offered the following amendment and moved its adoption:

Strike out the last seven words and insert the following: "from the date that taxes become a lien on real estate."

On motion of Senator Lewis the time for adjournment was extended ten minutes.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Allyn, Ball, Bishop, Blanchard, Brighton, Brooks, Hayward, Lyons, Smith of Des Moines, Tallman, Wilson, Young of Lee—12.

The nays were:

Senators Alexander, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Washington—27.

Absent or not voting:

Senators Arthaud, Bachman, Emmert, Fitchpatrick, Harriman, Hartshorn, Hazelton, Healy, Lambert, Townsend, Trewin—11.

So the amendment was lost.

Senator Hubbard moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Emmert, Fitchpatrick, Hartshorn, Hazelton, Healy, Lambert, Lister, Moffit, Tallman, Townsend, Trewin—13.

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

The Journal of yesterday was taken up, corrected and approved.

On motion of Senator Hayward the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, February 10, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. J. B. Jackson of Albia, Iowa.

On request of Senator Wilson, leave of absence was granted Senator Spaulding indefinitely, on account of sickness.

On request of Senator Winne, leave of absence was granted Senator Crossley.

On request of Senator Harriman, leave of absence was granted Senator Alexander until Tuesday.

On request of Senator Classen, leave of absence was granted Senator Hayward until Tuesday.

On request of Senator Harper, leave of absence was granted Senator Maytag until Tuesday.

On request of Senator Harper, leave of absence was granted Senator Brooks until Tuesday.

On request of Senator Ball, leave of absence was granted Senator Blanchard for today.

On request of Senator Townsend, leave of absence was granted Senator Emmert for today.

On request of Senator Lister, leave of absence was granted Senator Arthaud for today.

On request, leave of absence was granted Senator Tallman until Wednesday morning.

PETITIONS AND MEMORIALS.

Senator Junkin presented petition of J. P. Retelsdorf, of Malvern, Iowa, requesting more equitable system of taxation.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Bachman, Senate file No. 172, a bill for an act authorizing the purchase of lot "A" of the plat of Pillsbury Point park and historical relics, the appointment of a custodian thereof at an annual salary and appropriating the sum of \$500 for such purchase.

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

By Senator Harper, Senate file No. 173, a bill for an act to prevent the condemnation of cemeteries and other real estate and to limit the power to dispose of the same.

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

By Senator Hobart, Senate file No. 174, a bill for an act to amend section 308 of the code, relative to compensation of county attorney.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Wilson, for Senator Spaulding, Senate file No. 175, a bill for an act to amend section 2738 of the code, in relation to county superintendents.

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

By Senator Smith of Mitchell, Senate file No. 176, a bill for an act creating a commission to superintend the completion of the capitol building, and certain repairs thereto, and appropriating money therefor.

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

By Senator Lyons, Senate file No. 177, a bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts.

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

By Senator Tallman, Senate file No. 178, a bill for an act to amend section 3386 of the code of 1897, relating to heirs or beneficiaries causing death or disability.

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

By Senator Molsberry (by request), Senate file No. 179, a bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure the better proficiency of such practitioners, and to provide penalties for the violation thereof.

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

The communication received from the Governor Saturday was read by the Secretary.

Senator Junkin moved that the message of the Governor and the accompanying report of the Shiloh monument commission be printed in the Journal and referred to committee on Appropriations.

Carried.

MESSAGE AND REPORT.

To the Senate and House of Representatives of the Twenty-ninth General Assembly:

I beg to inform your honorable bodies that there has been made to me a report of the acts and doings of the Iowa commission for the erection of monuments on the battlefield of Shiloh a copy of which report I attach hereto for information. From this report it will appear that the commission has entered into contract for a state monument, the contract price being \$24,800; that it has also entered into contract for eleven regimental monuments, the contract price being \$18,051. It has also paid out \$365.85 for designs, plans, blue prints, and other things connected with the construction of the monuments, making a total of \$43,216.85 fairly chargeable to the immediate work of erecting the monuments. It further appears from the report that the personal expenses of the commissioners up to this time have been \$1,256.67.

Chapter 167, of the laws of the Twenty-eighth General Assembly, appropriated \$50,000 for the erection of the monuments and the actual expenses of the commissions, it being provided, however, that such actual expenses should not exceed in the aggregate the sum of \$2,000. In making the contracts for the monuments, the commission has borne in mind the propriety of signaling the completion of the work by appropriate dedicatory ceremonies to be held upon the battlefield, and there remains of

the sum which could have been expended for the monuments \$4,783.65. Upon consultation with me, I advised the commission that while I regarded the dedication of so worthy and notable a work as important as the work itself, I could not, under the terms of the act to which I have referred, approve the expenditure of any part of the money for that purpose, and advised the commission to submit the matter to the general assembly for authority to use such of the unexpended appropriation as might be necessary to defray the expenses of dedication.

It will be further observed that of the \$2,000 to which the commission was limited for personal expenses, there remains an unexpended balance of \$743.33. This sum, I am told, is sufficient to cover the expenses of the members of the commission at the final meeting upon the occasion of the dedication, but is not sufficient to cover the expenses of the committee of the commission to inspect the monuments and the work of the contractor during the course of construction. It is legally in the power of the commission to employ a third person or persons to supervise the construction and pay him or them from the unexpended balance of the monument fund. It is, however, desirable for many reasons that one or more members of the commission shall discharge this duty, and in the event of their doing so, which they are entirely willing to do without compensation, their expenses must be borne from the unexpended balance of the expense fund, which is not sufficient for that purpose,

In view of the premises, I submit to your honorable bodies the report with the recommendation that chapter 167 of the laws of the Twenty-eighth General Assembly be so amended as to authorize the commission to use such part of the unexpended appropriation as may be necessary to defray the expenses incident to the dedicatory services, and the actual expenses of a committee of the commission incurred in supervising the work of the contractors during the course of the construction of the monuments.

Respectfully submitted.

DES MOINES, IOWA, February 5, 1902.

Hon. A. B. Cummins, Governor of Iowa, Des Moines, Iowa:

DEAR SIR—The Iowa commission for the erection of monuments on the battlefield of Shiloh in session this day, thinks proper to make this report of its doings in connection with the duty assigned it under chapter 167, acts of the Twenty-eighth General Assembly:

A preliminary organization of the commission was made at Davenport June 14, 1900, at which time G. L. Godfrey was elected temporary chairman and John Hayes temporary secretary. At this meeting future plans of the commission were discussed.

The commission effected a permanent organization on November 21, 1900, by the election of E. B. Soper, chairman; W. B. Bell, vice chairman John Hayes, secretary. It immediately proceeded to the Military National park at Chickamauga, Tenn., inspected the monuments there placed, as also the memorials at Missionary Ridge, Orchard Knob and Lookout Mountain. Thence the commission proceeded to Corinth, Miss., and the Shiloh battlefields twenty miles distant. There by appointment it met the Shiloh

National Military Park commission, and visiting the various portions of the battlefield fixed the location for the Iowa state monument and for the eleven regimental monuments provided for in the act referred to. A record of these locations was made by the engineer in charge of the park, and the commission returned to Iowa.

Before adjournment the commission appointed a committee consisting of the chairman and secretary to advertise, as it might determine, for designs and drawings for monuments to be erected, and the amount to be expended for state monument was fixed at not to exceed twenty-five thousand dollars, and for regimental monuments, not to exceed two thousand dollars each. The committee subsequently prepared circulars inviting the submission of designs, distributed them among granite dealers throughout the country, and advertised for designs in Chicago and Iowa papers. In response to such circular letters and advertising nine designs for state monument were received and ten designs for regimental monuments.

Thereupon the chairman called a meeting of the commission, and on April 10, 1901, it met at Des Moines to consider the designs submitted. After due deliberation it selected the design for state monument submitted by Prof. F. E. Triebel, of New York City, and the design for eleven regimental monuments submitted by Sherman & Flavin, of Chicago, Illinois.

A committee on inscriptions for the state monument was then appointed and regimental inscriptions considered.

At this meeting of the commission the chairman, vice-chairman and secretary were directed and empowered to take all necessary steps preliminary to contracting for the monuments, and adjournment was had subject to the call of the chairman.

Pursuant to call of the chairman, the commission met on June 28, 1901. Inscriptions for regimental and state monuments were agreed upon, and the chairman, vice-chairman and secretary were constituted a committee with authority to contract with Prof. F. E. Triebel for the construction of the state monument, according to his design, at a cost not to exceed twenty-five thousand dollars.

The designs for both state and regimental monuments were shortly thereafter submitted to the Shiloh National Military Park commission for approval, in turn to be submitted by such commission to the secretary of war. Then ensued a long delay, and it was not until December 4, 1901, that the designs were approved and returned to this commission and the committee appointed in June was in position to proceed.

On the 18th of December, 1901, the committee met Prof. Triebel in Des Moines and entered into contract with him for the construction of the state monument at a cost of twenty-four thousand and eight hundred dollars, one copy of which contract is deposited with the auditor of state. This committee having been authorized to invite the submission of proposals for the construction of the eleven regimental monuments, adopted a circular which on the 23d of December, 1901, was mailed to various granite dealers,

wherein was set forth the purposes of the commission and advice given that bids for the construction of these monuments would be received up to January 30, 1902, and that blue print copies of the design and copies of the specifications might be had on application.

In response to this circular thirty-five granite firms applied for plans and specifications, and on the 30th of January the commission had in its hands eleven sealed proposals, which were opened at a meeting of the commission held February 4, 1902, and which were as follows:

P. N. Peterson Granite Co., St. Paul, Minn.....	\$18,051.00
Geo. H. Mitchell, Chicago, Ill.....	18,590.00
W. D. McIntosh, Manchester, Ia.....	19,784.00
Triebel & Sons, Peoria, Ill.....	19,850.00
Chas. G. Blake & Co., Chicago, Ill.....	20,900.00
Van Amringe Granite Co., Boston, Mass.....	21,547.00
Muldoon Monument Co., Louisville, Ky.....	21,750.00
Schricker, Rodler & Co., Davenport, Ia.....	21,877.00
Des Moines Marble & Mantel Co.....	21,944.00
Smith & Jack, Barre, Vt.....	24,525.00
Culver Construction Co., Springfield, Ill.....	29,029.66

After due consideration the P. N. Peterson Granite company, of St. Paul, Minn., was awarded the contract to construct the eleven monuments for \$18,051.00, and a contract was entered into, one copy of which will be deposited with the auditor of state.

The present status of the appropriation made by the general assembly for the uses of this commission is as follows:

Appropriation	\$50,000.00
State monument.....	\$24,800.00
Eleven regimental monuments	18,051.00
Designs and other items charged to monument fund, including today's vouchers.....	865.35
Commissioners' expenses charged to expense fund....	1,256.67
Monument fund unexpended	4,783.65
Expense fund unexpended.....	743.33— \$50,000.00

In the judgment of this commission there should be supervision of the monuments during the course of construction, the expense of which should be defrayed from the monument fund.

Further, the commission has long had in mind that its work will be incomplete without provision for such dedicatory ceremonies as will reflect honor upon our state, touch the heart of every survivor of Shiloh and make the occasion memorable as a loving tribute to the thousands of Iowa soldiers who participated in the battle.

The commission doubts its authority to use, for the purposes just named,

any part of the monument fund remaining unexpended, and desires such legislation as will give it some discretion in the matter.

Respectfully submitted in behalf of the commission,

W. W. BELL,
Chairman.
JOHN HAYES,
Secretary.

An invitation by the art committee of the Woman's Club to the members of the Senate and their families, to attend Professor Chas. A. Cummings' art exhibit in the club parlors, Y. M. C. A. building, was read by the Secretary.

THIRD READING OF BILLS.

On motion of Senator Trewin, Senate file No. 25, a bill for an act to amend section seven hundred and twenty-seven of the code, relating to gifts and bequests for library purposes, with report of committee recommending its passage was taken up, considered, and report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brighton, Classen, Court-right, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brooks Crossley, Emmert, Garst, Hartshorn, Hayward, Hazelton, Healy, Lambert, Maytag, Porter, Spaulding—16.

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

On motion of Senator Courtright, Senate file No. 40, a bill for an act to legalize the incorporations of certain corporations incorporated under the laws of the state of Iowa, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harri-man, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brooks, Crossley, Emmert, Garst, Hartshorn, Hayward, Hazelton, Healy, Hogue, Lambert, Maytag, Spaulding—16.

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

On motion of Senator Junkin, Senate file No. 96, a bill to amend section 296 of the code, relating to fees in probate matters, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lyons, Mardis, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brooks, Crossley, Emmert, Harriman, Hartshorn, Hayward, Hazelton, Healy, Lambert, Lister, Maytag, Spaulding—16.

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

On motion of Senator Trewin, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for the location of libraries and for additional library grounds, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Trewin moved the adoption of the following committee amendments:

Amend by inserting in the second line of section one thereof, between the words "been" and "established," the words "or may hereafter be."

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lister, Lyons, Mardis, Moffit,

Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting.

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Brooks, Crossley, Emmert, Harriman, Hartshorn, Hayward, Hazelton, Healy, Lambert, Lewis, Maytag, Spaulding—17.

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

On motion of Senator Hogue, Senate file No. 160, a bill for an act to amend section 2116 of the code, relating to the duty of railway corporations to transport, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hogue moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanncard, Brooks, Cross-

ley, Emmert, Garst, Hartshorn, Hayward, Hazelton, Healy Lambert, Maytag, Moffit, Spaulding, Townsend—17.

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

On motion of Senator Winne, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, February 11, 1903. }

Senate met in regular session at 11 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. E. E. Reed of Storm Lake, Iowa.

On request of Senator Townsend leave of absence was granted Senator Classen for one day.

PETITIONS AND MEMORIALS.

Senator Blanchard presented petition of Brotherhood of Locomotive engineers of Oskaloosa, Iowa, opposing proposed amendment to present laws relating to personal earnings, which was read and referred to committee on Labor.

Senator Griswold presented petition of Delaware County Farmers' institute, asking for the enacting of a law favoring the consolidation of townships into one road district, and the payment of all road taxes in cash, etc., which was read and referred to committee on Highways.

Senator Classen presented petition of insurance agents and others of Marshalltown, asking that the discriminating tax against foreign insurance companies be removed, which was read and referred to committee on Ways and Means.

Senator Hobart presented a petition of citizens of Cleghorn asking for the limiting of the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Harper presented petition of Brotherhood of Painters and Paperhangers and others of Ottumwa favoring the passage

of a law favoring free text-books, which was read and referred to committee on Schools.

Senator Griswold presented petition of citizens of Independence asking that all road tax be paid in cash and other relief, which was read and referred to committee on Highways.

Senator Courtright presented petition of Brotherhood of Boilermakers and Iron Ship Workers of Waterloo, asking for the passage of a law favoring free text-books.

Referred to committee on Schools.

Senator Bachman presented petition of citizens of Spencer requesting that all road tax be paid in cash and for other relief.

Referred to committee on Highways.

Senator Hubbard presented petition of citizens of Sioux City asking that the discriminating tax against foreign insurance companies be removed.

Referred to committee on Ways and Means.

Senator Alexander presented petition of numerous citizens of Coggon and elsewhere, asking that road tax be paid in cash, and other legislation in regard to betterment of roads.

Referred to committee on Highways.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 28, a bill for an act to amend section 1272 of the code, relative to the appointment of city officers to fill vacancies.

C. R. BENEDICT,

Chief Clerk

Also:

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

House file No. 78, a bill for an act to amend section 1726 of the code, in relation to notes taken for policies of insurance.

C. R. BENEDICT,

Chief Clerk.

Also:

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

House file No. 103, a bill for an act to legalize the election held in the county of Dallas, state of Iowa, on the 6th day of November, 1900, and the proposition submitted at said election for the purpose of building a courthouse at Adel in said county and borrowing money and issuing bonds therefor, and the manner of submitting said proposition and the manner of payment of bonds issued for said purpose, and all the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election and to levy taxes to pay the same.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to printing calendars.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 47, a bill for an act to amend section 3489 of the code, relating to the limitation of actions in judgments.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 83, a bill for an act to amend section 1850 of the code, relating to investment of funds of savings banks.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 42, a bill for an act to amend chapter 44 of the laws of

the session of the territory of Iowa, approved December 18, 1848, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 98, a bill for an act to amend chapter 5, sections 745, 746, 747, 748 of the code, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Hobart, Senate file No. 180, a bill for an act to amend section six hundred and forty-one, title five, chapter two of the code, relating to cities being divided into wards, new ones created, or the boundaries changed.

Read first and second time and referred to committee on Cities and Towns.

By Senator Hayward, Senate file No. 181, a bill for an act to repeal section twenty-six hundred and ninety-two of the code, and section five of chapter seventy-eight of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.

Read first and second time and referred to committee on Charitable Institutions.

By Senator Townsend (by request), Senate file No. 182, a bill for an act for the better regulation of the business of fire insurance, and to increase the public revenue.

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

By Senator Ball, Senate file No. 183, a bill for an act relating to railways, railway companies, railway corporations, railroads, railroad companies and railroad corporations.

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

By Senator Crawford, Senate file No. 184, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, Iowa.

Read first and second time and referred to committee on Charitable Institutions.

HOUSE MESSAGES CONSIDERED.

House file No. 28, a bill for an act to amend section twelve hundred and seventy-two of the code, relative to the appointment of city officers to fill vacancies.

Read first and second time and referred to committee on Cities and Towns.

House file No. 78, a bill for an act to amend section seventeen hundred and twenty-six of the code, in relation to notes taken for policies of Insurance.

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

House file No. 103, a bill for an act to legalize the election held in the county of Dallas, state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel in said county, and borrowing money and issuing bonds therefor, and the manner of payments of bonds issued for said purpose and all the proceedings of the board of supervisors of said county, with reference to said matter, and to authorize said county to issue bonds voted at said election and to levy taxes to pay the same.

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

Concurrent resolution, relative to printing calendars.

Passed on file.

House file No. 47, a bill for an act to amend section three thousand four hundred and thirty-nine of the code, relating to the limitation of actions on judgments.

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

House file No. 33, a bill for an act to amend section one thousand eight hundred and fifty of the code, relating to investment of funds of savings banks.

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

House file No. 42, a bill for an act to amend chapter forty-four of the laws of the session of the territory of Iowa approved December eighteen (1843), incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

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

House file No. 98, a bill for an act to amend chapter five, sections seven hundred and forty-five, seven hundred and forty-six, seven hundred and forty-seven, seven hundred and forty-eight of the code, relating to letting contracts for the purchase and erection of waterworks in cities of first class.

Read first and second time and referred to committee on Cities and Towns.

REPORTS OF COMMITTEES.

Senator Craig, from the committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments and Suffrage, to whom was referred joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four, thirty-five and thirty-six, of article three of said constitution, and proposing to adopt the following in lieu thereof and 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 Senate with the recommendation that the same do pass.

GEO. M. CRAIG,
Chairman

Ordered passed on file.

Senator Craig, from the committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments and Suffrage, to whom was referred joint resolution No. 5, 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 Senate with the recommendation that the same do pass.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 70, a bill for an act to repeal section 953 of the code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly, and amend sub-division 6, of section 1005 of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 67, a bill for an act to amend section 600 of the code, relating to the incorporation 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 Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred senate file No 7, a bill for an act to authorize the loaning of funds accumulated under chapter one of the acts of the Twenty-sixth General Assembly, or under section 742 of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 85, a bill for an act for the keeping of county treasurers of a monthly apportionment record book of all taxes collected, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 61, a bill for an act establishing a law uniform with the laws of other states relative to migratory divorces, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the following substitute be enacted in lieu thereof:

L. C. BLANCHARD,
Chairman pro tem.

SUBSTITUTE FOR SENATE FILE NO. 61.

A bill for an act to amend section thirty-one hundred and seventy-four (3174) of the code, relating to divorces.

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

Section 1. That section thirty-one hundred and seventy-four (3174) of the code be and is hereby amended by adding thereto the following, as subdivision six (6) thereof:

“6. No divorce shall be granted for any cause arising prior to the residence of the plaintiff or defendant in this state which was not a ground for divorce in the state where the cause arose.”

Read first and second time by title and placed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 118, a bill for an act relating to bonds given by contractors for erection and construction of public buildings and public improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof.

L. C. BLANCHARD,
Chairman pro tem.

SUBSTITUTE FOR SENATE FILE NO. 118.

A bill for an act relating to bonds given by contractors for erection and construction of public buildings and public improvements.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That all bonds given by contractors for the faithful performance of contracts for the erection of public buildings and public improvements shall be conditioned for the prompt and full payment of all sub-contractors and laborers who shall furnish material for or perform labor upon such buildings or improvements, and suit for breach of the conditions of such bonds may be brought in the name of the payee or of any such laborer or sub-contractor injured or damaged by a breach of the conditions of said bond.

Sec. 2. The buildings and improvements erected or constructed by or for the state of Iowa, or by or for any county, city, town or school corporation in the state of Iowa, shall be deemed public buildings and public improvements for the purposes of this act.

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 State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Read first and second time by title and placed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 114, a bill for an act to amend section three hundred and eight of the code, in relation to the time of payment of compensation of county attorneys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 57, a bill for an act to amend section two hundred and fifty-four of the code, relating to compensation of shorthand reporters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Compensation of Public Officers.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 84, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 26, a bill for an act to legalize and confirm the official acts of Geo. C. McMurtry and Herbert J. McMurtrie, notaries 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 Senate, with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 89, a bill for an act to repeal sections two hundred and fifty-six and twenty-five hundred and sixty-seven of the code, and to enact a substitute therefor to vital statistics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof.

L. C. BLANCHARD,
Chairman pro tem.

SUBSTITUTE FOR SENATE FILE NO. 89.

A bill for an act to repeal sections twenty-five hundred and sixty-six (2566) and twenty-five hundred and sixty-seven (2567) of the code, and to enact substitutes therefor relating to vital statistics.

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

Section 1. That sections twenty-five hundred and sixty-six (2566) and twenty-five hundred and sixty-seven (2567) of the code be and are hereby repealed, and the following enacted in lieu thereof:

It shall be the duty of all physicians and midwives in this state to report to the clerk of the district court, within thirty days of their occurrence, all

births and deaths which may come under their supervision, with a certificate of the cause of death, and such other facts as the board may require. When any birth or death shall take place, no physician or midwife being in attendance, the same shall be reported by the parent to the clerk within thirty days from the date of its occurrence; and if a death, the supposed cause of death; or if there be no parents, by the nearest of kin not a minor; or if none, by the resident householder where such birth or death shall have occurred. Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of ten dollars (\$10) for each offense.

Sec. 2. The clerk of the district court of each of the several counties in this state shall keep a book and register therein all births and deaths occurring within the county, which record shall show the name of the parents and sex of the child, when a birth, and when a death, the name, age and sex, together with the date and cause of death and the name of the person furnishing the information.

The clerk of the court in each county shall also keep a book in which shall be recorded all marriages occurring within the county, together with such data respecting the same as shall be required by the state board of health and shall report to the secretary of the state board of health on or before the first day of March in each year, such data respecting such marriages for the year ending December 31st, immediately preceding.

Sec. 3. This act shall take effect and be in force from and after December 31, 1902, and the assessor shall make the reports of births and deaths as now provided by law for the year ending December 31, 1902

Read first and second time by title and placed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 45, a bill for an act to appoint an examining committee to examine auctioneers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 111, a bill for an act making an appropriation for the purchase of thirty thousand (\$0,000) railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.

Also, joint resolution No. 4, recommending changes as to additional employees.

Also, joint resolution No. 6, for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate, Speaker of the House.

Also, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 111, a bill for an act making an appropriation for the purchase of thirty thousand (30,000) railroad commissioners' maps to be distributed by the members of the general assembly and railroad commissioners.

Also, joint resolution No. 4, recommending changes as to additional employees.

Also, joint resolution No. 6, for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate, Speaker of the House.

Also, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee

Ordered passed on file.

BILLS ON THIRD READING.

On motion of Senator Lambert, Senate file No. 44, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and state binder, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Lambert, the word "first" was stricken

out of the third line of the bill, and the word "second" was stricken out of line 24 of the bill; and the words "Sec. 2" inserted in lieu of the word "second" in said line 24.

On motion of Senator Lewis the words "of the code" were inserted after "118" in the first line of the bill and the words "of the code" be inserted after the figures "118" in the twenty fourth line of the bill.

Senator Lambert moved that the rule be suspended, and that the bill be considered engrossed and read a third time now as amended, which motion prevailed, and the bill as amended was read a third time.

On the question, Shall the bill pass?

The yeas were :

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Emmett, Fitchpatrick, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were :

None.

Absent or not voting :

Senators Classen, Garst, Harriman, Healy, Spaulding, Tallman—6.

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

On motion of Senator Blanchard, Senate file No. 157, a bill for an act to validate certain conveyances of real estate, in which the husband or wife conveyed the contingent dower interest of the other spouse, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Blanchard, the words "and that this act shall not affect the rights of parties in any pending litigation," were stricken out of the ninth and tenth lines of the original bill.

On motion of Senator Hubbard Senate file No. 157 was re-referred to the committee on Judiciary, it retaining its place on the calendar.

On motion of Senator Hubbard Senate file No. 18, a bill for an act to amend section forty-seven hundred and ninety of the code, in relation to the possession of burglars' tools, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Hobart offered the following amendment and moved its adoption:

Move to amend by striking out the word "five" in the sixth line of the bill and inserting in lieu thereof the word "one."

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were :

Senators Ball, Bishop, Brighton, Craig, Emmert, Garst, Harper, Harriman, Hartshorn, Hobart, Hogue, Hopkins, Lister, Lyons, Molsberry, Porter, Townsend—17.

The nays were :

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Courtright, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Hayward, Hazelton, Hubbard, Junkin, Lambert, Lewis, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Wilson, Winne, Young of Washington—28.

Absent or not voting :

Senators Classen, Healy, Spaulding, Tallman, Young of Lee.—5.

So the amendment was declared lost.

Senator Hubbard moved to amend the title by inserting the words "forty-seven hundred and ninety" before the figures "4790" in the title of the bill.

Carried.

Senator Hubbard moved to amend the bill by inserting the words "forty-seven hundred and ninety" before the figures "4790" in the first line of section one of the bill.

Carried.

Senator Hubbard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Wilson, Winne, Young of Washington—38.

The nays were:

Senators Ball, Brighton, Emmert, Hobart, Lyons, Porter, Tallman, Townsend, Young of Lee—9.

Absent or not voting:

Senators Classen, Healy, Spaulding—3.

So the bill having received a constitutional majority was declared to have passed the Senate, and the title as amended agreed to.

On motion of Senator Craig, the time of adjournment was extended until the Journals are corrected.

The Journal of Saturday was taken up, corrected and approved.

The President announced that he had signed in the presence of the Senate, Senate files No. 111 and No. 49, and joint resolutions Nos. 4 and 6.

Cora M. Frink appeared and was sworn in as clerk of committee on Public Health.

The time having arrived, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES. Wednesday, February 12, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. DeWitt Clinton, of Iowa City, Iowa.

On request of Senator Blanchard, leave of absence was granted Senator Ball until Friday.

PETITIONS AND MEMORIALS.

Senator Hartshorn presented petition of business men of Belmond, Iowa, requesting support for the ten per cent exemption and trading stamp bills.

Referred to committee on Commerce.

Senator Brooks presented petition of Labor Union No. 885, United Mine Workers of America, of What Cheer, Iowa, asking favorable action on the subject of free text-books.

Referred to committee on Schools.

Senator Alexander presented petition of insurance agents and business men of Cedar Rapids, Iowa, asking that the discriminating tax against foreign insurance companies be removed.

Referred to committee on Ways and Means.

Senator Harper presented petition of miners of Labor Union No. 154, W. M. W. of A., of Keb, Iowa, asking for the adoption of the Lacy plan for the appointment of shot firers by operators which was read and referred to committee on Mines and Mining.

Senator Young of Lee presented petition of insurance agents and citizens of Fort Madison, asking that the discriminating tax against foreign insurance companies be removed.

Referred to committee on Ways and Means.

Senator Young of Lee presented petition of merchants of Fort Madison, asking favorable action on bill of Iowa State Retail Grocers' association.

Referred to committee on Ways and Means.

Senator Blanchard presented petition of insurance agents, business men and taxpayers of Oskaloosa asking that discrimination against foreign insurance companies be removed.

Referred to committee on Ways and Means.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 93, a bill for an act to repeal section twenty-eight hundred fourteen of the code, and to enact a substitute therefor, relating to school-house sites.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 38, a bill for an act to amend section twenty-seven hundred sixty-four, relating to the taking of school census.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 68, a bill for an act to amend section thirty-five hundred and twenty-nine of the code, of 1897, relating to the manner of commencing actions.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 28, a bill for an act to amend section four hundred eighty-three of the code, relating to the payment of interest on county warrants.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 117, a bill for an act to amend section forty-eight hundred seven of the code, relating to malicious mischief and trespass.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 148, a bill for an act to amend section four hundred and twenty-three of the code relating to powers of boards of supervisors.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of the rules, requiring the reading thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 81, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the

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

House file No. 67, a bill for an act to amend section thirty-four hundred and ninety-seven of the code, relating to place of bringing action.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 12, a bill for an act to amend chapter nine, title twelve of the code, in relation to mines and mining.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Crawford, Senate file No. 185, a bill for an act to amend section 4600 of the code, in relation to fees of justices of the peace and constables.

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

By Senator Hayward (by request), Senate file No. 186, a bill for an act for the protection of cities and to regulate contracts for public purposes, involving the use of streets and alleys, public squares and highways in such cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Alexander, Senate file No. 187, a bill for an act to amend section 1870, chapter 12, of the code of 1897, relating to savings banks.

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

By Senator Arthaud, Senate file No. 188, a bill for an act to legalize certain instruments in writing were defectively acknowledged.

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

By Senator Garst, Senate file No. 189, a bill for an act defin-

ing and providing for the taxation of freight line and equipment companies.

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

By Senator Harper, Senate file No. 190, a bill for an act to amend section three hundred and thirty-seven of the code, relating to grand and petit jury lists.

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

By Senator Emmert (by request), Senate file No. 191, a bill for an act to amend section ten hundred and ninety of chapter three of the code, and providing for the consolidation of two or more wards into one voting precinct, and to constitute an aldermanic district.

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

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

Resolved, That the Pioneer Lawmakers' Association of Iowa, which meets in this city the 12th and 13th inst., be invited to visit the Senate at such time most agreeable to them, and that the President of the Senate appoint a committee of three to extend the invitation and make arrangements for their reception.

Adopted.

The President appointed as such committee, Senators Alexander, Crawford and Tallman.

HOUSE MESSAGES CONSIDERED.

House file No. 12, a bill for an act to amend chapter nine, title twelve of the code, in relation to mines and mining.

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

House file No. 67, a bill for an act to amend section thirty-four hundred and ninety-seven of the code, relating to place of bringing actions.

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

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

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

House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of the rules requiring the reading thereof on three different days, the vote for such suspension, having been by less than three-fourths of the whole number of members elected to the council, including the mayor.

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

House file No. 148, a bill for an act to amend section four hundred twenty-three of the code, relating to powers of boards of supervisors.

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

House file No. 117, a bill for an act to amend section forty-eight hundred seven of the code, relating to malicious mischief and trespass.

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

Senate file No. 28, a bill for an act to amend section four hundred eighty-three of the code, relating to the payment of interest on county warrants.

Placed on file.

House file No. 68, a bill for an act to amend section thirty-five hundred twenty-nine of the code of 1897, relating to manner of commencing actions.

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

House file No. 38, a bill for an act to amend section twenty-seven hundred sixty-four, relating to the taking of school census.

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

House file No, 93, a bill for an act to repeal section twenty-eight hundred fourteen of the code, and to enact a substitute therefor, relating to schoolhouse sites.

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

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 161, a bill for an act to provide for the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 134, a bill for an act appropriating money to pay expressage, freight and cartage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 147, a bill for an act appropriating money to defray the expense of the inauguration ceremonies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred

House file No. 19, a bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report :

MR. PRESIDENT—Your committee on Judiciary, to whom was re-referred Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out from the last part of section one the following words, namely: "Provided, that this act do not effect titles where the dower interest has already vested prior to the taking effect of this act," and that as thus amended the bill do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report :

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 103, a bill for an act to amend section forty-five hundred forty-four of the code relative to garnishment proceedings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 108, a bill for an act to legalize the election held in the county of Dallas and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions and the manner of the payment of the bonds issued for said purpose, and all of the pro-

ceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 42, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all the rights, powers and privileges now possessed or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary gain, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 74, a bill for an act legalizing the official acts of W. E. Haskins, a notary public of Howard county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Geo. S. Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred concurrent resolution, relating to authorizing the secretary of state to have mounted with cloth and properly arranged in volumes of convenient size, and photographic plates of all the congressional townships 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 Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That the secretary of state be authorized and directed to have mounted with cloth and properly arranged in volumes of convenient size the photo-lithographic plates of all the congressional townships in the state, which were furnished the state department by the commissioner of the general land office; and, also, that the secretary of state be further authorized and directed to have the volumes containing the original field notes of survey and the records of conveyances rebound, the covers of which are now badly worn from age and constant use.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 87, a bill for an act to amend section 136 of the code, and section one, chapter 5 laws of the Twenty-eighth General Assembly, relating to the publication of the reports of the Iowa Academy of Science, beg leave to report that they have had the same under consideration and have instructed me to report a substitute for same and that the substitute do pass.

GEO. S. ALLYN,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 87.

A bill for an act to amend section one hundred thirty-six (136), of title two (2), chapter five (5) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

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

Section 1. That section one hundred thirty-six (136), title two (2), chapter five (5) of the code be, and hereby is amended by striking out from the fifth line the words "two hundred and fifty," and inserting in lieu thereof the following: "Three hundred."

Sec. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

The substitute was read first and second time and placed on file.

On motion of Senator Harper Joint resolution No. 5 was made a special order for 10:30 A. M., Friday morning, February 14th.

THIRD READING OF BILLS.

On motion of Senator Healey, Senate file No. 68, a bill for an act to amend section 3346 of the code, relating to claims of executors and administrators, or in which they may be interested, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Healey moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were:

Senators Lambert, Smith of Des Moines—2.

Absent or not voting:

Senators Ball, Griswold, Hubbard, Spaulding—4.

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

On motion of Senator Healy, Senate file No. 6, a bill for an act to amend section 3172 of the code, relating to the filing of petitions for divorce, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and the reading just had considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Harper, Harri-man, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Senators Ball, Griswold, Hubbard, Spaulding, Trewin—5.

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

On motion of Senator Blanchard Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Blanchard moved the adoption of the following committee amendment :

Amend by striking out from the last part of section one the following words, namely : " Provided, that this act shall not effect titles where the dower interest has already vested prior to the taking effect of this act."

Carried.

Senator Blanchard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Ball, Crawford, Griswold, Hubbard, Spaulding, Trewin—6.

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

On motion of Senator Garst, Senate file No. 47, a bill for an act to authorize the appointment of state and savings banks, and loan and trust companies, organized under the laws of Iowa, as executors, administrators, guardians and trustees, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Junkin moved that Senate file No. 47 be re-referred to the committee on Judiciary.

A roll call was demanded.

On the question, Shall Senate file No. 47 be re-referred to the committee on Judiciary?

The yeas were:

Senators Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Griswold, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Tallman, Townsend, Whipple, Winne, Young of Lee, Young of Washington—36.

The nays were:

Senators Alexander, Brooks, Fitchpatrick, Garst, Hartshorn, Hayward, Hopkins, Lyons, Trewin, Wilson—10.

Absent or not voting:

Senators Ball, Hubbard, Smith of Mitchell, Spaulding—4.

So the bill was re-referred to the committee on Judiciary.

On motion of Senator Harriman, joint resolution No. 2 was made a special order for 10:30 o'clock tomorrow.

The President appointed as the committee provided for under joint resolution No. 6, for a joint committee of the Senate and House to purchase a suitable chair for the Governor and a chair and gavel each for the President of the Senate and Speaker of the House, Senators Harriman, Dowell and Lambert.

The Journal of yesterday was taken up, corrected and approved.

Senator Arthaud moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, February 13, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

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

PETITIONS AND MEMORIALS.

Senator Blanchard presented petition of citizens of Mahaska county, favoring a constitutional amendment granting suffrage to women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hartshorn presented petition of citizens of Hamilton and Hardin counties, favoring amending the constitution so as to grant woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Harper presented petition of citizens of Wapello county, favoring the submission to the people of a constitutional amendment granting woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Bachman presented petition from citizens of Dickinson county, in favor of amending the constitution so as to grant the right of suffrage to women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Craig presented petition of citizens of Waverly, asking for the submission of a suffrage amendment.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Craig presented petition of merchants and citizens of Waverly, favoring the passage of the personal earnings bill.

Referred to committee on Ways and Means.

Senator Healy presented petition of insurance agents and citizens of Fort Dodge, asking for the removal of the discriminating tax against foreign insurance companies.

Referred to committee on Ways and Means.

Senator Alexander presented petition of citizens of Cedar Rapids, praying for the limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Arthaud presented petition of members of the Bedford bar favoring the passage of the Mardis bill favoring a third judge for the district.

Referred to committee on Judiciary.

Senator Young of Lee presented petition of citizens of Keokuk protesting against the trading stamp business.

Referred to committee on Judiciary.

Senator Crawford presented petition of insurance agents and citizens of Dubuque asking for the removal of the discriminating tax against foreign insurance companies.

Referred to committee on Ways and Means.

Senator Hayward presented petition of citizens of Scott county favoring the passage of a barber's bill.

Referred to committee on Public Health.

Senator Moffit presented petition of citizens of Jones county favoring amending the constitution so as to grant equal suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Townsend presented petition of citizens of Monroe county asking for submission of an amendment to the constitution favoring woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Bachman, for committee on Public Health, Senate file No. 192.

A BILL

For an act amending section two thousand, five hundred seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health.

Section 1. That section two thousand, five hundred seventy-two (2572) of the code be amended by adding thereto the following:

If any local board of health shall refuse or neglect to enforce the rules and regulations of the state board of health, the state board of health may enforce its rules and regulations within the territorial jurisdiction of such local board, and for that purpose shall have and may exercise all of the powers given by statute to the local boards of health; and the peace and police officers of the state, when called upon by the state board of health to enforce its rules and regulations, shall execute the orders of such board. All expenses incurred by the state board of health in determining whether its rules and regulations are enforced by a local board of health, and in enforcing the same when a local board has refused or neglected to do so, shall be paid in the same manner as is now provided for the payment of the expenses of enforcing such rules and regulations by local boards of health.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Read first and second time and placed on file.

By Senator Courtright, Senate file No. 193, a bill for an act to amend section five hundred eleven, title four, chapter six of the code, relating to the fees and compensation of sheriffs.

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

By Senator Trewin, Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding.

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

By Senator Trewin, Senate file No. 195, a bill for an act to

amend section thirty-two hundred twenty-five (3225) of the code, relating to the support of persons adjudged to be insane.

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

By Senator Trewin, Senate file No. 196, a bill for an act to amend section twenty-two hundred sixty-seven (2267) of the code, relating to appeals from the findings of commissioners of insanity.

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

Senator Trewin, chairman of the municipal code commission, appointed by the last general assembly, made a partial report for the commission this morning by introducing in the Senate seven bills providing for changes in the municipal laws of the state. He explained that the works of the commission has been delayed by the illness of certain members and the unavoidable absence of others. Therefore it was thought best to make a partial report at this time in order to get a portion of the proposed changes before the assembly.

By Senator Trewin, for municipal code committee, Senate file No. 197, a bill for an act relating to the powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases.

Read first and second time and referred to committee on Cities and Towns.

By Senator Trewin, for municipal code committee, Senate file No. 198, a bill for an act to amend chapter sixteen, (16) of title twelve (12) of the code as amended, relating to the powers of boards of health and expenses for caring for persons effected with infectious and contagious diseases.

Read first and second time and referred to committee on Cities and Towns.

By Senator Trewin, for municipal code committee, Senate file No. 199, a bill for an act to amend section seven hundred forty-five (745) of the code, as amended by the acts of the Twenty-seventh General Assembly.

Read first and second time and referred to committee on Cities and Towns.

By Senator Trewin, for municipal code committee, Senate file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-sixth General Assembly, relating to the levy of special taxes by cities.

Read first and second time and referred to committee on Cities and Towns

By Senator Trewin, for municipal code committee, Senate file No. 201, a bill for an act to amend section six hundred fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Trewin, for municipal code committee, Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code of Iowa, as amended, relating to certain powers of cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Trewin, for municipal code committee, Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments.

Read first and second time and referred to committee on Cities and Towns.

By Senator Crawford, Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to the waterworks, be made applicable to cities under special charters.

Read first and second time and referred to committee on Cities and Towns.

By Senator Harriman, Senate file No. 205, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section twenty hundred twenty-six (2026) of the code relating to such railways.

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

By Senator Smith of Mitchell (by request), Senate file No. 206, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance.

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

By Senator Harper, Senate file No. 207, a bill for an act to prevent sales of stocks of merchandise in fraud of creditors.

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

By Senator Crawford, Senate file No. 208, a bill for an act to repeal section forty-six hundred (4600) of the code, relating to fees of justices of the peace and constables.

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

By Senator Wilson, Senate file No. 209, a bill for an act to amend section fifty-seven hundred two (5702), chapter two (2), title twenty-six (26) of the code of eighteen hundred ninety-seven in relation to contracts for convict labor.

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

Senator Healy moved that Senate file No. 209 be referred to the committee on Ways and Means.

Carried and so ordered.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 55, a bill for an act to amend sections 2708, 2709, 2711, title 18, chapter 8 of the code, to repeal sections 12, 13, 14, chapter 100, laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools.

C. R. BENEDICT,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 6, a bill for an act to amend section 4074 of the code relating to proceedings auxiliary to exemption.

C. R. BENEDICT,
Chief Clerk.

The sergeant-at-arms announced a committee from the pioneer lawmakers.

Senator Alexander submitted the following report of the special committee appointed to invite the Pioneer Lawmakers' association of Iowa to visit the Senate.

MR. PRESIDENT—Your committee appointed to invite the Pioneer Lawmakers' Association of Iowa, to visit the Senate, beg leave to report that they have performed their duty.

The Association accepts the Senate's invitation with great pleasure, and will visit this body February 18th, at 8 o'clock P. M. Your committee nominates Senator Hobart to welcome the guests, and would recommend that the Senators on the east side of the chamber vacate their seats for the pioneer lawmakers, and occupy seats on the west side of the chamber, and that the following half hour be given up to the enjoyment of this event in such manner as shall please the President of this body.

J. S. ALEXANDER,
W. B. TALLMAN,
P. W. CRAWFORD,
Committee.

On motion of Senator Alexander the report of the committee was adopted.

HOUSE MESSAGES CONSIDERED.

Senate file No. 6, a bill for an act to amend section 4074 of the code, relating to proceedings auxiliary to exemption.

Read first and second time and placed on file.

House file No. 55, a bill for an act to amend sections 2708, 2709, 2711, title 13, chapter 8 of the code; to repeal sections 12, 13 and 14, chapter 100, laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial school.

Read first and second time and referred to committee on Charitable Institutions.

The Senate took up joint resolution No. 2, which was made a special order for this time.

THIRD READING OF BILLS.

On motion of Senator Harriman, joint resolution No. 2, for an

amendment to the constitution of the state of Iowa, proposing the repeal of sections 34, 35, 36 of article 3 of said constitution and proposing and to adopt the following in lieu thereof and a substitute therefor, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Harriman offered the following amendment and moved its adoption:

Insert the words "of article three (3)" in the second line of the resolution after the figures 36.

Carried.

Senator Harriman offered the following amendment and moved its adoption:

Strike out the word "fifteen" in the twelfth line of the bill and insert in lieu thereof the word ten.

Carried.

Senator Blanchard offered the following amendment and moved its adoption:

Strike out the words "three-fifths" in the eighth line of section 35 of the joint resolution, and insert in lieu thereof the words "one-half."

A roll call was demanded.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Bishop, Blanchard, Brighton, Brooks, Craig, Harper Hayward, Townsend—8.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Classen, Courtright, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—34.

Absent or not voting:

Senators Ball, Dowell, Emmert, Hazelton, Lyons, Smith of Des Moines, Spaulding, Winne—8.

So the amendment was lost.

Senator Harriman moved that the rule be suspended, and that the joint resolution be considered engrossed and read a third time now, as amended, which motion prevailed, and the joint resolution as amended was read a third time.

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:

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

That sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of the constitution of the state of Iowa be repealed, and the following be adopted in lieu thereof:

Section 34. The senate shall be composed of fifty members, to be elected from the several senatorial districts established by law, and at the next session of the general assembly, held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state according to population as shown by the last preceding census.

Sec. 35. The house of representatives shall consist of not more than one hundred and ten members. The ratio of representation shall be determined by dividing the whole number of the population of the state, as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative; but each county having a population in excess of the ratio number as herein provided, of three-fifths or more of such ratio number, shall be entitled to one additional representative.

Sec. 36. The general assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives as hereinbefore required.

Be it further Resolved, That this resolution and the amendment to the constitution therein contained and proposed, be and the same is hereby referred to the next succeeding general assembly for action. And the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next general assembly, as provided by law.

On the question, Shall the joint resolution pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brighton, Brooks, Classen, Courtright, Crawford, Crossley, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Mols-berry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Winne, Young of Washington—41.

The nays were:

Senators Bishop, Craig, Wilson—3.

Absent or not voting:

Senators Ball, Dowell, Hayward, Lyons, Spaulding, Young of Lee—6.

So the joint resolution, having received a constitutional major-ity, was declared to have passed the Senate and its title agreed to.

Senator Blanchard announced that he voted "aye" for the pur-pose of moving a reconsideration of the vote by which joint reso-lution No. 2 passed the Senate.

On motion of Senator Alexander, the time for adjournment was extended fifteen minutes.

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, sub-mitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 154, a bill for an act to amend section forty hundred eleven, chapter three, title 19 of the code of 1897, relative to personal earn-ings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to committee on Judiciary.

J. M. JUNKIN,
Chairman.

Adopted.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 68, a bill for an act to establish a reformatory for men, to make appropriations therefor, and to provide for transfers of prisoners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting after the word "murder" in the fourth line of section four of the printed bill the words "or manslaughter."

Also, by adding the words "or manslaughter" after the word "murder" in the fifth line of section five of said bill.

Also, by adding at the end of the eighteenth line of section five of said bill the words "be less than the minimum term nor."

Also, by striking out all of section six after the period in the fifth line of said section.

Also, by striking out the words "and a certified copy of the evidence before the trial court" in section nine of said bill, and when so amended that the bill do pass.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 75, a bill for an act governing the election of city superintendents of schools, and defining their duties in cities of three thousand inhabitants or more, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the enclosed substitute be enacted in lieu thereof, and when so substituted that the bill be passed.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 75.

A bill for an act to amend section two thousand, seven hundred seventy-eight (2778) of the code, relating to contracts made by boards of school corporations.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand, seven hundred seventy-eight (2778) of the code, is hereby amended by adding thereto the following:

"Any school corporation located in whole or in part in any city, including cities acting under special charters, may by a two-thirds vote of the board enter into contracts with superintendents, principals or teachers for a period not exceeding three years."

The substitute was read first and second time and placed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state.

Also, House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly, or under section seven hundred and forty-two of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

Also, House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

On motion of Senator Alexander, Senate file No. 122, a bill for an act to amend section 2, of chapter 67, of the laws of the Twenty-eighth General Assembly, relating to savings banks, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Alexander moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn,

Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Senators Ball, Bishop, Dowell, Emmert, Hubbard, Porter, Lyons, Smith of Mitchell, Spaulding—9.

So the bill having secured a constitutional majority was declared to have passed the Senate and its title agreed to.

The Journal of yesterday was taken up, corrected and approved.

Senator Alexander moved, that the Senate do now adjourn until 2:45 P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2:45 P. M., President Herriott presiding.

The President announced that he had signed in the presence of the Senate, House bills Nos. 18, 19 and 25.

REPORTS OF COMMITTEES.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred substitute for House file No. 68, a bill for an act to amend section thirty-five hundred twenty-nine of the code, relating to manner of commencing actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred substitute for House file No. 67, a bill for an act to amend section thirty-four hundred ninety-seven of the code, relating to places of bringing action, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 117, a bill for an act to amend section forty-eight hundred seven of the code, relating to malicious 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 Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Craig, from the committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your committee on Constitutional Amendments and Suffrage, to whom was referred joint resolution No. 8, proposing amendments to the constitution of Iowa, relating 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 Senate with the recommendation that the same do pass.

GEO. M. CRAIG,
Chairman.

Ordered passed on file.

The sergeant-at-arms announced that the Pioneer Lawmakers association of Iowa were at the door of the Senate, and they appeared and occupied seats on the east side of the chamber.

The President expressed gratification for the opportunity of welcoming the Pioneer Lawmakers' association of Iowa, and announced that Senator Hobart would make the address of welcome on the part of the Senate.

Senator Hobart spoke as follows:

Gentlemen of the Pioneer Lawmakers' Association:

The Senate of the Twenty-ninth General Assembly bids you a most hearty welcome. I esteem it an honor and a privilege to have been selected

to welcome you back to the old associations which are now but the memories of bygone days. The scenes of those days have long since passed away never to return, but its struggles, its trials, its afflictions, its triumphs and achievements are treasured within our hearts, never to be effaced as long as life shall last. It is fit and proper that the first general assembly of the twentieth century should welcome you back to these legislative halls. You come in the midst of peace and prosperity. Never before has such prosperity been seen. Where once lay the great American desert, desolate and alone save for the savages and wild beasts, is now the location of splendid cities and thousands of peaceful homes. Wealth and happiness surround us upon every side, and the spirit of American education, American industry and American progress finds in the people of Iowa its grandest attainments. This is indeed *your* triumph. And as you look back over the scenes of your early struggles you can congratulate yourselves that your labors have not been in vain.

You laid the foundations broad and deep, otherwise we could not have erected thereon this magnificent superstructure. You were the pioneers who blazed the way, we followed on in the well-beaten path. You labored that we might enjoy the fruits of your labor. Your association has performed a wonderful service in preserving to us the early history of the state. You have been the chain that has bound us to the memories of the past. But now and then comes a reminder that time is swiftly passing by, as link after link this chain is snapped asunder.

In 1838 there was held at Burlington the first territorial legislature of Iowa. It was composed of thirteen senators and twenty-six representatives. There was present at that session as private secretary to the governor a former member of your honorable body, the late Theodore S. Parvin, one of Iowa's greatest and most remarkable men. It was my fortune last summer to be present at the meeting of the grand lodge of which Theodore S. Parvin had been secretary for more than half a century. But for the first time in many years Theodore S. Parvin was not present, because he lay upon his dying bed. He was, however, re-elected secretary, and a committee was dispatched to his home at Cedar Rapids, bearing to him this information and the heartfelt sympathy of every member of the organization. The scene enacted at that deathbed will never be forgotten by those who witnessed it. He thanked them and sent back a message of love to the lodge he loved so dearly, and said it had always been his wish to die its secretary. He was at this time stricken with death, his body was without the power of motion, bowed down with the weight of eighty-four years, the body was dead, but within the casket there still dwelt a mind as bright and active as in the vigor of manhood. His words were taken down and have been pronounced to be a gem of oratory. A most remarkable ending of a most remarkable life. And thus was snapped the only link in the chain that has so long bound you to the life memories of Iowa's first territorial legislature.

You found Iowa a wilderness, it is today the garden spot of the world. You have witnessed the passing of the log cabin and the sod shanty. You have seen the prairie schooner give way to the stage coach and the stage coach in turn give way to railroad train. You have observed the march of

civilization from the Mississippi to the Missouri, changing the whole face of nature and driving before it the savages of the plains. You not only witnessed these things, but you have assisted in the upbuilding of our state. You organized the territory and brought it within the sisterhood of states of which she has become one of the greatest. You laid the foundations for our system of public schools, you established a judiciary and founded our institutions.

A large proportion of the laws which you passed still remain on our statute books, a monument to your foresight and wisdom. You fought over the great questions of slavery, and when the dark clouds of war at last rolled over this land, Iowa took its place in the very front ranks of those who went forth to fight for the preservation of the Union. I believe she occupies the proud distinction of being the only state which was not subjected to draft. Iowa produced great men in those days, men whose names are written upon the pages of history and the memory of whose nobledeeds lives after them. But while we sing praises to our heroes whose names still live, let us not forget Iowa's private soldier, whose life blood ebbed away upon the southern battlefield. Who left all that life holds dear, father, mother, wife, home. Left all to offer up his life upon the altar of a country's devotion. He sleeps, perchance today in an unknown grave, under sunny skies. And let us not forget those services. Let us not forget those graves.

You lived through all these stirring scenes and were unconsciously laying the foundations for a mighty commonwealth. You little thought to see such great success attend your efforts, yet the possibilities of the future are great. There may be those present here today, who will live to see this beautiful land teeming with a population of 10,000,000 of people who will look back upon the railroads of today as we today look back upon the stage coach and couriers of our fathers.

But, my friends, it is a painful fact that your labors are almost done, and we are soon to take up your burdens and pass on to a completion of the work so fittingly begun. And as we take up the burdens which you lay down, we will indeed find that our labors are by no means finished. That great and important questions still confront us on every side. Questions which call for our greatest energy and exertion. And as we proceed to a solution of these questions we will realize more and more the wisdom and value of your early labors. And we wish to express to you our gratitude for having builded so well, and for having placed our feet on so firm and so solid a foundation.

Gentlemen, we welcome you with pleasure.

President Herriott then introduced B. F. Gue, formerly lieutenant-governor of Iowa.

B. F. Gue then spoke briefly and thanked the Senate very kindly for the opportunity extended to them of meeting the law-makers of today.

Ex-Lieutenant-Governor B. F. Gue, who was chosen as the

representative of the Pioneer Lawmakers' association of Iowa, announced that Senator Perry had been chosen by the association to make the response to the speech of Senator Hobart,

Senator Perry delivered a short address on behalf of the Pioneer Lawmakers' association of Iowa.

Ex-Lieutenant-Governor Gue then announced that Colonel Scott would make a few remarks.

Colonel Scott spoke feelingly of the times when he was a member of the legislature.

President Herriott then announced Colonel Moore, who spoke briefly and feelingly of the times when he was a member of the Senate.

Senator Junkin moved that the addresses just made, including the address of Senator Hobart, be printed in the Journal, so far as they can be obtained.

Carried and so ordered.

Senator Griswold moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, February 14, 1902. }

Senate met in regular session at 10 o'clock A. M., President *pro tem* Harriman presiding.

Prayer was offered by Rev. E. G. Beyer of Maynard, Iowa.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Lambert until Monday.

On request of Senator Junkin, leave of absence was granted Senator Crossley for today.

On request of Senator Junkin, leave of absence was granted Senator Ball for to-day.

On request of Senator Tallman, leave of absence was granted Senator Young of Lee until Monday.

On request of Senator Lister, leave of absence was granted Senator Smith of Mitchell until Monday.

On request of Senator Young of Washington, leave of absence was granted Senator Crawford until Tuesday.

On request of Senator Moffit, leave of absence was granted Senator Trewin until Monday.

PETITIONS AND MEMORIALS.

Senator Junkin presented petitions of citizens of Red Oak, Montgomery county, Iowa, favoring the submission of an amendment granting suffrage to women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Wilson presented petition of citizens of Clinton, petitioning for the removal of the discriminating tax against foreign insurance companies.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Classen, Senate file No. 210, a bill for an act to provide for the erection of a monument to mark the last resting place of Iowa volunteers who died while prisoners at Andersonville, Georgia, and to make an appropriation to pay for the same and to pay the expenses of the commissioners.

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

By Senator Maytag, Senate file No. 211, a bill for an act relating to the duties of the commissioner of the bureau of labor statistics and repealing sections twenty-four hundred seventy (2470), twenty-four hundred seventy-two (2472), twenty-four hundred seventy-four (2474,) enacting others in lieu thereof and to amend sections twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-seven (2477.)

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

By Senator Maytag, Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

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

By Senator Trewin, Senate file No. 213, a bill for an act repealing sections two (2), three (3), four (4) and five (5) of chapter sixteen (16), acts of the Twenty-eight General Assembly also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code of 1897, and repealing sections twenty-eight hundred sixty-eight (2868), twenty-eight hundred sixty-nine (2869), twenty eight hundred seventy-one (2871), twenty-eight hundred seventy-two (2872), twenty-eight hundred seventy-three (2873) and twenty-eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148) acts of the Twenty-seventh General Assembly.

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

By Senator Dowell, Senate file No. 214, a bill for an act to amend sections seven hundred seventy (770), seven hundred seventy-one (771) and seven hundred seventy-three (773) and to repeal section seven hundred seventy-four (774) of chapter six (6) of the code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways, and to enact a substitute for said section seven hundred seventy-four (774.)

Read first and second time and referred to committee on Cities and Towns.

By Senator Bachman, Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa.

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

Senator Trewin offered the following resolution and asked that it lay over under the rules:

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring that,

WHEREAS, Certain state officers, commissions and departments have neglected to comply with chapter six (6) of the acts of the Twenty-eighth General Assembly, thus detracting from the value and interfering with the prompt publication of the report therein provided for; therefore, be it

Resolved, By the Senate, the House concurring: That the committee on retrenchment and reform inquire into the cause of such neglect and report such proposed legislation as may be deemed necessary to secure the enforcement of said law.

Laid over under the rule.

REPORTS OF COMMITTEES.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 151, a bill for an act to amend section 2582, of the code, relating to the granting of certificates to practice medicine and surgery, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Hazelton, from the committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your committee on Congressional and Judicial Districts, to whom was referred Senate file No. 79, a bill for an act to reorganize the congressional districts 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 Senate with the recommendation that the same be indefinitely postponed.

A. S. HAZELTON,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 168, a bill for an act relating to the transfer by the treasurer of state to his successor of funds of the state and liabilities incident thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of taxes or fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 195, a bill for an act to amend section 3225 of the code, relating to the support of families of persons adjudged to be insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 196, a bill for an act to amend section 2267 of the code relating to appeals from the findings of commissioners of insanity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Alexander, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks to whom was referred House file No. 83, a bill for an act to amend section eighteen hundred fifty (1850) of the code, relating to the 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 Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman.

Adopted February 14, 1902.

Also:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate file No. 54, a bill for an act to repeal sections 3050, 3051 and 3052 of the code, relating to days of grace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 164, a bill for an act to amend section fifty-three hundred fourteen of the code, relative to the compensation of attorneys.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh General Assembly, to annotate the same and the code and rules of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the

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

House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor.

C. R. BENEDICT.

Chief Clerk.

Also:

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

House file No. 8, a bill for an act relating to the use of streets and highways by automobiles or motor vehicles, and requiring the owners of such vehicles to register with the secretary of state.

C. R. BENEDICT.

Chief Clerk.

The time having arrived the Senate took up joint resolution No. 5, which was made a special order for this time.

THIRD READING OF BILLS.

On motion of Senator Harper, Senate joint resolution No. 5, a joint resolution proposing to amend the constitution of the state of Iowa so as to provide for biennial elections, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

By unanimous consent the letter "s" was stricken from the word "officers" in the twentieth line of the bill, and the letter "s" was added to the word "term" in the twenty-fourth line of the bill.

Senator Harper moved that the rule be suspended, and that the joint resolution be considered engrossed and the reading just had be considered its third reading.

Senator Hazelton moved to refer Senate joint resolution No. 5 to the committee on Judiciary.

Carried and so referred.

On motion of Senator Garst, Senate file No. 147, a bill for an act to appropriate money to defray the expenses of the inauguration ceremony, with report of committee recommending its

passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst, moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Townsend, Whipple, Winne, Young of Washington—37.

The nays were:

Senator Porter—1.

Absent or not voting :

Senators Ball, Crawford, Crossley, Hazelton, Lambert, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Young of Lee—12.

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

On motion of Senator Garst, Senate file No. 134, a bill for an act appropriating money to pay expressage, freights and cartage, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Dowell, Emmert,

Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Tallman, Townsend, Whipple, Winne, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Senators Ball, Bishop, Crawford, Crossley, Healy, Lambert, Smith of Mitchell, Spaulding, Trewin, Wilson, Young of Lee—11.

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

¶ On request of Senator Classen, leave of absence was granted Senator Arthaud until Monday.

Senator Molsberry moved that the rules be suspended for the purpose of taking up Calendar No. 13 out of its regular order at this time.

A roll call was demanded.

On the question, Shall the rules be suspended for the purpose of taking up Calendar No. 13 at this time?

The yeas were:

Senators Bishop, Blanchard, Brighton, Classen, Courtright, Dowell, Emmert, Fitchpatrick, Garst, Harper, Hartshorn, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Winne—24.

The nays were:

Senators Alexander, Allyn, Bachman, Brooks, Griswold, Lyons, Porter, Smith of Des Moines, Tallman, Townsend, Whipple, Young of Washington—12.

Absent or not voting :

Senators Arthaud, Ball, Craig, Crawford, Crossley, Harriman, Hayward, Hazelton, Lambert, Smith of Mitchell, Spaulding, Trewin, Wilson, Young of Lee—14.

So the motion to take up Calendar No. 13 at this time was carried.

On motion of Senator Molsberry, Senate file No. 70, a bill for an act to repeal section 853 of the code, and section 2 of chapter 28 of the act of the Twenty-seventh General Assembly, and amend subdivision 6 of section 1005 of the code, relating to the subject of taxes for library purposes in cities acting under special charters, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Townsend, Whipple, Wilson, Winne, Young of Washington—38.

The nays were.

None.

Absent or not voting:

Senators Alexander, Arthaud, Ball, Crawford, Crossley, Lambert, Moffit, Smith of Mitchell, Spaulding, Tallman, Trewin, Young of Lee—12.

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

On motion of Senator Alexander, Senate file No. 78, a bill for an act to amend section 1850, chapter 10, title 9, paragraph 4, of the code, relating to investment of funds of savings banks, with report of committee recommending its passage, was taken up and considered.

Senator Alexander moved that House file No. 33 be substituted for Senate file No. 78 as they were bills of similar character and House file No. 33 had already passed the House.

Carried.

On motion of Senator Alexander, House file No. 33, a bill for an act to amend section 1850 of the code, relating to the investment of funds of savings banks, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Healy the time for adjournment was extended until the bill under consideration was concluded and the Journal corrected.

Senator Alexander moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Blanchard, Brighton, Classen, Griswold, Hartshorn, Hayward, Hazleton, Hopkins, Hubbard, Moffit, Molsberry, Smith of Des Moines, Whipple, Young of Washington—16.

The nays were:

Senators Bachman, Brooks, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Healy, Hobart, Hogue, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Tallman, Wilson, Winne—20.

Absent or not voting:

Senators Arthaud, Ball, Bishop, Crawford, Crossley, Harper, Harriman, Junkin, Lambert, Smith of Mitchell, Spaulding, Townsend, Trewin, Young of Lee—14.

So the bill having failed to secure a constitutional majority was declared lost.

The Journal of yesterday was taken up, corrected and approved.

The time having arrived, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, February 15, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. A. L. Golden of Ankeny, Iowa.

On request of Senator Harriman, leave of absence was granted Senator Wilson until Tuesday.

On request of Senator Harriman, leave of absence was granted Senator Emmert until Tuesday.

On request of Senator Harriman, leave of absence was granted Senator Smith of Des Moines until Tuesday.

On request of Senator Harriman, leave of absence was granted Senator Alexander until Tuesday.

PETITIONS AND MEMORIALS.

Senator Harriman presented petition of Mrs. R. A. Barr and eighty-five other ladies of Britt, asking for a submission of an amendment in favor of woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Courtright presented petition of insurance men and citizens of Waterloo and Cedar Falls, asking for the removal of the discriminating tax against foreign insurance companies.

Referred to committee on Ways and Means.

Senator Healy presented petition of citizens of Fort Dodge, Iowa, asking favorable action on Senate file No. 154.

Referred to committee on Judiciary.

Senator Blanchard presented petition of Green & Bentley Drug company of Oskaloosa, wanting favorable action on Senate file No. 154.

Referred to committee on Judiciary.

Senator Lewis presented petitions of 1,606 women and 1,133 men of Page county in favor of submitting a constitutional amendment for equal suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Lister presented petition of citizens of Osceola county asking for the submission of an amendment in favor of woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Harriman, Senate file No. 216, a bill for an act to promote the public health, comfort and welfare, by improving the natural drainage of swamp, overflowed, wet or marshy land, and prescribing a method for so doing.

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

Senator Blanchard announced that the money collected to help defray the expenses of a suitable memorial to the late President McKinley from members of the two houses of the legislature, had been placed in his hands and he had remitted the same to the McKinley National Memorial association, and he had received a receipt for the same which he requested printed in the Journal.

Senator L. C. Blanchard, Des Moines, Iowa:

DEAR SIR—I take pleasure in acknowledging receipt of your favor of the 3d of February, with enclosure of check for \$103.50, contributed by the members of the two houses of the legislature of Iowa toward the erection of a suitable memorial to the late President McKinley.

The responses which we are receiving promise well indeed, and, furthered by the good will and substantial support of such friends as yourself and associates, the success of the movement is assured.

Very truly yours,

MYRON T. HERRICK.

On motion of Senator Bachman, Senate file No. 192 was made a special order for Tuesday, February 18th, at 10:30 o'clock A. M.

On motion of Senator Classen, two hundred additional copies of Senate file No. 165 were ordered printed.

HOUSE MESSAGES CONSIDERED.

House file No. 3, a bill for an act relating to the use of streets and highways by automobiles or motor vehicles, and requiring the owners of such vehicles to register with the secretary of state.

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

House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor.

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

House file No. 164, a bill for an act to amend section fifty-three hundred fourteen (5314) of the code, relative to the compensation of attorneys.

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

Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh General Assembly, to annotate the same and the code and rules of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee and making an appropriation therefor.

Placed on file.

REPORTS OF COMMITTEES.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 47, a bill for an act to authorize the appointment of state and savings banks and loan and trust companies, organized under the laws of the state of Iowa, as executors, 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 Senate, with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 99, a bill for an act to amend section thirty-two hundred and nineteen (3219) of the code, relative to the appointment of guardians for insane persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 90, a bill for an act to legalize ordinances and resolutions passed by city councils and town councils by less than the regular number 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under a tempted suspension of the rule requiring the reading thereof on three different days, the vote for suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute therefor with the recommendation that the said substitute do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR HOUSE FILE NO. 187.

A substitute for a bill for an act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes.

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

Section 1. That all acts, motions, proceedings, resolutions and ordinances heretofore passed or adopted by the council of any city, including

cities acting under special charter, and incorporated towns in the state, on the supposition that the mayor was not a member of such council, and which would conform to the law if the mayor had not been a member of said council, shall for all purposes from the date of such act, motion, proceeding, resolution or ordinance, be considered as valid and legal as they would have been had the mayor not been a member of such body.

Sec. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Read first and second time and ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 178, a bill for an act to amend section three thousand, three hundred eighty-six (3386) of the code of 1897, relating to heirs or beneficiaries, causing death or disability, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute therefor with the recommendation that said substitute do pass.

THOS. D. HEALY,
Committee.

SUBSTITUTE FOR SENATE FILE NO. 178.

A bill for an act to amend section three thousand, three hundred and eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another.

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

Section 1. That section three thousand, three hundred and eighty-six (3386) of the code be amended by inserting after the word "person" in the third line of said section the following words:

"Or receive any interest in the estate of the decedent as surviving spouse."

Read first and second time and ordered passed on file.

REVENUE REPORT OF COMMITTEE ON WAYS AND MEANS OF SENATE
AND HOUSE.

MR. PRESIDENT—In accordance with the joint action of the Ways and Means committees of the Senate and House, we hereby submit a report of the state's finances.

The following is a statement of the estimated available revenue for the biennial fiscal period ending June 30, 1903, under existing statutes.

Net treasury cash balance, July 1, 1901\$1,143,898.17

PROCEEDS STATE LEVY.

2.6 mills, last half of 1901.....	\$ 575,000.00	
2.7 mills, 1902	1,500,000.00	
2.6 mills, first half 1903.....	750,000.00	
Interest on taxes.....	28,000.00	—2,853,000.00
Sale of laws.....		8,000.00
Corporation taxes.....		860,000.00
Receipts from institutions under board of control		180,500.00
Fees, state officers.....		238,400.00
Support and care county inmates of state institutions.....		764,000.00
U. S. aid to Soldiers' home.....		80,000.00
Collateral inheritance tax.....		160,000.00
Miscellaneous sources.....		15,000.00
		<hr/>
Grand total for biennial fiscal period.....		\$5,777,788.17

The following is a statement of the estimated expenditures for the same period:

[EXECUTIVE OFFICES.

Adjutant-general.....	\$ 8,000.00
Attorney-general.....	14,560.00
Auditor of state.....	27,640.00
Board of control.....	53,000.00
Clerk supreme court.....	12,920.00
Commissioner of labor statistics.....	6,000.00
Commissioner pharmacy enforcement.....	2,400.00
Custodian public property.....	48,000.00
Dairy commissioner.....	16,000.00
District judges, fifty-three.....	265,000.00
Executive council, expense.....	9,080.00
Fish and game warden.....	2,400.00
Governor.....	80,200.00
Librarian.....	12,720.00
Mine inspector.....	21,460.00
Railway commission.....	24,200.00
Secretary of state.....	23,800.00
Superintendent of public instruction.....	12,180.00
Superintendent weights and measures.....	100.00
Supreme judges, six.....	48,000.00
Supreme court contingent fund.....	8,500.00
Supreme court reporter.....	4,200.00
Supreme court clerk's fund.....	1,200.00
Supreme court rooms, balliff's salary.....	1,560.00
Treasurer of state.....	18,120.00

EDUCATIONAL INSTITUTIONS, ETC.

Agricultural college.....	97,200.00
Board educational examiners.....	2,500.00

Normal school	\$ 125,500.00
State university.....	256,500.00
Teachers' institutes.....	10,000.00

VARIOUS INSTITUTIONS, ETC.

Arrest of fugitives	10,000 00
Agricultural societies	38,000.00
Veterinary surgeon.....	10,000.00
Board of health.....	10,000.00
State binder.....	38,000 00
Condemnation of real estate	7,800.00
Collateral inheritance tax, enforcement.....	9,600.00
Farmers' institutes	6,000 00
Geological survey and expenses.....	21,560 00
Historical collection and library.....	20,000.00
Historical collection, curator's salary.....	3,200 00
Historical society	2,000.00
Horticultural society.....	5,000.00
Interest school fund loans.....	1,313.00
Iowa state library.....	9,000 00
Weather bureau.....	5,400 00
Mail carrier.....	2,200.00
Militia	100,400.00
Miscellaneous freight and expressage.....	8,000.00
Miscellaneous code, 86.....	1,000 00
Miscellaneous code, 164	9,800 00
Miscellaneous code, 165.....	67,000 00
Providential contingencies.....	50,000.00
State printer.....	65,000.00
Reward for arrest of murderers.....	1,000.00
Relief of Metz.....	480.00
Relief of Hull.....	480.00
State agricultural society.....	6,800.00
State library commission.....	4,000.00
Twenty-ninth General Assembly.....	180,000.00
Miscellaneous.....	15,000.00

INSTITUTIONS UNDER BOARD OF CONTROL.

Penitentiary, Anamosa.....	225,544.88
Hospital, Clarinda.....	296,287.44
School for the Deaf.....	110,711.87
Soldiers' Orphans' Home	125,228.47
Industrial School for Boys.....	116,112.59
Penitentiary, Fort Madison	195,881.88
Institution Feeble-Minded Children.....	291,213.98
Hospital, Independence.....	355,404.11
Industrial Home, Knoxville	1,000.00
Soldiers' Home.....	289,573.23
Hospital for Insane, Mount Pleasant	309,591.21
Industrial School for Girls	50,146.92

College for the Blind.....	\$ 65,202.51
Hospital for Insane, Cherokee.....	20,000.00
Grand total.....	<u>\$4 286,678.00</u>

In addition to the foregoing estimated expenditures, there should be considered the undrawn extraordinary appropriations of the Twenty-seventh and Twenty-eighth General Assemblies, amounting to \$793,448, which were available at the beginning of this biennial period. These appropriations had not been drawn from the state treasury, and were on July 1, 1901, a liability which must be paid on demand. Considering then this sum as a liability, it should be added to the grand total estimated expenditures as above indicated of \$4,286,678, which would make the grand total \$5,080,116.

Grand total of estimated available revenue for the biennial fiscal period ending June 30, 1903, is.....	\$5,777,788.17
Grand total of estimated expenditures for the biennial fiscal period ending June 30, 1903, is.....	<u>5,080,116.00</u>
Balance.....	\$ 697,672.17

The above balance (\$697,672.17) represents "the probable amount of money available for disbursements" by the appropriations committees of this general assembly under present statutes and conditions. We believe that experience will slightly increase rather than diminish this amount, but that is entirely problematical.

Owing to changes which have taken place in salaries and expenses of various departments, the above estimates vary slightly from the figures submitted in the biennial report of the auditor of state. Estimates for the board of control have been increased \$1,565; freight and expressage, \$3,500; and miscellaneous expenses, \$15,000; making a total increase of \$20,065.00. This increase, however, is more than wiped out by the decrease recommended by the board of control in the estimate formerly made by them for the expenses of the Hospital for Insane at Cherokee. The saving in this item as it now stands being \$70,000. A reduction of \$5,000 has also been made in the estimated expenses of the Twenty-ninth General Assembly. This explanation is pertinent to the subject only in comparing the present recommendations with those made to the governor in the biennial report of the auditor of state.

J. M. JUNKIN,
Chairman Senate Ways and Means Committee.
M. L. TEMPLE,
Chairman House Ways and Means Committee.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 62, a bill for an act to amend section twenty-five hundred and seventy-one (2571) of the code, relating to time of meeting for local boards of health.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without written consent of the landlord, and fixing the penalty therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 12, a bill for an act amending section five thousand, fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, corks, kegs and barrels of another.

C. R. BENEDICT,
Chief Clerk.

Senator Craig moved that the Senate take up House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

Senate file No. 12, a bill for an act amending section five thousand and fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another.

Passed on file.

House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without written consent of the landlord, and fixing the penalty therefor.

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

House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

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

House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

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

House file No. 162, a bill for an act to amend section twenty-five hundred and seventy-one (2571) of the code, relating to time of meeting for local boards of health.

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

On motion of Senator Healy, the Senate took up bills on the Senate calendar reported by committees recommending indefinite postponement.

On motion of Senator Healy, Senate file No. 67, a bill for an act to amend section 600 of the code, relating to the incorporation of cities and towns, was taken up and the report of the committee adopted, and the bill indefinitely postponed.

On motion of Senator Blanchard, Senate file No. 114, a bill for an act to amend section three hundred and eight (308) of the

code, in relation to the time of payment of compensation of county attorneys, was taken up and the report of the committee adopted and the bill indefinitely postponed.

On motion of Senator Blanchard, Senate file No. 85, a bill for an act for the keeping by county treasurer of monthly apportionment record book of all taxes collected, was taken up and the report of the committee adopted and the bill indefinitely postponed.

On motion of Senator Healy, Senate file No. 90, a bill for an act to legalize ordinances and resolutions passed by city councils and town councils by less than the required number of votes, was taken up, and the report of the committee adopted and the bill indefinitely postponed.

The Journal of yesterday was taken up, corrected and approved.

Senator Blanchard moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, February 17, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Conrad Hooker of Des Moines, Iowa.

On request of Senator Lister, leave of absence was granted Senator Smith of Mitchell for today.

On request of Senator Tallman, leave of absence was granted Senator Young of Lee.

On request of Senator Lister, leave of absence was granted Senator Young of Lee for today.

On request of Senator Winne, leave of absence was granted Senator Crossley for today.

On request of Senator Harper, leave of absence was granted Senator Brooks for today.

On request of Senator Winne, leave of absence was granted Senator Brighton for today.

PETITIONS AND MEMORIALS.

Senator Blanchard presented petition of merchants of Oska-loosa, Iowa, asking favorable action on Senate file No. 154.

Referred to committee on Labor.

Senator Harper presented petition of merchants of Eddyville, Iowa, requesting favorable action on the personal earnings bill.

Referred to committee on Ways and Means.

Senator Harper presented petition of merchants of Agency, Iowa, requesting the passage of Senate file No. 154.

Referred to committee on Ways and Means.

Senator Bachman presented petition of business men of Wesley, Iowa, asking for the passage of Senate file No. 154.

Referred to committee on Ways and Means.

Senator Garst presented petition of citizens of Odebolt, Iowa petitioning for the repeal of the tax ferret law.

Referred to committee on Ways and Means.

Senator Harper presented petition of coal operators of the state of Iowa, asking for the enacting of a law making it unlawful to blast coal from the solid without being cut or mined, and for other regulations.

Referred to committee on Mines and Mining.

INTRODUCTION OF BILLS.

By Senator Harriman, Senate file No. 217, a bill for an act to amend section eight (8), of chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly.

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

By Senator Blanchard, Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

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

By Senator Blanchard, Senate file No. 219, a bill for an act to prevent fraud or the sale of stock in private corporations.

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

By Senator Emmert, Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth (28) General Assembly, in relation to the inspection and use of the products of petroleum.

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

By Senator Emmert, Senate file No. 221, a bill for an act to

amend section two thousand, five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

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

Senator Tallman asked for a roll call to ascertain whether or not a quorum was present.

On the roll call a quorum responded to their names.

THIRD READING OF BILLS.

On motion of Senator Tallman, House file No. 26, a bill for an act to legalize and confirm the acts of Geo. C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Tallman moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harri-
man, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis,
Lister, Maytag, Molsberry, Porter, Tallman, Townsend, Trewin,
Whipple—26.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton,
Brooks, Crawford, Crossley, Hazleton, Healy, Hobart, Hogue,
Hubbard, Lyons, Mardis, Moffit, Smith of Des Moines, Smith of
Mitchell, Spaulding, Wilson, Winne, Young of Lee, Young of
Washington—24.

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

On motion of Senator Blanchard, House file No. 34, a bill for an act to legalize the ordinances of Conway, Iowa, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Blanchard moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis, Lister, Maytag, Moffit, Molsberry, Porter, Tallman, Townsend, Trewin, Whipple—27.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Crawford, Crossley, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Mardis, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson, Winne, Young of Lee, Young of Washington—23.

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

On motion of Senator Harriman, House file No. 187, a bill to legalize the adoption of ordinances of cities and towns and incorporated towns, adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote for such suspension having been less than three-fourths of the whole number of members elected to the council, including the mayor, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Harriman moved that the rule be suspended, and the

reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Dowell, Emmett, Fitchpatrick, Garst, Griswold, Harper, Harri-man, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis, Lister, Maytag, Moffit, Molsberry, Porter, Tallman, Townsend, Trewin, Whipple, Winne—28.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Crawford, Crossley, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Mardis, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson, Young of Lee, Young of Washing-ton—22.

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

On motion of Senator Hopkins, House file No. 103, a bill for an act to legalize the election held in the county of Dallas and state of Iowa on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions and the manner of payment of bonds issued for said purpose, and all the proceedings of the board of supervisors with reference to said matter, etc., with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis, Lister, Maytag, Moffit, Molsberry, Porter, Tallman, Townsend, Trewin, Whipple, Winne—27.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Crawford, Crossley, Emmert, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Mardis, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson, Young of Lee, Young of Washington—23.

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

On motion of Senator Blanchard, House file No. 119, a bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district, and to enable such district to issue such bonds, with report of the committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Blanchard moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garts, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis, Lister, Mardis, Haytag, Moffit, Molsberry, Porter, Tallman, Townsend, Trewin, Whipple, Winne—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Crawford, Crossley, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson, Young of Lee, Young of Washington—21.

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

On motion of Senator Blanchard, House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Blanchard 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:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harri-man, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Tallman, Townsend, Trewin, Whipple, Winne—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Crawford, Crossley, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson, Young of Lee, Young of Washington—21.

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

On motion of Senator Molsberry, House file No. 42, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association

of Burlington, Iowa, conferring upon said association all the rights, powers and privileges now possessed or hereafter conferred by the statutes of Iowa, upon corporations not for pecuniary gain, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Molsberry moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, shall the bill pass?

The yeas were:

Senators Bachman, Blanchard, Courtright, Craig, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Tallman, Townsend, Trewin, Whipple, Winne—28.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Classen, Crawford, Crossley, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson, Young of Lee, Young of Washington—22.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 111, a bill for an act making an appropriation for the purchase of thirty thousand (\$0,000) railroad commissioners' official maps, to be distributed by the members of the general assembly and the railroad commissioners.

Also, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee; for the purchase of land and for a contingent and repair fund.

E. K. WINNE,
Chairman.

February 17, 1903.

President *pro tem* Harriman took the chair at 11:15 A. M.

The Journal of February 15th was taken up, corrected and approved,

Senator Bachman moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, February 18, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. A. G. Martyn of Denison, Iowa.

On request of Senator Lister, leave of absence was granted Senator Smith of Mitchell for today.

On request of Senator Lister, leave of absence was granted Senator Young of Washington for today.

On request of Senator Tallman, leave of absence was granted Senator Young of Lee for today.

PETITIONS AND MEMORIALS.

Senator Classen presented petition of 150 merchants of Marshalltown, Iowa, asking favorable action on House file No. 154.

Referred to committee on Judiciary.

Senator Classen presented petition of members of Andersonville post No. 155, department of Iowa, G. A. R., asking for appropriation for monument to deceased members who died in prison.

Referred to committee on Appropriations.

Senator Ball presented petition of members of St. Mary's Catholic church of Iowa City, protesting against the passage of House file No. 45.

Read and referred to committee on Schools.

Senator Ball presented petition of members of St. Mary's Catholic church of Iowa City, protesting against the passage of House file No. 134.

Read and referred to committee on Schools.

Senator Ball presented petition of members of St. Mary's Catholic church of Iowa City, protesting against the passage of House file No. 170.

Read and referred to committee on Schools.

Senator Hobart presented petition of citizens of Le Mars, asking for a law limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Hobart presented petition of citizens of Ida county, asking for the submission of an amendment favorable to woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Lister presented petition of citizens of Hawarden, asking for the limiting of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Mr. Brooks presented petition of 100 citizens of Keokuk county, asking for a law in favor of road tax paid in cash and other relief.

Referred to committee on Highways.

Senator Hazelton presented protest of Iowa Association for Advancement of the Deaf against the establishment of another school for the deaf.

Referred to committee on Educational Institutions.

Senator Hazelton presented petition of republican central committee of Pottawattamie county protesting against the passage of the primary election bill introduced in the Senate.

Referred to committee on Elections.

Senator Molsberry presented petition of insurance men and others of the city of Muscatine, asking for the removal of the discriminating tax against foreign insurance companies.

Referred to committee on Ways and Means.

Senator Lyons presented petition of taxpayers of Decorah, Iowa, asking that all road tax be paid in cash, etc.

Referred to committee on Highways.

Senator Harper presented resolution adopted by Painters' Union No. 130, American Federation of Labor of Ottumwa, asking for a joint resolution by the legislature requesting the building of American war vessels in the navy yards of this country.

Referred to committee on Federal Relations.

Senator Trewin presented resolution adopted by Brotherhood of Boiler Makers and Iron Ship Workers of America, of Oelwein, Iowa, asking for a joint resolution by the legislature, requesting the building of American war vessels in the navy yards of this country.

Referred to committee on Federal Relations.

Senator Wilson presented resolutions adopted by Painters' and Decorators' Union No. 183 of Clinton, Iowa, asking for a joint resolution by the legislature, requesting the building of American war vessels in the navy yards of this country.

Read and referred to committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Porter, Senate file No. 222, a bill for an act to amend section seventeen hundred forty-three (1743) of the code, relating to insurance other than life.

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

By Senator Courtright, Senate file No. 223, a bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh (27) General Assembly, and as amended by the acts of the Twenty-eighth (28) General Assembly, in relation to park commissioners in certain cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Maytag, Senate file No. 224, a bill for an act to provide safe means of egress from buildings.

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

By Senator Trewin, Senate file No. 225, a bill for an act to provide for the encouragement and development of the dairy interests of the state and to appropriate money therefor.

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

By Senator Whipple, Senate file No. 226, a bill for an act making an appropriation for the relief of J. T. M. Glenn of Garrison, Iowa, who was injured while in the discharge of his duty as guard at the state penitentiary at Anamosa, Iowa.

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

By Senator Crossley, Senate file No. 227, a bill for an act requiring the examination, and providing for the licensing of municipal and county engineers, and for the protection of public property and public health.

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

By Senator Hayward, Senate file No. 228, a bill for an act to amend section one thousand eighty-two (1082) of the code, relating to registration on election day.

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

By Senator Wilson (by request) Senate, file No. 229, a bill for an act to regulate the employment of children and provide punishment for violation of same.

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

By Senator Dowell, Senate file No. 230, a bill for an act for the preservation of life and protection of property, to require the construction of fire escapes to certain buildings and inclosures now constructed, or hereafter to be erected; providing the manner of constructing the same, and imposing penalties for violation thereof.

Read first and second time and referred to committee on Cities and Towns.

Senator Trewin called up the concurrent resolution introduced

by him Friday, relative to requiring state officers to report as required by law, and moved its adoption.

A[roll call was demanded.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Senators Allyn, Arthaud, Backman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hatshorn, Hayward, Hazleton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple, Wilson, Winne—45.

The nays were:

None.

Absent or not voting:

Senators Alexander, Smith of Mitchell, Spaulding, Young of Lee, Young of Washington—5.

So the concurrent resolution was adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 180, a bill for an act to amend section 1547 of the code, and to prohibit the taking of fish from certain waters of the state except with hook and line.

C. R. BENEDICT,
Chief Clerk

Also:

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

House file No. 121, a bill for an act to amend section 1610, and section 1518 as amended by chapter 40 of the acts of the Twenty-seventh General

Assembly, and chapter 56 of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 195, a bill for an act to amend section 106 of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

C. R. BENEDICT,
Chief Clerk.

The hour having arrived, the Senate took up Senate file No. 192, which was made a special order for this time.

SPECIAL ORDER.

On motion of Senator Bachman, Senate file No. 192, a bill to amend section 2572 of the code, relating to the enforcement of rules and regulations of the state board of health, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bachman moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn,

Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Whipple, Winne—33.

The nays were:

Senators Courtright, Hogue, Lambert, Moffit, Porter, Smith of Des Moines, Tallman, Townsend—8.

Absent or not voting:

Senators Alexander, Arthaud, Hopkins, Smith of Mitchell, Spaulding, Trewin, Wilson, Young of Lee, Young of Washington—9. •

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

Senator Hazelton offered the following resolution:

Resolved, That the Appropriation committee of the Senate be hereby required to report all appropriation bills within ten days from the adoption of this resolution, with a view to an early adjournment.

Laid over under the rule.

Senator Wilson offered the following resolution.

Be it Resolved:

WHEREAS, On January the 31st a concurrent resolution was introduced in this Senate, "relative to Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy," and was on said date referred to the committee on Federal Relations, and no report has to this date been made by said committee; therefore, be it

Resolved, That the said committee is hereby requested to report said resolution back to the Senate on or before Thursday morning, February 20, 1903.

Laid over under the rule.

HOUSE MESSAGES CONSIDERED.

House file No. 121, a bill for an act to amend section 1610, and section 1518 as amended by chapter 40 of the acts of the Twenty-seventh General Assembly, and chapter 56 of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

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

House file No. 130, a bill for an act to amend section 1547 of the code, and to prohibit the taking of fish from certain waters of the state except with hook and line.

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

House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

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

House file No. 195, a bill for an act to amend section 106 of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

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

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97), of the acts of the Twenty-eighth (28) Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 197, a bill for an act relating to the powers of boards of health and health officers, and the erection and maintenance of pest-houses in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 196, a bill for an act to amend chapter sixteen (16) of title twelve (12) of the code as amended, relating to the powers of boards of health, and expenses for caring for persons affected with infectious and contagious diseases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-sixth General Assembly, relating to the levy of special taxes by cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 201, a bill for an act to amend section six hundred and fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities, beg leave to report that they have had the same under

consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 202, a bill for an act to amend section seven hundred and twenty-four (724) of the code, as amended, relating to certain powers of cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 208, a bill for an act to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred substitute for Senate file No. 85, a bill for an act to provide for the collection of certain claims of the state of Iowa against the United States for costs, charges and expenses properly incurred by the state, in aiding the United States to suppress the insurrection of 1861, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

It has been ascertained that the governor of Iowa, in accordance with section 63 of the code, and the advice of the attorney-general, did employ one J. S. Lothrop to prosecute certain claims against the United States government. That in pursuance thereto, J. S. Lothrop has performed services in presenting said claims, for which he has not been compensated, except that money for expenses has been paid him amounting to \$161.64. That the claim has now been withdrawn by the secretary of the treasury from the court of claims, to which it had been referred, and your committee

is of the opinion that the state will receive the larger part of its claim without further effort except the making of certain proof, largely of a documentary nature, required by the auditor of the treasury department. That if any legal assistance to the governor or attorney-general is needed to collect any part of said claim, the governor now has ample authority under section 63 of the code to employ the same. That the Twenty-ninth General Assembly did in chapter 149 appropriate, for the use of the governor in the employment of counsel under said section 63 of the code, the sum of \$2,000, of which there remains a balance on hand of \$1,882.05, which will be available until April 1st, for the purpose of paying for any legal services rendered or to be rendered. That if said sum is insufficient by reason of amount or limitation in time, it is within the province of the committee on Appropriations to further provide the governor with a sufficient amount therefor.

J. M. JUNKIN,
Chairman.

Adopted.

THIRD READING OF BILLS.

On motion of Senator Crossley, Senatè file No. 75, a bill for an act to amend section two thousand, seven hundred and seventy-eight (2778) of the code, relating to contracts made by boards of school corporations, with report of committee recommending a substitute, was taken up and considered.

The bill was read for information.

Senator Crossley moved that the report of the committee be adopted.

On a division the motion was lost.

Sanator Healy moved that the whole matter be laid on the table.

A roll call was demanded.

On the question, Shall Senatè file No. 75 be laid on the table?

The yeas were:

Senators Allyn, Arthaud, Blanchard, Brooks, Courtright, Craig, Crawford, Garst, Harper, Hazelton, Healy, Hobart, Hubbard, Lewis, Lyons, Mardis, Porter, Tallman, Winne—19.

The nays were:

Senators Bachman, Ball, Bishop Brighton, Crossley, Dowell, Emmert, Fitchpatrick, Griswold, Hartshorn, Hogue, Hopkins,

Junkin, Lambert, Lister, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Trewin, Whipple, Wilson—23.

Absent or not voting:

Senators Alexander, Classen, Harriman, Hayward, Smith of Mitchell, Spaulding, Young of Lee, Young of Washington—8.

So the motion to lay the matter on the table was lost.

Senator Crossley moved that Senate file No. 75 be resubmitted.

Carried and so ordered.

On motion of Senator Allyn, Senate file No. 159, a bill for an act providing for the purchase of engravings, plates, or cuts, for state publications, and fixing the manner of paying the cost of the same, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Allyn moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazleton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple, Wilson, Winne—41.

The nays were:

None.

Absent and not voting:

Senators Alexander, Arthaud, Garst, Healy, Porter, Smith of Mitchell, Spaulding, Young of Lee, Young of Washington—9.

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

On motion of Senator Ball Senate file No. 113, a bill for an act relating to bonds given by contractors of public buildings and public improvements, with report of committee recommending a substitute was taken up, considered, and report of the committee adopted.

Senator Blanchard moved that Senate file No. 113 be recommitted to the committee on Judiciary.

Carried and so ordered.

The Journal of yesterday was taken up, corrected and approved.

On motion of Senator Allyn, Senate file No. 78 was indefinitely postponed.

Senator Harriman moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, February 19, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Jacob Auracher of Des Moines, Iowa.

On request of Senator Arthaud, leave of absence was granted Senator Classen for today.

On request of Senator Tallman, leave of absence was granted Senator Young of Lee for today.

On request of Senator Lister, leave of absence was granted Senator Young of Washington for today.

PETITIONS AND MEMORIALS.

Senator Bachman presented petition of citizens of Algona, Kossuth county, favoring submission of amendment in regard to suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Spaulding presented petition of 275 citizens of Charles City favoring submission of an amendment in favor of equal suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Dowell presented petitions of 563 citizens of Des Moines, Polk county, in favor of an amendment in relation to woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Whipple presented petition of fifty-eight voters of Gladbrook and eighty-eight women of W. C. T. union in favor of amendment in regard to suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Whipple presented petition of citizens of Tama and Grundy counties in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Whipple presented petition of thirty men and women of Montour, Tama county, in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Griswold presented petition of 108 men and women of Hazelton, Buchanan county, petitioning in favor of right of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hazelton presented petition of 112 men and women of Council Bluffs petitioning in favor of equal suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hazelton presented petition of twelve citizens of Walnut, Iowa, and other numerous signed petitions favoring the passage of Senate file No. 154.

Referred to committee on Judiciary.

Senator Blanchard presented petition of National guardmen, requesting favorable action on a bill to be introduced in favor of allowing \$350.00 for armory and band rent, and an increase in annual appropriation.

Read and referred to committee on Military.

Senator Crawford presented petition of fire insurance men,

favoring the passage of a bill attached to their petition in regard to fire insurance companies.

Referred to committee on Ways and Means.

Senator Hobart presented petition of 121 men and women of Akron, asking favorable action in regard to woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hobart presented petition of 120 men and women of Kingsley in favor of amendment in regard to suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Craig presented petition of citizens of Butler county in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Arthaud presented petitions of citizens of Corning citizens of Adams county and citizens of Clearfield, Taylor county, in favor of woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Smith of Des Moines presented petition of citizens of Burlington, asking for the removal of the discriminating tax against foreign fire insurance companies.

Referred to committee on Ways and Means.

Senator Ball presented petition of citizens of Iowa City, asking that they be re-embursed for extra work done and material furnished on contract on university building at Iowa City.

Referred to committee on Claims.

Senator Alexander presented petition of Retail Grocers' association of Cedar Rapids, also merchants of Linn county, favoring the passage of Senate file No. 154.

Referred to committee on Judiciary.

Senator Alexander presented petition of Brotherhood of Railway Carmen of Cedar Rapids, favoring a free text-book law.

Referred to committee on Schools.

Senator Lister presented petition of citizens of Rock Rapids, Inwood and Hartley favoring suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Harriman presented petition of citizens of Geneva asking that all road tax be paid in cash and other changes in road laws.

Referred to committee on Highways.

Senator Molsberry presented petitions of citizens of Muscatine and Louisa counties in favor of suffrage of women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Courtright presented petition of Federation of Labor of Waterloo, Iowa, asking for the passage of a joint resolution to congress, favoring the building of American war vessels in this country, which was read and referred to committee on Federal Relations.

Senator Allyn presented petition of citizens of Afton and Creston in favor of equal suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Spaulding presented petition of citizens of Charles City, asking for the passage of an appended bill in regard to personal earnings.

Referred to committee on Ways and Means.

Senator Tallman presented petition of 218 men and women of Troy township, Clarke county, favoring woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Wilson presented petition of Retail Grocers' association of Clinton county, asking for the passage of Senate file No. 154.

Referred to committee on Judiciary.

Senator Allyn presented petition of citizens of Creston and Union county, in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 231, a bill for an act to amend section sixteen hundred thirty seven (1637) of the code.

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

By Senator Emmert, Senate file No. 232, a bill for an act to amend section twenty-five hundred eighty-one (2581) of the code, in relation to itinerant physicians.

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

By Senator Bishop, Senate file No. 233, a bill for an act to amend section two thousand, four hundred fifty-six (2456) of the code, relative to the manufacture of liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Trewin, Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams, dividing the territory within the corporate limits of certain cities and to authorize the reclaiming of waste lands between the meandered lines of said streams, within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties.

Read first and second time and referred to committee on Cities and Towns.

By Senator Brighton, Senate file No. 235, 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.

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

By Senator Craig, Senate file No. 236, a bill for an act to

amend section seventeen hundred and seventy-one (1771) of the code, in relation to stock or premium notes.

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

By Senator Brooks, joint resolution No. 7, relating to the interstate shipment of intoxicating liquors, and memorializing congress with reference thereto.

Read first and second time and referred to committee on Federal Relations.

REPORTS OF COMMITTEES.

Senator Hayward, from the committee on Telegraph and Telephones, submitted the following report:

MR. PRESIDENT—Your committee on Telegraph and Telephones, to whom was referred Senate file No. 16, a bill for an act to amend section sixteen hundred and ten (1610) of the code, in relation to the incorporation of farmers' mutual co-operative 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 Senate with the recommendation that the same be indefinitely postponed.

W. C. HAYWARD,
Chairman.

Adopted.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618) of the code, as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly, and chapter fifty-six (56) of the acts of the Twenty-eight General Assembly, relating to incorporations for pecuniary profits, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate file No. 138, a bill for an act to amend section sixteen

hundred eleven (1611), title nine (9), chapter twelve (12) of the code, relating to the authorized indebtedness of certain corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking from the title the words "title nine (9), chapter twelve (12)" and by adding at the end of section one (1), the following words "or states", and that when so amended the bill do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate file No. 41, a bill for an act to amend section sixteen hundred thirteen (1613), chapter one (1), title nine (9) of the code, relative to the publication of notice of incorporation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the senate with the recommendation that the same be amended by striking out from the title "chapter one (1), title nine (9)," and when so amended the bill do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Alexander, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate file No. 77, a bill for an act to amend section eighteen hundred sixty-nine (1869), chapter twelve (12), title nine (9) of the code, relating to directors of state and savings banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

J. S. ALEXANDER,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 34, a bill for an act to amend section five thousand, one hundred thirty-four (5134) of the code, relative to the punishment of tramps, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 72, a bill for an act to amend sections 1370 and 1371 as amended, 1373 as amended and 1378, relating to the equalization of taxes and appeals from the local courts of review applicable to cities under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Cities and Towns.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 166, a bill for an act to amend section one thousand, six hundred seventy-five (1675), title nine (9), chapter three (3) of the code, in relation to farmers' county institutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words "one hundred" in the fifth line of section one (1) and inserting in lieu thereof the words "seventy-five;" and also by striking out of the eighth line the words "one hundred" and inserting in lieu thereof the words "seventy-five;" and when so amended that it be referred back to the Senate with the recommendation that the same do pass as amended.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 217, a bill for an act to amend section eight (8), of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 73, a bill for an act to repeal section nine hundred and thirty-three (933) of the code, relating to the applications of laws to cities acting under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Cities and Towns.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 83, a bill for an act to amend section five hundred and eight (508) of the code, relating to sheriffs' fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 125, a bill for an act to amend section one hundred and six (106) of the code, relating to the time of settlement of the auditor of state with the treasurer of state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Allyn called up the joint resolution, which was offered

by him and reported to the House by the committee on Printing, February 12th, and moved its adoption.

The resolution was adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House.

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

House file No. 206, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for uniform system of keeping books of county treasurers.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 41, a bill for an act to amend sections eight hundred fifty-one (851) and eight hundred fifty-two (852) of the code, as amended by chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to park commissioners in certain cities.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 52, a bill for an act making it a crime to advise, counsel or employ another to commit murder, and fixing the punishment thereof.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Blanchard, Senate file No. 39, a bill for an act to repeal sections twenty-five hundred sixty-six (2566) and twenty-five hundred sixty-seven (2567) of the code, and to enact substitutes therefor, relating to vital statistics, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brighton moved that Senate file No. 39 be recommitted to the committee on Judiciary.

Carried and so ordered.

Senator Wilson called up the resolution offered by him yesterday and moved its adoption.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Arthaud, Bachman, Ball, Bishop, Brooks, Crossley, Dowell, Emmert, Garst, Griswold, Harper, Hazelton, Healy, Hobart, Hubbard, Lyons, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Wilson, Winne—23.

The nays were:

Senators Blanchard, Brighton, Courtright, Craig, Crawford, Fitchpatrick, Harriman, Hartshorn, Hogue, Hopkins, Junkin, Lewis, Lister, Mardis, Moffit, Molsberry, Trewin, Whipple—18.

Absent or not voting:

Senators Alexander, Allyn, Classen, Hayward; Lambert, Maytag, Smith of Des Moines, Young of Lee, Young of Washington—9.

So the resolution was adopted.

On motion of Senator Lister, substitute for Senate file No. 61, a bill for an act establishing a law uniform with the laws of other states, relative to migratory divorces, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lister moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Courtright, Craig, Crawford, Crossley, Dowell,

Emmert, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Healy, Hobart, Hogue, Hopkins, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne—39.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bishop, Classen, Harriman, Hazelton, Junkin, Lambert, Moffit, Smith of Des Moines, Young of Lee, Young of Washington—11.

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

Senate Lewis submitted the following report from the committee on Rules:

Resolved, That on and after the adoption of this resolution the daily session of the Senate shall begin at 9:30 A. M.

Laid over under the rule.

On motion of Senator Whipple, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved to amend by adding to section 1 the following: "And all such funds shall be exempt from taxation."

Carried.

Senator Whipple moved that the rule be suspended, and that the bill be considered engrossed and read a third time now as amended, which motion prevailed, and the bill as amended was read a third time.

On the question, Shall the bill pass?

The yeas were :

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hubbard, Lewis, Lister, Mardis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne—39.

The nays were:

None.

Absent or not voting :

Senators Classen, Hobart, Hopkins, Junkin, Lambert, Lyons, Maytag, Porter, Townsend, Young of Lee, Young of Washington—11.

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

The Journal of yesterday was taken up, corrected and approved.

On motion of Senator Healy the time of adjournment was extended until the business before the Senate was disposed of.

Senator Healy moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, February 20, 1902. }

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

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

PETITIONS AND MEMORIALS.

Senator Emmert presented resolution adopted by the Agricultural exchange of Shelby county, opposing the Hobart bill placing the entire control of roads in the hands of boards of supervisors.

Referred to committee on Highways.

Senator Hobart presented resolution adopted by Western Cherokee County Farmers' institute, opposing changes in law governing farmers' institutes, except favoring an increase in appropriation from \$50 to \$75.

Referred to committee on Appropriations.

Senator Hobart presented resolution of Farmers' institute of Cherokee county, favoring the passage of the Larrabee bill and other matters.

Referred to committee on Highways.

Senator Craig presented correspondence of various persons opposing the principle governing assessment insurance companies and urging remedies.

Referred to committee on Insurance.

Senator Junkin presented petition of sixty-five citizens of Silver City, Mills county, favoring woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hazelton presented petition of citizens of Council Bluffs, favoring repeal of discriminating tax against foreign fire insurance companies.

Referred to committee on Ways and Means.

Senator Young of Lee presented petition of Trades and Labor assembly of Keokuk, favoring free text-books.

Referred to committee on Schools.

Senator Blanchard presented petition of citizens of Oskaloosa, against free text-books.

Referred to committee on Schools.

Senator Classen presented petitions of citizens of Marshall, town and Bangor in favor of equal suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Harper presented petition of soldiers of civil war favoring the erection of a statute at the soldiers monument at capitol to the late Gen. Francis J. Herron.

Referred to committee on Military.

Senator Young of Lee presented of petition citizens of Keokuk, in favor of repeal of discriminating tax against foreign fire insurance companies.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Hopkins, Senate file No. 236, a bill for an act to pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State University, erected in 1897.

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

By Senator Lambert, Senate file No. 237, a bill for an act to make appropriations for the fish and game commissioner of the state of Iowa.

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

By Senator Healy, Senate file 238, a bill for an act to amend sections two hundred and sixteen (216) and two hundred and twenty-four (224) of the code, concerning the duties and compensation of the supreme court reporter.

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

By Senator Porter, Senate file No. 240, a bill for an act to amend section twenty-four hundred ninety-six (2496) of the code, and to provide that sections twenty-four hundred seventy-eight (2478), twenty-four hundred seventy-nine (2479), twenty-four hundred eighty (2480), twenty-four hundred eighty one (2481), twenty-four hundred eighty-two (2482), twenty-four hundred eighty-three (2483), twenty-four hundred eighty-four (2484), twenty-four hundred eighty-five (2485), twenty-four hundred eighty-six (2486), twenty-four hundred eighty-seven (2487), twenty-four hundred eighty-eight (2488), twenty-four hundred eighty-nine (2489), twenty-four hundred ninety (2490), twenty-four hundred ninety-one (2491), twenty-four hundred ninety-two (2492), twenty-four hundred ninety-three (2493), twenty-four hundred ninety-four (2494) and twenty-four hundred ninety-five (2495) of the code, and chapter fifty-nine (59) of the Twenty-seventh General Assembly of the state of Iowa, and chapters seventy-nine (79), eighty (80), eighty-one (81) and eighty-two (82) of the Twenty-eighth General Assembly of the state of Iowa, shall be applicable to the operation of mines developing minerals or other substances known as gypsum.

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

By Senator Hobart, Senate file No. 241, a bill for an act amending section twenty-nine hundred fifty-nine (2959) of the code, in relation to the conveyance of real estate.

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

By Senator Hobart, Senate file No. 242, a bill for an act amending section twenty-nine hundred forty-five (2945) and twenty-nine hundred forty-six (2946) of the code, in relation to the conveyance of real estate.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system of making said reports.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 141, a bill for an act to repeal section 510 of the code, in reference to the compensation of deputy sheriffs and the enactment of the following in lieu thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to the committee on Retrenchment and Reform inquiring into the delay of certain state officers, commissioners and departments in complying with chapter 8 of the Twenty-eighth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Senator Bishop asked unanimous consent to change the reference of Senate file No. 233 from the committee of Suppression of Intemperance to committee on Manufactures.

The bill was so referred.

A communication from the Pioneer Lawmakers' association relative to marking graves of Gen. Joseph M. Street, and others at Agency City, was on the President's desk, and was read and referred to the committee on Ways and Means.

HOUSE MESSAGES CONSIDERED.

House file No. 52, a bill for an act making it a crime to advise, council or employ another to commit murder and fixing the punishment thereof.

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

House file No. 266, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for a uniform system of keeping the books of county treasurers.

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

House file No. 41, a bill for an act to amend sections 851 and 852 of the code, as amended by chapter 30 of the acts of the Twenty-eighth General Assembly, relating to park commissioners in certain cities.

Read first and second time and referred to committee on Cities and Towns.

House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council, to aid in the assessment of railway property for taxation, and providing for a uniform system of making said reports.

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

House file No. 141, a bill for an act to repeal section 510 of the code, in reference to the compensation of deputy sheriffs and the enactment of the following in lieu thereof.

Read first and second time and referred to committee on Compensation of Public Officers.

Senate concurrent resolution, relative to the committee on Retrenchment and Reform inquiry into the delay of certain state officers, commissioners and departments in complying with chapter six (6) of the Twenty-eighth General Assembly.

Passed on file.

REPORTS OF COMMITTEES.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one by adding thereto the following: "Such dedication, however, being upon condition that the city of Des Moines shall first cause to be dedicated and opened to the public for street purposes, a piece of ground sixty-six feet wide abutting on the westerly end of the strip of land hereinbefore described, and extending from thence in a westerly direction to the intersection of Fourteenth street so as to secure a continuous public street from Fifteenth street to Fourteenth street."

Amend section 2 by inserting after the word "that" in the first line thereof the following: "Whenever the city of Des Moines shall have complied on its part with the conditions contained with section one of this act."

And that when so amended that the bill do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 150, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 154, a bill for an act to amend section four thousand eleven (4011), chapter three (3), title nineteen (19) of the code, relative to personal earnings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 148, a bill for an act to amend section four hundred twenty-three (423) of the code, relating to the powers of boards of supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 127, a bill for an act to amend section twenty-five hundred seventy-eight (2578) and section twenty-five hundred eighty-one (2581) of the code, in relation to revoking certificate and distribution of fees from itinerant licenses, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute for same back to the Senate, with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 127.

A bill for an act to amend section twenty-five hundred and seventy-eight (2578), and section twenty-five hundred and eighty-one (2581) of the code, in relation to revoking certificates and distribution of fees from itinerant licenses.

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

Section 1. That section twenty-five hundred and seventy-eight (2578) of the code, be, and the same is hereby, amended by striking out after the word "board" in line seven, "which number shall include one or more members of the different schools of medicine represented in said board."

Section 2. That section twenty-five hundred and eighty-one (2581) of the code be, and the same is hereby, amended by inserting after the words "per annum" in the eleventh line thereof, the following, "one-half said amount shall be paid to the secretary of the board of medical examiners to defray the expenses of said board."

Read first and second time and passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 189, a bill for an act to amend section twenty-five hundred and seventy-one (2571) of the code, relating as to time of meetings for local boards of health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Crawford, from the committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred concurrent resolution requesting our senators and representatives in congress to support and favor a bill now before the United States senate, known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, respectfully report that the committee has had said concurrent resolution under careful advisement, and without regard to the merits of the bill of Senator Hoar, it has reached the conclusion that, considering the long service and trained experience, and wisdom of our senators and representatives in congress, and their familiarity with the laws and decisions of the higher courts relating to the subject matter of the bill in question, they are not in need of any advice or expression of opinion on the subject from this General Assembly, and has instructed me to report said concurrent resolution back to the Senate with the recommendation that the same be indefinitely postponed.

P. W. CRAWFORD,
Chairman.

Senator Crawford moved the adoption of the report.

On request of Senator Porter, Senator Hoar's bill, referred to in report of committee on Federal Relations, was read for information.

On the question of adopting the report of the committee on Federal Relations, a roll call was demanded.

On the question, Shall the report be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Blanchard, Classen, Courtright, Craig, Crawford, Fitchpatrick, Hartshorn, Hogue, Hopkins, Lewis, Lister, Mardis, Moffit, Molsberry, Smith of Des Moines, Spaulding, Trewin, Whipple, Winne, Young of Washington—23.

The nays were:

Senators Bachman, Ball, Bishop, Brighton, Brooks, Crossley, Dowell, Emmert, Garst, Harper, Harriman, Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lyons, Maytag, Porter, Smith of Mitchell, Tallman, Townsend, Wilson, Young of Lee—26.

Absent or not voting:

Senator Griswold.

So the motion to adopt the report of the committee was declared lost.

On account of the original resolution, not being in the possession of the Senate, by unanimous consent Senator Healy offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be it Resolved, By the Senate, the House concurring:

WHEREAS, Under technical definition of conspiracy, citizens have been restrained in their rights of peaceable assemblage and association, and subjected to punishment for acts not in themselves criminal; therefore be it

Resolved, That our senators and representatives in congress be requested to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

On the question, Shall the concurrent resolution be adopted? a roll call was demanded.

The yeas were:

Senators Ball, Bishop, Brighton, Brooks, Crossley, Dowell, Emmert, Garst, Harper, Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Wilson, Young of Lee—25.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Classen, Courtright, Craig, Crawford, Fitchpatrick, Harriman, Hartshorn, Lewis, Lister, Mardis, Moffit, Molsberry, Spaulding, Trewin, Whipple, Winne, Young of Washington—22.

Absent or not voting:

Senators Griswold, Hogue, Hopkins—3.

So the resolution was declared adopted.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 184, a bill for an act making an appropriation for the Dubuque Rescue home of 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 Senate, with the recommendation that the same be referred to the committee on Appropriations.

J. A. FITCHPATRICK,

Chairman.

Adopted.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 181, a bill for an act to repeal section twenty-six hundred and ninety-two (2692) of the code, and section five (5) of chapter seventy-eight (78) of the acts of the Twenty-seventh General Assembly, relating to the support of children in 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 Senate with the recommendation that the same do pass.

J. A. FITCHPATRICK,

Chairman.

Ordered passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 180, a bill for an act to establish an industrial reformatory for females, to make appropriation therefor, and to provide for the transfer of inmates to and from the industrial school for girls, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. A. FITCHPATRICK,

Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 97, a bill for an act to amend section one thousand, eight hundred and six (1806) of the code, relating to the investment of funds of life insurance companies and association, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES A. SMITH,
Chairman.

Ordered passed on file.

Senator Arthaud, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred House file No. 13, bill for an act to amend section 2842 of the code, relating to mines and mining, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. ARTHAUD,
Chairman.

Ordered passed on file.

Senator Arthaud, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred House file No. 12, a bill for an act to amend chapter 9, title 12 of the code, relating to mines and mining, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. ARTHAUD,
Chairman.

Ordered passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred House file No. 55, a bill for an act to amend sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709), twenty-seven hundred eleven (2711), title thirteen (13), chapter eight (8) of the code, to repeal sections twelve (12), thirteen (13) and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly, in relation to the discharge of boys and girls from industrial school, beg leave to report that they have had the same under consideration, and have instructed me to

report the same back to the Senate, with the recommendation that the same do pass.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 12, a bill for an act to amend section 5052 of the code, to the use or sale of bottles, boxes, casks, kegs and barrels of another.

E. K. WINNE,
Chairman.

Ordered passed on file.

Also:

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of supervising committee, and making an appropriation therefor.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code, and rules of the supreme court, to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of supervising committee, and making an appropriation therefor.

E. K. WINNE,
Chairman Senate Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 12, a bill for an act to amend section 5052 of the code to the use or sale of bottles, boxes, casks, kegs and barrels of another.

E. K. WINNE.

Chairman Senate Committee.

Ordered passed on file.

The Journal of yesterday was taken up, corrected and approved.

By unanimous consent, Senator Lewis called up the resolution offered by the committee on Rules yesterday.

Resolved, That on and after the adoption of this resolution the daily session of the Senate shall begin at 9:30 A. M.

On the question of adopting the resolution, a roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Allyn, Arthaud, Ball, Bishop, Brooks, Classen, Court-right, Craig, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Harper, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Tallman, Wilson, Winne, Young of Lee—33.

The nays were:

Senators Alexander, Bachman, Blanchard, Brighton, Crawford, Harriman, Hartshorn, Smith of Mitchell, Spaulding, Townsend, Whipple, Young of Washington—12.

Absent or not voting:

Senators Griswold, Hazelton, Hogue, Porter, Trewin—5.

So the resolution, was declared adopted.

Senator Healy moved to extend the time of adjournment until the measure under consideration was completed.

Carried.

On motion of Senator Harriman, Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) of title two (2), chapter five (5) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences, with report of committee recommending a substitute was taken up, considered, and the report of the committee adopted.

Senator Harriman moved that the words "title two" and figure "2," and word "five" and figure "5" be stricken from the title.

Carried.

Senator Harriman moved that the rule be suspended, and that the bill be considered engrossed and read a third now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Harper, Harriman, Hartshorn, Hayward, Hazleton, Healy, Hobart, Hogue, Hopkins, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—42.

The nays were:

Senators Garst, Lewis—2.

Absent or not voting:

Senators Bishop, Blanchard, Griswold, Hubbard, Porter, Spaulding—6.

So the bill, having received a constitutional majority, was declared to have passed the Senate, and its title as amended agreed to.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 12 and 1.

Senator Allyn moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, February 21, 1902. }

Senate met in regular session at 9:30 A. M., President Herriott presiding.

Prayer was offered by Rev. Charles Lyman Nye of Ames, Iowa.

On request of Senator Griswold, leave of absence was granted Senator Whipple until Tuesday.

On request of Senator Alexander, leave of absence was granted Senator Harriman until Tuesday.

PETITIONS AND MEMORIALS.

Senator Lewis presented petition of 104 citizens of Fremont county favoring woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Smith of Mitchell presented petition of sixty citizens of Lincoln township, Mitchell county, in favor of equal suffrage

Referred to committee on Constitutional Amendments and Suffrage.

Senator Griswold presented petition of ladies' literary club of Independence, in favor of compulsory education.

Referred to committee on Schools.

Senator Young of Washington presented petition of Cigar-makers' union of Mt. Pleasant, in favor of building American war vessels in American navy yards.

Referred to committee on Federal Relations.

Senator Young of Washington presented petition of forty-eight men and fifty-three women of Mt. Pleasant, in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Young of Washington presented petition of forty citizens of Clay township, Washington county, in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Junkin presented petition of E. M. Murphy *et al*, opposing the repeal of the tax ferret law.

Referred to committee on Judiciary.

Senator Crawford presented petition favoring changes in the road laws.

Referred to committee on Highways.

Senator Hogue presented petition of citizens of Harrison county in favor of woman's suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Ball, Senate file No. 243, a bill for an act to amend sections eight hundred and sixty (860), eight hundred and sixty-one (861) and eight hundred and sixty-two (862) of the code, relation to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities of the second class and towns, over parks without their corporate limits.

Read first and second time and referred to committee on Cities and Towns.

By Senator Hartshorn, Senate file No. 244, a bill for an act making appropriations for the Industrial School for Boys at Eldora.

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

By Senator Alexander, Senate file No. 245, a bill for an act to provide that any fiduciary required by law to give a bond may include the expenses thereof as a part of the lawful expense of executing his trust, etc.

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

By Senator Alexander, Senate file No. 246, a bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds.

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

By Senator Porter, Senate file No. 247, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.

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

By Senator Lambert (by request), Senate file No. 248, a bill for an act to amend chapter fifteen (15), title twelve (12) of the code, repealing sections twenty-five hundred forty (2540), twenty-five hundred forty-two (2542), twenty-five hundred forty-four (2544), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-two (2552), twenty-five hundred fifty-four (2554), twenty-five hundred fifty-six (2556) of the code, and enacting substitute therefor, amending section twenty-five hundred sixty-one (2561), making further provisions additional to said chapter fifteen (15), relating to the care and propagation of fish and the protection of birds and game.

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

By Senator Wilson, Senate file No. 249, a bill for an act to require the attendance of all children at school between the ages of eight and fifteen years inclusive.

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

By Senator Dowell, Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first

class having a population of more than sixty thousand, and defining the power and duties of such boards.

Read first and second time and referred to committee on Cities and Towns.

By Senator Dowell, Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

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

By Senator Bishop, Senate file No. 252, a bill for an act to amend section five thousand, one hundred thirty-four (5134) of the code, relative to the punishment of tramps.

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

By Senator Molsberry, Senate file No. 253, a bill for an act to amend sections nineteen hundred forty-six (1946), nineteen hundred forty-eight (1948) and nineteen hundred fifty-one (1951) of the code, relating to levees, drains and water courses.

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

By Senator Healy, Senate file No. 254, a bill for an act repealing section one hundred sixty-one of the code, and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions.

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

By Senator Bachman, Senate file No. 255, a bill for an act to license auctioneers who are not actual residents of the state of Iowa.

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

By Senator Molsberry, Senate file No. 256, a bill for an act to

amend section ten hundred sixty-seven (1067) of the code, and making the office of supreme court reporter appointive.

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

By Senator Ball, Senate file No. 257, a bill for an act authorizing the publication and sale, and directing the purchase, of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables.

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

By Senator Junkin, Senate file No. 258, a bill for an act making appropriation for buildings and other improvements for machinery, boilers, repairs, contingent expense and land for the Institution for Feeble-Minded Children at Glenwood, Iowa.

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

By Senator Hayward, Senate file No. 259, a bill for an act to repeal sections two (2), three (3), six (6) and seven (7) of chapter forty-five (45), acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend section one (1), chapter forty-five (45) of the Twenty-eighth General Assembly, relating to taxation of express companies.

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

By Senator Hayward, Senate file No. 260, a bill for an act to amend section one thousand, three hundred twenty-eight (1328) of the code, and to amend sections three (3) and four (4), of chapter forty-two (42), acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines.

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

By Senator Fitchpatrick, Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions.

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

Senator Moffit offered the following concurrent resolution:

Resolved, By the Senate, the House concurring: That when adjournment is had on Thursday, February 27, 1902, the same be had until Monday, March 3, 1902, at 9:30 A. M.

Laid over under the rule.

REPORTS OF COMMITTEES.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 28, a bill for an act to amend section one thousand, two hundred and seventy-two (1272) of the code, relative to the appointment of city officers to fill vacancies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 11, a bill for an act amending section seven hundred and twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same be amended by striking out section two (2), and that when so amended that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to waterworks, be made applicable to cities under special charters, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 87, a bill for an act to amend section twelve hundred seventy-two (272) of the code, in relation to filling vacancies in elective city offices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred and forty-five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747) and seven hundred and forty-eight (748) of the code, relating to letting contracts for the purchase or erection of water-works in cities of the first class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Lambert, from the committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate file No. 182, a bill for an act to amend section twenty-five hundred forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state except with hook and line, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that House file No. 130, covering the same subject matter, has already passed the House, and has been recommended for passage in the Senate by this committee.

THOS. LAMBERT,
Chairman.

Adopted.

Senator Lambert, from the committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred House file No. 130, a bill for an act to amend section twenty-five hundred forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. LAMBERT,
Chairman.

Ordered passed on file.

Senator Lambert, from the committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam. Also making an appropriation for the expenses thereof, and prescribing penalties for injuring or destroying such fish, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. LAMBERT,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 108, a bill for an act to amend section five thousand, seven hundred sixteen of the code, in relation to the compensation of officers and employes of the penitentiaries 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 Senate with the recommendation that the same be amended by striking out in the fourth line of section one thereof the words, "one hundred," and inserting the words, "seventy-five," in lieu thereof, and that when so amended the same do pass.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 52, a bill for an act to amend section one (1), of chapter one hundred forty-one (141) of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home beg leave to report that they have had the same under consideration and have instructed me to report.

the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 174, a bill for an act to amend section three hundred eight (308) of the code, relative to compensation of county attorney, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 146, a bill for an act to amend section one hundred six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 143, a bill for an act to amend section four hundred ninety-eight (498) of the code, relating to fees for county recorders, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 162, a bill for an act to repeal sections two thousand and fifteen (2015) and two thousand and sixteen (2016) of the code, and to enact

the following in lieu thereof as 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 Senate, with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 126, a bill for an act amending section two hundred twelve (212) of the code, relating to the salary of assistant attorney-general, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to committee on Compensation of Public Officers.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 125, a bill for an act to amend section three hundred fifty-five (355), chapter twelve (12), title three of the code, providing form of bond to be given under the requirements of said section, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof and that the same do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 125.

A bill for an act providing for condition of bonds to be given by public officers and others.

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

Section 1. When a bond is required by law to be given by or for any public officer, deputy or employe of such public officer, or by any person holding a fiduciary office or trust, administrator, executor, guardian, trustee, officer or employe of any public or private corporation or association, when not otherwise specifically provided, shall be conditioned as provided in section eleven hundred eighty-three (1183) of the code.

Sec. 2. If any surety on said bond so elected, his liabilities thereon may be cancelled at any time by giving thirty days' notice in writing to the person or persons authorized to approve said bond, and to the officer or person

with whom the same is required to be filed or deposited by law, and refunding the premium paid, if any, less a pro rata part thereof for the time said bond shall have been in force. The liability and indemnity created by said bond shall extend to the date of cancellation as provided by chapter eleven (11), title six (6) of the code.

Sec. 3. No contract, stipulation, or condition limiting the liability created by said bond shall be of any force or validity.

Sec. 4. All other bonds, public or private, required to be given by law, when not otherwise specifically provided, shall be substantially conditioned as required in this act and subject to the limitations thereof.

Sec. 5. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Read first and second time and passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 95, a bill for an act to amend section thirty-two hundred eighty-seven (3287) of the code, relating to the recording of wills, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out of the seventh and eighth lines of section one (1) thereof, the words "of the will and certificate of probate thereof and," and insert in the ninth line of said section after the word "probate" the following, "and if a copy of such will is not contained therein, a certified copy of such will shall be attached thereto and the same."

And when so amended that it do pass.

THOS. D. HEALY,
Chairman

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having patent a 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 Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 164, a bill for an act to amend section five thousand three hundred and fourteen (5314) of the code, relative to the compensation of attorneys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor.

Also, Senate file No. 12, a bill for an act to amend section 5052 of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

Also, House file No. 119, a bill for an act to legalize the acts of the Independent School district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds.

Also, House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

Also, House file No. 42, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1848, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all the

rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 103, a bill for an act to legalize the election held in the county of Dallas and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same.

Also, House file No. 26, a bill for an act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Garst, Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Wilson, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Brighton, Harriman, Hubbard, Smith of Mitchell, Whipple, Winne—6.

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

On motion of Senator Classen, House file No. 105, a bill for an act to amend section forty-five hundred forty-four of the code, relative to garnishment proceedings, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Classen moved that the rule be suspended, and the reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Emmert, Fitzpatrick, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Townsend, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting

Senators Brighton, Crawford, Garst, Harriman, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Winne—10.

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

On motion of Senator Emmert, Senate file No. 63, a bill for an act to establish a reformatory for men, to make appropriations therefor, and to provide for transfer for prisoners, with report of committee recommending amendments was taken up, considered, and the report of the committee adopted.

Senator Emmert moved the adoption of the following committee amendments: That the same be amended by inserting after the word "murder" in the fourth line of section 4 of the printed bill the words "or manslaughter".

Carried.

Senator Trewin moved to reconsider the vote by which the foregoing amendment was adopted.

Carried.

Senator Healy moved that we now proceed to consider the bill section by section.

Carried.

The bill was read section by section.

Senator Porter moved that section 4 be amended by inserting after the word "murder" in the fourth line of the printed bill the words "or manslaughter."

Lost.

Senator Trewin offered the following amendment to section five:

I move to amend section five of the bill by striking out the word "with-out" in the sixth line of the bill.

Also, by striking out the thirteenth line and the fourteenth line to the word "shall" and inserting in lieu thereof the following: "The limitation of the sentence of imprisonment in the reformatory."

Also, by striking out the word "maximum" in the twenty-sixth line, also the words "by law" in the twenty-seventh line and inserting in lieu of the latter words "By the court."

Senator Ball offered the following amendment to section five:

Strike out the words "under the age of 31 years in the sixth line."

Senator Emmert moved that further consideration of this bill be postponed until Tuesday, February 25th, at 10 o'clock A. M., and be made a special order for that time and amendments filed to be printed in the Journal.

Carried.

Senator Ball offered the following amendments to section seven (7).

Strike out all of that part of section seven (7) commencing with the word "but" in the eleventh line of the printed bill and ending with the word "occupation" in the fifteenth line.

Amend section seven (7) by striking out that part of section seven (7) commencing with the word "limit" in the twenty-third line of the printed bill, and ending with the word "convicted" in the twenty-fourth line, and insert in lieu thereof the following "time for which he was sentenced by the court."

Senator Trewin offered the following amendment to section seven (7):

I move to amend section seven (7) by striking out line twelve (12) of the printed bills and inserting the following: "the term fixed by the court until the board."

Also, amend line twenty-three (23) by striking out the words "maximum limit fixed by law" and inserting "the term fixed by the court."

MESSAGES FROM THE HOUSE.

The following messages was received from the House:

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

House file No. 170, a bill for an act for compulsory education.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 86, a bill for an act relating to the support of the College for the Blind at Vinton.

C. R. BENEDICT,
Chief Clerk.

Senator Haywood moved that the time of adjournment be extended until 12:15 o'clock.

Carried.

The President announced that he had signed in the presence of the Senate, House files Nos. 26, 34, 42, 74, 103 and 119.

Senator Dowell moved that the report of the Insurance committee on Senate file No. 97 be adopted.

The report was adopted and the bill indefinitely postponed

Senator Hopkins moved that we do now adjourn.

Senator Blanchard moved to amend that when we adjourn it be until 9:30 A. M. Monday, February 24th.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, February 24, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. C. J. Kephart of Des Moines, Iowa.

On request of Senator Lambert, leave of absence was granted Senator Smith of Des Moines, for today.

On request of Senator Harper, leave of absence was granted Senator Brooks for today.

On request of Senator Young of Washington, leave of absence was granted Senator Alexander for today.

On request of Senator Townsend, leave of absence was granted Senator Hazleton for today.

On request of Senator Winnie, leave of absence was granted to Senator Crossley for today.

PETITIONS AND MEMORIALS.

Senator Spaulding presented petition of ninety-nine citizens of New Hampton, Iowa, protesting against passage of House files Nos. 45, 108 and 134.

Referred to committee on Schools.

Senator Hopkins presented petition of citizens of Panora, Guthrie county, Iowa, in favor of woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Emmert presented petition of citizens of Cass county, protesting against any change in the road laws of Iowa and opposing Senate file No. 165.

Which was read and referred to committee on Highways.

Senator Garst presented petition of citizens of Glidden, Carroll county, favoring the limitation of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Harper presented petition of Meat Cutters and Butchers union of Ottumwa, Iowa, favoring the building of American war vessels in the navy yards of this country.

Referred to committee on Federal Relations.

Senator Healy presented resolution adopted by the Bar association of Pottawattamie county, favoring pending bill making it necessary for members of the supreme court to reside at Des Moines and increasing their salaries.

Referred to committee on Judiciary.

Senator Young of Lee presented petition of 239 citizens of Ft. Madison protesting against passage of House files Nos. 45, 108 and 134.

Read and referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Harper, Senate file No. 262, a bill for an act making an appropriation and providing for the erection of an equestrian statue on the capitol grounds of the late Major General Francis J. Herron.

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

By Senator Hubbard, Senate file No. 263, a bill for an act to amend chapter eighty-six (86) of the laws of the Twenty-eighth General Assembly relating to fish and game.

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

By Senator Hubbard, Senate file No. 264, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.

Read first and second time and referred to committee on Senatorial and Representative Districts.

By Senator Bishop (by request), Senate file No. 265, a bill for an act to amend section fifteen hundred sixty-three (1563) of the code, relating to the Russian thistle.

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

By Senator Courtright, Senate file No. 266, a bill for an act to amend section one hundred twenty-five (125) and one hundred twenty-six (126) of the code of Iowa, relating to the printing, binding and distribution of public reports and documents.

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

By Senator Brooks, Senate file No. 267, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the appointment of officers for the soldiers' home.

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

By Senator Brooks, Senate file No. 268, a bill for an act to amend section five hundred and eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

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

Senator Lewis offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That 5,000 copies of the rules of the Senate and House, and joint rules, together with the names of all standing committees of the Twenty-ninth General Assembly, be printed as soon as practicable, and distributed in the same manner as those of the Twenty-eighth General Assembly.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 86, a bill for an act relating to the support of the College for the Blind at Vinton, Iowa.

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

House file No. 170, a bill for an act for compulsory education.

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

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT — Your committee on Ways and Means, to whom was referred Senate file No. 259, a bill for an act to repeal sections two (2), three (3), six (6) and seven (7) of chapter forty-five (45) acts of the Twenty-eighth General Assembly and to enact a substitute therefor and to amend section one (1) chapter forty-five (45) acts of the Twenty-eighth General Assembly, relating to the taxation of express companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 260, a bill for an act to amend sections one thousand three hundred and twenty-eight (1328) and one thousand three hundred and twenty-nine (1329) of the code, and to amend sections three (3) and four (4) of chapter 42, acts of the Twenty-eighth General Assembly, relative to reports by and transactions of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 115, a bill for an act to amend section one thousand, three hundred and thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Public Libraries, to whom was referred Senate file No. 213, a bill for an act repealing sections two (2), three (3), four (4) and five (5) of chapter 116 acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission transferring the associate and traveling libraries from the state library board to the Iowa library commission and providing for an appropriation for the extension of the Iowa library commission, also amending section 169 of the code, and repealing sections 2868, 2869, 2871, 2872, 2873 and 2874 of the code, also repealing chapter 148, acts of the Twenty-seventh General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance submitted the following report:

MR. PRESIDENT—Your committee on Insurance to whom was referred Senate file No. 86, a bill for an act to amend section one thousand seven hundred and eighty-four (1784), chapter seven (7), title nine (9) of the code of Iowa, relating to stipulated premiums and assessment life associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. A. SMITH,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 156, a bill for an act to amend section three thousand, two hundred and fifty-three (3253), chapter eight (8), title sixteen (16) of the code,

relating to the rights, duties and relations between parent and child by adoption, beg leave to report that they had the same under consideration and have instructed me to report the following substitute therefor with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 156.

A bill for an act to amend section three thousand, two hundred and fifty-three of the code, relating to the rights, duties and relations between parent and child by adoption.

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

Section 1. That section 3253 of the code be, and the same is hereby amended by adding thereto the following words: "And the right of inheritance from each other shall be the same as between parent and children born in lawful wedlock."

The substitute was read first and second time by title and ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption, who die intestate without issue, beg leave to report that they have had the same under consideration, and have instructed me to report the following substitute therefor, with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 155.

A bill for an act relating to the rules of descent of estates of children by adoption.

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

Section 1. One-half of the estate of any adopted child who shall die intestate and leaving no issue, shall descend to the parents by adoption of such child, and the other half to his or her surviving spouse. If one of the parents by adoption be dead, in case there was more than one such parent, the portion which would have gone to such parent shall go to the surviving parent by adoption.

If such child leave no surviving spouse, his entire estate shall go to his parents by adoption; or if he leave but one such parent then to such parent.

Sec. 2. If the adopted parent or parents, if more than one, be dead, the portion which should have gone to such parent or parents had they or either one of them survived the intestate, shall be disposed of in the manner as if

such parent or parents had outlived the intestate and died in possession of such share, and so on through their ascending ancestors.

Sec. 8. If heirs are not thus found, the portion thus uninherited shall go to the natural parents of the intestate, and in case of their death then to the heirs under the ordinary rules of descent.

The substitute was read first and second time by title, and ordered passed on file.

Senator Townsend, from the special committee appointed to prepare resolutions on the life and character of Daniel Anderson, late of Monroe county, submitted the following report and moved its adoption:

MR. PRESIDENT—Your special committee, appointed to prepare resolutions concerning the life and character of Daniel Anderson, respectfully report as follows:

WHEREAS, Daniel Anderson, a member of the State Senate of Iowa in the Fifth, Sixth and Seventh General Assemblies, departed this life on the 4th of February, 1901, at his home in Albia; therefore, be it

Resolved, That in the death of Daniel Anderson the bar of Iowa lost one of its ablest lawyers; the Pioneer Lawmakers' association one of its most brilliant members; the state one of its best citizens, and the nation one of its bravest defenders in its hour of need.

Resolved, That the Senate joins with the citizens of the community in which he lived for over fifty years, in sorrow at his loss and tenders to his widow and children its sincere sympathy in their bereavement.

Resolved, That a copy of these resolutions suitably engrossed be transmitted to the family of the deceased by the Secretary of the Senate.

FRED TOWNSEND,
CLAUDE R. PORTER,
S. H. HARPER,

Committee.

The resolution was unanimously adopted by a rising vote.

Senator Townsend spoke as follows in support of the resolution.

MR. PRESIDENT—During the year 1901, two of Monroe county's most respected citizens, both sometime members of the state senate—departed this life. Of one of these men—Daniel Anderson, it is my privilege at this time to speak, and in so doing, I am fully conscious of the inadequacy of mere words to voice the sentiment of the heart and speak the language of sorrow.

The life of Mr. Anderson was such that a simple narration of its principal events will portray his character and show the esteem in which he was held, far better than any eulogy that I can deliver.

Daniel Anderson was born in Monroe county, Indiana, April 5, 1821. His ancestors were early settlers of America from Ireland and Scotland and from them he inherited these strong and vigorous characteristics which made him so successful in life's battles. His boyhood was spent on his father's farm and in the primitive schools of the times he received a limited education. In 1846 he entered Bloomington college and there formed a friendship with two men of whom Iowa is well proud, James Harlan and George G. Wright. This friendship lasted throughout life.

In 1847 Mr. Anderson was admitted to the bar of Indiana, having studied for some time under Richard Thompson, who in later years occupied a prominent place in our national history. In 1848 he removed to Iowa, stopping first at Keokuk, but a few months later located at Albia, where he continued to reside until his death in 1901.

Upon the formation of the republican party he became an enthusiastic member and remained closely identified with it for the rest of his life. In 1854 he was elected to the state senate from the district composed of the counties of Wapello, Monroe, Lucas and Clarke, and was re-elected to the Sixth and Seventh General Assemblies. He was, I believe, the first republican to represent these counties in the senate.

In 1856 he was a delegate from Iowa to the national republican convention and in 1864, after his return from the army, a presidential elector on the republican ticket. In 1867 he was appointed registrar in bankruptcy, which position he held until the law was repealed.

When, in 1861, the tocsin of war was sounded, Senator Anderson was one of the first to respond to the call for volunteers. He was active in the work of enlistment of Company H. First Iowa Volunteer cavalry of which he was made captain. For three long years he served his country bravely and faithfully upon the field, and was promoted through the various grades from captain to colonel of his regiment. Towards the close of the war continued ill health forced him to resign. He returned to Albia, resumed the practice of law, in which he actively engaged until 1892.

Senator Anderson was a ready and a forcible debater and soon earned a prominent position as a member of the legislature. In the Seventh General Assembly he was chairman of the judiciary committee, then as now, one of the leading committees of the senate.

As a lawyer, Colonel Anderson ranked high at the bar in southern Iowa and took an active part in many of the notable forensic combats of the time. He enjoyed a large clientage, but believing in living well and having no desire for money, save as it contributed to present needs, accumulated but little property.

Colonel Anderson's personal character was of high standard. His father was a Methodist minister—one of those rugged, self-sacrificing servants of God who did so much to spread the gospel among the early settlers of the middle-west, and at his knee Daniel learned those precepts of Christianity which guided and influenced him throughout life. He early allied himself with the Methodist church and remained a member until his death. After

his retirement from the active practice of the law, Colonel Anderson lived quietly at his home in Albia until his death February 4, 1901.

His later years were spent among his life long friends and comrades until, "He entered that undiscovered country from whose bourne no traveler returns."

On motion of Senator Classen, the remarks of Senator Townsend were ordered printed in the Journal.

Senator Dowell moved that Senate file No. 213 be referred to committee on Appropriations, and retain its place on the Calendar.

Carried and so ordered.

THIRD READING OF BILLS.

On motion of Senator Hubbard, House file No. 117, a bill to amend section four thousand, eight hundred and seven (4807) of the code, relating to malicious mischief and trespass, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Mitchell, Townsend, Wilson, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Moffit, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple—20.

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

On motion of Senator Wilson, substitute for House file No. 67, a bill for an act to amend section thirty-four hundred ninety-seven (3497) of the code, relating to place of bringing actions, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the rule be suspended, and the reading just had be. considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Griswold, Harper, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Crossley, Garst, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Smith of Des Moines, Tallman, Trewin, Whipple—19.

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

On motion of Senator Wilson, substitute for House file No. 68, a bill for an act to amend section thirty-five hundred twenty-nine (3529) of the code, relating to the manner of commencing actions, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted

The bill was read for information.

Senator Wilson moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Healy, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Lee, Young of Washington—31.

The nays were:

None

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hubbard, Smith of Des Moines, Tallman, Trewin, Whipple—19.

So the bill, having secured a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hopkins, Senate file No. 163, a bill for an act relating to the transfer by the treasurer of state to his successor of funds of the state and liabilities incident thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of losses or fees, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper,

Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Lee, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Smith of Des Moines, Tallman, Trewin, Whipple—18.

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

On motion of Senator Emmert, Senate file No. 151, a bill for an act to amend section twenty-five hundred eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Emmert moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Lee Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Smith of Des Moines, Tallman, Trewin, Whipple—18.

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

On motion of Senator Healy, Senate file No. 178, a bill for an act to amend section three thousand, three hundred and eighty-six (3386) of the code of 1897, relative to heirs or beneficiaries causing death or disability, with report of committee recommending a substitute was taken up, considered, and report of committee adopted.

The bill was read for information.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Smith of Mitchell, Tallman, Trewin, Whipple—17.

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

On motion of Senator Classen, Senate file No. 83, a bill for an act to amend section five hundred and eight (508) of the code, relating to sheriffs' fees, with report of committee recommending

its passage, was taken up, considered and the report of the committee adopted.

Senator Classen 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:

Senators Bachman, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Townsend, Wilson, Winne, Young of Lee, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazleton, Hobart, Hogue, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple—18.

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

On motion of Senator Courtright, Senate file No. 41, a bill for an act to amend section sixteen hundred thirteen (1613), chapter one (1), title nine (9) of the code, relative to the publication of notice of incorporation, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Courtright moved the adoption of the following committee amendment:

Amend by striking out from the title "chapter one (1), title nine (9)".

Carried.

The bill was read for information.

Senator Courtright moved to amend by striking out of section one (1) in line two of the bill the words "chapter one, title nine."

Carried.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Spaulding, Tallman, Townsend, Wilson, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brooks, Croosley, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Winne—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title as amended agreed to.

On motion of Senator Bishop, Senate file No. 34, a bill for an act to amend section five thousand, one hundred thirty-four (5134) of the code, relative to the punishment of tramps, with report recommending the bill be indefinitely postponed, was taken up, considered and the report of the committee adopted, and the bill indefinitely postponed.

On motion of Senator Craig, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Craig moved that the rule be suspended, and that the

reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Garst, Griswold, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Wilson, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brooks, Crossley, Fitchpatrick, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Smith of Des Moines, Trewin, Whipple, Winne—17.

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

On motion of Senator Hopkins, House file No. 195, a bill for an act to amend section one hundred six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hayward, Healy, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Winne, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Crossley, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Junkin, Smith of Des Moines, Trewin, Whipple. Wilson—16.

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

On motion of Senator Healy, House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and section 1618 of the code, as amended by chapter (40) of the acts of the Twenty-seventh General Assembly, and chapter (56) of the acts of the Twenty-eight General Assembly, relating to incorporations for pecuniary profit, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Healy 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:

Senators Bachman, Bishop, Brighton, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst Griswold, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Blanchard, Crossley, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Smith of Des Moines, Trewin, Whipple, Wilson, Winne—16.

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

On motion of Senator Young of Lee, Senate file No. 108, a bill for an act to amend section five thousand, seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state, with report of committee recommending amendments was taken up, considered, and the report of the committee adopted.

Senator Young of Lee moved the adoption of the following committee amendments:

Amend by striking out in the fourth line of section 1 thereof the words "one hundred" and inserting the words "seventy-five" in lieu thereof.

Carried.

Senator Porter offered the following amendment and moved its adoption.

Add to section 1 the following, and by striking out the words "one hundred" in line eight, and inserting "seventy-five" in lieu thereof.

A roll call was demanded.

Senator Young of Lee moved that the time of adjournment be extended fifteen minutes.

Carried.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Bishop, Brighton, Brooks, Harper, Healy, Lambert, Porter, Spaulding, Tallman, Townsend, Wilson—11.

The nays were:

Senators Bachman, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Griswold, Hayward, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Smith of Mitchell, Winne, Young of Lee, Young of Washington—22.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Crossley, Fitchpatrick, Garst, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Molsberry, Smith of Des Moines, Trewin, Whipple—17.

So the amendment was lost.

Senator Emmert moved that the vote whereby the committee amendment to Senate file No. 108 passed the Senate be reconsidered.

Lost.

Senator Young of Lee, 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:

Senators Bachman, Bishop, Brighton, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Emmert, Garst, Griswold, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Mitchell, Tallman, Townsend, Wilson, Winne, Young of Lee, Young of Washington—33.

The nays were:

Senator Spaulding.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Crossley, Fitchpatrick, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Molsberry, Smith of Des Moines, Trewin, Whipple—16.

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

On request of Senator Crawford, the correction of the Journal of Thursday was postponed until tomorrow.

The Journal of Friday was taken up, corrected and approved.

The time having arrived, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, February 25, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. D. D. McSkimming of Whiting, Iowa.

PETITIONS AND MEMORIALS.

Senator Young of Washington presented remonstrance of sixty-five citizens of Richmond, Washington county, protesting against the passage of House files Nos. 170, 134 and 45.

Referred to committee on Schools.

Senator Young of Washington presented remonstrance of forty citizens of Washington county protesting against passage of House file No. 134.

Referred to committee on Schools.

Senator Young of Washington presented remonstrance of forty citizens of Washington county protesting against passage of House file No. 170.

Referred to committee on Schools.

Senator Young of Lee presented petition of citizens of Fort Madison protesting against passage of House files Nos. 45, 108 and 134.

Referred to committee on Schools.

Senator Alexander presented petition of Order of Railway Conductors of Marion, Iowa, in favor of compulsory education and against child labor.

Referred to committee on Schools.

Senator Healy presented petition of John F. Duncombe of Fort Dodge, favoring the construction of a fishway in the Bonaparte dam.

Referred to committee on Fish and Game.

Senator Healy presented petition of citizens of Rockwell City favoring present game laws except that a license fee of one dollar be charged for all hunters.

Read and referred to committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Young of Washington, Senate file No. 269, a bill for an act to amend section twenty-six hundred and four (2604) of the code relating to the compensation to be allowed to the adjutant quartermaster and surgeon of the Iowa Soldiers' home.

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

By Senator Molsberry, Senate file No. 270, a bill for an act to provide for the encouragement of the live stock interests of the state and to appropriate money therefor.

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

By Senator Arthaud, Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity, Iowa.

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

By Senator Lister, Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola and state of Iowa on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley, in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purpose, and all the proceedings of the board of supervisors of said county with reference to said matters.

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

By Senator Arthaud, Senate file No. 273, a bill for an act to regulate the practice of osteopathy in the state of Iowa and fixing penalties for the violation thereof.

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

By Senator Smith of Mitchell, Senate file No. 274, a bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five (165) of the code, relating to powers and duties of the executive council.

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

By Senator Garst, Senate file No. 275, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates the industrial schools.

Read first and second time and referred to committee on Penitentiaries and Pardons.

By Senator Garst, Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

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

By Senator Healy, Senate file No. 277, a bill for an act providing for the recovery of damages for death from wrongful act in certain cases, and the survival of actions therefor.

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

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 158, a bill for an act to repeal chapter ninety-nine

(99) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar, upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic arts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 102, a bill for an act providing for the assignment of mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 9, a bill for an act legalizing the formation of the independent district of Ralston, located in Greene and Carroll counties, beg leave to report that they have had the same under consideration, and have instructed me to report the following substitute therefor with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR HOUSE FILE NO. 9.

A bill for an act legalizing the organization of the independent school district of Ralston, located in Greene and Carroll counties, Iowa.

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

Section 1. That all proceedings pertaining to the organization of the independent school district of Ralston, located in Greene and Carroll counties, Iowa, and the organization of said school district, are hereby declared legal and valid, and shall be so held in all proceedings with the same force and effect as if the law with respect to the organization of said independent school district had been strictly complied with.

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State

Register and Des Moines Leader, newspapers published at Des Moines, Iowa, which publication shall be without expense to the state of Iowa.

The substitute was read first and second time and placed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 39 and substitute therefor, a bill for an act to repeal sections two thousand, five hundred and sixty-six (2566) and two thousand, five hundred sixty-seven (2567) of the code, and to enact substitutes therefor, relating to vital statistics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred substitute for House file No. 47, a bill for an act to amend section three thousand, four hundred thirty-nine (3439) of the code, relating to the limitation of actions on judgments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 5, a bill for an act legalizing the formation of the independent district of Ralston, Greene and Carroll counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, because of the favorable report on House file No. 9 relating to the same subject matter.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 28, a bill for an act to amend section four hundred and eighty (480) of the code, relating to the payment of interest on county warrants.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 28, a bill for an act to amend section four hundred and eighty three of the code, relating to the payment of interest on county warrants.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 105, a bill for an act to amend section four thousand, five hundred and forty-four (4544) of the code, relative to garnishment proceedings.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Moffit called up the concurrent resolution, offered by him February 21st, relative to adjournment and moved its adoption.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Alexander, Arthaud, Bachman, Bishop, Brooks, Classen, Crossley, Griswold, Hartshorn, Lambert, Moffit, Moisberry, Smith of Des Moines, Smith of Mitchell, Tallman, Winne, Young of Lee, Young of Washington—18.

The nays were:

Senators Ball, Craig, Emmert, Garst, Harper, Hayward, Healy, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Spaulding, Whipple—19.

Absent or not voting:

Senators Allyn, Blanchard, Brighton, Courtright, Crawford, Dowell, Fitchpatrick, Harriman, Hazelton, Hobart, Townsend, Trewin, Wilson—13.

So the resolution was lost.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the amendment passed as a substitute by the Senate to House file No. 187, in which the concurrence of the House was asked:

A bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 82, a bill for an act to amend section ten hundred eighty (1080) of the code, relating to the correction of registry of voters.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 81, a bill for an act to amend section eleven hundred thirteen (1113) of the code, relating to polling places.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 27, a bill for an act to amend section one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 29, a bill for an act to amend section twenty-seven hundred ninety-nine (2799), chapter fourteen (14), title thirteen (13) of the code of 1897, relating to the uniting of independent districts and to enact in lieu thereof the following.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 167, a bill for an act to amend sections two thousand twenty-four (2024) and two thousand twenty-five (2025) of the code, relating to the-condemnation of real estate by the state and the payment of damages in compensation therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 227, a bill for an act to legalize the ordinances and official acts of the town of Schaller, Sac county, Iowa,

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 134, a bill for an act appropriating money to pay expre-
sage, freight and cartage.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 73, a bill for an act to amend section 2524 of the code, in relation to the powers of the dairy commissioner.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 236, a bill for an act to repeal section 4932 of the code referring to the crime of adultery and the punishment thereof and enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relating to secretary of state being authorized and directed to have mounted and properly arranged photographic plates of all the congressional townships in the state, and directing that the volumes containing the original field notes of survey and records of conveyance be rebound.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 77, a bill for an act to amend chapter one (1), title seven 7) of the code, and for the repeal of section thirteen hundred four (1304),

chapter one (1), title seven (7) of the code, relating to exemption of property from assessment and taxation.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

The hour having arrived the Senate took up Senate file No. 63, which was made a special order for this time.

Senator Porter moved the adoption of the following committee amendment:

Strike out all of section six after the period in the fifth line of said section.

Lost.

Senator Healy offered the following amendment and moved its adoption:

Amend section six (6) by striking out all of said section after the words "respects as" in the ninth line and inserting in lieu thereof the words "convicts in the Fort Madison penitentiary."

Carried.

Senator Porter moved the adoption of the following committee amendment:

Strike out the words "and a certified copy of the evidence before the trial court" in section nine of said bill.

Carried.

By unanimous consent the three amendments of Senator Trewin, offered by him Friday, February 21st, were considered collectively.

I move to amend section five of the bill by striking out the word "without" in the sixth line of the bill; also by striking out the thirteenth line and the fourteenth line to the word "shall," and inserting in lieu thereof the following: "The limitation of the sentence of imprisonment in the reformatory;" also by striking out the word "maximum" in the twenty-sixth line; also the words "by law" in the twenty-seventh line and inserting in lieu of the latter words "by the court."

Lost.

Senator Ball moved the adoption of the following amendment

offered by him, Friday, February 21st, and printed in the Journal:'

Strike out the words "under the age of thirty-one years" in the sixth line of section five.

Senator Brooks moved to amend the amendment by striking out the words "thirty-one" and inserting the words "twenty-six" in lieu thereof.

On the question, shall the amendment offered by Senator Brooks be adopted, the amendment was lost.

On the question, shall the amendment offered by Senator Ball be adopted, the amendment was lost.

By unanimous consent, Senator Ball withdrew the amendments offered by him and printed in the Journal of February 21st, on page 376.

On the question, shall the two amendments offered by Senator Trewin and printed in the Journal of February 21st, on page 376, be adopted?

The amendments were lost:

Senator Porter moved the adoption of the following committee amendments:

Add at the end of the eighteenth line of section five of said bill the words "be less than the minimum term now."

Lost.

Senator Porter moved the adoption of the following committee amendments:

Add the words "or manslaughter" after the word "murder" in the fifth line of section five of said bill.

Lost.

Senator Emmert 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:

Senators Alexander, Allyn, Arthaud, Brighton, Classen, Court-right, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hopkins, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Spaulding, Townsend, Whipple, Winne—32.

The nays were:

Senators Bachman, Ball, Bishop, Brooks, Moffit, Smith of Des Moines, Smith of Mitchell, Tallman, Wilson, Young of Lee, Young of Washington—11.

Absent or not voting:

Senators Blanchard, Harriman, Hobart, Hogue, Hubbard, Lambert, Trewin—7.

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

On motion of Senator Smith of Mitchell, the time of adjournment was extended fifteen minutes.

The Governor's private secretary announced a communication from the Governor relating to the Tama Indians, which was filed with the secretary, and is as follows:

EXECUTIVE OFFICE,
DES MOINES, IOWA, February 25, 1902. }

To the Senate and House of Representatives of the Twenty-ninth General Assembly:

I submit herewith a copy of a letter received from the president of the state board of health, respecting a condition which exists upon the Indian reservation in Tama county. Briefly summarized, the situation is as follows:

Sometime ago a malignant type of smallpox was prevalent in the Indian camp, and many of the Indians died from the disease. While the disease no longer exists in the camp, the tepees, wigwams, blankets and other clothing and effects of the Indians are filled with smallpox germs; and I am advised that in order to prevent the spread of the contagion it is highly necessary to burn a large part of the paraphernalia of the camp and to thoroughly fumigate and disinfect the remainder.

Up to this time it has been possible to maintain a quarantine, but as the spring approaches, the maintenance of the regulations become more and more difficult, and in my opinion will be from now on practically impossible. Latterly the quarantine has been maintained, waiting for the federal government to make an appropriation to supply the Indians with

tents, blankets, and other things that may be destroyed in the cleansing process. I have every assurance that congress will make an appropriation for this purpose, but it may not be available for some weeks to come. In the meantime the lives of our people are greatly imperiled, and I look upon it as essential to remove the danger at once. I have every reason to believe that I can so adjust matters with the general government that any sum expended at this time by the state will be repaid.

In view of the emergency I recommend the appropriation of a sum sufficient to supply the Indians with some substitute for the things destroyed, not to exceed \$7,000, pending action at Washington.

Respectfully submitted,

ALBERT B CUMMINS.

The following is a copy of the letter received from the president of the state board of health.

DES MOINES, Iowa, February 24, 1902.

Hon. A. B. Cummins, Governor of Iowa:

MY DEAR SIR—I am in receipt of communications from Mayor Struble of Toledo, and Mayor Huber of Tama, stating that it will be with difficulty that the quarantine may be maintained for any considerable length of time. The Indians are already becoming very restive. They complain bitterly at the long drawn out quarantine which prevents their leaving the reservation. Several times a number of them have gone to Montour, and I have word from Mayor Young of that city, stating in explanation of that fact that they expected the quarantine to be raised some time ago. At this time of year the Indians usually leave the camp on hunting and fishing expeditions along the adjacent streams, many of them camping out for a good part of the summer season. Should the weather turn warm, as is very possible indeed, it would be nearly impossible to keep them longer on the reservation. The smallpox has expended itself, and the camp is now in condition it might be well cleansed. Delay in this matter is protentious of danger. If they leave the reservation without first being properly disinfected they may carry the virulent type of contagion to different portions of the state. The health authorities of these cities adjacent to the reservation already note with apprehension their growing restlessness, and assure me it will be difficult to restrain them much longer. Word from the commissioner of Indian affairs is received to the effect that the urgent deficiency bill before congress contains an appropriation for cleaning up the camp. A letter just received from Governor Shaw conveys the additional information that the commissioner thinks \$7,000.00 would be sufficient for the purpose. Permit me to suggest to you the advisability of anticipating this revenue from the government, and that you ask of the legislature an appropriation sufficient for this purpose. By communication with the Interior department, the matter might be arranged for the return of such amount as the legislature may appropriate to the state. The commissioner assured me his department would be quick to act as soon as the appropriation was available, and that he desired the active co-operation of the state board of health in cleansing the camp. The renovation of the camp might be done,

in that event, under the direction of the commissioner of Indian affairs, and if done at this time, it would relieve the communities adjacent to the reservation from the danger of a spread of this contagion. I beg to assure you that I regard this as a matter of utmost importance, and ask that you give it such consideration as its grave nature warrants.

Very truly yours,

A. M. LINN,
President State Board of Health.

Senator Healy filed the following motion.

I move to reconsider the vote by which Senate file No. 63 passed the Senate.

The Journal of Thursday was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

The President announced that he had signed, in the presence of the Senate, Senate file No. 28 and House file No. 105.

On motion of Senator Winne the Senate adjourned.

SENATE CHAMBER.
DES MOINES, Wednesday, February 26, 1908. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. H. J. Everly of Moulton, Iowa.

On request of Senator Hogue, leave of absence was granted Senator Hobart.

On request of Senator Crossley, leave of absence was granted Senator Brighton for today.

On request of Senator Blanchard, leave of absence was granted Senator Molsberry for today.

PETITIONS AND MEMORIALS.

Senator Griswold presented petition of 119 voters of Delaware county against the passage of House files Nos. 45, 108 and 134.

Referred to committee on Schools.

Senator Harriman presented memorial of citizens of Garner, Hancock county, against the passage of House files, Nos. 45, 108 and 134.

Referred to committee on Schools.

Senator Brooks presented petition of sixty-eight citizens of Keokuk county, protesting against free text-book measures.

Referred to committee on Schools.

Senator Lister presented petition of citizens of Sioux, O'Brien, and Lyon counties in favor of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Lister presented petition of 134 citizens of Hospers and vicinity, protesting against the passage of House files Nos. 45, 108 and 134.

Senator Dowell presented petition of citizens of Des Moines, Polk county, in favor of suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Bachman presented petition of citizens of Kossuth county, protesting against passage of House files Nos. 45, 108, 134 and 170.

Referred to committee on Schools.

Senator Wilson presented petition of Brotherhood of Locomotive Firemen of Clinton, Iowa, favoring compulsory education, and against child labor in factories.

Read and referred to committee on Schools.

Senator Harper presented petition of ministers of Ottumwa in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Courtright presented three petitions of 165 citizens of Waterloo, Iowa, in opposition to passage of House files Nos. 45, 134 and 170.

Referred to committee on Schools.

Senator Courtright presented petition of sixty-seven citizens of Waterloo against the passage of a pending bill in relation to state aid in transporting children to rural schools.

Referred to committee on Schools.

Senator Courtright presented petition of Wilson Post No. 71 in favor of Senate file No. 210, for the erection of a monument to deceased soldiers who died in Andersonville prison.

Referred to committee on Appropriations.

Senator Blanchard presented petition of local union No. 831, Mine Workers of America of Evans, Iowa, asking for a law to compel all shots fired in coal mines to be done by practical miners.

Read and referred to committee on Mines and Mining.

Senator Lambert presented petition of Rock Rapids Gun club, opposing any change in the present game laws.

Referred to committee on Fish and Game.

Senator Moffit presented petition of C. H. Anderson, protesting against the unlimited power vested in the board of control in the contemplated reformatory at Anamosa.

Referred to committee on Charitable Institutions.

Senator Moffit presented petition of citizens of Anamosa in favor of the establishment of a detention hospital for inebriates.

Referred to committee on Supression of Intemperance.

Senator Moffit presented petition of citizens of West Branch and other localities in favor of limiting the duration of saloon consent petitions.

Referred to committee on Supression of Intemperance.

Senator Moffit presented petition of Cedar county bar protesting against Senate file No. 88, and opposing the division of the Eighteenth Judicial district.

Referred to committee on Congressional and Judicial Districts.

Senator Moffit presented petition of citizens of Anamosa, favoring the passage of Senate file No. 154, in relation to personal earnings.

Referred to committee on Judiciary.

Senator Fitchpatrick presented memorial of Ministerial Association of Ames, Iowa, favoring the establishment of a detention hospital for inebriates.

Referred to committee on Supression of Intemperance.

Senator Blanchard presented a dam elegy, by Tacitus Hussey, on the subject of the Bonaparte fish dam, which was read and unanimously referred to committee on Fish and Game.

Senator Young of Lee presented petition of Keokuk Typographical Union No. 68, protesting against the passage of House file No. 184 and Senate file No. 154, in relation to personal earnings.

Referred to committee on Judiciary.

Senator Dowell presented petition of citizens of Iowa in favor of the passage of a barber law.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Young of Washington, Senate file No. 278, a bill for an act making an appropriation for the purchase of land, tombstone and erection thereof, for the proper marking of the grave of one Chas. Shepherd, a soldier who served in the war of the Revolution, died in 1845 and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa.

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

HOUSE MESSAGES CONSIDERED.

Concurred amendments to House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote by such suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor.

Placed on file.

House file No. 82, a bill for an act to amend section ten hundred and eighty (1080) of the code, relating to the correction of registry of voters.

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

House file No. 81, a bill for an act to amend section eleven hundred and thirteen of the code, relating to polling places.

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

House file No. 27, a bill for an act to amend sections one hundred and eighteen (118) and one hundred and nineteen (119) of the code, defining the duties of the state printer and binder.

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

Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Placed on file.

House file No. 29, a bill for an act to amend section twenty-seven hundred ninety-nine (2799), chapter fourteen (14), title thirteen (13) of the code of 1897, relating to the uniting of independent districts, and to enact in lieu thereof the following. Committee on Schools and Text-Books reported February 7th, recommending substitute as amendment, and when so amended that it do pass.

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

House file No. 167, a bill for an act to amend sections two thousand twenty-four (2024) and two thousand twenty-five (2025) of the code, relating to the condemnation of real estate by the state and the payment of damages in compensation therefor.

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

House file No. 227, a bill for an act to legalize the ordinances and official acts of the town of Schaller, Sac county, Iowa.

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

Senate file No. 134, a bill for an act for appropriating money to pay expressage, freight and cartage.

Placed on file.

House file No. 73, a bill for an act to amend section twenty-five hundred and twenty-four (2524) of the code, in relation to the powers of the dairy commissioners.

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

House file No. 236, a bill for an act to repeal section forty-nine hundred and thirty-two (4932) of the code, referring to the crime of adultery and the punishment thereof, and to enact a substitute therefor.

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

Concurrent resolution, relative to secretary of state being authorized and directed to have mounted and properly arranged photographic plats of all the congressional townships in the state and directing that the volumes containing the original field notes of survey and records of conveyance be rebound.

Placed on file.

House file No. 77, a bill for an act to amend chapter one (1), title seven (7) of the code, and for the repeal of section thirteen hundred and four (1304), chapter one (1), title seven (7) of the code.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 187, a bill for an act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEES.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 175, a bill for an act to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendent, beg leave to report that they have had the same under consider-

ation and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 194, a bill for an act to amend section one hundred and twenty of the code, relating to printing and binding, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 284, a bill for an act to authorize the improvement of channels of meandered streams dividing the territory within the corporate limit of certain cities and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred joint resolution No. 5, 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 Senate, with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 191, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

On motion of Senator Harper, joint resolution No. 5 was made a special order for 10 A. M. Thursday, February 27th.

On motion of Senator Hubbard, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Healy, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Brighton, Courtright, Emmert, Garst, Hazelton, Hobart, Junkin, Molsberry, Porter—10.

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

On motion of Senator Hubbard, House No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Fitzpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Emmert, Garst, Hobart, Hopkins, Junkin, Molsberry, Townsend—10.

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

Senator Trewin offered the following resolution:

WHEREAS, It is generally believed that the effectiveness of the interstate commerce law has been seriously impaired by certain decisions of the federal courts, and that the law in its present state is practically inoperative in remedying the evils of the transportation service of the country, which was the purpose of its enactment; and

WHEREAS, A bill designated as H. R. 8337 and S. 3575, known as the Nelson-Corliss bill, is now pending in the two houses of congress to amend the interstate commerce act by conferring upon the commission created thereby additional powers for the purpose of enabling it to enforce the provisions of the act, and giving its rulings immediate effect pending review by the courts; therefore, be it

Resolved, By the Senate, the House concurring: That the senators and representatives in congress from this state be and are hereby respectfully requested to give said measure careful consideration, and to use their efforts in every proper way to secure its early enactment, or the enactment of some other measure which will afford the relief sought.

Referred to committee on Federal Relations.

On motion of Senator Allyn, Senate joint resolution No. 3, resolution proposing amendment to the constitution of Iowa, relative to suffrage and to provide for its reference and publication, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The joint resolution was read for information.

JOINT RESOLUTION NO. 3.

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

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

That the following amendments to the constitution of the state of Iowa be and the same are hereby proposed:

First.—Strike out the word "male" in section 1, article 2 of said constitution.

Second.—Strike out the word "male" in section 4, article 3 of said constitution.

And be it further Resolved, That the foregoing proposed amendments to the constitution be, and the same are hereby referred to the Legislature to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of said election, as provided by law.

Senator Allyn moved that the rule be suspended, and that the joint resolution be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Blanchard, Brooks, Clasen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Healy, Hogue, Hopkins, Hubbard, Lewis, Lister, Mardis, Porter, Smith of Mitchell, Spaulding, Townsend, Trewin, Winne—28.

The nays were:

Senators Bachman, Ball, Bishop, Crawford, Hayward, Hazelton, Lambert, Lyons, Maytag, Moffit, Smith of Des Moines, Tallman, Whipple, Wilson, Young of Lee, Young of Washington—16.

Absent or not voting:

Senators Brighton, Emmert, Garst, Hobart, Junkin, Molsberry—6.

So the joint resolution, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, Senate file No. 196, a bill for an act to amend section (2267) of the code, relating to appeals from the finding of commissioners of insanity, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hopkins, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Senators Ball, Brighton, Emmert, Fitchpatrick, Healy, Hobart, Hogue, Hubbard, Junkin, Molsberry, Smith of Mitchell, Winne—12.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Relative to printing Senate and House rules.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 188, a bill for an act to repeal section twenty-seven hundred twenty-seven (2727) of the code, and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly, amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 88, a bill for an act to amend section twenty-three hundred ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 48, a bill for an act to fix the compensation of appraisers of property.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 128, a bill for an act amendatory of chapter one (1), title three (3) of the code of Iowa, relating to the organization of the supreme court.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Hayward, Senate file No. 54, a bill for an act to repeal sections 3050, 3051 and 3052 of the code, relating to days of grace, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Blanchard moved to strike out the words "presentation and" in the sixth line of the bill.

Lost.

Senator Young of Lee offered the following amendment and moved its adoption.

Add to section 2 the following: "Nothing in this act shall apply to notes and papers executed before the passage of this act."

Carried.

Senator Hayward 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:

Senators Alexander, Allyn, Blanchard, Brooks, Classen, Garst, Hayward, Hopkins, Hubbard, Lewis, Maytag, Moffit, Smith of Mitchell, Young of Washington—14.

The nays were:

Senators Arthaud, Ball, Bishop, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Harriman, Hartshorn, Hazelton, Healy, Hogue, Lambert, Lister, Mardis, Porter, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee—27.

Absent or not voting:

Senators Bachman, Brighton, Emmert, Fitchpatrick, Hobart, Junkin, Lyons, Molsberry, Spaulding—9.

So the bill, having failed to receive a constitutional majority, was declared lost.

The President announced that he had signed in the presence of the Senate, House file No. 187.

Senator Healy called up the motion filed by him yesterday to reconsider the vote whereby Senate file No. 63 passed the Senate.

Senator Healy moved to reconsider the vote whereby Senate file No. 63 passed the Senate yesterday.

The hour of adjournment having arrived, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, February 27, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Ben. E. S. Ely of Des Moines, Iowa.

On request of Senator Alexander, leave of absence was granted Senator Fitchpatrick until Tuesday.

PETITIONS AND MEMORIALS.

Senator Harper presented petition of citizens of Ottumwa, Iowa, favoring passage of Senate file No. 84.

Referred to committee on Cities and Towns.

Senator Lambert presented petition of citizens of Jackson county protesting against the passage of House file No. 45.

Referred to committee on Schools.

Senator Lambert presented petition of citizens of Jackson county protesting against passage of House files Nos. 134 and 45.

Referred to committee on Schools.

Senator Lambert presented petition of citizens of Jackson county protesting against passage of House file No. 134.

Referred to committee on Schools.

Senator Bachman presented petition of citizens of St. Joseph, Iowa, protesting against passage of House files Nos. 170, 134, 45.

Referred to committee on Schools.

Senator Hartshorn presented petition of citizens of Webster City, favoring the establishment of home for inebriates.

Referred to committee on Suppression for Intemperance.

INTRODUCTION OF BILLS.

By Senator Craig, Senate file No. 279, a bill for an act to amend chapter eighty-five (85) of the acts of the Twenty-eighth General Assembly, relating to the apportionment, by the dairy commissioner, of a deputy and assistants, and fixing their compensation.

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

By Senator Blanchard (by request), Senate file No. 280, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri.

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

By Senator Crawford, Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code as amended, relating to the appointment of waterworks trustees in cities of the first class and to enact a substitute in lieu thereof.

Read first and second time and referred to committee on Cities and Towns.

By Senator Brooks, Senate file No. 282, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to insurance companies.

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

By Senator Spaulding, Senate file No. 283, a bill for an act to legalize the incorporation of Rudd, Floyd county, Iowa, to the extension of the limits thereof, and the ordinances passed by the council of said town.

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

On motion of Senator Ball (by unanimous consent), Senate file No. 10 was made a special order for Wednesday, March 5th, at 10 A. M.

Senator Lewis offered the following resolution and moved its adoption.

Resolved, That the Secretary of the Senate be instructed to have printed five hundred copies each of the sub-committee bills now pending before the Ways and Means committee, in relation to the subject of railway taxation.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 128, a bill for an act amendatory of chapter one (1), title three (3) of the code, relating to the organization of the supreme court.

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

House file No. 48, a bill for an act to fix the compensation of appraisers of property.

Read first and second time and referred to committee on Compensation of Public Officers.

House file No. 88, a bill for an act to amend section twenty-three hundred ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders.

Read first and second time and referred to committee on Suppression of Intemperance.

House file No. 188, a bill for an act to repeal sections twenty-seven hundred twenty-seven (2727) of the code, and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

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

Concurrent resolution relative to printing Senate and House rules.

Placed on file.

REPORTS OF COMMITTEES.

Senator Alexander, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks, to whom was referred Senate file No. 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, relating to savings banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman.

Ordered passed on file.

Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 286, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "said" in the last line and inserting the word "this" in lieu thereof, and when so amended that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House file No. 78, a bill for an act to amend section seventeen hundred and twenty-six (1726) of the code, in relation to notes taken for policies of insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor, and when so substituted that it do pass.

SUBSTITUTE FOR HOUSE FILE NO. 78.

A bill for an act amendatory of and additional to section seventeen hundred twenty-six of the code relating to notes taken for insurance other than life.

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

Section 1. That there be added to section seventeen hundred twenty-six (1726) of the code the following: "and no action shall be brought by the receiver or assignee of any company against a resident of this state on any obligation or contract for payment of premiums due on contracts of insurance at a place other than in the county where the defendant resides.

JAS. A. SMITH,
Chairman.

Read first and second time and ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOHN T. MOFFIT,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 158, a bill for an act to establish the eastern Iowa school for the deaf, and to provide for the building and 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 Senate with the recommendation that the same be referred to the committee on Charitable Institutions.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 149, a bill for an act to define the rights of owners and proprietors of land in respect to surface waters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Garst, Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or as much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Senators Brighton, Crawford, Dowell, Emmert, Fitchpatrick, Hobart, Lambert, Lyons, Smith of Mitchell, Tallman, Townsend—11.

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

The governor's private secretary announced a communication from the governor, relative to coal mining explosions in Iowa.

Senator Crossley, from the contest election committee, in the matter of J. E. Bruce, contestor, vs. J. M. Emmert, incumbent, submitted the final report of the committee, together with the

dissenting opinion of the minority of the committee, and all evidence taken in the case.

Senator Smith of Mitchell rose to the point of order that the minority of the special committee on the Bruce vs. Emmert contest election case could not submit what purports to be evidence in their report and have same read and printed in the Journal.

The President announced that the point of order raised by Senator Smith of Mitchell was well taken, unless the same was allowed to be done by unanimous consent of the Senate.

Senator Porter moved that the entire report of the committee, including the evidence, be recommitted to the committee.

Carried.

President *pro tem* Harriman took the chair at 11:05 A. M.

SPECIAL ORDER.

On motion of Senator Harper, joint resolution No. 5, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The joint resolution was read for information.

JOINT RESOLUTION NO. 5.

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

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

That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

Add as section 16, to article 12 of the constitution, the following:

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 31st, 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 biennially thereafter.

Resolved further, That the foregoing proposed amendment to the constitution of the state of Iowa be and the same is hereby referred to the legislature, to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election as provided by law.

Senator Harper moved that the rule be suspended, and that the joint resolution be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the joint resolution pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Winne, Young of Lee, Young of Washington—40.

The nays were :

Senators Bishop, Crossley, Hogue, Spaulding, Wilson—5.

Absent or not voting:

Senators Brighton, Emmert, Fitchpatrick, Hobart, Townsend—5.

So the joint resolution, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Concurrent resolution, relative to requesting our senators and representatives in congress to favor a bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 289, a bill for an act to amend sections 1328, 1329 of the code, and sections 3 and 4 of chapter 42 of the acts of the Twenty-eighth General Assembly, relating to reports by, and taxation of telegraph and telephone companies, and requiring said companies to file maps and schedules of their lines with county auditors.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 207, a bill for an act to amend section three thousand eighty-nine (3089) of the code, relating to mechanics' liens.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 173, a bill for an act to amend section four thousand eight hundred seventy-two (4872) of the code, relative to perjury.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of the motion filed by Senator Healy to reconsider the vote whereby Senate file No. 63 passed the Senate.

President Harriott resumed the chair at 11:50 A. M.

Senator Craig moved that the time for adjournment be extended until the Senator from Black Hawk had concluded his remarks, and the Journals of Tuesday and Wednesday be corrected.

By unanimous consent, on motion of Senator Trewin, Senate file No. 37 and House file No. 28 was recommitted to the committee on Cities and Towns, and to retain their place on the calendar.

The Journal of Tuesday was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

The time having arrived the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, February 28, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. J. R. Sanford of Charles City, Iowa.

On request of Senator Harriman, leave of absence was granted Senator Young of Washington until Monday.

On request of Senator Harriman, leave of absence was granted Senator Griswold until Monday.

On request of Senator Tallman, leave of absence was granted Senator Smith of Des Moines until Monday.

On request of Senator Tallman, leave of absence was granted Senator Lambert until Monday.

On request of Senator Hopkins, leave of absence was granted Senator Hartshorn until Monday.

On request of Senator Crossley, leave of absence was granted Senator Brighton until Monday.

On request of Senator Crossley, leave of absence was granted Senator Molsberry for today.

REPORT OF COMMITTEE.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 93, a bill for an act to amend sections thirteen hundred thirty-four (1844) and thirteen hundred thirty-seven (1837), of title seven, chapter one of the code of 1897, relating to the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recom-

mendation that the following be substituted therefor, and that said substitute do pass.

J. M. JUNKIN,
Chairman.

Adopted.

SUBSTITUTE FOR SENATE FILE NO. 33

A bill for an act to amend section thirteen hundred and thirty-four (1834) and section thirteen hundred and thirty-seven (1837) of the code, relating to the assessment of railway property for taxation.

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

Section 1. That section thirteen hundred and thirty-four (1834) of the code be and the same is hereby amended by striking out in the first line thereof the words, "first Monday in March", and inserting in lieu thereof the words "second Monday in July"; and by striking out of the eighth (8) and ninth (9) lines of said section the words, "fifteenth day of February", and inserting in lieu thereof the words, "first day of April".

Sec. 2. That section thirteen hundred and thirty-seven (1837) of the code be and the same is hereby amended by striking out of the first and second lines thereof the words "twenty-fifth day of March", and inserting in lieu thereof the words, "first Monday in August."

Sec. 3. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Iowa State Register and the Des Moines Leader, two newspapers published in Des Moines, Iowa.

Substitute read first and second time.

By unanimous consent, on request of Senator Junkin, the Senate took up Senate file No. 93 for consideration at this time.

On motion of Senator Junkin, Senate file No. 93, a bill for an act to amend sections thirteen hundred thirty-four (1334) and thirteen hundred and thirty-seven (1337) of title seven, chapter one of the code of 1897, relating to the assessment of taxes, with report of committee, recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop,

Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Garst, Harper, Harriman, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne—39.

The nays were:

None.

Absent or not voting:

Senators Brighton, Fitchpatrick, Griswold, Hartshorn, Hobart, Lambert, Moffit, Molsberry, Smith of Des Moines, Young of Lee, Young of Washington—11.

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

On motion of Senator Hayward, Senate file No. 259, a bill for an act to repeal sections two (2), three (3), six (6) and seven (7) of chapter forty-five (45), acts of the Twenty-eighth General Assembly, and to enact and substitute therefor and to amend section one (1), chapter forty-five (45), acts of the Twenty-eighth General Assembly, relating to taxation of express companies, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hayward moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators, Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Garst, Harper, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne—38.

The nays were:

None.

Absent or not voting:

Senators, Brighton, Fitchpatrick, Griswold, Harriman, Hartshorn, Hobart, Lambert, Moffit, Molsberry, Smith of Des Moines, Young of Lee, Young of Washington—12.

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

On motion of Senator Harriman, Senate file No. 153 was made a special order to follow Senate file No. 10, which was made a special order for Wednesday, March 5th, at 10 o'clock A. M.

The President announced that he had appointed as the code supplement supervisory commission, as provided by Senate file No. 1, Senators Jas. H. Trewin, William P. Whipple, Claude R. Porter.

PETITIONS AND MEMORIALS.

Senator Harriman presented petition of citizens of Britt favoring the limiting of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Whipple presented petition of citizens of Benton county against the passage of House files Nos. 45, 134 and 170.

Referred to committee on Schools.

Senator Bishop presented petition of Henry Howard Post No. 259, G. A. R., department of Iowa, in favor of an appropriation of \$150,000 to be expended for monuments, etc., at the National park at Vicksburg.

Referred to committee on Appropriations.

Senator Harper presented petition of Ottumwa Union, I. B. of B., No. 162, in favor of the construction of American war vessels in the navy yards of this country.

Referred to committee on Federal Relations.

Senator Harper presented resolutions adopted by Ottumwa Union, I. B. of B., No. 162, favoring the exclusion of Chinese labor.

Referred to committee on Federal Relations.

Senator Townsend presented petition of barbers of Albia, against passage of Senate file No. 179.

Read and referred to committee on Public Health.

Senator Crawford presented petition of citizens of Dubuque opposing passage of House files Nos. 45, 134 and 170.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Trewin, Senate file No. 284, a bill for an act to amend section six hundred forty-five (645) of the code, relating to city and town councils.

Read first and second time and referred to committee on Cities and Towns.

By Senator Trewin, Senate file No. 285, a bill for an act to amend section two thousand eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

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

By Senator Crawford, Senate file No. 286, a bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters, under appointment made by the district courts of Iowa.

Read first and second time and referred to committee on Cities and Towns.

By Senator Hayward, Senate file No. 287, a bill for an act to amend section thirteen hundred and thirty-four (1334) of the code, relating to assessment of railway right of way.

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

By Senator Hayward, Senate file No. 288, a bill for an act to amend section seventeen hundred forty-three (1743) of the code, relating to fire insurance.

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

By Senator Courtright, Senate file No. 289, a bill for an act to

amend section twenty-five hundred one (2501) of the code of Iowa, in relation to annual reports and bulletins to be published by the state.

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

REPORTS OF COMMITTEES.

Senator Lister, from the committee of compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 239, a bill for an act to amend sections two hundred sixteen (316) and two hundred twenty-four (324) of the code, concerning the duties and compensation of the supreme court reporter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Judiciary.

GEO. W. LISTER,
Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 43, a bill for an act providing for free text-books and supplies to be furnished pupils in the public schools of the state, regulating the contract therefor and providing for payment thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 129, a bill for an act to amend section 258, title 3, chapter two of the code of 1897, changing the salaries of district judges.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 88, a bill for an act to repeal section 2570 of the code, and enact a substitute therefor, in relation to quarantine and expenses thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Substitute for Senate file No. 93, a bill for an act to amend section thirteen hundred thirty-four (1834) and section thirteen hundred thirty-seven (1837) of the code, relating to the assessment of railway property for taxation.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 259, a bill for an act to repeal sections two (2), three (3), six (6) and seven (7) of chapter forty-five (45), acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend section one (1), chapter forty-five (45), acts of the Twenty-eighth General Assembly, relating to taxation of express companies.

C. R. BENEDICT,
Chief Clerk.

Senator Tallman offered the following resolution:

Resolved, That when the Senate adjourn at noon today that said adjournment be until 2 o'clock, Monday next.

Senator Tallman moved that the resolution be considered at this time.

A roll call was demanded.

On the question, Shall the resolution be considered at this time?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Emmert, Harriman, Hazelton, Hogue, Lyons, Mardis, Maytag, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Winne—26.

The nays were:

Senators Garst, Hayward, Healy, Hubbard, Junkin, Lewis, Lister, Porter, Spaulding, Wilson—10.

Absent or not voting:

Senators Brighton, Dowell, Fitchpatrick, Griswold, Harper, Hartshorn, Hobart, Hopkins, Lambert, Moffit, Molsberry, Smith of Des Moines, Young of Lee, Young of Washington—14.

So the motion prevailed.

Senator Tallman moved the adoption of the resolution.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Emmert, Harriman, Hazelton, Hogue, Lyons, Mardis, Maytag, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Winne—25.

The nays were:

Senators Crossley, Dowell, Garst, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lewis, Lister, Porter, Spaulding, Wilson—14.

Absent or not voting:

Senators Brighton, Fitchpatrick, Griswold, Hartshorn, Hobart, Lambert, Moffit, Molsberry, Smith of Des Moines, Young of Lee, Young of Washington—11.

So the resolution was adopted

HOUSE MESSAGES CONSIDERED.

Concurrent resolution relative to requesting our senators and representatives in congress to favor a bill known as Senate file 1118, introduced by Senator Hoar of Massachusetts defining acts of conspiracy.

Passed on file.

House file No. 239, a bill for an act to amend sections 1328 1329 of the code, and sections 3 and 4 of chapter 42 of the acts of the Twenty-eighth General Assembly, relating to reports by, and taxation of telegraph and telephone companies, and requiring said companies to file maps and schedules of their lines with county auditors.

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

House file No. 207, a bill for an act to amend section three thousand, eighty-nine of the code, relating to mechanic's liens.

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

House file No. 173, a bill for an act to amend section four thousand, eight hundred seventy-two (4872) of the code, in relation to perjury.

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

Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

Passed on file.

House file No. 129, a bill for an act to amend section two hundred fifty-three (253), title three (3), chapter two (2) of the code of 1897, changing the salaries of district judges.

Read first and second time and referred to committee on Compensation of Public Officers.

House file No. 83, a bill for an act to repeal section twenty

five hundred seventy (2570) of the code and enact a substitute therefor, in relation to quarantine and expenses thereof.

Read first and second time and referred to committee on public health.

Substitute for Senate file No 93, a bill for an act to amend section thirteen hundred thirty-four (1334) and section thirteen hundred thirty-seven (1337) of the code, relating to the assessment of railway property for taxation.

Passed on file.

Senate file No. 259, a bill for an act to repeal sections two (2) three (3), six (6) and seven (7) of chapter forty-five (45) acts of the 28th General Assembly and to enact a substitute therefor, and to amend section one (1), chapter forty-five (45) acts of the Twenty-eight General Assembly, relating to taxation of express companies.

Passed on file.

The following communication, which was received from the governor yesterday, was read by the Secretary.

EXECUTIVE OFFICE,
DES MOINES, IOWA, February 26, 1902. }

To the Senate of the Twenty-ninth General Assembly:

The report of the entire commission appointed under a concurrent resolution, relative to explosions in the coal mines of Iowa, together with the supplementary report of John P. Reese and John P. White, have been presented to me. I have transmitted the said reports to the House of Representatives, in which the said concurrent resolution originated, and beg to inform your honorable body that they are now with the House.

ALBERT B. CUMMINS.

On motion of Senator Trewin, Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Harper offered the following amendment and moved its adoption:

That section fifteen be amended by inserting the following after the words "special charter" in first line, "and cities of the first class having a population of less than 25,000 "

Adopted.

Senator Trewin 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:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Emmert, Garst, Harper, Harriman, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Crawford, Fitchpatrick, Griswold, Hartshorn, Hayward, Hobart, Lambert, Moffit, Molsberry, Porter, Smith of Des Moines, Winne, Young of Lee, Young of Washington—17.

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

On motion of Senator Lewis, Senate file No. 102, a bill for an act providing for the assignment of mortgages, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Townsend, Senate file No. 162, a bill for an act to repeal sections two thousand fifteen (2015) and two thousand sixteen (2016) of the code, and to enact the following

in lieu thereof as a substitute therefor, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

Senator Hubbard called up the concurrent resolution, relative to the Hoar bill messaged over from the House.

Senator Mardis moved that the Senate concur in the House amendments.

A roll call was demanded.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Bachman, Blanchard, Classen, Courtright, Craig, Harriman, Lister, Mardis, Spaulding—9.

The nays were:

Senators Allyn, Arthaud, Ball, Bishop, Brooks, Crossley, Dowell, Emmert, Garst, Harper, Hayward, Hazelton, Healy, Hogue, Hubbard Junkin, Lewis, Lyons, Maytag, Porter, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson—26.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Fitchpatrick, Griswold, Hartshorn, Hobart, Hopkins, Lambert, Moffit, Molsberry, Smith of Des Moines, Winne, Young of Lee, Young of Washington—15.

So the Senate refused to concur in the House amendments.

On motion of Senator Harriman, Senate file No. 217, a bill for an act to amend section eight (8) chapter (58) of the acts of the Twenty-eighth General Assembly, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Harriman moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Emmert, Garst, Harper, Harriman, Hayward, Hazelton, Healy, Hogue, Hopkins, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Spaulding, Townsend, Trewin, Whipple, Wilson—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Brighton, Crawford, Fitzpatrick, Griswold, Hartshorn, Hobart, Lambert, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Winne, Young of Lee, Young of Washington—17.

On motion of Senator Harriman, the title was amended by adding the words "relating to the construction of street railway upon the state fair grounds."

So the bill, having received a constitutional majority, was declared to have passed the senate and its title, as amended, agreed to.

On motion of Senator Healy the Senate resumed consideration of the motion to reconsider the vote whereby Senate file No. 63 passed the Senate.

On the question, Shall the Senate reconsider the vote whereby Senate file No. 63 passed the Senate?

The motion prevailed.

On the question, Shall the Senate reconsider the vote whereby the rules were suspended, and the bill considered engrossed, and the bill passed to its third reading?

The motion prevailed.

Senator Trewin moved to reconsider the vote whereby the amendments offered by him to Senate file No. 63 were lost.

Carried.

Senate file No. 63 was taken up for consideration.

Senator Trewin, by unanimous consent, withdrew the amendments offered by him to Senate file No. 63 and offered the following amendments in lieu thereof, and moved their adoption:

I move to amend section five (5) of the printed bill by striking out of line six (6) thereof, the word "without" and the words "length of", and inserting in lieu of the latter the words "minimum and maximum".

Also, by striking out the ninth, tenth, and eleventh lines of said section.

Also, by striking out the words "by the board of control", in the eighteenth line.

Also, by striking out of line nineteen of said section, the words "provided by law", and inserting in lieu thereof the words "fixed by the court":

Also, by striking out of the twenty-third line the words "by law", and inserting in lieu thereof the words "by the court".

Carried.

Senator Junkin offered the following amendment and moved its adoption:

I move to amend section eight (8) of the printed bill by striking out all after the word "discharge" in the twelfth (12th) line, and inserting in lieu thereof the following:

It shall cause a record of the case of said prisoner to be made, showing the date of his commitment to the reformatory, his record while detained therein, the date of his parole, his record while on parole, and its reason for recommending his final discharge. Said record shall be signed by the board of control, attested by the secretary, and delivered to the governor, and upon being approved by the governor, said order shall constitute a full discharge of said prisoner from further liability under his sentence. Said order shall be entered on the proper record kept by said board for that purpose, and a certified copy of said order shall be filed with the clerk of the court by which said prisoner was sentenced to said reformatory, and said prisoner shall be furnished with a certified copy thereof. But no petition or other form of application for either parole or final release of any prisoner shall be entertained by the superintendent of said reformatory or by the board of control.

Nothing in this act shall be construed as impairing the power of the governor under the law or constitution to grant a pardon or commutation of sentence in any case.

Carried.

Senator Tallman offered the following amendment and moved its adoption.

I move to amend section five (5) of the bill by striking out after the word "time" in the third line, the words "it shall be the duty of"; and

by striking out after the word "felony", in the fifth line, the word "to"; and by changing the word "courts" in the third line to the word "court"; and by inserting after the word "felony", in the fifth line, the words "may in its discretion".

Lost.

Senator Bishop filed the following amendment:

Amend section 4 in line 4, also section 5 in line 5, by inserting after the word "murder" the following: "or who has or may be sentenced to life imprisonment."

Senator Blanchard moved that further consideration of Senate file No. 63 be postponed until next Tuesday at 10 o'clock A. M.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 98, a bill for an act to amend section thirteen hundred thirty-four (1884) and section thirteen hundred thirty-seven (1887) of the code, relating to the assessment of railway property for taxation.

Also, Senate file No. 259, a bill for an act to amend section two (2), three (3), six (6), and seven (7), of chapter forty-five (45) of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor, and to amend section one (1), chapter forty-five (45) of the acts of the Twenty-eighth General Assembly, relating to the taxation of express companies.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 98, a bill for an act to amend section thirteen hundred and thirty-four (1884) and section 1887 of the code, relating to the assessment of railway property for taxation.

Also, Senate file No. 259, a bill for an act to amend sections 2, 3, 6 and 7 of chapter forty-five (45) of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor, and to amend section 1, chapter 45 of

the acts of the Twenty-eighth General Assembly, relating to the taxation of express companies.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 28, a bill for an act to amend section four hundred eighty-three of the code, relating to the payment of interest on county warrants.

E. K. WINNE,
Chairman.

February 28, 1903.

The Journal of yesterday was taken up, corrected and approved.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 93 and 259.

Burt Canfield was sworn in as messenger to take the place of Ernest Canfield.

On motion of Senator Junkin, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, March 8, 1902. }

Senate met in regular session at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by Rev. Marie H. Janney.

PETITIONS AND MEMORIALS.

Senator Bachman presented petition of citizens of Kossuth county, protesting against passage of House files Nos. 170, 134 and 45.

Referred to committee on Schools.

Senator Bachman presented petition of seventy-five citizens of Palo Alto county, protesting against passage of House files Nos. 45, 108 and 134.

Referred to committee on Schools.

Senator Harper presented petition of Painters Union, No. 136 of Ottumwa, in favor of building American war vessels in the navy yards of this country.

Referred to committee on Federal Relations.

Senator Garst presented petition of board of supervisors of Carroll county, Iowa, approving of Senate file No 165.

Referred to committee on Highways.

Senator Garst presented petitions of citizens of Sac county, and Willey and vicinity, protesting against passage of House files No. 45, 134 and 170.

Referred to committee on Schools.

Senator Garst presented petition of citizens of Wall Lake in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Hayward presented petition of 380 citizens of Davenport and Scott county, protesting against pending measures in favor of free text-books and compulsory education.

Referred to committee on Schools.

Senator Hayward presented petition of constituents, and also proposed bill, in regard to fire insurance companies.

Referred to committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Junkin, Senate file No. 290, a bill for an act amending section thirteen hundred and thirty-four (1334) of the code, and repealing section thirteen hundred and thirty-five (1335) and section thirteen hundred and thirty-six (1336) of the code, and enacting a substitute therefor, in relation to railway taxation, and providing for the publication of proceedings of said council and directing the payment of expenses provided for by this act.

Read first and second time and placed on calendar.

By Senator Bachman, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine and dentistry.

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

By Senator Harper, Senate file No. 292, a bill for an act to amend chapter ninety-one (91) of the laws of the Twenty-eighth General Assembly, pertaining to the board of dental examiners, and the practice of dentistry.

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

By unanimous consent, Senate file No. 290 was made a special order for Thursday morning, March 6th, at 10 o'clock A. M.

REPORTS OF COMMITTEE.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 221, a bill for an act to amend section twenty-five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.]

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of products of petroleum, beg leave to report that they have had the same under consideration and instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 232, a bill for an act to amend section twenty-five hundred and eighty-one (2581) of the code, in relation to itinerant physicians, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 162, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to time of meetings for local boards of health, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

The Journal of Friday was taken up, corrected and approved.

On motion of Senator Dowell, House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend section one by adding thereto the following: "Such dedication, however, being upon condition that the city of Des Moines shall first cause to be dedicated and opened to the public for street purposes, a piece of ground sixty-six feet wide abutting on the westerly end of the strip of land hereinbefore described, and extending from thence in a westerly direction to the intersection of Fourteenth street so as to secure a continuous public street from Fifteenth street to Fourteenth street."

Carried.

Senator Dowell moved the adoption of the following committee amendment:

Amend section two, by inserting after the word "that," in the first line thereof, the following: "Whenever the city of Des Moines shall have complied on its part with the conditions contained with section one of this act."

Carried.

The bill, as amended, was read for information.

On request of Senator Dowell further consideration of House file No. 140 was postponed until tomorrow morning.

On motion of Senator Junkin the Senate adjourned.

SENATE CHAMBER.
DES MOINES, Tuesday, March 4, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. W. J. Stratton of Carroll, Iowa.

On request of Senator Bachman, leave of absence was granted Senator Mardis until tomorrow.

On request of Senator Lister, leave of absence was granted Senator Arthaud indefinitely,

PETITIONS AND MEMORIALS.

Senator Lambert presented petition of citizens of Lehigh, Iowa, suggesting that present game laws are sufficient, but asking for their enforcement.

Referred to committee on Fish and Game.

Senator Classen presented petition of citizens of Haverhill, Marshall county, protesting against passage of House files Nos. 45, 134 and 170.

Referred to committee on Schools.

Senator Emmert presented communication of W. M. Bomberger, secretary of the Shelby County Farmers' Institute, against Hobart bill in regard to highways.

Referred to committee on Highways.

Senator Emmert presented petition of citizens of Cass county protesting against the change in the road laws as contemplated by Senate file No. 165.

Referred to committee on Highways.

Senator Molsberry presented petition of citizens of Muscatine protesting against compulsory education, free text-books and transportation.

Referred to committee on Schools.

Senator Molsberry presented petition of citizens of Muscatine protesting against free text-books, compulsory education, etc.

Referred to committee on Schools.

Senator Lyons presented petition of citizens of Washington township, Winneshiek county, protesting against passage of House files Nos. 170, 134 and 45.

Referred to committee on Schools.

Senator Lyons presented petition of citizens of Winneshiek county, protesting against passage of House files Nos. 45, 108 and 134.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate file No. 293, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred forty-two (1542) and fifteen hundred fifty-four (1554) of the code, relative to the levying, certifying and collection of road tax.

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

By Senator Hazelton, Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

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

By Senator Hazelton, Senate file No. 295, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to limitation of insurance risks.

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

By Senator Trewin, Senate file No, 296, a bill for an act to provide for the publication of an edition of ten thousand (10,000) copies of the code.

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

By Senator Lambert, Senate file No. 297, a bill for an act to amend chapter fifteen (15) title twelve (12) of the code, amending sections twenty-five hundred forty (2540), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-six (2556), and twenty-five hundred sixty-one (2561) of the code, and section twenty-five hundred thirty-nine (2539) of the code, as amended by chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, repealing section five (5) of chapter sixty-four of the laws of the Twenty-seventh General Assembly, and making further provisions additional to said chapter fifteen (15) title twelve (12) of the code, relating to the care and propagation of fish, and the protection of birds and game.

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

By Senator Garst, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D., 1902.

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

REPORTS OF COMMITTEES.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 87, a bill for an act to amend section twelve hundred and seventy-two (1272) of the code, in relation to filling vacancies in elective city offices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute, and that said substitute do pass.

J. H. TREWIN,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 87.

A bill for an act to amend section twelve hundred seventy-two (1272) of the code, relating to the filling of vacancies in certain offices.

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

Section 1. That section twelve hundred seventy-two (1272) of the code be and is hereby amended by inserting after the word "made", in the twenty-sixth (26) line thereof, the following: "but in cities of the second class, when the vacancies occurs in any elective office, except that of mayor or councilman, the vacauncy shall be filled by the mayor until the next general city election".

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Read first and second time and placed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 28, a bill for an act to amend section twelve hundred seventy-two (1272) of the code, relative to the appointment of city officers to fill vacancies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute, and with the recommendation that the said substitute do pass.

J. H. TREWIN,
Chairman.

SUBSTITUTE FOR HOUSE FILE NO. 28,

A bill for an act to amend section twelve hundred seventy-two (1272) of the code, relating to the filling of vacancies in certain offices.

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

Section 1. That section twelve hundred seventy-two (1272) of the code be and is hereby amended by inserting after the word "made" in the twenty-sixth (26) line thereof the following: "but in cities of the second class, when the vacancy occurs in any elective office, except that of mayor or councilman, the vacancy shall be be filled by the mayor until the next general city election".

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Read first and second time and placed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 248, a bill for an act to amend sections eight hundred sixty (860), eight hundred sixty-one (861) and eight hundred sixty-two (862) of the code, relating to voting taxes for the purchase of real estate for parks, and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class, and towns or parks throughout their corporate limits, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class, having a population of more than sixty thousand, and defining the powers and duties of such board, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 180, a bill for an act to amend section six hundred forty-one (641), title five (5), chapter two (2) of the code, relating to cities being divided into wards, new ones created or the boundaries changed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute, and with the recommendation that the said substitute do pass.

J. H. TREWIN,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 180.

A bill for an act to amend section six hundred forty-one (641) of the code, relating to the establishment of wards in cities.

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

Section 1. That section six hundred forty-one (641) of the code, be and is hereby amended by striking out the period at the end thereof, and

inserting a comma, and adding the following: "and wards may be established, new ones created or boundaries changed in such cities, by ordinance or resolution."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines Iowa.

Read first and second time and placed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 286, a bill for an act to legalize the acts of the board of waterworks, trustees in cities of the first class, under appointment made by the district courts 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 Senate with the recommendation that the same be referred to the committee on Judiciary.

J. H. TREWIN.
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 281, a bill for an act to repeal section seven hundred and forty-seven (747) of the code as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN.
Chairman.

Ordered passed on file.

Senator Classen, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred House file No 3, a bill for an act relating to the use of streets and highways by automobiles or similar motor vehicles and requiring the owners of such vehicles to register with the secretary of state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. B. CLASSEN,
Chairman.

Ordered passed on file.

Senator Brighton, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate file No. 88, a bill for an act to define what shall constitute a day's work in public and certain lines of private employment, and to provide a 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 Senate with the recommendation that the same be indefinitely postponed.

HENRY H. BRIGHTON,
Chairman.

Ordered passed on file.

Senator Brighton, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate file No. 8, a bill for an act regulating the employment of children at labor or service and to provide punishment for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass: Insert the word "or" between the words "factory or workshop" and strike out all between the words "workshop" and "except" in section 1. In section 3 strike out the word "sixteen" and insert in lieu thereof the word "twelve". In section 4 strike out all between the words "workshop" and "unless" and insert the word "or" between "factory" and "workshop". In section 5 insert the word "or" between the words "factory" and "workshop" and strike out all between the words "workshop" and "and". In section six strike out the word "ten" and insert the word "five" in lieu thereof, and strike out the words "one hundred" and insert in lieu thereof the words "twenty-five" also strike out all of the section after the word "dollars."

HENRY H. BRIGHTON,
Chairman.

Ordered passed on file.

Senator Brighton, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate file No. 229, a bill for an act to regulate the employment of children and provide punishment for violation of same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY H. BRIGHTON,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 126, a bill for an act amending section two hundred twelve (212) of the code, relating to the salary of assistant attorney general, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended, as follows: Strike out the words "two thousand" in the fourth line of section one (1), and insert the words "fifteen hundred" in lieu thereof, and that when so amended the bill do pass.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report :

MR. PRESIDENT—You committee on Compensation of Public Officers, to whom was referred Senate file No. 74, a bill for an act to amend section sixty-five (65) chapter one (1) of the code of eighteen hundred ninety seven, in relation to the salary of the governor and the secretary to the governor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

Strike out all after the words "six thousand" in the third line of section one of the bill.

Strike out the word "six" in the third line of section one (1) and insert the word "five" in lieu thereof.

Strike out the words "chapter one," in the first line of the title.

Strike out all after the word "governor" in the third line of the title.

And the recommendation, that when so amended, the bill do pass.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred substitute for House file No. 129, a bill for an act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out the words "five hundred" in the fourth line of section one (1) of the bill, and that when so amended the same do pass.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 142, a bill for an act to amend section four hundred ninety-five (495) of the code, relating to the compensation of county recorders, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 18, a bill for an act to amend section twenty-seven hundred forty-two (2742) of the code, relating to county superintendents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof:

GEO. W. LISTER,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 18.

A bill for an act to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents.

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

Section 1. That section twenty-seven hundred and forty-two (2742) of the code of Iowa be and the same is hereby amended by striking out all the first line thereof and that part of the second line thereof, preceding and including the word "duties," and inserting in lieu thereof the words, "He shall receive a salary of twelve hundred and fifty dollars a year."

The substitute was read first and second time and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618) of the code, as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly, and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

Also, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

Also, House file No. 67, a bill for an act to amend section thirty-four hundred ninety-seven (3497) of the code, relating to place of bringing action.

Also, House file No. 195, a bill for an act to amend section one hundred six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

Also, House file No. 117, a bill for an act to amend section four thousand eight hundred seven (4807) of the code, relating to malicious mischief and trespass.

Also, House file No. 68, a bill for an act to amend section thirty-five hundred twenty-nine (3529) of the code, relating to manner of commencing actions.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 69, a bill for an act to amend section thirty one hundred seventy-two (3172) of the code, relating to the filing of petitions for divorce.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 150, a bill for an act providing for the purchase of engravings, plates and cuts for state publications, and fixing the manner of paying the cost of the same.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 275, a bill for an act to amend section one hundred sixty-seven (167) of the laws of the Twenty-eighth General Assembly of Iowa, entitled an act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee and to make an appropriation to pay the expenses of the commissioners.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 220, a bill for an act to amend the military code of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to the care of friendless children and the establishment, regulation and visitation of homes for friendless children,

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 68, a bill for an act to amend section thirty-three hundred and forty-six (3346) of the code, relating to claims of ex-ecutors and administrators or in which they may be interested.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Concurrent resolution relative to the printing of one thousand (1,000) copies of the report of commission appointed to inquire into and investigate the matters of explosions in the coal mines of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 108, a bill for an act to amend section five thousand, seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 108, a bill for an act to amend section 3287 of the code, relating to the recording of wills.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of Senate file No. 63, which was pending Friday, February 28th.

Senator Bishop called up the amendment offered by him on Friday last and moved its adoption.

Amend section four in line four (4), also section five in line five by inserting after the word "murder" the following: "or who has or may be sentenced to life imprisonment."

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to strike out section 7, and insert in lieu thereof the following:

Section 7 The governor and board of control are directed to establish rules and regulations to effectuate the purpose of this act and under which prisoners within the reformatory may be allowed to go, upon parole, out side of the reformatory buildings and enclosure, but to remain while on parole in legal custody, and subject at any time to be taken back and confined within said reformatory. But no prisoner shall be paroled except on the order of the governor, whose duty it shall be to enforce the rules and regulations made as herein provided, and to retake and reimprison any inmate so upon parole. The order of the governor shall be a sufficient warrant for the officer named in it to authorize such officer to arrest and take into actual custody, or return to the said reformatory, any conditionally released or paroled prisoner, and it is hereby made the duty of all officers to execute such order the same as any other criminal process.

No person shall be released on parole before the expiration of the maximum term of imprisonment fixed by the court for the crime of which he was convicted, until the governor shall have satisfactory evidence that arrangements have been made for his honorable and useful employment for at least six months, while on parole, in some suitable occupation.

The governor may require a report respecting any prisoner from the board of control, either before or after the granting of the parole, and may attach any condition to the parole of any prisoner, or release him upon the condition named therein, among which shall be incorporated the requirement that he shall report his whereabouts and occupation every thirty days for at least six months after his parole, to the superintendent of the said reformatory, and if he shall fail so to do he shall be reported by the said superintendent to the governor as a delinquent.

Any prisoner on parole, who shall violate any of the conditions of his parole, shall be re-arrested and confined in the said reformatory as long as the governor may determine, but the aggregate confinement before the parole and thereafter shall not exceed the maximum limit fixed by the court for the crime for which he was convicted. And any paroled prisoner or prisoners conditionally released, who shall commit a fresh crime, and upon conviction thereof shall be sentenced anew to the penitentiary, shall be subject to serve a second sentence after the first sentence is served, and the second sentence shall commence from the termination of his liability upon the first or former sentence.

Carried.

Senator Healy offered the following amendment and moved its adoption:

Amend section ten (10) of the bill by adding at the end thereof the following:

It shall also be the duty of the board of control to give to the governor free access to the books and records, and to give to him, on his request, any information it possesses, or its opinion respecting the propriety of granting a parole to any prisoner sentenced to the reformatory.

Carried.

Senator Healy offered the following amendments and moved their adoption.

Amend section 5, in the twenty-fifth line of the original bill by striking out the words, "board of control", and inserting in lieu thereof the words "the governor."

Amend section 5, in the twenty-eighth line of the bill by striking out the words, "said board of control" and inserting in lieu thereof the word "governor."

Carried.

Senator Emmert moved that Senate file No. 63 be engrossed.

Carried,

The president announced that he had signed in the presence of the Senate, House files Nos. 121, 198, 67, 195, 117 and 68.

THIRD READING OF BILLS.

On motion of Senator Trewin, Senate file No. 195, a bill for an act to amend section three thousand two hundred and twenty-five (3225) of the code, relating to the support of families of persons adjudged to be insane, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

President *pro tem* Harriman took the chair at 10:45 A. M.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin,

Lambert, Lewis, Lister, Lyons, Maytag Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Hobart, Mardis, Spaulding, Young of Lee—7.

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

On motion of Senator Hubbard, Senate file No. 19, a bill for an act to amend section four thousand eight hundred and forty-five (4845) of the code, in relation to receiving stolen goods, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Emmert, Fitzpatrick, Garst, Griswold, Hartshorn, Hayward, Hazelton, Hubbard, Junkin, Lister, Maytag, Moffit, Smith of Mitchell, Tallman, Trewin, Whipple, Winne—27.

The nays were:

Senators Dowell, Harriman, Healy, Hogue, Lambert, Lewis, Lyons, Molesberry, Porter Smith of Des Moines, Townsend, Wilson, Young of Washington—13.

Absent or not voting:

Senators Alexander, Arthaud, Ball, Blanchard, Harper, Hobart, Hopkins, Mardis, Spaulding, Young of Lee—10.

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

On motion of Senator Trewin, Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

President Herriott resumed the chair at 11:10 A. M.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brighton, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Classen, Harper Hobart, Hogue, Hopkins, Mardis, Young of Lee—10.

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

On motion of Senator Trewin, Senate file No. 198, a bill for an act to amend chapter sixteen (16), of title twelve (12) of the code of Iowa, as amended, relating to the powers of boards of health and expenses for caring for persons affected with infectious and contagious diseases, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that

the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brighton, Brooks, Courtright, Craig, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Classen, Crawford, Harriman, Hobart, Hogue, Hopkins, Mardis, Spaulding, Tallman, Young of Lee—13.

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

On motion of Senator Trewin, Senate file No. 202, a bill for an act to amend section seven hundred and twenty-four (724) of the code of Iowa, as amended, relating to certain powers of cities and towns, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rules be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Healy, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moils-

berry, Porter, Smith, of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Crossley, Hayward, Hazelton, Hobart, Hogue, Hopkins, Mardis, Moffit, Smith of Mitchell, Young of Lee—13.

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

On motion of Senator Trewin, Senate file No 201, a bill for an act to amend section six hundred and fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

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

Add thereto as section two (2) the following:

Section 2. That section six hundred and forty-five (645) of the code be and is hereby amended by striking out the word "mayor" in the second line thereof, and also by striking out the words "a mayor and" at the beginning of the fourth line thereof.

Carried.

Senator Trewin offered the following amendment and moved its adoption:

Amend the title by inserting after the word amend the words "six hundred and forty-five (645)" and also renumber section two as three.

Carried.

Senator Trewin moved that the rule be suspended, and that the bill as amended be considered engrossed and read a third time now, which motion prevailed, and the bill as amended was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Emmert, Fitchpatrick, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healey, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—39

The nays were.

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Crossley, Dowell, Garst, Harriman, Hobart, Hogue, Mardis, Young of Lee—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title, as amended, agreed to.

On motion of Senator Trewin, Senate file No. 200, a bill for an act to amend section eight hundred and ninety-four (894) of the code of Iowa, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Ball, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Washington.—38.

The nay were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Bishop, Blanchard, Crossley, Hobart, Hopkins, Mardis, Smith of Mitchell, Winne, Young of Lee—12.

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

On motion of Senator Trewin, Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Ball, Brighton, Brooks, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hazelton, Healey, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Bishop, Blanchard, Classen, Crossley, Emmert, Harriman, Hayward, Hobart, Mardis, Porter, Smith of Mitchell, Winne, Young of Lee—16.

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

On motion of Senator Trewin, Senate file No. 197, a bill for an act relating to the powers of boards of health and health officers,

and the erection and maintenance of pesthouses and hospitals in certain cases, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rules be suspended, and that bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Ball, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Spaulding, Townsend, Trewin, Whipple—32.

The nays were:

Senators Harriman, Hubbard—2.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Bishop, Blanchard, Crossley, Hobart, Mardis, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Wilson, Winne, Young of Lee, Young of Washington—16.

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

Senator Fitchpatrick presented the following communication, and moved that it be accepted:

The trustees and faculty of the Iowa State College of Agriculture and Mechanic Arts and the citizens of Ames, cordially invite the members of the Senate of the Twenty-ninth General Assembly to visit the college on the afternoon of March 12, 1902. A special train will leave the Chicago North-Western depot at 1:15 and return at an early hour in the evening.

In behalf of the college and the citizens of Ames,

W. W. BEARDSHEAR.

Carried.

On motion of Senator Lambert, the time for adjournment was extended until the Journal was corrected.

The Journal of yesterday was taken up, corrected and approved.

The time having arrived the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, March 5, 1903. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. W. A. Pottle of New Hampton, Iowa.

INTRODUCTION OF BILLS.

By Senator Young of Lee, Senate file No. 299, a bill for an act amendatory of chapter four (4) title ten (10) of the code, to enable the United States of America to take private property for public improvements.

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

By Senator Courtright, Senate file 300, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal school of Cedar Falls.

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

REPORTS OF COMMITTEES.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 171, a bill for an act to amend chapter forty-three (43), acts of the Twenty-seventh General Assembly, in relation to district fairs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 207, a bill for an act to prevent sales of stock of merchandise in fraud of creditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purposes, and all of the proceedings of the board of supervisors of said county, with reference to said matter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 283, a bill for an act to legalize the incorporation of Rudd, Floyd county, to the extension of the limits thereof, and the ordinances passed by the council of said town, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with substitute and recommending that substitute do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 188.

A bill for an act to legalize certain instruments in writing which were defectively acknowledged.

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

Section 1. That the acknowledgements of all deeds, mortgages, or other instruments in writing, taken and certified previous to the first day of January, A. D. 1902, and which have been duly recorded in the proper counties in this state, be and the same are hereby declared to be legal and valid in all courts of law and equity in this state, anything in the laws of Iowa in regard to acknowledgements to the contrary notwithstanding.

Substitute read first and second times and passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord and fixing the penalty therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding to section two (2) of said bill the following: "and no prosecution shall be commenced until such rent be wholly due," and that a comma be inserted in lieu of period at end of section two (2) and that when so amended the bill do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report

that they have examined, and find correctly enrolled, Senate file No. 184, a bill for an act appropriating money to pay express, freight and cartage.

Also, Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

E. K. WINNE,
Chairman.

Ordered passed on file.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 184, a bill for an act appropriating money to pay express, freight and cartage.

Also, Senate file o. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 259, a bill for an act to repeal sections two, three, six and seven of chapter forty-five (45) of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor, and to amend section one, chapter forty-five of the acts of the Twenty-eighth General Assembly, relating to the taxation of express companies.

Also, Senate file No. 98, a bill for an act to amend section thirteen hundred thirty-seven (1337) of the code, relating to the assessment of railway property for taxation.

E. K. WINNIE,
Chairman.

HOUSE MESSAGES CONSIDERED.

Substitute for House file No. 68, a bill for an act to amend section thirty three hundred forty-six (3346) of the code, relating to claims of executors and administrators or in which they may be interested.

Passed on file.

House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to the care of friendless children and the establishment, regulation and visitation of homes for friendless children.

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

Senate file No. 96, a bill for an act to amend section two hundred ninety-six (296) of the code, relating to fees in probate matters.

Passed on file.

Concurrent resolution relative to the printing of 1,000 copies of the report of commission appointed to inquire into and investigate the matter of explosions in the coal mines of Iowa.

Passed on file.

Senate file No. 108, a bill for an act to amend section five thousand seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Passed on file.

House file No. 203, a bill for an act to amend section thirty-two hundred eighty-seven (3287) of the code, relating to the recording of wills.

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

House file No. 220, a bill for an act to amend the military code.

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

House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

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

House file No. 275, a bill for an act to amend section one hundred sixty-seven (167) of the laws of the Twenty-eighth General Assembly, entitled an act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners.

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

Senate file No. 150, a bill for an act providing for the purchase of engravings, plates and cuts for state publication, and fixing the manner of paying the cost of the same.

Passed on file.

Senate file No. 69, a bill for an act to amend section thirty-one hundred and seventy-two (3172) of the code, relating to the filing of petitions for divorce.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Molsberry, Senate file No. 38, a bill for an act to amend section sixteen hundred eleven (1611), title 9 (9), chapter twelve (12) of the code, relating to the authorized indebtedness of certain corporations, with report of committee

recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Molsberry moved the adoption of the following committee amendment:

Amend by striking from the title the words "title nine (9), chapter twelve (12)," and by adding at the end of section one (1) the following words, "or states."

Carried.

Senator Molsberry offered the following amendment and moved its adoption:

Sec. 2. This act, being deemed of immediate importance, shall be in force and effect on and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines.

Carried.

The bill as amended was read for information.

The hour having arrived the Senate took up Senate file No. 10, which was made a special order for this time.

SPECIAL ORDER.

On motion of Senator Ball, Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97) of the act of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state, for the erection, repair, improvement and equipment of buildings for the State university of Iowa, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

On motion of Senator Lewis the time for adjournment was extended twenty minutes.

Senator Tallman filed the following motion:

I move that the vote by which Senate file No. 19 was passed be reconsidered.

Senator Tallman moved that Senate file No. 19 be recalled from the House.

Carried.

Senator Healy moved that the time for adjournment be extended until the Journal be corrected.

Carried.

The President announced that he had signed, in the presence of the Senate, Senate files Nos. 276, 134 and 147.

The Journal of yesterday was taken up, corrected and approved.

The time having arrived, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, March 6, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Praper was offered by Rev. F. F. Stoltz of Ottumwa, Iowa.

PETITIONS AND MEMORIALS.

Senator Griswold presented [petition of citizens of Jesup, in favor of limiting the duration of saloon consent petitions.

Referred to committee of Supression of Intemperance.

Senator Whipple presented petition of constituents, in favor of the passage of a law compelling telegraph and telephone companies to cut weeds, etc., between their poles in highways.

Referred to committee on Telegraph and Telephone.

Senator Winne presented petition of citizens of Humboldt county, in favor of the passage of Senate file No. 218.

Referred to committee on Fish and Game.

Senator Harper presented petition of United Garment Worker's Union No. 148 of Ottumwa, in favor of the construction of American war vessels in the navy yards of this country.

Read and referred to committee on Federal Relations.

Senator Moffit presented petition of citizens of West Branch and vicinity, in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Townsend, Senate file No. 301, a bill for an act to amend chapter four (4), title nine (9) of the code, and providing for a uniform policy and contract of fire insurance to be known as the Iowa standard policy.

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

By Senator Fitchpatrick, Senate file No. 302, a bill for an act to amend section eight hundred ninety-four(894) of the code, relative to the waterworks tax.

Read first and second time and referred to committee on Cities and Towns.

By Senator Classen, Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers Home at Marshalltown.

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

By Senator Junkin, Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

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

REPORTS OF COMMITTEES.

Senator Craig, from the committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred concurrent resolution in relation to the Nelson-Corliss bill, now pending in the two houses of congress, to amend Inter-State Commerce act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. M. CRAIG,
Chairman, pro tem

Ordered passed on file.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate file No. 228, a bill for an act to amend section ten hundred eighty-two (1082) of the code, relating to registration on election day; beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. MOLSBERY,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stocks, bonds or securities of railroads in other states, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 53, a bill for an act to amend section twenty-seven hundred sixty-four (2764) of the code, relating to the taking of school census, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred House file No. 38, a bill for an act to amend section twenty-seven hundred sixty-four (2764) of the code, relating to the taking of school census, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred House file No. 93, a bill for an act to repeal section twenty-eight hundred fourteen (2814) of the code, and enact a substitute therefor, relating to schoolhouse sites, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred House file No. 170, a bill for an act to provide for compulsory education, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Senator Young of Washington, from the committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your committee on Engrossed Bills respectively report that they have examined, and find correctly engrossed, Senate file No. 63, a bill for an act to establish a reformatory for men, to make appropriations therefor, and to provide for transfers of prisoners.

J. A. YOUNG,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

Also, Senate file No. 134, a bill for an act appropriating money to pay express, freight and cartage.

Also, Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

E. K. WINNE,
Chairman.

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 50, a bill for an act to amend section thirteen hundred eleven of the code, relating to listing property for assessment and taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report.

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 293, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred forty-two (1542), and fifteen hundred fifty-four (1554) of the code, relating to the levying, certifying and collection of 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 Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 55, a bill for an act providing for the listing and taxing of mortgages and other liens upon 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 Senate without other recommendation than that the bill be amended by inserting after the word "taxation", in the third line of section two (2), the words "as real estate."

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 56, a bill for an act to repeal section one thousand three hundred eleven (1311) of the code, relative to the listing of property for taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 252, a bill for an act to amend section fifty-one hundred thirty-four (5134) of the code, relative to the punishment of tramps, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 227, a bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 173, a bill for an act to amend section forty-eight hundred seventy-two (4872) of the code, in relation to perjury, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred

Senate file No. 112, a bill for an act to amend section fifty-two hundred fifty-six (5256) of the code, relating to the compensation of clerks of 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 Senate recommending a substitute, and that said substitute do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 112.

A bill for an act to amend section five thousand two hundred and fifty-six (5256) of the code, relating to the compensation of clerks of grand juries.

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

Section 1. That section five thousand, two hundred and fifty-six (5256) of the code be and the same is hereby amended by striking out all after the word "indictment", in the eleventh line thereof, and inserting in lieu thereof the following: "And shall receive such compensation as the court may fix at time of his appointment, not to exceed the sum of four dollars per day for time actually and necessarily employed in the performance of the duties prescribed in this chapter."

Read first and second time and placed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 108, a bill for an act to legalize certain assignments of mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 109, a bill for an act to amend section forty-seven hundred sixty-five (4765) of the code, relating to the punishment of kidnaping for ransom, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that the subject matter therein is fully covered by House file No. 156, reported for passage.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 206, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation therefor and providing for a uniform system of keeping the books of county treasurers, auditors and clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 235, a bill for an act to amend the laws of Iowa, concerning insurance other than life, by repealing section seventeen hundred 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 Senate without recommendation.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 129, a bill for an act relating to notice and proof of loss of personal property insured, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: By adding to section one (1) thereof the following: "Provided nothing herein shall prevent the insurance company from requiring the insured to properly keep, preserve and produce book of accounts, inventories, and other proper vouchers and evidence for the use of the insurance company in arriving at the actual amount and cause of such loss," and that when so amended, the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 208, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 80, a bill for an act authorizing and providing for the organization of mutual insurance companies or associations for the purpose of insuring the members of said companies or associations against loss of salary from illness, accident or from being quarantined, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the

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

Senate file No. 46, a bill for an act to amend sections twenty hundred eighty-four (2084), twenty hundred eighty-five (2085), twenty hundred eighty-six (2086), twenty hundred eighty-seven (2087), twenty hundred eighty-eight (2088), twenty hundred eighty-nine (2089), twenty hundred ninety (2090) and twenty hundred ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 18, a bill for an act to amend section forty-seven hundred ninety (4790) of the code, in relation to the possession of burglars' tool.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 214, a bill for an act to amend section thirty hundred sixteen (3016) of the code, relating to bushel weights.

C. R. BENEDICT,
Chief Clerk.

Also:

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

A bill for an act for the protection of owners of breeding stock.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the

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

House file No. 123, a bill for an act to amend section fourteen hundred forty-one (1441) of the code, relating to service of notice of expiration of right of redemption from tax sales.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 228, a bill for an act to provide for the admission and maintenance of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 182, a bill for an act to amend section twenty hundred twenty-eight of the code, relating to the taking of private property for works of internal improvement.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 318, a bill for an act to authorize the temporary transfer of funds accumulated under chapter one (1) of the acts of the Twenty-eighth General Assembly, section seven hundred forty-two (742) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 92, a bill for an act defining the crime of the commission of crime as an occupation, and providing the penalty therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 6, a bill for an act relating to the assessment and collection of the collateral inheritance tax and repealing chapter 4 of title 7 of the code, and chapter 87 of the acts of the Twenty-seventh General Assembly and chapter 61 of the acts of the Twenty-eighth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns Senate file No. 19, a bill for an act to amend section forty-eight hundred forty-five (4845) of the code, in relation to receiving stolen goods.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

The hour having arrived the the Senate took up Senate file No. 10, which was special order pending at adjournment.

Senator Craig offered the following amendment and moved its adoption:

I move to amend section two (2) by inserting between the words "provided" and "and," in the ninth line of the printed bill, the words "direction of the of the board of control."

Lost.

Senator Trewin offered the following amendment and moved its adoption:

I move to strike out the words "and equipment" in lines 1 and 2 of section 2.

Carried.

Senator Trewin offered the following amendment and moved its adoption:

Move to strike out "board of regents of the State university," in section 2, lines 3 and 4, and insert in lieu thereof the words "general assembly".

On motion of Senator Healy, the time for adjournment was extended until the correction of the Journal.

The Journal of yesterday was taken up, corrected and approved.

The Journal having been corrected, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, March 7, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. John H. White of Winterset, Iowa.

PETITIONS AND MEMORIALS.

Senator Bachman presented petition of citizens of Mallard, protesting against the passage of House files Nos. 170, 134, 45.

Referred to committee on Schools.

INTRODUCTION OF BILLS.

By Senator Alexander, Senate file No. 305, a bill for an act to amend section three hundred sixty (360) of the code, entitled "when guarantee a company may be accepted as surety."

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

By Senator Winne, Senate file No. 306, a bill for an act to amend section fifty hundred forty-nine (5049), fifty hundred fifty (5050) and fifty hundred fifty-one (5051) of the code, relating to label, trade-mark or form of advertisement.

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

By Senator Winne, Senate file No. 307, a bill for an act to amend sections sixteen hundred ten (1610), sixteen hundred fourteen (1614), sixteen hundred fifteen (1615) and sixteen hundred seventeen (1617) of the code, relating to corporations for pecuniary profit.

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

By Senator Brooks, Senate file No. 308, a bill for an act to amend section seventeen hundred nine (1709) and section seventeen hundred ten (1710) of the code, relating to insurance and limitations of insurance risks.

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

By Senator Trewin, Senate file No. 309, a bill for an act to amend section nine (9) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

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

By Senator Lyons, Senate file No. 310, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, and also of the city of Cresco, in said county.

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

By Senator Garst, Senate file No. 311, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control.

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

HOUSE MESSAGES CONSIDERED.

Senate file No. 46, a bill for an act to amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087), two thousand eighty-eight (2088), two thousand eighty-nine (2089), two thousand ninety (2090), two thousand ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.

Passed on file.

Senate file No. 40, a bill for an act to legalize the incorpora-

tion of certain corporations incorporated under the laws of the state of Iowa.

Passed on file.

Senate file No. 18, a bill for an act to amend section forty-seven hundred ninety (4790) of the code, in relation to the possession of burglars' tools.

Passed on file.

House file No. 214, a bill for an act to amend section three thousand sixteen (3016) of the code, relating to bushel weight.

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

House file No. 178, a bill for an act for the protection of owners of breeding stock.

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

House file No. 123, a bill for an act to amend section fourteen hundred forty-one (1441) of the code, relating to service of notice of expiration of rights of redemption from tax sales.

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

House file No. 228, a bill for an act to provide for the admission and maintenance of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood.

Read first and second time and referred to committee on Charitable Institution.

House file No. 182, a bill for an act to amend section two thousand twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement.

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

House file No. 318, a bill for an act to authorize the temporary transfer of funds accumulated under chapter one (1) of the acts of the Twenty-eighth General Assembly, section seven hundred forty-two (742) of the code.

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

House file No. 92, a bill for an act defining the crime of the commission of crime as an occupation, and providing the penalty therefor.

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

House file No. 6, a bill for an act relating to the assessment and collection of the collateral inheritance tax, and repealing chapter four (4) of title seven (7) of the code, and chapter thirty-seven (37) of the acts of the Twenty-seventh General Assembly and chapter fifty-one (51) of the acts of the Twenty-eighth General Assembly.

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

House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime.

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

House returns Senate file No. 19, a bill for an act to amend section forty-eight hundred forty-five (4845) of the code, in relation to receiving stolen goods.

Passed on file.

Concurrent resolution relative to the printing of 1,000 copies of the report of commission appointed to inquire into and investigate the matter of explosions in the coal mines of Iowa.

On motion of Senator Blanchard, the Senate concurred.

REPORTS OF COMMITTEES.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 15, a bill for an act to amend section eight hundred fifty-one (851) and eight hundred fifty-two (852) of the code, as amended by chapter thirty (30) of the acts of the Twenty-eighth (28) General Assembly

relating to the park commissioners 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 Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 166, a bill for an act to amend section four hundred ninety (490) 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 Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 73, a bill for an act to repeal section nine hundred thirty-three (933) of the code, relating to the application of laws 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 Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 24, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1848, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all the rights, power and privileges now possessed or hereinafter conferred by the statutes of Iowa, upon corporations not for pecuniary profit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred substitute for House file No. 41, a bill for an act to amend section three (3) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 223, a bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh (27) General Assembly and as amended by the acts of the Twenty-eighth (28) General Assembly, in relation to park commissioners in certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred substitute for House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs and the following enacted in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass with the following amendment.

Insert after the word "provided", in the twentieth line of section one (1) of the substitute, the words "that in counties having a population of less than eleven thousand in which the receipts of the office, together with the salary allowed under section five hundred eleven (511) of the code, do not amount to the sum of fifteen hundred dollars in any year, the board of supervisors shall, at the January session thereof, allow the sheriff a sum which added to such salary and receipts of the office for the previous year will amount to the sum of fifteen hundred dollars and".

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Hubbard, from the committee on Senatorial and Representative Districts, submitted the following report:

MR. PRESIDENT—Your committee on Senatorial and Representative Districts, to whom was referred Senate file No. 264, a bill for an act to fix the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, to-wit: that Wright, Hamilton and Hardin counties shall constitute the Thirty-seventh district, and Marshall county constitute the Twenty-eighth district, and that when so amended the same do pass.

E. H. HUBBARD,

Chairman.

Ordered passed on file.

Senator Hayward, from the committee on Telegraph and Telephone, submitted the following report:

MR. PRESIDENT—Your committee on Telegraph and Telephone, to whom was referred House file No. 239, a bill for an act to amend sections thirteen hundred twenty-eight (1328) and thirteen hundred twenty-nine (1329) of the code, and to amend sections three (3) and four (4) of chapter forty-two (42), acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditor maps and schedules of their lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and that when so amended the same do pass:

1. Amend the enacting clause by inserting after the word "assembly" the words "of the state".
2. Amend section one (1) by inserting after the word "lieu", in the third line thereof, the word "thereof".
3. Amend section two (2) by striking out, at the beginning of line three (3), the abbreviation "Sec." and the figures "1329".
4. Amend section three (3) by striking out, at the beginning of line three (3), the abbreviation "Sec." and the figure "3".
5. Amend section four (4) by striking out, at the beginning of line three (3), the abbreviation "Sec." and the figure "4".
6. Amend section ten (10) by inserting after the word "force," in the second line thereof, the words "from and".

W. C. HAYWARD,

Chairman.

Ordered passed on file.

Senator Brooks, from the committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your committee on Public Buildings, to whom was referred Senate file No. 274, a bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five (165) of the code, relating to powers and duties of the executive council, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. T. BROOKS,
Chairman

Ordered passed on file.

Senator Brooks, from the committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your committee on Public Buildings, to whom was referred Senate file No. 224, a bill for an act to provide safe means of egress from buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking out the word "and", at the end of the title, fifth (5) line of section one (1) of the printed bill; and also, by striking out of the sixth (6) line of section one (1) the following words: "which shall have been fully completed prior to July 4, A. D. 1902."

Also, by striking out the word "five" (5), as it appears in the eighth (8) line of section two (2) of the printed bill, and inserting in lieu thereof the word "one."

Also, by striking out the word "ninety", as it appears in the ninth (9) line of section two (2), and inserting in lieu thereof the word "thirty", and that said bill, as so amended, do pass.

J. T. BROOKS,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 209, a bill for an act to repeal section forty-six hundred (4600) of the code, relating to fees of 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 185, a bill for an act to amend section forty-six hundred (4600) of the code, in relation to fees of 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 292, a bill for an act to amend chapter ninety-one (91) of the laws of the Twenty-eighth General Assembly, pertaining to the board of dental examiners and the practice of dentistry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to committee on Public Health.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 255, a bill for an act to license auctioneers who are not actual residents 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 268, a bill for an act to amend section five hundred eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred substitute for House file No. 128, a bill for an act to amend chapter one (1) title three (3) of the code, relating to the organization of the supreme court, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof, and that the same do pass.

THOS. D. HEALY,
Chairman.

A BILL

For an act to amend chapter 1, title 3 of the code, relating to the organization of the supreme court.

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

Section 1. There shall be three regular terms of the supreme court in each year to be held as follows, to-wit: The first term beginning with the second Tuesday in January, and ending with the first Monday of May; the second beginning with the first Tuesday of May, and ending with the third Monday of September; and third beginning with the third Tuesday of September and ending with the third Saturday of December.

Sec. 2. The court shall not be required to continue in actual public session during an entire term, but may adjourn from time to time as by order or rule it shall direct.

Provided, however, that no such recess or adjournment shall be taken for more than thirty days at one time, except during the period from the first Monday in July to the third Monday in September in each year.

Sec. 3. At each regular or adjourned session of a term of court, causes pending therein may be assigned and submitted, but no more submissions shall be taken or allowed at any one session, than, in the judgment of the court can be properly considered and determined before the next succeeding session.

Sec. 4. The court shall by appropriate rules provide for the assignment of causes for hearing at the regular and adjourned sessions thereof, and for reasonable notice to counsel of the time or times at which their causes will be called.

Sec. 5. Each judge of the supreme court hereafter elected shall receive a salary of six thousand dollars per year; and until such provisions shall become applicable to the entire membership of said court, there shall be paid to each, for the remainder of the term for which he has been heretofore elected the sum of two thousand dollars per year, in full reimbursement for the increased expense, including clerk hire, which compliance with this act imposes upon him

Sec. 6. All acts and parts of acts in conflict with or inconsistent with the provisions of this act are hereby repealed.

Read first and second time and passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 178, a bill for an act to prevent the condemnation of cemeteries and other real estate, and to limit the power to dispose 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 148, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code, in relation to the interest on school orders, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 271, a bill for an act to legalize the publication of notice and notes for the incorporation of the town of Gravity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 253, a bill for an act to amend section nineteen hundred forty-six (1946) nineteen hundred forty-eight (1948) and nineteen hundred fifty-one (1951) of the code, relating to levees, drains and water courses, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state, and used by the Institution for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code and enact a substitute therefor, relating to the care of friendless children and the establishment, regulation and visitation of homes for friendless children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Charitable Institutions.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Appropriations.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Maytag, from the committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your committee on Manufactures, to whom was referred Senate file No. 233 a bill for an act to amend section twenty-four hundred fifty-six (2456) of the code, relating to the manufacture of liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

SPECIAL ORDER.

The hour having arrived the Senate resumed consideration of Senate file No. 10.

Senator Healy moved the previous question on the amendment offered by Senator Trewin, and on Senate file No. 10.

A roll call was demanded.

On the question, Shall the previous question be now put?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Brighton, Brooks, Classen, Courtright, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Whipple, Winne, Young of Washington—35.

The nays were:

Senators Blanchard, Brighton, Craig, Crawford, Hartshorn, Mardis, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Young of Lee—12.

Absent or not voting:

Senators Arthaud, Hobart, Wilson—3.

So the motion to put the previous question prevailed.

Senator Trewin demanded a roll call on the amendment offered by him yesterday.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Alexander, Allyn, Brooks, Craig, Crawford, Harper, Hartshorn, Hazleton, Lewis, Mardis, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Young of Lee—18.

The nays were:

Senators Bachman, Ball, Bishop, Blanchard, Brighton, Classen, Courtright, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harriman, Hayward, Healey, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Maytag, Townsend, Whipple, Winne, Young of Washington—28.

Absent or not voting:

Senators Arthaud, Hobart, Smith of Des Moines, Wilson.—4.

So the amendment was lost.

Senator Ball moved that the rule be suspended and that the bill be considered engrossed, and the reading had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Blanchard, Classen, Courtright, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harriman, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Townsend, Whipple, Wilson, Winne, Young of Washington—32.

The nays were:

Senators Alexander, Allyn, Bishop, Brooks, Craig, Crawford, Harper, Lewis, Moffit, Porter, Spaulding, Trewin, Young of Lee—13.

Absent or not voting:

Senators Arthaud, Brighton, Hartshorn, Hobart, Tallman—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title, as amended, agreed to.

On motion of Senator Fitchpatrick, Senate file No. 153, a bill for an act to repeal chapter ninety-nine (99) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repairing, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section two (2) of the printed bill by adding thereto the following: "The funds to be realized from the tax levies herein provided for shall not be anticipated by issuing warrants or other obligations of the state."

Carried.

Senator Porter offered the full amendment, and moved its adoption:

I move to amend by adding after the word "College", in line six (6) of the printed bill, the following: "any amount in excess of one hundred and ten thousand dollars raised by only one of such levies shall be paid into the state treasury for general purposes".

Carried.

Senator Fitchpatrick offered the following amendment, and moved its adoption:

Add as section 3: The repeal of said chapter 99, acts of the Twenty-eighth General Assembly, shall in no manner affect the collection and expenditure of the taxes heretofore levied thereunder, but the same shall be collected and expended as though said act remained in full force.

Change publication clause to section 4.

Carried.

Senator Fitchpatrick 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:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazleton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—39.

The nays were:

Senators Bishop, Lewis, Moffit, Porter, Spaulding, Tallman, Young of Lee—7.

Absent or not voting:

Senators Arthaud, Brighton, Emmert, Hobart—4.

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

Senator Hazelton moved that Senate file No. 290, a special order for this time, be postponed for consideration until next Tuesday, March 11th, at 10 A. M., and be made a special order for that time, and continue as a special order until disposed of.

A roll call was demanded.

On the question, Shall the motion offered by Senator Hazelton be adopted?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Craig, Crawford, Crossley, Griswold, Harper, Harriman, Hayward, Hazelton, Hogue, Mardis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Wilson, Young of Lee, Young of Washington—29.

The nays were:

Senators Bishop, Courtright, Dowell, Fitchpatrick, Garst Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Trewin, Winne—18.

Absent or not voting:

Senators Arthaud, Emmert, Hobart—3.

So the motion to postpone consideration of Senate file No. 290 prevailed.

Senator Junkin raised the point of order that it requires a two-thirds vote to change the date of a special order.

The President ruled that it was within the province of the Senate to change the date of a special order by a majority vote of the Senate.

On motion of Senator Healy the time for adjournment was extended fifteen minutes.

Senator Healy moved that substitute for House file No. 128, be made a special order to follow special order No. 3, Senate file Z o. 290, now on the calendar.

Carried.

The President announced that he had signed in the presence of the Senate, House files Nos. 194 and 179.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am requested to inform your honorable body that the House insists on its amendments to Senate concurrent resolution, relative to requesting our senators and representatives in congress to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy, and request that a concurrence

committee be appointed and names as its committee on conference, Cummings of Mahaska, Coburn of Cherokee, Wilson of Washington.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 270, a bill for an act to repeal section fifty-one hundred sixty-seven (5167) of the code, and to enact a substitute therefor, relating to the time of commencing action in criminal cases.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.

C. R. BENEDICT,
Chief Clerk.

Senator Healy moved that time for adjournment be extended for the purpose of correcting the Journal.

Carried.

The Journal of yesterday was taken up, corrected and approved.

The Journal of yesterday, having been corrected, the President declared the Senate adjourned.

SENATE CHAMBER.
DES MOINES, Saturday, March 8, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Mary A. Safford of Des Moines.

On request of Senator Classen, leave of absence was granted Senator Hayward until Tuesday morning.

On request of Senator Winne, leave of absence was granted Senator Crossley for today.

On request of Senator Young of Lee, leave of absence was granted Senator Fitchpatrick until Monday.

On request of Senator Courtright, leave of absence was granted Senator Molsberry until Tuesday.

On request of Senator Lyons, leave of absence was granted Senator Emmert indefinitely.

On request of Senator Young of Washington, leave of absence was granted Senator Alexander until Tuesday.

INTRODUCTION OF BILLS.

By Senator Whipple, Senate file No. 312, a bill for an act providing for a uniform policy to be used exclusively by all fire insurance companies doing business in the state of Iowa.

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

By Senator Harriman, Senate file No. 313, 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.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Trewin, Senate file No. 314, a bill for an act providing for the completion of the historical building, and making an appropriation therefor.

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

By Senator Blanchard (by request), Senate file No. 315, a bill for an act to regulate the manufacture and sale of loaves of bread.

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

By Senator Healy (by request), Senate file No. 316, a bill for an act to amend section thirty-six hundred fifty-one (3651) of the code, relating to method of trial in ordinary actions.

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

Senator Trewin called up the resolution offered by him in relation to the Nelson-Corliss bill, now pending in the lower house of congress, and moved the adoption of the committee report.

Carried.

Senator Trewin moved that the resolution be adopted.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Craig, Crawford, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Courtright, Crossley, Emmert, Fitchpatrick, Hayward, Hazleton, Hobart, Hogue, Lyons, Molsberry, Townsend—13.

So the resolution was adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 270, a bill for an act to repeal section fifty-one hundred sixty-seven (5167) of the code, and to enact a substitute therefor, relating to the time of commencing action in criminal cases.

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

House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.

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

House insists on amendments to Senate committee resolution, relative to requesting senators and representatives in congress to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy, and request that a conference committee be appointed and names as its committee on conference Cummings of Marshall, Coburn of Cherokee, Wilson of Washington.

Passed on file.

REPORTS OF COMMITTEES.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred House file No. 48, a bill to fix the compensation of appraisers of property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred Senate file No. 275, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the Industrial school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 140, a bill for an act to require railroad companies operating passenger trains in the state of Iowa to keep posted in their stations bulletins or time cards, giving the time of the departure of trains, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted, and that when adopted the same do pass.

L. C. BLANCHARD,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 140.

A bill for an act to require railway companies to keep posted in their passenger stations bulletins, giving the time of arrival and departure of trains.

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

Section 1. It shall be the duty of all railway companies on all lines of railway operated by them, to keep posted in the waiting room of each passenger station, a bulletin plainly showing the time of arrival and departure at such station of all trains carrying passengers.

Sec. 2. Any railway company failing to comply with the provisions of this act shall be fined not exceeding one hundred dollars.

Read first and second time and placed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 285, a bill for an act to amend section two thousand eighty-six (2086) of the code, relating to the voting of taxes in aid of railroads, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House file No. 182, a bill for an act to amend section two thousand twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report;

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 205, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section two thousand twenty-six (2026) of the code, relating to such railways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 236, a bill for an act to repeal section four thousand nine hundred thirty-two (4932) of the code, referring to the crime of adultery and the punishment thereof, 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 Senate with the recommendation that the following substitute be enacted in lieu thereof, and that the same do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR HOUSE FILE NO. 236.

A bill for an act to amend section forty-nine hundred and thirty-two (4932) of the code, referring to the crime of adultery and the punishment thereof.

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

Section 1. That section four thousand nine hundred and thirty-two (4932) of the code be, and the same is hereby amended by inserting after the word "both," in the fifth line thereof, the words "are guilty of adultery and"; and said section be further amended by adding after the word "punished," in said fifth line, the word "accordingly."

Read first and second time and placed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governors square, in the city of Des Moines, for park purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof, and that the same do pass.

THOS. D. HEALY,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 251.

A bill for an act to authorize the improvement and to regulate the use of the Governors square, in the city of Des Moines, for park purposes.

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

Section 1. Subject to the conditions and restrictions hereinafter provided, the tract of ground in the city of Des Moines known as "Governors square", and bounded and described as follows:

Lot ten (10) in Brooks & Company's addition, now in and forming a part of the city of Des Moines, also known as Governors square, be and the same is hereby granted to and conferred upon the board of park commissioners of the city of Des Moines and their successors for park purposes.

Sec. 2. That jurisdiction and control over said tract or ground for park purposes, and for the purposes of this act, is hereby vested in said board of park commissioners, and said board of park commissioners shall have power to improve, beautify and use the same to the same extent and in the same manner as though the title thereto was vested in it, and shall have power to use such portion of its funds as may be available to improve and utilize the same for the public use and pleasure and to exercise in respect thereto, so long as the use thereof is permitted, the general powers as to parks conferred by sections 850 to 858 of the code, inclusive.

Sec. 3. All of the grants, rights and privileges contained in sections 1 and 2 of this act are subject to the right retained by the state of Iowa to terminate the grant, possession and use of said tract of ground whenever the executive council or legislature of the state shall so determine.

Sec. 4. Thirty days' notice in writing, signed by the executive council and served upon the chairman of the said board of park commissioners, shall be sufficient to terminate all rights and privileges of said board of park commissioners in and to said tract of ground, and the same shall at once revert to the state; and said board of park commissioners, within a reasonable time, to be fixed by the executive council, shall have the right to remove all buildings, movable property, and betterments placed thereon by said board of park commissioners which can be removed without damage to the state's property; all other improvements and betterments shall, without expense, be and become the property of the state.

Sec. 5. This act, being deemed of immediate importance, shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Read first and second time and placed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 254, a bill for an act repealing section one hundred sixty-one (161) of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant, and appropriating money to pay the same and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 318, a bill for an act to authorize the temporary transfer of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly, under section seven hundred forty-six (746) 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 Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 310, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco in said county and state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 296, a bill for an act to provide for the publication of an edition of seven thousand, five hundred (7,500) copies of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Mardis, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred House file No. 88, a bill for an act amending section two thousand three hundred ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

ALEX MARDIS,
Chairman.

Adopted.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 183, a bill for an act relating to railways, railway companies, railway corporations, railroad companies and railroad corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following bill be substituted therefor, and when so substituted that the substitute do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 183.

A bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railway companies, amending section two thousand twenty-six (2026) of the code, relating to such railways.

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

Section 1. Any railway operated upon the streets of a city or town by electric or other power than steam, which extends beyond the corporate limits of such city or town to another city, town or village, shall be known as an interurban street railway, and shall be a work of internal improvement, and shall have the same rights, powers and liabilities which commercial railways now have, or may hereafter be granted, and shall be assessed and taxed in the same manner. It shall have the right to take and hold, under the provisions of chapter four (4) of title ten (10) of the code, so much real estate as may be necessary, not exceeding one hundred feet in width, for the location, construction and convenient use of such railway, and to cross other railway tracks, and be subject to all the provisions of section two thousand one hundred twelve (2112) and section two thousand seventy-one (2071) of the code.

Sec. 2. Any interurban street railway shall, within the corporate limits of any city or town, or of any city acting under special charter, be deemed a street railway and be subject to the laws governing street railways.

Sec. 3. Cities and towns and cities acting under special charters, shall have the power to authorize or forbid the construction of such railways upon, over, or along the streets, alleys and public grounds within their limits and to prescribe the conditions and regulations under which said railways shall be constructed and operated within said limits, but no such right shall be given to any railway for a period exceeding fifty (50) years.

Sec. 4. That section two thousand twenty-six (2026) of the code be and the same is hereby amended by adding thereto the following: Where an interurban street railway desires to operate its line along or upon a public highway, and in the opinion of the board of supervisors of the county in which such public highway is located, it is impracticable or inexpedient to increase the width thereof to one hundred (100) feet, such board of supervisors may permit such interurban street railway company to construct and operate its railway along and upon such highway, under such restrictions and regulations as the board may deem advisable; but no such railway shall construct or operate its line along or upon such highway until a written statement of consent of two-thirds of the residents owning property abutting upon such highway, shall have been obtained and filed with the auditor of the county in which the highway is located. And in all cases the location, construction, and operation of such interurban street railway shall be subject to the provisions of section two thousand twenty-seven (2027) of the code.

Sec. 5. Wherever the tracks of an interurban railway cross the tracks of any steam railway at grade the steam railway shall have the right-of-way and the interurban railway company operating said line shall cause their cars to come to a full stop not nearer than ten (10) feet nor further than

fifty (50) feet from such crossing, and before proceeding to cross said steam railway tracks shall cause some person in their employ, to first cross said track ahead of said car or cars and ascertain if the way is clear and free from danger for the passage of said interurban cars, and said interurban cars shall not proceed to cross until a signal to do so by such person so employed as aforesaid, or said way is clear for said passage over said tracks. Every person in charge of any interurban car or cars, who wilfully fails to comply with the provisions hereof and fails to bring his car or cars, which he has in charge to stop, or causes the same to cross said steam railway tracks before the way is clear or he is signaled to do so, shall be subject to a fine of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or imprisonment in the county jail not to exceed twelve (12) months in the discretion of the court.

Sec. 6. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 18, a bill for an act to amend section forty-seven hundred ninety of the code, in relation to the possession of burglars' tools.

Also, Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state.

Also, Senate file No. 96, a bill for an act to amend section two hundred ninety-six (296) of the code, relating to fees in probate matters.

Also, Senate file No. 108, a bill for an act to amend section five thousand seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Also, Senate file No. 46, a bill for an act to amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087), two thousand eighty-eight (2088), two thousand eighty-nine (2089), two thousand ninety (2090) and two thousand ninety-one (2091) of the code, relating to taxes in aid of railroads and extending the provisions thereof to trolley and electric railways.

E. K. WINNE,

Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 18, a bill for an act to amend section forty-seven hundred ninety of the code, in relation to the possession of burglars' tools.

Also, Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

Also, Senate file No. 96, a bill for an act to amend section two hundred ninety-six (296) of the code, relating to fees in probate matters.

Also, Senate file No. 108, a bill for an act to amend section five thousand seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Also, Senate file No. 46, a bill for an act to amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087), two thousand eighty-eight (2088), two thousand eighty-nine (2089), two thousand ninety (2090) and two thousand ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 18, a bill for an act to amend section forty-seven hundred ninety of the code, in relation to the possession of burglars' tools.

Also, Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

Also, Senate file No. 96, a bill for an act to amend section two hundred ninety-six (296) of the code, relating to fees in probate matters.

Also, Senate file No. 108, a bill for an act to amend section five thousand seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Also, Senate file No. 46, a bill for an act to amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087), two thousand eighty-eight (2088), two thousand eighty-nine (2089), two thousand ninety (2090)

and two thousand ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric rail-ways.

E. K. WINNE,
Chairman.

March 8, 1902.

On motion of Senator Hubbard, substitute for Senate file 183 was made a special order to follow special order No. 4, now on the calendar.

On motion of Senator Junkin, 300 extra copies of Senate file No. 290 were ordered printed.

Senator Healy moved that we proceed to take up bills reported for indefinite postponement and curative acts in their order on the calendar.

Carried.

On motion of Senator Garst, Senate file No. 130, a bill for an act to establish an industrial reformatory for females, to make appropriation therefor, and to provide for the transfer of inmates to and from the industrial school for girls, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Healy, House file No. 164, a bill for an act to amend section fifty-three hundred fourteen (5314) of the code, relative to the compensation of attorneys, with report of committee recommending that it be indefinitely postponed, taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Porter, Senate file No. 52, a bill for an act to amend section one (1) of chapter one hundred forty-one (141) of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of Iowa Soldiers' Orphans' Home, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Brighton Senate file No. 39, a bill for an

act to repeal sections two thousand five hundred sixty-six (2566) and two thousand five hundred sixty-seven (2567) of the code, and to enact substitutes therefor, relating to vital statistics, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Smith of Des Moines, Senate file No. 150, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc., with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Garst, Senate file No. 5, a bill for an act legalizing the formation of the Independent district of Ralston, located in Greene and Carroll counties, 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 Senator Griswold, leave of absence was granted Senator Harriman until Tuesday.

On motion of Senator Lister, Senate file No. 142, a bill for an act to amend section four hundred ninety-five (495) of the code, relating to the compensation of county recorders, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Brighton, Senate file No. 229, a bill for an act to regulate the employment of children, and provide punishment for the violation of same, 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.

THIRD READING OF BILLS.

On motion of Senator Garst, House file No. 9, a bill for an act legalizing the incorporation of the Independent School District of Ralston, located in Greene, and Carroll counties, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Crossley, Emmert, Fitzpatrick, Harriman, Hayward, Hazelton, Hobart, Hogue, Hubbard, Smith of Mitchell, Townsend—14.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits,

and to create a commission therefor, and defining its powers and prescribing its duties.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 326, a bill for an act to legalize the acts of the Independent School District of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a school-house in said independent school district, and to enable such district to issue such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 200, a bill for an act to amend section 560 of title 4, chapter 10 of the code, abolishing the office of township clerk and trustees in certain civil townships.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 321, a bill for an act to amend subdivision three of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 35, a bill for an act to amend section two hundred fifty-four (254) of the code, relating to compensation of shorthand reporters.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 249, a bill for an act to amend section forty-eight hundred eleven (4811) of the code, with reference to jumping on and off cars in motion.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 122, a bill for an act to amend [section two (2) chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly, relating to savings banks.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 135, a bill for an act in regard to supervisors districts.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 244, a bill for an act to repeal section 2692 of the code, and section 5 of chapter 78 of the acts of the Twenty-seventh General

Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 349, a bill for act to legalize the incorporation of the town of Budd, Floyd county, and the ordinances thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands belonging to the state and used by the Institute for Feeble-Minded Children at Glenwood.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Dowell, Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class having a population of more than 60,000, and defining the powers and duties of such boards, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allen, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Crawford, Dowell, Garst, Griswold, Harper, Healy, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Craig, Crossley, Emmert, Fitchpatrick, Harriman, Hayward, Hazelton, Hobart, Hogue, Hopkins, Maytag, Moffit, Molsberry, Smith of Mitchell, Tallman, Townsend, Young of Lee—20.

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

On motion of Senator Trewin, the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

Senate file No. 234, bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the retaining of waste lands between the meandered lines of said streams within said corporate limits and to create a commission therefor, and defining its powers and prescribing its duties.

Senator Trewin moved the adoption of the following amendments adopted in the House:

That the title of printed bill be amended by striking out the word "waste", in the third line thereof.

That the second "Whereas" of the printed bill be amended by striking out the word "waste", in the first line thereof.

That the third "Whereas" of the printed bill be amended by striking out the word "waste", in the first line thereof.

That section 3 of the printed bill to amend by striking out the word "board", in the sixth line thereof and inserting in lieu thereof the word "commission".

That section 3 of the printed bill be amended by striking out the word "board", in the seventh line thereof and inserting in lieu thereof the word "commission".

That section 4 of the printed bill be amended by inserting after the word "the", in the first line thereof the words "fee simple".

That section 5 of the printed bill be amended by striking out the word "waste", in the first line thereof.

That section 6 of the printed bill be amended by striking out the word "waste", in the second line thereof.

That section 5 of the printed bill be amended by inserting the letter "d" at the end of the word "base", in the fourth line thereof.

That section 7 of the printed bill be amended by striking out the word "now", in the second line thereof; and all after the word "it", in the fifth line, and the words "desirable for its purposes", in the sixth line thereof.

That section 7 of the printed bill be amended by inserting after the word "estate", in the first line the words "and riparian and other rights", and by inserting in the second line after the word "condemnation", the words "for the public uses herein authorized", and by substituting for the word "may", in the third line, the word "shall", and by inserting after the word "successors", in the fourth line, the words "in trust for the public", and by inserting after the word "sell", in the fourth line, the words "and convey", and by inserting after the word "it", in the fifth line thereof, the words "by virtue of this act and otherwise".

That section 8 of the printed bill be amended by inserting after the word "amounts", in the second line, the word "as", and by inserting after the word "property", in the third line, the words "acquired by virtue of this act and otherwise".

That section 12 of the printed bill be amended by inserting after the third word of the fourth line, the words, "within the corporate limits of such city".

That section 13 of the printed bill be amended by inserting after the word "to", in the sixth line, the words "or by".

That section 15 of the printed bill be amended by striking out all of lines 2 and 3, and inserting after the word, "charter", in the first line thereof the following words: "and cities of the first class acting under the general incorporation laws having a population of less than twenty-five thousand (25,000)".

Carried.

On the question, "shall the amendments be adopted," the final vote upon the bill:

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Winne,

Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Crossley, Emmert, Fitzpatrick, Harriman, Hayward, Hazelton, Hobart, Hogue, Molsberry, Smith of Mitchell, Townsend, Wilson—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate as amended and its title agreed to.

On motion of Senator Junkin, Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Junkin 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:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Crossley, Emmert, Fitzpatrick, Harriman, Hayward, Hazelton, Hobart, Harper,

Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Wilson—17.

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

On motion of Senator Spaulding, Senate file No. 283, a bill for an act to legalize the incorporation of Rudd, Floyd county, to the extension of the limits thereof and the ordinances passed by the council of said town, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Spaulding moved that the rule be suspended, and that the bill was considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Crossley, Emmert, Fitchpatrick, Harriman, Hayward, Hazleton, Hobart, Hogue, Moffit, Molsberry, Townsend—14.

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

On motion of Senator Brooks, Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the words "and decisions of the courts" be inserted after the words "laws", in the seventh line of the bill.

Carried.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators. Alexander, Arthaud, Bishop, Crossley, Emmert, Fitchpatrick, Harriman, Hayward, Hazelton, Hobart, Hoguc, Moffit, Molsberry, Townsend—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Crawford, Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute in lieu thereof, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved to amend section two (2) of the printed bill by inserting the words, "to cities of the first class

and," and after the word "applying" in the first line of the printed bill.

Carried. *

Senator Crawford moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Brooks, Crossley, Emmert, Fitzpatrick, Harriman, Hayward, Hazelton, Hobart Hogue, Molsberry, Townsend—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bachman, Senate file No. 215, a bill for an act to legalize the action of the incorporated town of Orleans, in Dickinson county, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Bachman 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:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Court-right, Craig, Crawford, Dowell, Griswold, Harper, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Brooks, Classen, Crossley, Emmert, Fitchpatrick, Garst, Harriman, Hayward, Hazelton, Hobart, Hogue, Molsberry, Porter, Townsend—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, the time for adjournment was extended thirty minutes.

On motion of Senator Blanchard, Senate file No. 218, a bill for an act to provide for the condemnation of a fishway, and for the erection of a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishways, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Healy offered the following amendment and moved its adoption: Amend by adding at end of section five the following: "But no money shall be expended for any purpose provided by this act until approved by the governor of the state, who shall determine whether the amount fixed in the condemnation proceedings shall be paid or refused."

Carried.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass"

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Crossley, Emmert, Fitchpatrick, Harriman, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Molsberry, Smith of Mitchell, Townsend—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 18, 40, 46, 96 and 108.

On motion of Senator Courtright, Senate file No. 125, a bill for an act to amend section three hundred fifty-five (355) chapter twelve (12), title three (3) of the code, providing for a bond to be given under the requirements of said section, with the report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ball moved that the time of adjournment be extended twenty minutes.

Carried.

Senator Ball moved that when the Senate adjourned today it be until 9:30 o'clock Tuesday.

On a division, the motion was lost.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hartshorn, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Crossley, Emmert, Fitchpatrick, Harriman, Hayward, Hazelton, Hobart, Hogue, Moffit, Molsberry, Townsend—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Ball, Senate file No. 243, a bill for an act to amend sections eight hundred sixty (860), eight hundred sixty-one (861) and eight hundred sixty-two (862) of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class, and towns and parks without their corporate limits, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Ball moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Courtright, Craig, Crawford, Dowell, Garst, Harper, Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons

Mardis, Maytag, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Classen, Crossley, Emmert, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Moffit, Molsberry, Smith of Mitchell, Townsend—18.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, a committee of three was appointed by the President to confer with a like committee from the House, relative to the Hoar resolution.

The President appointed as such committee, Senators Hubbard, Healy and Wilson.

The Journal of yesterday was taken up, corrected and approved. Senator Junkin moved that the Senate do now adjourn until 9:45 A. M., Tuesday next.

Lost.

Senator Lewis moved that the Senate do now adjourn until 9:15 A. M., Tuesday next.

On a division the motion prevailed.

Senate adjourned until 9:15 A. M., Tuesday, March 11th.

SENATE CHAMBER,
DES MOINES, Tuesday, March 11, 1909. }

Senate met in regular session at 9:15 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Leander Lane of Fairfield, Iowa.

On request of Senator Lister, leave of absence was granted Senator Classen for today.

PETITIONS AND MEMORIALS.

Senator Alexander presented petitions of citizens of Linn county asking for the enacting of a law fixing a standard fire insurance policy similar to the Connecticut, Massachusetts or New York law.

Referred to committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Lewis, Senate file No. 317, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

Read first and second time and referred to committee on Judiciary.

By Senator Hartshorn, Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa vs. McFarland and others.

Read first and second time and referred to committee on Appropriations.

By Senator Trewin, Senate file No. 319, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto.

Read first and second time and referred to committee on Cities and Towns.

HOUSE MESSAGES CONSIDERED.

House file No. 244, a bill for an act to repeal section twenty-six hundred ninety-two (2692) of the code, and section five (5) of chapter seventy-eight (78) of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.

Read first and second time and referred to committee on Charitable Institutions.

House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof.

Read first and second time and referred to committee on Judiciary.

House file No. 135, a bill for an act in regard to supervisors districts.

Read first and second time and referred to committee on Highways.

Senate file No. 122, a bill for an act to amend section two (2) chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly, relating to savings banks.

Senator Alexander asked unanimous consent to consider Senate file 122, at this time.

Senator Alexander moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bishop, Brooks, Court-right, Craig, Crossley, Fitchpatrick, Griswold, Harper, Harts-

horn, Hayward, Hazelton, Hopkins, Hubbard, Junkin, Lambert, Lewis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Young of Lee, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Bachman, Ball, Blanchard, Brighton, Classen, Crawford, Dowell, Emmert, Garst, Harriman, Healy, Hobart, Hogue, Lister, Lyons, Mardis, Moffit, Porter, Trewin, Wilson, Winne—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

Read first and second time and on motion was referred to committee on Ways and Means.

Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

Passed on file.

House file No 249, a bill for an act to amend section four thousand eight hundred and eleven (4811) of the code, with reference to jumping on and off cars in motion.

Read first and second time and referred to committee on Railroads.

House file No. 35, a bill for an act to amend section two hundred and fifty-four (254) of the code, relating to compensation of shorthand reporters.

Read first and second time and referred to committee on Compensation of Public Officers.

House file No. 321, a bill for an act to amend sub-division three (3) of section two thousand four hundred and forty-eight (2448) of the code, relating to surety on bonds.

Read first and second time and referred to committee on Judiciary.

House file No. 200, a bill for an act to amend section five hundred and sixty (560) of title four (4), chapter ten (10) of the code, abolishing the office of township clerk and trustees in certain civil townships.

Read first and second time and referred to committee on Judiciary.

House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to issue such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

Read first and second time and referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 81, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. C. HARTSHORN.

Chairman.

Ordered passed on file.

Senator Lambert, from the committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate file No. 297, a bill for an act to amend chapter 15, title 13 of the code, amending sections 2540, 2551, 2556, 2531 of the code, and section 2530 of the code, as amended by chapter 64 of the laws of the Twenty-seventh General Assembly, repealing section 5 of chapter 64 of the laws of the Twenty-seventh General Assembly and making further provisions additional to said chapter 15, title 13 of the code, relating to the care and propagation of fish, and the protection of birds and game, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass:

1. Amend section 4 by striking out the words "twenty-five" and figures "25", at the end of line six (6) and beginning of line seven (7) in said section, and inserting in lieu thereof the word "forty" and figures "40".

2. Amend section five (5) by striking out after the word "be", in line eight (8) of said section and all of line nine (9), up to and including the word "be".

3. Amend section five (5) by striking out the word "and" in line ten of said section, and inserting in lieu thereof the word "or".

4. Amend section seven (7) by striking out all after the word "inserting", in line two (2) of said section, up to and including the word "inserted", in line four (4) thereof.

5. Amend section nine (9) by striking out of line three (3) of said section the words "turtle dove and", and also the quotation marks preceding and following the words "turtle dove".

THOS. LAMBERT,
Chairman.

Ordered passed on file.

Senator Garst from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D., 1902, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 275, a bill for an act to amend chapter one hundred and sixty-seven (167), laws of the Twenty-eighth General Assembly of Iowa, entitled, "an act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 104, a bill for an act making appropriations to the Iowa State Historical society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 172, a bill for an act authorizing the purchase of lot "A" of the plat of Pittsburg point, park and historical relics; the appointment of a custodian thereof at an annual salary and appropriating the sum of five thousand dollars (\$5,000.00) for such purchase, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 66, a bill for an act to repeal section twenty-seven hundred eighteen, (2718) of the code, and chapter eighty-two (82), laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 819, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

I

REPORT OF MUNICIPAL CODE COMMITTEE—REVISION OF MUNICIPAL
LAWS.

To the Twenty-ninth General Assembly:

The committee appointed under the provisions of chapter 176 of the acts of the Twenty-eighth General Assembly "to revise and codify all the special assessment laws and such other laws in relation to the government of municipal corporations as may be by the committee deemed necessary and expedient, and recommend such changes therein as may be desirable", submits its report as follows:

The principal reason for the appointment of the committee was the unsettled condition of the law in relation to special assessments created by the decision of the supreme court of the United States, in the case of *Norwood vs. Baker*, 172 U. S., page 269; s. c. 43 Lawyer's Reports, page 443. In this case the court held, "The judgment of the circuit court must be affirmed upon the ground that the assessment against the plaintiff's abutting property was under a rule which excluded any injury as to special benefits, and the necessary operation of which was, to the extent of the excess of the cost of opening the street in question over any special benefits accruing to the abutting property thereon, to take private property for public use, without compensation."

Although our statute provided for a hearing upon all questions arising under special assessments and an appeal to the courts, there were many who considered the question as to its constitutionality a grave one. So, to put this question at rest and to prevent inequalities and injustice in the future, the Twenty-eighth General Assembly enacted chapter twenty-nine, the first section of which reads as follows: "When any city or town council or board of public works levies any special assessment for any public improvement against any lot or tract of land, such special assessment shall be in proportion to the special benefits conferred upon the property thereby and not in excess of such benefits. Such assessment shall not exceed twenty-five per centum of the actual value of the lot or tract at the time of the levy, and the last preceding assessment roll shall be taken as *prima facie* evidence of such value." It was also provided that on appeal the court shall determine all questions, including that of benefits to the property assessed.

As we understand it, this statute left all special assessment laws in force but restricted the powers of the council in the respects set forth. The front-foot method was not declared to be invalid simply as a method of computation and distribution of the taxes, but only when applied without reference

to benefits and in excess of twenty-five per centum of the actual value of the lot or tract at the time of the levy. Under these modifications the making of public improvements in cities and towns has progressed steadily, and so far as we know, neither difficulties nor litigation has grown out of the enactment.

Many cases were appealed to the supreme court of the United States in which the protection of the rule laid down in the Norwood case was invoked. So, apparently, to make a finality of the question, that court took up these cases and disposed of them in April last, the principal one being French vs. Barber Asphalt Paving Co., reported in vol. 21, page 625 of the Supreme Court Reporter. In this case the court holds that "the apportionment of the entire cost of a street pavement upon the abutting lots according to their frontage without preliminary hearing, as to benefits, may be authorized by the legislature and this will not constitute a taking of property without a due process of law". So it seems that the power of the legislature to authorize special assessments for public improvements is practically without limit.

Under this state of the law, the question presented to the committee was as to whether it would recommend the repeal of chapter twenty-nine of the acts of the last general assembly.

A committee of the Bar association, composed of Hons. Geo. W. Ball, J. H. Quick, William H. Bailey, C. W. Bingham and Joseph W. Bolinger, and the committee on legislation of the Iowa League of Municipalities, have both furnished this committee with numerous valuable suggestions in reference to proposed legislation and both have recommended the retention of this law upon the statute books.

It appears to us that special assessments, according to benefits, ought to become the settled policy of the state and that while the present law does not interfere with reasonable public improvements, it operates as a salutary restraint in preventing city and town councils from practically confiscating private property under special assessment laws. The special assessment laws might, no doubt, be improved by a thorough revision, but as most of the questions which are likely to arise have been determined by the courts, a change would be likely to produce additional litigation, and in the end would not subserve any good purpose. In fact, the details of imposing special assessments are not so important as that the methods followed should be plain and easily understood, so we recommend only a few minor changes.

It is not clear as to the notice required to be given under section 823. We therefore propose a bill curing the ambiguity.

It has been suggested that section 645 and sub-division 5 of section 658, be amended so that the mayor shall not be a member of the council because he is counted a member thereof in determining the number of votes required under sections 683 and 684 and the case of Griffin vs. Messenger, 86 N. W. Reporter, page 219, is referred to, but that decision only relates to the suspension of the rules. The language of section 682 is, "unless three fourths of the council" and section 793 is similar, while the language of sections 683 and 684 is "the whole number of members elected to the council." The

expression "elected to the council" is a change from the old law and is intended to obviate the objection raised, as the mayor is not elected to the council. The purpose of providing that the mayor should be a member of the council was that he might be present at all the meetings whether in committee of the whole or otherwise. On account however, of the confusion which has arisen, we recommend that section 645 and sub-division 5, section 658 be amended, so that the mayor will not be a member the councils in cities.

We recommend amendments to the law allowing cities owing water-works to issue bonds for "renewals, repairs or extensions and the raising of revenues therefor."

A conflict seems to have arisen between city councils and townshp trustees in reference to the jurisdiction and control of pesthouses and hospitals, for the treatment or infectious and contagious diseases, located outside of the city limits. In order to provide for a summary method of settling such disputes, we recommend the adoption of a bill providing for a reference thereof to the state board of health.

Difficulties have arisen in the construction of the code and complaints are made that there are not sufficient safeguards to public expenditures in reference to the expenses of caring for persons affected with infectious and contagious diseases. We therefore recommend a bill amending chapter sixteen, title 12 of the code covering these matters.

These bills have been introduced and are numbered S. F. 197, S. F. 198, S. F. 199, S. F. 200, S. F. 201, S. F. 202, S. F. 203, Journal pages 268 and 269. All have passed the Senate and are now pending in the House.

II.

ACCOUNTS OF MUNICIPALITIES.

It is the opinion of the committee that a law should be enacted providing for a uniform system of accounting for receipts and expenditures of cities, and the dissemination of official, authentic and intelligible information in reference thereto among the people. Private business is usually managed more carefully and economically than public affairs, because of the application thereto of better business methods. In many of the cities and towns in the state there is no practical way in which the voter can obtain information in regard to its fiscal affairs. The burden of municipal taxes is heavy. The people furnish the money and should be provided means of knowing what becomes of it.

The American people seldom err in determining public questions when they possess accurate information on which to base their judgment. A thorough system of public accounting will insure a more economical administration of municipal affairs and prevent the misappropriation of funds.

Under the present want of system the council, almost without exception, leaves its successor a legacy of increased indebtedness and confusion. A careful system of accounting is of the greatest importance to cities operat-

ing public utilities. Recently the city of Philadelphia, after fifty years of municipal management turned over its gas works to a private company, largely because of the failure of the published accounts to give a correct statement of the financial condition of the enterprise. It is said by Mr. L. S. Rowe, in writing on this subject: "Each year the published reports showed a large surplus which stifled the criticism to which the management would otherwise have been subjected. In fact the deterioration in the quality of the gas was largely due to the brilliant financial reports. When the attack upon the city's works was opened by the companies desiring to obtain the franchise it was found that instead of the gross profit having been applied to the repair and improvement of the works, no account had been taken of depreciation and deterioration."

As the best remedy for the trust evil is believed to be publicity, so also is publicity the best remedy for the over-taxation evil in cities and towns.

The cities of Iowa are still comparatively young and this is the time to lay the foundation for the best government in the future. If the people are furnished the means of information in reference to the conduct of their affairs, they then have only themselves to blame for extravagance and mismanagement. As was recently said by Professor C. W. Haskins, of the New York university, "City finance as a topic is too often reserved for campaign talk; the harangue itself is hardly more than a string of personalities; figures are impudently juggled; reform is the red rag of a sham fight, and as soon as the show is over, the lights are put out and the people are as much in the dark as ever."

The committee therefore recommends the enactment of the bill presented herewith, entitled: "A bill for an act requiring the keeping of accounts of cities, and requiring that publicity be given thereto."

Respectfully submitted,

J. H. TREWIN,
THOS. D. HEALY,
W. A. MCINTYRE,
GEO. W. DUNHAM,
C. J. WILSON,
WM. THEOPHILUS.

Committee.

Ordered printed in the Journal.

THIRD READING OF BILLS.

By unanimous consent Senator Lister called up Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said

matter, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lister moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Bachman, Blanchard, Classen, Emmert, Harriman, Healy, Hobart, Hogue, Lyons, Moffit—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 196, a bill for an act to amend section twenty-two hundred sixty seven (2267) of the code, relating to appeals from the findings of commissioners of insanity.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks to recall Senate file No. 304.

A bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 363, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-nine (126) of the code, relating to the printing, binding and distribution of public reports and documents.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 378 a bill for an act to legalizing acts of the county auditor and of the board of supervisors of Lynn county.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 40, a bill for an act to amend section fifteen hundred thirty (1530) of the code, relating to the working of highways.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 260, a bill for an act to amend section two thousand eight (2008) of the code, relating to filing of transcript in condemnation proceedings.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 241, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code, and to provide for the insurance of plate glass.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 21, a bill for an act to amend section fourteen hundred (1400) of the code, to make taxes levied on buildings as personal taxes a lien thereon.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 284, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 171, a bill for an act to amend section four hundred sixty-eight (468) of the code, relating to supplies for county officers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

C. R. BENEDICT,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

A bill for an act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code of one thousand, eight hundred ninety-seven (1897), and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of the code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-eighth General Assembly.

C. R. BENEDICT,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven of the code as amended, relating to the appointment of water-works trustees in cities of the first class, and to enact a substitute in lieu thereof.

C. R. BENEDICT,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county.

C. R. BENEDICT,

Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 9, a bill for an act to amend section three thousand eight hundred and twenty-five (3825) of the code, making taxes on property in hands of receivers a preferred claim.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 157, a bill for an act to validate certain conveyance of real estate in which husband and wife conveyed the contingent dower interest of the other spouse.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

The hour having arrived, the Senate took up Senate file No. 290, made a special order for this time.

On motion of Senator Junkin, Senate file No. 290, a bill for an act amending section thirteen hundred and thirty-four (1334) of the code, and repealing section thirteen hundred and thirty-five (1335) and section thirteen hundred and thirty six (1336) of the code, and enacting substitutes therefor, in relation to railway taxation, and providing for the publication of proceedings of said council, and directing the payment of expenses provided for by this act, was taken up, and considered.

The bill was read for information.

Senator Healy moved that the bill now under consideration be taken up again at the afternoon session, and that when we adjourn it be until 2:15 P. M., today.

Carried.

Senator Trewin moved that Senate file No. 319 be made a special order to follow special order No. 3.

Carried.

Senator Garst moved that House file No. 86 be substituted for Senate file No. 66, and that the report of the committee be adopted.

Carried.

On motion of Senator Garst, House file No. 86, a bill for an act to repeal section twenty-seven hundred eighteen (2718) of the code and chapter eighty-two (82), laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Garst moved that the time for adjournment be extended until the matter under consideration be disposed of.

Carried.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Brighton, Brooks, Classen, Emmert, Hobart, Hogue, Hubbard, Lambert, Lyons, Moffit, Tallman, Trewin, Wilson—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Garst moved that the Senate now adjourn.

Carried.

The Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:15 o'clock, President Herriott presiding.

PETITIONS AND MEMORIALS.

The President, as also Senators Craig, Buchanan, Hartshorn, Bishop, Hayward, Young of Washington, Brooks, Garst, Lister, Trewin, Hubbard and Healy, presented petitions in favor of establishing school for deaf and dumb in eastern Iowa.

Referred to committee on Charitable Institutions.

INTRODUCTION OF BILLS.

By Senator Trewin Senate file No. 320, a bill for an act to amend section thirty-six hundred fifty-two (3652) of the code, relating to practice in equity causes.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 106, a bill for an act to repeal section twenty-seven hundred twenty-seven (2727) of the code and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that House file No. 188 be substituted in place of Senate file No. 106.

WARREN GARST,
Chairman.

Adopted.

On motion of Senator Garst, House file No. 188, a bill for an act to repeal section twenty-seven hundred twenty-seven (2727) of the code, and chapter 83 of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs, with report of committee recommending that House file No. 188 be substituted in place of Senate file No. 106, was taken up and considered.

The bill was read for information.

Senator Hazleton moved that the rules be suspended, and the reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brooks, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Trewin, Whipple, Winne, Young of Lee—35.

The nays were:

None.

Absent or not voting:

Senators Ball, Brighton, Classen, Crawford, Emmert, Harper, Healy, Hobart, Hogue, Molsberry, Smith of Mitchell, Tallman, Townsend, Wilson, Young of Washington—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Winne moved that Senate files Nos. 66, and 106 be indefinitely postponed.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 9, in which the concurrence of the House was asked:

A bill for an act legalizing the organization of the Independent School District of Ralston, located in Green and Carrol counties.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 188, a bill for an act to legalize certain instruments in writing which are defectively acknowledged.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 252, a bill for an act to define and regulate the practice of apotometry, and for the creation of a board of examiners in apotometry.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of Senate file No. 290, which was pending at the hour of the noon adjournment.

Senator Porter offered the following amendment and moved its adoption:

I move to amend section 2, of Senate file No. 290, by striking out all after the word "trade," at the end of the first paragraph, in the twelfth line thereof, and insert in lieu of that portion of the section stricken out the following:

"The said executive council shall proceed to ascertain and assess the value of the property of said railway companies in Iowa, and in determining the value of the property of said companies in this state, to be taxed within the state and assessed as herein provided, said council shall be guided by the value of said property as determined by the value of the entire capital stock of said companies, and the cash value of their bonded indebtedness, and such other facts, information, evidence, and rules as will enable said council to arrive at the true value in money of the entire property of said companies within the state of Iowa, in the proportion which the same bears to the entire property of said companies, as determined by the value of the capital stock thereof and the other facts, information, evidence and rules as aforesaid."

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Senators Crossley, Garst, Hogue, Lister, Lyons, Molsberry, Porter, Smith of Des Moines, Tallman, Townsend, Wilson, Young of Lee.—12

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Courtright, Craig, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazleton, Healy, Hubbard, Junkin, Lambert, Lewis, Mardis, Maytag, Moffit, Smith of Mitchell, Spaulding, Trewin, Whipple, Winne, Young of Washington—32.

Absent or not voting:

Senators Brighton, Classen, Emmert, Hopkins, Hobart, Crawford.—6.

So the amendment was declared lost.

Senator Porter offered the following amendment and moved its adoption :

I move to amend Senate file No. 290, printed bill, by striking out in section three (3) in that part of line twenty-three (23) after the word "obtain" and all of line twenty-four (24) and line twenty five (25) to and including the word "therefrom" and by adding at the end of said section the following: "The executive council shall enter on its records for publication the valuation of all the stocks and bonds as thus returned and connected and its reasons in full for any variation therefrom in making the assessment."

Lost.

Senator Porter offered the following amendment and moved its adoption.

I move to amend Senate file No. 290, printed bill, by inserting after the word "minutes" in line five, section 6, the following: "Including the value per mile of each railway assessed, ascertained by the stocks and bonds basis, the net earning basis, the gross earning basis, and the value fixed by said council.

Lost.

Senator Townsend moved that the Senate do now adjourn, until 9:30 tomorrow morning.

On the motion a roll call was demanded.

On the question, Shall we now adjourn.

The yeas were:

Senators Brooks, Craig, Fitchpatrick, Hazelton, Hogue, Lyons, Porter, Smith of Mitchell, Tallman, Townsend, Wilson—11.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Courtright, Dowell, Garst, Griswold, Harper, Hartshorn, Hayward, Healy, Hopkins, Hubbard, Junkin, Lambert, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Trewin, Whipple, Young of Lee, Young of Washington—28.

Absent or not voting:

Senators Bishop, Brighton, Classen, Crawford, Crossley, Emmert, Harriman, Hobart, Lewis, Moffit, Winne—11.

So the motion, having failed to receive a majority, was declared lost.

Senator Hayward offered the following amendment and moved its adoption.

I move to amend Senate file No. 290 by striking out section three thereof.

Lost.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Courtright, Dowell, Garst, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Trewin, Whipple, Winne—33.

The nays were:

Senators Alexander, Allyn, Craig, Fitchpatrick, Griswold, Harper, Tallman, Townsend, Young of Washington—9.

Absent or not voting:

Senators Brighton, Classen, Crawford, Crossley, Emmert, Hobart, Wilson, Young of Lee—8.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The Journal of Saturday was taken up, corrected and approved.

Senator Harriman moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, March 12, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. F. H. Lemon, Lake City, Iowa.

PETITIONS AND MEMORIALS.

Petitions were presented by Senators Griswold, Blanchard, Lyons, Harriman, Mardis, Fitchpatrick, Ball, Harper, Smith of Des Moines, Smith of Mitchell, Lister, Young of Washington, Young of Lee, Hazelton, Whipple, Wilson, Maytag and Spaulding, favoring the passage of a law fixing a standard fire insurance policy, similar to that existing in Connecticut, Massachusetts or New York state.

Referred to committee on Insurance.

Senator Brooks presented petition from fourteen different chapters of the Iowa Daughters of American Revolution, favoring appropriation for marking grave of Charles Shepherd, who served in the war of the American Revolution, whose remains are buried in Henry county.

Referred to committee on Appropriations.

Senator Griswold presented resolution passed by W. A. Morris No. 190, G. A. R., commending House of Representatives for the passage of House file No. 77 and requesting concurrence by Senate.

Referred to committee on Ways and Means.

Petitions were presented by Senators Griswold, Lyons, Lambert, Molsberry, Blanchard and Courtright, favoring the establishing of an institution for deaf and dumb in central eastern Iowa.

Referred to committee on Charitable Institutions.

Senator Lambert presented petition of sportsmen of Ruthven and vicinity, suggesting changes in the fish and game laws of the state.

Referred to committee on Fish and Game.

Senator Harriman presented petition of druggists of Cerro Gordo county, opposing passage of House file No. 88, and favoring passage of House file No. 77.

Referred to committee on Suppression of Intemperance.

Senator Hobart presented petition of citizens of LeMars, opposing passage of House file No. 88.

Referred to committee on Suppression of Intemperance.

Senator Hartshorn presented petition of constituents favoring the enactment of a law creating a state board of osteopathic examiners similar to Senate bill by Arthaud and House bill by Temple.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Whipple, Senate file No. 321, a bill for an act to repeal section forty-eight hundred ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of prisoners confined in a penitentiary for any less period than for life.

Read first and second time and referred to committee on Judiciary.

By Senator Whipple, Senate file No. 322, a bill for an act to amend section fifty-seven hundred seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosure.

Read first and second time and referred to committee on Judiciary.

HOUSE MESSAGES CONSIDERED.

Senate file No. 196, a bill for an act to amend section two thousand sixty-seven (2067) of the code, relating to appeals from the findings of commissioners of insanity.

Passed on file.

Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution of Feeble-Minded Children at Glenwood.

Passed on file.

House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard County, and also the city of Cresco in said county.

Read first and second time and referred to committee on Judiciary.

House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-nine (129) of the code, relating to the printing, binding and distribution of public reports and documents.

Read first and second time and referred to committee on Printing.

House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county.

Read first and second time and referred to committee on Judiciary.

House file No. 40, a bill for an act to amend section fifteen hundred thirty (1530) of the code, relating to working on highways.

Read first and second time and referred to committee on Highways.

House file No. 260, a bill for an act to amend section two thousand and eight (2008) of the code, relating to filing of transcript in condemnation proceedings.

Read first and second time and referred to committee on Judiciary.

House file No 241, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code, and to provide for the insurance of plate glass.

Read first and second time and referred to committee on Insurance.

Senate file No. 21, a bill for an act to amend section fourteen hundred (1400) of the code, to make taxes levied on buildings as personal taxes a lien thereon.

Passed on file.

House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of Burlington & Missouri River Railroad company.

Read first and second time and referred to committee on Judiciary.

House file No. 171, a bill for an act to amend section four hundred sixty-eight (468) of the code, relating to supplies for county officers.

Read first and second time and referred to committee on Judiciary.

Senate file No. 26, a bill for an act to authorize library boards to condemn land for location of libraries and for additional library grounds.

Passed on file.

House file No. 263, a bill for an act repealing sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly; also defining the duty of Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission and providing for an appropriation for the extension of the work of the Iowa library commission; also, amending section one hundred sixty-eight (168) of the code of 1897, and repealing sections twenty-eight hundred sixty-eight (2868), twenty-eight hundred sixty-nine (2869), twenty-eight

hundred seventy-one (2871), twenty-eight hundred seventy-three (2873) and twenty-eight seventy-four (2874) of said code; also, repealing chapter one hundred forty-eight (148) of the acts of the Twenty-eighth General Assembly.

Read first and second time and referred to committee on Appropriations.

Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code, as amended, relating to the appointment of waterworks trustees in cities of the first class and to enact a substitute in lieu thereof.

Passed on file.

Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county.

Passed on file.

Senate file No. 9, a bill for an act to amend section three thousand eight hundred twenty-five (3825) of the code, making taxes on property in hands of receivers a preferred claim.

Passed on file.

Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse.

Passed on file.

House concurred in Senate amendments to House file No. 9, a bill for an act legalizing the organization of the Independent School District of Ralston, located in Greene and Carroll counties.

Passed on file.

House file No. 252, a bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry.

Read first and second time and referred to committee on Public Health.

By unanimous consent special order No. 2, substitute for House file No. 128, which was made a special order for today, was postponed and made a special order for Tuesday, March 18th at 10 o'clock.

On motion of Senator Hazelton, Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions and all acts done by the council of said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hazleton moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding Tallman, Whipple, Wilson, Winne, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Brighton, Crossley, Emmert, Fitchpatrick, Garst, Harper, Junkin, Townsend, Trewin—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) and section one (1) of chapter five (5) laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 168, a bill for an act to enable the owners of lands to drain them when the same cannot be done without affecting the lands of others, prescribing the rights and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified and declaring emergency.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks to recall the following bill:

Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Tallman, Senate file No. 140, a bill for an act to require railroad companies, operating passenger trains in the state of Iowa, to keep posted in their stations bulletins or time cards giving the time of departure of trains, with report of committee recommending substitute, was taken up, considered and the report of the committee adopted.

Senator Blanchard moved that the words "one hundred" (100) in line two (2) of section two (2), be stricken out and in lieu thereof insert the word "fifty" (50).

Carried.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend by adding to section one (1) the following: And whether late or on schedule time, and if late, the length of time late as near as may be.

Adopted.

Senator Junkin moved that the bill be recommitted to the committee on Railroads.

Carried.

By unanimous consent substitute for Senate file No. 183 was made a special order for Thursday, March 13th, at 10 A. M.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 159, a bill for an act providing for the purchase of engravings, plates or cuts for state publications, and fixing the manner of paying the cost of the same.

Also, Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 159, a bill for an act providing for the purchase of engravings, plates and cuts for state publications, and fixing the manner of paying the cost of the same.

Also, Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities and to authorize the reclaiming of lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties.

E. K. WINNE,

Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 159, a bill for an act providing for the purchase of engravings, plates or cuts for state publications, and fixing the manner of paying the cost of the same.

Also, Senate file No. 234 a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of lands between the meandered lines of said streams within the corporate limits, and to create a commission therefor and defining its powers and prescribing its duties.

E. K. WINNE.

Chairman.

March 12, 1902.

REPORT OF COMMITTEE.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 81, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,

Chairman.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, Senate files Nos. 159 and 234.

Senator Harriman took the chair at 11:20 A. M.

By unanimous consent, Senator Trewin called up Senate file No. 296, a bill for an act to provide for the publication of an edition of seven thousand, five hundred (7,500) copies of the code, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Trewin 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brighton, Crossley, Emmert, Hartshorn, Hogue, Hubbard, Townsend, Winne—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Trewin moved to reconsider the vote by which substitute for Senate file No. 140 was recommitted to the Railroad committee.

Carried.

Senator Trewin moved to reconsider the vote by which his amendment to substitute for Senate file No. 140 was adopted.

Carried.

By unanimous consent Senator Trewin withdrew his amendment to substitute for Senate file No. 140.

Substitute for Senate file No. 140 was read for information.

Senator Tallman moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Classen, Courtright, Crawford, Fitchpatrick, Harper, Harriman, Hartshorn, Hayward, Hobart, Hopkins, Hubbard, Lambert,

Lister, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Young of Washington—27.

The nays were:

Senators Garst, Wilson, Winne—3.

Absent or not voting:

Senators Ball, Bishop, Brighton, Brooks, Craig, Crossley, Dowell, Emmert, Griswold, Hazelton, Healy, Hogue, Junkin, Lewis, Lyons, Maytag, Moffit, Spaulding, Townsend, Young of Lee—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Molsberry, Senate file No. 138, a bill for an act to amend section one thousand six hundred eleven (1611), title nine (9), chapter one (1) of the code, relating to the authorized indebtedness of certain corporations, was taken up for consideration as unfinished business.

Senator Healy offered the following amendment and moved its adoption:

Move to amend section one of the bill by inserting a comma in lieu of the period after the word "states", in the last line of section one (1) and add the following to said section: Nothing herein shall authorize the creation of an indebtedness in excess of the limit now fixed by law, for the purpose of acquiring, cancelling or withdrawing any of the stock of such corporation, or for the purpose of acquiring the stock or indebtedness of any other corporation.

Senator Garst moved that we do now adjourn.

Senator Healy moved to amend by adding that we continue consideration of Senate file No. 138 measure upon convening Thursday morning.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, March 13, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Harvey Hostetler of Council Bluffs, Iowa.

PETITIONS AND MEMORIALS.

Petitions were presented by Senators Dowell, Molsberry, Lambert, Bachman, Hopkins, Brooks, Classen, Courtright, Craig, Trewin, Crawford, Allyn and Hartshorn, in favor of a standard fire insurance policy.

Referred to committee on Insurance.

Petitions were presented by Senators Arthaud, Smith of Mitchell, Crawford, Classen, Alexander and Harriman in favor of establishing institution for deaf and dumb in central eastern Iowa.

Referred to committee on Charitable Institutions.

Senator Molsberry presented petition of members of Shelby Norman Post No. 231, G. A. R., asking support for pending bill in favor of marking positions of Iowa soldiers at siege of Vicksburg.

Referred to committee on Appropriations.

Senator Moffit presented petition of citizens of Tipton, favoring passage of Senate file No. 182.

Referred to committee on Insurance.

Senator Spaulding presented petition of citizens of Charles City, favoring the sheriff's deputy bill now pending before legislature.

Referred to committee on Compensation of Public Officers.

Senator Tallman presented petition of citizens of Clarke county, in favor of increase of judges' salary.

Referred to committee on Compensation of Public Officers.

Senator Healy presented petition of citizens of Fort Dodge, favoring passage of Senate file No. 207.

Referred to committee on Judiciary.

Senator Hayward presented petition of citizens of Davenport, in favor of a uniform fire insurance policy.

Referred to committee on Insurance.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 192, a bill for an act to amend section twenty-five hundred seventy-two (2572) of the code, relating to the enforcement of rules and regulations of the state board of health.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 266, a bill for an act to amend section fifteen hundred forty-two (1542) of the code, relating to the certifying delinquent road tax.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 88, a bill for an act to amend section five hundred eight (508) of the code, relating to sheriffs' fees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 831, a bill for an act requiring railroad companies to file plats of all lines owned or operated in the several counties of the state of Iowa with county auditors, amendatory of the provisions of chapter one (1), title seventh (7) of the code, relating to the assessment of taxes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. one (1), a bill for an act to amend sections four hundred and seventeen (417) and four hundred and eighteen (418) of the code, relating to the supervisor districts and the election of members thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand (5,000) inhabitants or less, to appropriate money from their general fund for the improvement and maintenance of public parks and providing for the expenditure thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 41, a bill for an act to amend section sixteen hundred thirteen (1613), chapter one (1), title nine (9) of the code, relative to the publication of notice of incorporation.

C. B. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House asks to recall Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

On motion of Senator Arthaud, the Senate returned Senate file No. 188 to the House.

Substitute for Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) and section one (1) of chapter five (5) laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences-

Passed on file.

House file No. 168, a bill for an act to enable the owners of lands to drain them, when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains and repealing certain acts therein specified and declaring emergency.

Read first and second time and referred to committee on Agriculture.

Senate file No. 192, a bill for an act to amend section twenty-five hundred seventy-two (2572) of the code, relating to the enforcement of rules and regulations of the state board of health.

Passed on file.

House file No. 266, a bill for an act to amend section fifteen hundred forty-two (1542) of the code, relating to the certifying delinquent road tax.

Read first and second time and referred to committee on Ways and Means.

Senate file No. 83, a bill for an act to amend section five hundred eight (508) of the code, relating to sheriffs' fees.

Senator Classen moved that the Senate concur in the House amendments to Senate file No. 83.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshora,

Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Winne, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Ball, Blanchard, Emmert, Garst, Lyons, Wilson—6.

So the bill, having received a constitutional majority, was declared to have passed the Senate as amended and its title agreed to.

House file No. 1, a bill for an act to amend sections four hundred seventeen (417) and four hundred eighteen (418) of the code, relating to the supervisor districts and the election of members thereof.

Read first and second time and referred to committee on Elections.

House file No. 309, a bill for an act authorizing the council in towns and cities having a population of 5,000 inhabitants or less to appropriate money from their general fund for the improvement and maintenance of public parks, and providing for the expenditure thereof.

Read first and second time and referred to committee on Cities and Towns.

Senate file No. 41, a bill for an act to amend section sixteen hundred thirteen (1613), chapter one (1), title nine (9) of the code, relating to the publication of notice of incorporation.

Passed on file.

House file No. 231, a bill for an act requiring railroad companies to file plats of all lines owned or operated in the several counties of the state with county auditors, amendatory of the provisions of chapter one (1), title seven (7) of the code, relating to the assessment of taxes.

Read first and second time and referred to committee on Railroads.

Senator Harper moved that when the Senate adjourned on Friday that it be until 2 o'clock P. M. on Friday afternoon.

Carried.

On request of Senator Smith of Mitchell the Secretary read the majority report of the special committee in the matter of the contest of J. E. Bruce, contestant, vs. J. M. Emmert, incumbent.

On motion of Senator Molsberry, the report of the committee was ordered printed in the Journal.

REPORT OF COMMITTEE.

JAMES E. BRUCE, *Contestant*,

vs.

J. M. EMMERT, *Incumbent*.

MR. PRESIDENT—Your special committee on the contested election case from the Eighteenth Senatorial district in which James E. Bruce was contestant and J. M. Emmert, incumbent, beg leave to submit the following report as the result of their labors:

Your committee has canvassed the vote on Senator in said district which was cast on the 5th day of November, 1901.

On the 22d of January, 1902, the committee held its first session, at which time the contestant and incumbent appeared before the committee, and at all times thereafter each party was represented either in person, or by attorney, until your committee began to count the votes which could not be agreed upon by contestant and incumbent, of which there was 185.

These your committee counted and passed upon without intervention of either party to the contest, or their attorneys. After a careful canvass of all votes cast the committee unanimously agreed that there was cast at said election eight thousand and forty-seven (8,047) votes; of which James E. Bruce received four thousand and thirty-one (4,031) votes; and J. M. Emmert received four thousand and sixteen (4,016) votes; leaving a majority for James E. Bruce of fifteen (15) votes.

During the canvass of the votes incumbent's attorney objected to the counting of ballots cast in Pleasant precinct, and the official returns from Pleasant precinct, for the reason that they were incompetent; and for the reason that they had not been properly taken care of during the canvass of the votes in that precinct by the judges of election. This objection was taken under advisement by the committee to be passed upon after having heard all of the testimony and before the committee made its final report.

Witnesses were subpoenaed from Cass county and testimony taken bearing upon the manner in which the canvass was made in said Pleasant precinct, and your committee finds the following:

FACTS WITH REFERENCE TO THE OFFICIAL CANVASS IN PLEASANT PRECINCT.

The canvassing board of Pleasant precinct consisted of two republican judges and one democratic judge; one republican and one democratic

clerk. Immediately upon the closing of the polls said board proceeded to canvass and count the ballots in said precinct. The Democratic judge of said board, Mr. S. H. Lamborn, requested that Mr. J. C. Bryant, a democrat, be permitted to watch the official canvass on the part of the democrats. Mr. H. K. Forsyth, the republican committeeman for said precinct, by his own request, was permitted to represent the republicans of said precinct in the canvass of said votes, and one Hamilton Wilcox, a democrat from said precinct, was permitted by the board to sit down at the table with the judges and clerks and the other two parties herein mentioned and assist in the canvass of the vote from the commencement thereof until the same was finished. The evidence shows conclusively that the said three parties above mentioned, not members of the board, and the three judges of election and the two clerks of election were all seated around two tables, one about 4x7 feet, and one about 3x4 feet in size, the clerks of election sitting at the small table. The ballots were taken from the ballot box under the observation of each and all of said parties by two of the judges. They were placed upon the large table and were sorted into piles of from five to twenty, the straight democratic ballots being placed in one pile, and the straight republicans in another, and the mixed or scratched ballots in still another pile.

The evidence shows that as the piles of straight democratic or republican votes were placed upon the table they were passed around the table and examined and verified by the three disinterested parties and the number finally given by one of the judges to the clerks who made a record of the vote.

Each and all of said parties so seated around the table were permitted to leaf over and verify the count of the ballots as above stated, and by common consent the same parties were allowed to look at, watch and inspect the mixed or scratched ballots which were counted later, and from which another pile of ballots was selected which were rejected by the judges of election as not having been voted for anyone.

The testimony further shows that at different times during the course of the evening Mr. John Pipher, who was at said election elected representative from Cass county to this General Assembly, Mr. D. H. Scott and Mr. W. C. Bryant, county attorney of Cass county, were, without objection, permitted to reach over the shoulders of the parties seated around the table, and thumb over and turn up the ends or sides of said scratched and rejected ballots for the purpose of ascertaining or making an estimate as to the number of said ballots for the different candidates. This they did under the observation of all parties seated around the table, and they neither lifted the ballots nor took them from the table.

The testimony shows that one Lem Jones put his hand on one of the rejected ballots and called the attention of a bystander to its peculiar marking; that one Ben Auld, and possibly one or two others, after the canvass and count was completed, were permitted to have one of the rejected ballots in their hands while a discussion was pending as to whether the same should be counted or not. The undisputed testimony is that this ballot was not in any manner changed or tampered with. After the count and canvass was completed and the result publicly announced, two parties, through error, picked up two rejected ballots from the table upon which to put down the election returns, and took the same away from the election room. This

was done after the judges had declared them to be rejected ballots, and each of said ballots have been produced before this committee, and the testimony in relation thereto conclusively shows that no one suffered any prejudice or injury by reason of the acts of said parties. One of said ballots was returned to the judges of election the same evening and before the ballots had been sealed, while the other was not recovered until the next day, after which it was locked in a bank vault, where it was retained until presented to this committee. This committee decided that neither of said ballots should be counted for any candidate, and this decision was in accord with the count made by the judges of election of Pleasant precinct.

There was testimony by one witness to the effect that some of the ballots slid from the table onto the floor during the canvass and were gathered up again and placed on the table, while several other witnesses testified that they did not at any time see the ballots upon the floor.

There is no further testimony or claim made by incumbent that the ballots were handled further or other than above stated.

The election was held and the canvass made in one end of a large hall about sixty feet long. A guard-rail was put up and the ballots were counted inside of the rail, while still farther back and inside the rail was a stove containing the only fire in the room. One of the judges suggested to those standing outside the rail that they might come inside where it was warmer. They did so, and the testimony shows that from six to sixty people were inside the railing while the count and canvass was being made, but does not show that any of them interfered with or attempted to interfere with the work or count except as above stated.

Witnesses were interrogated as to the methods and results of the count, and each and all of said witnesses testified that the ballots were not tampered with so far as they were able to discover, and gave as their opinion that the count was correctly and honestly made, and the result correctly ascertained, announced, and certified to the county auditor.

The count of this precinct by the judges of election shows that the contestant received 211 votes, and the incumbent received 152 votes; and the count of this committee shows that the contestant received 209 votes, and the incumbent received 153 votes.

There was no evidence of any kind to show that the ballots in said precinct had been tampered with or that the result in said precinct would have been different had there been no handling of the ballots except by the judges and clerks of election, and no testimony was offered to show that the ballots were tampered with.

Your committee would further state that each and all of the witnesses who were present at said count that were interrogated on the subject, except one, not only stated in substance that the ballots were not tampered with, but also in substance expressed it as their sworn opinion and belief that there was not any reasonable opportunity or possibility for any person to tamper with said ballots.

The exception referred to is the testimony of Hamilton Wilcox, a prominent democrat residing in said precinct, who testified as follows: "I was there as an interested democratic citizen of that township to take part and to see that the count and canvass was correctly and honestly carried on. It has been my custom in previous years to do this. I sat at the side of the table with the pile of mixed and scratched ballots immediately in front of me, and kept

my eyes and ears active so as to notice the ballots and hear arguments that might come up. I was there from the time 25 or 50 ballots had been taken out of the box until all were taken out. I don't think any of the ballots were tampered with and so far as I was able to observe there was no tampering done. I don't now and never did have any suspicion that they were tampered with while all of those judges and sworn officials and representatives of the political parties, in addition to myself, were present; other parties could have tampered with the ballots. They had the opportunity."

This is the only direct testimony that tends to show an opportunity to tamper with the said ballots.

Incumbent's attorney stated during the progress of the trial that incumbent did not expect to show that there had been any tampering with the ballots, or that they could do so; and the only claim they made was that there had been an opportunity to tamper with the ballots in Pleasant precinct.

With these facts before your committee an attempt was made to discover the law applicable thereto, and a thorough search of the authorities and investigations of the decisions of the supreme court of this, and other states led to a division of opinion among the members of this committee, which they earnestly hope may be reconciled by a thorough investigation at the hands of this body. From the investigation which we have been able to give the authorities, in the brief time at our disposal, we would most respectfully submit the following as

THE LAW OF THE CASE.

The supreme court of this state has said that where the ballots in a precinct have not been preserved in the manner required by law, and where the receptacles have not been sealed as by law required, and the votes left subject to being tampered with and altered, the return of the canvassers from the particular township or precinct is conclusive. *Davenport v. Oelrich*, 104 Iowa, 194; citing with approval *Ferguson v. Henry*, 95 Iowa, 439.

In another case our supreme court has stated that where judges of election failed to count and return the votes immediately after the polls closed, and where they were left in the room where the election was held until the second day after the election, and then gathered up and returned, the court would not permit a re-count of such ballots and by inference, at least, states that the official return must stand. *Mentzer v. Davis*, 109 Iowa, 528, and practically the same rule was laid down in a later case under slightly different facts. *Tufts v. Norris*, 88 Northwestern Reporter, 366.

It is the opinion of the majority of this committee that the rule laid down in the authorities above cited announces the doctrine that applies to the preservation of the ballots after the count has been made and the official return made by the election judges, and does not apply to the case of misconduct or irregularity of the election judges in the count of the ballots before the returns have been made and certified. Upon this question the committee has been unable to discover any direct rule of law announced by the supreme court of this state, and in passing upon this question they have been guided largely by the authorities of adjoining states and the text-writers, and from these authorities we quote the following:

Where it is made the duty of election officers to return the votes sealed up the return of them unsealed, in the absence of any proof or suspicion of

fraud, will not prevent the votes from being counted. McCrary on Elections, third edition, section 201.

The election will not be held void and set aside on the ground that police regulations of the election law were unconstitutional. The citizens possess the right to vote and this cannot be taken away from them by enacting an election law with unconstitutional provisions. Of course, where by reason of the enforcement of the unconstitutional and void regulations, even of a police character, the result is affected, the rules are different, and in this case the election cannot stand. *Ibid*, section 205.

A representative is not to be deprived of his rights because election officers have neglected their duty. *Ibid*, section 208.

In cases of contested election the ballots themselves, if rigorously preserved, are the highest and best evidence, the burden of proof being on the contestant to prove that they have not been tampered with. *Coughlan v. Beard*, 2 Pacific Reporter, 737.

It is a rule very generally recognized that the misconduct of election officers or irregularities on their part will not vitiate an election unless it appears that the result is affected thereby. 10 American and English Encyclopedia of Law, p. 670.

Electors are not to be deprived of the result of their votes at an election by mistake of election officers when it does not appear to have changed the result, and this ruling was made where a candidate at the village election acted as inspector of election in violation of law, and where notices of the election did not conform to the law under which the election was held. *People v. Avery*, 107 Michigan, 572; section 61, Northwestern Reporter, 4. This case is referred to in the American and English Encyclopedia of Law above quoted, and the Encyclopedia cites to the same effect *Taylor v. Taylor*, 10 Minnesota, 107; *State v. Bernier* (Minn.), 38 Northwestern Reporter, 368, and *People v. McNamus*, 34 Barb. Reporter, 620.

As a general rule the voters are not to be deprived of their votes by the mistake or fraud of election officers. 10 American and English Encyclopedia of Law, p. 690, citing numerous authorities, including McCrary on Elections.

It is a rule very generally recognized that the misconduct of election officers or irregularities on their part will not vitiate the election unless it appears that the result was affected thereby, but the misconduct of officers may be such as to render an election invalid. *Norman v. Booze*, 85 Kentucky 557; *Foster vs. Scarff*, 15 Ohio State, 532.

Where the judges of election cannot read and a person who is not a member of the election board, nor a clerk, takes the ballots from the box and reads them at the invitation of the board this is not such an irregularity as will vitiate the election if the result of the election is not thereby changed. *Sprague v. Norway*, 31 California, 173.

And while it is irregular to permit other persons than the officers of election to count the ballots, yet unless it appears affirmatively that the count was not correct that fact will not be allowed to vitiate the election, especially when the judges accepted and certified the results thus ascertained as true. *Roberts v. Calvert*, 98 North Carolina, 580.

The provision of the statute as to manner of conducting details of election are not mandatory, but directory. Irregularity in conducting an election and counting the votes not proceeding from any wrongful intent, and which

deprives no regular voter of his vote, and does not change the result will not vitiate the election or justify the rejection of the entire poll. Behrens-meyer v. Kreitz, 135 Illinois, 591.

Your committee has thus detailed the facts and the law, as they have been able to determine it, and would most respectfully submit these findings with the recommendation that your honorable body will give it careful consideration and dispense even-handed justice between the contestant and incumbent.

Your committee would further state that expenses in this contested election case have been incurred as follows:

S. G. Dunmore, auditor Shelby county, Iowa,

Tally clerk and custodian of ballots—

Per diem.....	\$ 60.00	
Mileage.....	11.50	
Express on ballots.....	4.10	
		\$ 75.60

S. A. Worthing, auditor Cass county, Iowa,

Tally clerk and custodian of ballots—

Per diem.....	\$ 57.00	
Mileage.....	8.20	
Express on ballots.....	3.00	
		\$ 68.20

Mrs. S. G. Dunmore, witness, two days, 115 miles	9.45
E. C. Worthing, witness, one day, 82 miles.....	14.00
F. M. Chapman, witness, one day, 82 miles	9.45
J. H. Vinson, witness, one day, 82 miles	9.45
A. Walker, witness, one day, 82 miles	9.45
S. W. Clark, witness, two days, 70 miles	9.50
S. N. Wagner, witness, two days, 73 miles	9.80
H. C. Bangham, witness, two days, 73 miles.....	9.80
J. M. Baxter, witness, two days, 90 miles	11.50
John Moon, witness, two days, 96 miles	12.10
D. W. Hickman, witness, two days, 95 miles.....	12.00
C. F. Hall, witness, two days, 107 miles	13.20
G. A. Smith, witness, two days, 102 miles	12.70
Joseph Eshelman, witness, two days, 110 miles	13.50
W. C. Bryant, witness, two days, 97 miles.....	12.20
George M. Forsyth, witness, two days, 103 miles	12.80
S. H. Lamborn, witness, two days, 97 miles	12.20
Jasper Quick, witness, two days, 97 miles.....	12.20
Hugh Reinig, witness, two days, 97 miles.....	12.20
J. C. Bryant, witness, two days, 97 miles	12.20
S. W. Garvin, witness, two days, 97 miles.....	12.20
Ed. Everly, witness, two days, 97 miles	12.20
A. Gibson, witness, two days, 103 miles.....	12.80
Job Harris, witness, two days, 104 miles.....	12.90
Wm. Hopley, witness, two days, 90 miles.....	11.50
H. Wilcox, witness, three days, 97 miles.....	13.45
H. K. Forsyth, witness, three days, 97 miles	13.45
John Pipher, witness, one day, 1 mile.....	1.35
Lem Jones, witness, three days, 97 miles.....	13.45

J. H. Lowman, witness, three days, 105 miles	14.25
James E. Bruce, contestant, paid for serving subpoenas on S. G. Dunmore and S. A. Worthing	2.00
Robert Marshall, sheriff of Cass county, Iowa, serving subpoenas	29.90
D. W. Stewart, sheriff of Shelby county, Iowa, serving subpoena.50
Total.....	\$ 523.45

Your committee recommends that all expenses named above be paid.

A complete record of the entire proceedings before your committee is herewith presented.

All of which is most respectfully submitted.

JAMES J. CROSSLEY,
JAS. A. SMITH,
F. M. MOLSBERRY.

To the Honorable Senate of the State of Iowa:

We, whose names are hereto subscribed, members of the committee on the contest election case of James E. Bruce v. J. M. Emmert, respectfully state:

We cannot concur in the report signed by a majority of the committee, for the reason that, in our judgment, the ballots cast in the precinct of Pleasant township, Cass county, should not have been counted by the committee.

The answer of the incumbent to the petition of the contestant in the nineteenth paragraph states: "That the judges of election and board of canvassers in the precinct known and designated as Pleasant township, Cass county, Iowa, contrary to, and in violation of law, after the polls were closed on said election day, emptied the ballots cast at said precinct, out of the ballot box upon the table, some of said ballots falling upon the floor. That all of said ballots were exposed to all persons who might be inclined to meddle with, change, alter or tamper with the same, and a large number of persons other than the judges of election and canvassing board were present and had access to said ballots and handled, manipulated and passed the same from one person to another, and some of said ballots were wrongfully taken by parties not connected with said canvassing board and carried away."

The statements of fact alleged in said paragraph 19 are fully substantiated by the evidence of the witness taken in said cause. It is shown by the evidence that before the counting of the ballots taken, the judges of election, or one of them, invited the people who were present at the polling place to come behind the railing in the enclosure, where the judges and clerks of the election were counting the ballots. That the crowd came in, coming in and going out from time to time as they desired during the entire time that the ballots were being counted, and that there were large numbers, some of the witnesses placing the number as high as sixty in said enclosure a large part of the time. That three persons, who were neither judges nor clerks of the election, and had no authority from the committee of either party assisted in counting the ballots. That the ballots were taken from the box by one of

the judges and the straight democratic ballots placed in one pile and the straight republican ballots placed in a second pile, and the mixed or scatched ballots placed in a third pile. That when there were ten ballots in either pile of the straight tickets, they were then passed to these three unauthorized persons and examined by each of them and then passed back to one of the judges and strung on the wire. That none of the mixed or scratched ballots were counted by the judges until all of the ballots had been taken from the box and all of the straight ballots counted, and that there were about 160 of the mixed ballots on the pile when the judges had finished counting the straight ballots. That during the time that this pile of mixed ballots was on the table, and while the judges were counting the other ballots, several persons, named by the witness, handled and examined the said ballots and counted up the votes received by certain candidates whose names were on said ballots and that it was known by the persons who handled said ballots as they laid on the table, how many votes had been received by certain candidates in said precinct before the judges had counted any of said mixed ballots. That said pile of mixed ballots were handled and examined by any person who desired to examine them, and were all handled and examined by the said three persons who were neither judges or clerks and by several others from the crowd, whose names were given by the witnesses, and that any person who desired had access to said ballots and looked over and handled them. That neither the judges nor any other person made any objection to any person examining and handling said ballots as above stated. That a number of said ballots were found by one of said witness on the floor. That two of the ballots cast at said election were taken away by some of the persons who had access to and handled them. That one was recovered and returned by the marshal that evening, and the other was not found until a day or so afterwards, and was never returned to the authorities until it was presented to the contest committee.

The above facts we believe to be fully substantiated by the evidence, and believe that under the facts, as shown by the evidence, that the ballots in Pleasant township were handled by unauthorized persons and that there was an opportunity for persons to tamper with said ballots. The evidence upon this subject was all taken and reduced to writing and is filed with the secretary with the report of the committee, and we refer to the same in support of the facts as above stated.

The question to be determined in this case is, were the ballots handled by unauthorized persons and was there an opportunity to tamper with or change or alter them in any way? If they were so handled, and if there was such opportunity, then they should not be counted in this contest.

In support of our contention we refer to the following brief of authorities:

James E. Bruce, }
 vs. } Election Contest.
 James M. Emmert, }

BRIEF ON THE RIGHT TO COUNT THE BALLOTS IN PLEASANT TOWNSHIP.

PRESERVATION OF BALLOTS.

Davenport v. Olerich, 104 Iowa, 194. In this case the ballots were placed in the custody of the auditor until removed to that of the clerk, under the order of the court. They were properly protected, except those from two precincts, which were wrapped in paper and placed on the floor under the table in the vault in the auditor's office, where the inmates of the office did not at all times have them in sight. Some of these packages were unsealed and the seals of others were broken. At one time three of the packages were mislaid, the vault in which they were placed was left open and many people had access thereto. It was held that the ballots had not been so preserved as to be competent as evidence for the purpose of overthrowing the official count.

The official count was made by the board of supervisors, as county canvassers, and found Olerich elected to the office of county attorney of Carroll county.

In the opinion of this case the court say, page 196, quoting from McCrary on Elections, fourth edition, page 349: "Before the ballots should be allowed in evidence to overthrow the official count and return, it should appear affirmatively that they have been safely kept by the proper custodian of the law; that they have not been exposed to the public or handled by unauthorized persons, and that no opportunity has been given for tampering with them."

The court say the same rule is laid down in Cooley on Constitutional Limitation.

The courts further say, quoting from People v Livingston 79 N. Y., page 290: "Every consideration of public policy, as well as the ordinary rules of evidence, require that the party offering this evidence should establish the fact that the ballots are genuine. If the boxes have been rigorously preserved the ballots are the best and highest evidence, but if not, they are not only the weakest but the most dangerous evidence."

They further say: "Security of the ballot after being cast is quite as important as freedom in casting it, if the result as finally announced shall represent the actual choice of the electors. But this end is wholly in harmony with the authorities cited and the evident purpose of the legislature, that the onus is on him who would discredit the official count before resorting to the ballots as to the best evidence as to who is elected to show that these have been preserved with that care which precludes all suspicion of having been tampered with and the opportunity of alteration or change."

The courts further say: "The duty of preserving the ballots is not a negative one of non-interference but a positive requirement to do whatever is necessary in order to accomplish the purposes of the law in keeping them inviolate. The court rightly ruled that the ballots not having been properly

preserved were not competent evidence for the purpose of overthrowing the official count."

Meztzer v. Davis, 199 Iowa, page 528. This case was a contest over the right to hold the office of sheriff. The board of supervisors, acting as a canvassing board, found that the incumbent had a plurality of one vote over his contestant. The court of contest upon an appeal found that the contestant was elected, and the incumbent appealed. The court in their opinion quote the language of *Davenport v. Olerich*, supra, and say: "Of course this does not mean that they must be proven genuine beyond all suspicion however groundless, or that there is any possibility that they might have been tampered with. What is meant is that they shall not be exposed to the reach of unauthorized persons as to afford a reasonable possibility of their having been changed or tampered with.

In this case the ballots from one precinct known as Bussey precinct were not returned until the second day after the election. Upon the facts shown the court say that these votes should not be counted, but the ballots from the other precincts were counted.

DeLong v. Brown, 85 N. W. Rep. (Iowa), p. 624.

This was an election contest over the office of county superintendent from a judgment declaring the contestant elected. The incumbent appealed. The court say: "It is generally held where the manner or mode of preservation has been enjoined by statute, substantial compliance therewith must be shown preliminarily with the introduction of the ballots in evidence—citing a number of authorities." And the court say in this case: "From this evidence it may be well said that the ballots were not beyond the reach of anyone who might have had access to the ballots and were not so placed or guarded as any interference therewith would have been at all likely to have been detected. The ballots in two of the envelopes at least might have been changed without disturbing the seals, and the seals of others were not so stamped as to obviate opening and re-sealing without detection. In such a case it cannot be expected that any actual interference will be shown nor that testimony of those having the opportunity to meddle therewith and denying having done so, will be refuted. The effectiveness of the tampering necessarily depends upon the secrecy with which it is done and ordinarily the ballots themselves alone bear witness to the fact. The memory of election judges will hardly retain knowledge of the markings of the ballots when counted, so that in the very nature of things, perfect safety may be obtained in placing them beyond the reach of unauthorized persons".

The court further says: "That ballots so negligently preserved ought to be given no consideration whatever, and should have been rejected."

Brown v. Carson, 88 N. W., No. 3, p 366.

In this case it is held that the fact that the ballots of a single township cannot be received in a contest over the election of county superintendent because the ballots were not properly returned, preserved and identified by the judges and clerks of election, will not prevent a re-count of the ballots of the townships or precincts in which there was no fault or mistake on the part of the officials having charge of the election or of the returns. "As to the ballots cast at an election and the canvas of these ballots by the election of officers, the former are the primary and controlling evidence. In order to continue the ballots controlling as evidence it must appear that they have

been preserved in the manner and by the officers prescribed in the statute, and while in such custody they have not been so exposed to the reach of unauthorized persons as to afford a reasonable probability of their having been changed or tampered with. If there has been an opportunity for tampering with ballots they lose their character as primary evidence.

McCrary on Elections, fourth edition, sec 478.

In order to overcome the returns of the election board by a re-count of the ballots, the contestant must affirmatively prove that the ballots have not been tampered with and that they remain in the same condition as they were when delivered to the proper custodian by the judges of election.

Coglan v. Beard, 65th Cal., 58.

In this case the court quote from McCrary on Elections and from Cooley on Constitutional Limitations.

People v. Livingston, 79th N. Y., 279, 290.

In this case the courts say: "The burden was upon the relator to satisfy the jury that the books had remained inviolate. The returns are the primary evidence of the result of the election. The returns may be impeached for fraud or mistake. Every consideration of public policy, as well as the ordinary rules of evidence, require that the parties offering this evidence should establish the fact that the ballots are genuine. If the boxes have been rigorously preserved the ballots are the best and highest evidence, but if not, they are not only the weakest, but the most dangerous evidence."

To entitle ballots to be offered in evidence it must affirmatively appear that they have been, in the language of section 18 of the election law, carefully preserved. They must have been so carefully preserved as to place their identity beyond any reasonable doubt."

Newton v. Newell, 26th Minn. 529, 540.

Where, after the canvass of the votes at an election the ballots were placed in the ballot box in the custody of the officer appointed by law for that purpose, that officer with several other persons, including the candidate adversely to whom the result had been announced out of the presence of the other party and of the election officers, opened the ballot box and handled the ballots. They took the ballots out of the box, unstrung them from the thread they were on, upon the table in a pile, then put them back in the box and counted them and strung them again. It was held these ballots could not be counted notwithstanding there was no evidence the ballots had been tampered with or altered and that those of the persons who had so handled the ballots, who were examined, testified that they had no knowledge of any change being made in them and thought that they would have known if such a thing had been done, the ballot lost their value as evidence solely upon the ground of the improper and unlawful handling of them by the contestant, under the circumstances mentioned. The inter-meddling with the ballots as above stated brought suspicion upon their purity sufficient to discredit their character as the best evidence.

Kingery v. Berry, 94th Illinois, 515, 520.

The supreme court of Kansas laid down the following rule: "In order to continue the ballots controlling as evidence it must appear they have been preserved in the manner and by the officers prescribed in the statute and that while in such custody they have not been so exposed to the reach of unauthorized persons as to afford a reasonable opportunity of their having been changed or tampered with."

Hudson v. Solomon, 19th Kas., p. 177.

This case is cited and approved in Spidle v. McCracken, 45th Kas., p. 356, 359. In the contest of election the ballots cast at the election constitute the primary evidence and determine the rights of the respective parties. It must appear, however, that they must have been preserved substantially in the manner and by the officers subscribed by the statute. If they have been placed in a position to be tampered with by interested parties the burden of proof is on the party offering them in evidence, to show that they are in the same condition as when sealed by the several election boards.

Albert v. Tohig, 35 Neb., p. 563, 571, the courts says: "If the law's methods which were adopted in this case, as shown by the proof, are held sufficient it would be possible to change the result of any election and defeat the choice of the electors. It would have been an easy matter for a person so disposed to place one or more crosses opposite the proposition for the given township organization and thus render the ballot inoperative. It is not very creditable to an official that the papers and ballots in his office are so carelessly kept that persons having no right to have access to them may handle or inspect them if they see fit, and the circumstances are such as to cast suspicion upon them. The court did not err in rejecting the ballot."

If the ballots have been placed in a position to be tampered with by interested parties, the burden of proof is on the party offering them in evidence to show that they are in the same condition as when sealed up by the several election boards.

Martin v. Miles, 40 Neb., 135, 143.

In this case the ballots were sent to the secretary of state to be used in a contest and were returned in a sack to the clerks office. The courts, on page 142, say:

"We are not required to determine whether or not in addition to this carelessness there should be shown an actual tampering with the ballots and poll books, neither are we required to infer that through this carelessness such tampering did actually take place. It is sufficient that ample opportunities were offered for falsifying the choice of the people, as shown by the ballots and poll books in the course of their transportation from Lincoln to Sidney, and afterwards from the office of the express company to the office of the county clerk.

While the ballots are the best evidence of the manner in which the electors have voted, being silent witnesses which can neither err nor lie, they are the best evidence only when their integrity can be satisfactorily established. In order to realize, thereupon overcoming the prima facie correctness of the official canvass by a result to the ballots, must first show that the ballots as presented to the court are intact and genuine. Where a mode of preservation is enjoined by the statute, proof must be made with a substantial compliance with the requirements of that mode.

Tebbe v. Smith, 108 Cal., p. 101, 107.

It is a primary rule of elections that the ballots constitute the best primary evidence of the intention and choice of the voters. The burden rests on the plaintiff. He must establish to the satisfaction of the court or jury, as the case may be, that the ballots are the genuine ballots cast at the election, otherwise they will receive no credence. When the ballots were produced and offered in evidence, if it was shown that they had been properly kept

and protected as the law required, they were the best evidence, on the other hand, if it was shown that they had not been kept or protected with that zealous care which the statute contemplates, so as to preclude opportunity for no meddling with them, they are the weakest and most unreliable evidence.

Hartman v. Young, (Oreg) 20th, Pac. Rep., p. 17, 20.

One of the most important and imperative requirements of the law of elections is that the ballots from the time they are cast, until they are canvassed must be safely and securely kept. Frauds upon the poll books are very frequently perpetrated by tampering with the ballots after they are cast and before they are counted. It is for this reason that in many of the states there are statutes requiring that the ballots be canvassed immediately upon the closing of the polls. It is clear, that where the law requires that the ballots be safely and securely kept until canvassed and the result announced, has been so grossly violated as to have afforded opportunity for fraud or tampering, the burden of proof should be shifted.

McCrary on Elections, Fourth edition, sec. 481.

The majority of the committee, as we understand, admit the rule laid down in the authorities cited from the supreme court of Iowa, but claim that it only applies "after the count has been made and the official returns made by the election judges and does not apply to the case of misconduct or irregularity of the election judges in the count of the ballots before the returns have been made and certified." We are unable to see why a different principle should apply in one case from that applied by the supreme court in the other. There is in our judgment more reason for applying it to the count, while being made by the judges, than there is for applying it after such count has been made. If the ballots are tampered with or changed, while the count is being made, and before the judges have made their returns, the result of such change or alteration will be carried into the returns made by the judges, and the change would appear in the ballots and also in the returns. There would then be no remedy and no method of determining whether such ballots had been tampered with or not; whereas, if the tampering is done after the votes have been canvassed, then the court may, by referring to the official canvass, determine what the actual count was before the ballots were tampered with. The law requires that the ballots be carefully preserved, from the time they are cast and placed in the ballot box, until they are finally counted in any contest.

The rule as above cited in McCrary on Elections, section 481, is that the "ballots from the time they are cast until they are canvassed must be safely and securely kept."

In *People v. Livingston*, 79 N. Y., p. 290, the court say: "Security of the ballot after being cast is quite as important as freedom in casting it if the result as finally announced shall represent the actual choice of the electors."

The ballots of Pleasant township, as counted by the committee, show the majority of 59 for the contestant. In our judgment the committee should have refused to count Pleasant township and should have reported a majority of 44 for the incumbent.

We must respectfully submit this report and recommend that your honorable body give careful consideration to the evidence and law applying

thereto, and we join with the majority of the committee in recommending that you dispense even-handed justice between the contestant and the incumbent. We recommend that the expenses of the committee as shown by the majority report be paid.

D. A. LYONS.
W. W. BALL,
Members of Committee.

Senator Garst moved that when the Senate adjourn it be until 2 o'clock P. M., and that the report of the committee in the matter of J. E. Bruce, contestant, v. J. M. Emmert, incumbent, be made a special order for that time.

Carried.

The Senate resumed consideration of Senate file No. 138, which was pending at the hour of the noon adjournment yesterday.

The question was on the amendment offered by Senator Healy yesterday, and printed in the Journal.

On a division the amendment was lost.

Senator Molsberry offered the following amendment and moved its adoption: Move to amend section one (1) of the bill by inserting a comma in lieu of the period after the word "state", and insert the following, "upon condition that the articles of incorporation of such railroad company, authorize the creation or incurring of indebtedness of liability in excess of two-thirds of the capital stock or are amended to so provide."

Adopted.

Senator Molsberry 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman Hartshorn, Hayward, Hazleton, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith, of Des Moines, Townsend, Trewin, Whipple, Young of Lee, Young of Washington—37.

The nays were:

Senators Crossley, Dowell, Garst, Healy, Lambert, Porter, Wilson, Winne—8.

Absent or not voting:

Senators Emmert, Hogue, Smith of Mitchell, Spaulding, Tallman—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Blanchard moved that Senate file No. 183 be recommitted and that it do not lose its place on the calendar.

Carried and so ordered.

On motion of Senator Crawford, by unanimous consent, Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to waterworks, be made applicable to cities under special charters, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Crawford 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Emmert, Hogue, Hopkins, Hubbard, Smith of Mitchell, Townsend—6.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The Senate took up Senate file No. 63 as unfinished business.

Senator Young of Washington offered the following amendment:

I move to amend section four (4) by inserting after the word "penitentiary," in the third line of said section in the printed bill, the words "and who are recommended by the wardens of said penitentiaries."

Senator Young of Washington offered the following amendment:

I move to amend section five (5) by inserting after the word "murder," in the fifth line of said section in the printed bill, the words "arson, burglary or rape".

Senator Young of Washington offered the following amendment:

I move to amend section five (5) by striking out all of said section after the word "opened", in the third line of said section in the printed bill, to the word "therein" in the seventh line, and insert in lieu thereof the following: "And after that time the district courts by whom any male person under the age of thirty-one (31) years shall be convicted of any felony except murder, arson, burglary or rape, and who has not been previously convicted of felony may, in its discretion, sentence such person to be confined in the state reformatory. Specifying the minimum and maximum time during which he shall be confined therein."

Senator Porter raised the point of order that amendments could not be offered after a bill had gone to engrossment.

The President ruled that amendments could be offered until the third reading of the bill.

Senator Trewin moved that Senate file No. 63 be ordered printed as engrossed, and that any additional amendments offered be printed in the Journal.

Carried.

On motion of Senator Courtright, Senate file No. 166, a bill for an act to amend section one thousand six hundred and seventy-five (1675), title nine (9), chapter three (3) of the code, in relation to farmers county institutes, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Courtright moved the adoption of the following committee amendment: Amend by striking out the words "one hundred" in the fifth line of section one and inserting in lieu thereof

the words "seventy-five" and also by striking out of the eighth line the words "one hundred" and inserting in lieu thereof the words "seventy-five."

Carried.

Senator Courtright moved that the words and figures "title nine (9), chapter three (3)" be stricken out of the title and body of the bill.

Carried.

Senator Courtright 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hub-bard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Emmert, Junkin, Porter, Townsend—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate as amended and its title agreed to.

Senator Hayward moved that House file No.244 be substituted for Senate file No. 181, as they are nearly identical in character.

Carried.

The hour having arrived the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

SPECIAL ORDER.

The Senate took up the report of the special committee in the matter of J. E. Bruce, contestant, vs. J. M. Emmert, incumbent, which was made a special order for this time.

The Secretary read the minority report of the committee.

Senator Smith of Mitchell made the following motion and moved its adoption:

MR. PRESIDENT—I move that the report of the committee of the Bruce-Emmert contest be adopted, and in consideration of its findings, that James E. Bruce, contestant, be declared to have been duly elected and entitled to a seat in the Senate as a senator from the Eighteenth senatorial district of Iowa.

Senator Ball asked for a division of the question.

The President ruled that the question under consideration was not divisible.

Senator Ball moved that the minority report of the committee be substituted for the majority report, and as the motion offered by Senator Smith of Mitchell.

President *pro tem* Harriman was called to the chair at 4 P. M.

President Herriott resumed the chair at 4:10 o'clock.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 122 and 281.

The Journals of March 11th and March 12th were taken up, corrected and approved.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 280, a bill for an act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. SPEAKER—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 298, a bill for an act to amend section twenty-five hundred twenty-two (2522) of the code, relating to the reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violation of the section as amended.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 212, a bill for an act to establish a barbers examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure better education, skill and proficiency of such practitioner, and to provide penalties for the violation thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 178, a bill for an act to amend section thirty-three hundred eighty-six (3386) of the code, relating to property rights of persons who felonously take the life of another.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 122, a bill for an act to amend section two (2) of chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly, relating to savings banks.

Also, Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code as amended, relating to the appointment of

waterworks trustees in cities of the first class, and to enact a substitute in lieu thereof

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 122, a bill for an act to amend section two (2) of chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly, relating to savings banks.

Also, Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code as amended, relating to the appointment of water works trustees in cities of the first class, and to enact a substitute in lieu thereof.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 122, a bill for an act to amend section two (2) of chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly, relating to saving banks.

Also, Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute in lieu thereof.

E. K. WINNE,
Chairman.

March, 1902.

Senator Lewis filed the following motion:

I move to reconsider the vote by which Senate file No. 188 passed the Senate.

Senator Healy moved that the Senate do now adjourn.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, March 14, 1903. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Harvey Hostetler of Council Bluffs.

On request of Senator Griswold, leave of absence was granted Senator Trewin until tomorrow morning.

On request of Senator Lyons, leave of absence was granted Senator Wilson until Tuesday morning.

On request of Senator Blanchard, leave of absence was granted Senator Healy until Monday morning.

PETITIONS AND MEMORIALS.

Senator Classen presented petition of citizens of Marshalltown, asking favorable consideration on the optometry bill passed by the House.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 323, a bill for an act to amend section five hundred sixty five (565) of the code, relating to township assessors where cities are included in the township and making said section applicable to cities under special charters.

Read first and second time and referred to the committee on Cities and Towns.

By Senator Hayward, Senate file No. 324, a bill for an act to amend section thirteen hundred seventy (1370) of the code, relat-

ing 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 Cities and Towns.

By Senator Hayward, Senate file No. 325, a bill for an act to make section thirteen hundred fifty (1350) of the code applicable to cities and towns under special charters.

Read first and second time and referred to committee on Cities and Towns.

By Senator Brooks, Senate file No. 326, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Read first and second time and referred to committee on Agriculture.

By Senator Brooks, Senate file No. 327, a bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the code of 1893, and by the officers therein authorized to take and certify acknowledgments.

Read first and second time and referred to committee on Judiciary.

By Senator Hogue, Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools, for the instruction and training of teachers for the common schools, and providing for the licensing of graduates of the same.

Read first and second time and referred to committee on Schools.

Senator Molsberry called up the motion filed by Senator Lewis yesterday to reconsider the vote whereby Senate file No. 138 passed the Senate yesterday.

Senator Molsberry moved that the motion be laid upon the table.

A roll call was demanded.

On the question, Shall the motion to reconsider Senate file No. 138 be laid upon the table?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hubbard, Junkin, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Whipple, Young of Washington—30.

The nays were:

Senators Dowell, Garst, Lambert, Lewis, Lyons, Porter, Tallman, Townsend, Wilson, Winne, Young of Lee—11.

Absent or not voting:

Senators Ball, Crossley, Emmert, Hayward, Healy, Hogue, Hopkins, Spaulding, Trewin—9.

So the motion to lay the motion of Senator Lewis to reconsider the vote whereby Senate file No. 138 passed the Senate, prevailed.

HOUSE MESSAGES CONSIDERED.

House file No. 230, a bill for an act requiring the county auditor to compile and prepare financial reports, and providing for the printing and distribution thereof.

Read first and second time and referred to committee on Judiciary.

House file No. 298, a bill for an act to amend section two thousand five hundred twenty-two (2522) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violation of section as amended.

Read first and second time and referred to committee on Agriculture.

House file No. 212, a bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure better education, skill and proficiency of such practitioners, and to provide penalties for the violation thereof.

Read first and second time and referred to committee on Public Health.

Substitute for Senate file No. 178, a bill for an act to amend section three thousand three hundred and eighty-six (3386) of the code, relating to property rights of persons who feloniously take the life of another.

Passed on file.

REPORTS OF COMMITTEE.

Senator Lambert from the committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate file No. 248, a bill for an act to amend chapter fifteen (15), title twelve (12) of the code, repealing sections 2540, 2542, 2544, 2551, 2552, 2554, 2556, of the code, and enacting substitutes therefor, amending section 2561 making further provisions additional to said chapter fifteen (15), relating to the care and propagation on fish and the protection of birds and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

THOS. LAMBERT,
Chairman.

Adopted.

Senator Lambert, from the committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game, to whom was referred Senate file No. 268, a bill for an act to amend chapter eighty-six (86) of the laws of the Twenty-eighth General Assembly, relating to 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. LAMBERT,
Chairman.

Adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 278, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to water-works be made applicable to cities under special charters.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 394, a bill for an act to legalize the incorporated town of Minden, Pottawattamie county, the election of officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 332, a bill for an act to amend section seven hundred twenty-two (722) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

The hour having arrived, the Senate resumed consideration of the report of the special committee, in the matter of J. E. Bruce, contestant, v. J. M. Emmert, incumbent.

Senator Ball renewed the motion offered by him yesterday.

On the Question, Shall the minority report of the committee be substituted for the majority report of the committee, and the motion offered by Senator Smith of Mitchell?

The yeas were:

Senators Ball, Bishop, Lambert, Lyons, Porter, Smith of Des Moines, Tallman, Townsend, Young of Lee—9.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold; Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Washington—34.

Absent or not voting:

Senators Brighton, Crawford, Emmert, Healy, Hubbard, Trewin, Wilson—7.

So the motion to substitute was lost.

On the question, Shall the motion offered by Senator Smith of Mitchell be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Washington—34.

The nays were:

Senators Ball, Bishop, Crawford, Lambert, Lyons, Porter, Smith of Des Moines, Tallman, Townsend, Young of Lee—9.

Absent or not voting:

Senators Brighton, Crawford, Emmert, Healy, Hubbard, Trewin, Wilson—7.

So the motion offered by Senator Smith of Mitchell prevailed.

Senator Crossley moved that James E. Bruce be sworn in as a Senator from the Eighteenth Senatorial district of Iowa.

Carried.

The President appointed as a committee to escort James E. Bruce to the bar of the Senate, Senators Crossley and Ball.

James E. Bruce was duly sworn in by the President as Senator from the Eighteenth Senatorial district of Iowa.

On motion of Senator Townsend, seat No. 24, formerly occupied by Senator Emmert, was assigned to Senator Bruce.

Senator Bruce, in a few brief remarks, thanked the Senate and the contest committee for the courtesies extended to him during the contest, and asked that the following communication be spread upon the records, which request was granted.

MR. PRESIDENT—As I was unable to participate in the historical proceedings of this Senate as a member thereof on the 21st and 22d of January, 1902, in the matter of the election of United States senators, and being fully satisfied that the will of the majority of the voters of the Eighteenth Senatorial district was not expressed by the vote of said district on that occasion, as cast by the then acting Senator, I now ask that the record of this body show that if I had been present and entitled to vote that my vote, and through me the vote of the Eighteenth Senatorial district of Iowa would have been cast for the Hon. William B. Allison for the long term, and Hon. Jonathon Prentiss Dooliver for the short term, as United States senators from the state of Iowa.

JAMES E. BRUCE.

On motion of Senator Harriman, the Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

The Journal of yesterday was taken up, corrected and approved.

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House file No. 266, a bill for an act to amend sections fifteen hundred and twenty-eight (1528), fifteen hundred and thirteen (1518), and fifteen hundred and fifty-four (1554) of the code, and for the repeal of section fifteen hundred and forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred, Senate file No. 295, a bill for an act to amend section seventeen hundred and ten of the code, relating to limitation of insurance risks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 288, a bill for an act to amend section seventeen hundred forty-three of the code, relating to fire insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 222, a bill for an act to amend section seventeen hundred forty-three (1743) of chapter four (4), title nine (9) of the code, relating to insurance other than life, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 183, a bill for an act for the better regulation of the business of fire insurance, and to increase the public revenue, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out section five (5) and section six (6) in the original bill, and when so amended that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 118, a bill for an act to repeal section seventeen hundred sixty-five (1765), chapter five (5) of the code and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county.

Also, Senate file No. 21, a bill for an act to amend section fourteen hundred (1400) of the code, making taxes levied on buildings as personal property a lien thereon.

Also, Senate file No. 83, a bill for an act to amend section five hundred eight (508) of the code, relating to sheriff's fees.

Also, Senate file No. 41, a bill for an act to amend section one thousand ix hundred thirteen (1618) of the code, relative to the publishing of notice of incorporation.

Also, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

Also, Senate file No. 196, a bill for an act to amend section two thousand two hundred sixty-seven (2267) of the code, relating to appeals from the findings of the commissioners of insanity.

Also, Senate file No. 192, a bill for an act amending section two thousand five hundred seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 215, a bill for an act to legalize the action of the incorporated town of Orleans, in Dickinson county.

Also, Senate file No. 21, a bill for an act to amend section fourteen hundred (1400) of the code, making taxes levied on buildings as personal property a lien thereon.

Also, Senate file No. 83, a bill for an act to amend section five hundred eight (508) of the code, relating to sheriff's fees.

Also, Senate file No. 41, a bill for an act to amend section one thousand six hundred thirteen (1613) of the code, relative to the publication of notice of incorporation.

Also, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

Also, Senate file No. 196, a bill for an act to amend section two thousand two hundred sixty-seven (2267) of the code, relating to appeals from the from the findings of the commissioners of insanity.

Also, Senate file No. 193, a bill for an act amending section two thousand five hundred seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Also:

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 9, a bill for an act legalizing the organization of the Independent school district of Ralston, located in Greene and Carroll counties.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Courtright, Senate file No 127, a bill for an act to amend chapter seventeen (17), title twelve (12) of the code of 1897, requiring the secretary of the state board of medical examiners to give an official bond, and for other purposes, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Bishop, Classen, Courtright, Craig, Crossley, Fitchpatrick, Griswold, Harper, Hayward, Hazleton, Hobart, Hubbard, Lister, Moffit, Molsberry, Smith of Mitchell, Whipple, Winne, Young of Washington—22.

The nays were:

Senators Blanchard, Dowell, Garst, Hartshorn, Hogue, Junkin, Lambert, Lewis, Mardis, Smith of Des Moines, Spaulding, Tallman, Townsend, Young of Lee—14.

Absent or not voting:

Senators Arthaud, Ball, Brighton, Brooks, Bruce, Ball, Crawford, Harriman, Healy, Hopkins, Lyons, Maytag, Porter, Trewin, Wilson—14.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Bachman, Senate file No. 139, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating as to time of meetings for local boards of health, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Bachman 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:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Hartshorn Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Winne, Young of Lee, Young of Washington--39.

The nays were:

None.

Absent or not voting:

Senators Ball, Brighton, Brooks, Crawford, Harper, Harriman, Healy, Lyons, Porter, Trewin, Wilson--11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Courtright filed the following motion:

I move to reconsider the vote by which the substitute for Senate file No. 127 was declared to be lost.

The Senate resumed consideration of House file No. 244, which was pending at the hour of the noon adjournment yesterday.

Senator Lambert moved the previous question on the bill.

Carried.

Senator Hayward 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:

Senators Bachman, Ball, Bishop, Blanchard, Fitchpatrick, Hayward, Hazelton, Hogue, Hubbard, Molsberry--10.

The nays were:

Senators Alexander, Allyn, Bruce, Classen, Courtright, Craig, Crossley, Garst, Griswold, Harper, Harriman, Hartshorn, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Winne,

Young of Lee, Young of Washington—27.

Absent or not voting:

Senators Arthaud, Brigton, Brooks, Crawford, Dowell, Healy, Hobart, Hopkins, Moffit, Porter, Townsend, Trewin, Wilson—13.

So the bill, having failed to received a constitutional majority, was declared lost.

The President announced that he had appointed Senator Bruce a member of the following standing committees: Ways and Means, Public Health, Pharmacy, Educational Institutions, Claims and Public Buildings, and Insurance.

The President announced that he had signed in the presence of the Senate, House file No. 9, Senate files Nos. 21, 26, 41, 83, 196, 192 and 215.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, March 15, 1902 }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Amos E. Griffith of Des Moines, Iowa.

On request of Senator Harper, leave of absence was granted Senator Hogue until Monday.

On request of Senator Molsberry, leave of absence was granted Senator Blanchard until Tuesday.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Tallman until Monday.

On request of Senator Townsend, leave of absence was granted Senator Hazelton until Monday.

On request of Senator Townsend, leave of absence was granted Senator Hobart until Monday.

On request of Senator Classen, leave of absence was granted Senator Arthaud until Monday.

On request of Senator Lister, leave of absence was granted Smith of Mitchell until Wednesday.

On request of Senator Crossley, leave of absence was granted Senator Wilson until Tuesday.

On request of Senator Lewis, leave of absence was granted Senator Junkin indefinitely.

PETITIONS AND MEMORIALS.

Senator Hayward presented petition of Barbers' Union No. 46 of American Federation of Labor of Davenport, in favor of the

construction of war vessels being built in the navy yards of this country.

Read and referred to committee on Federal Relations.

Senator Young of Lee presented petition of Brotherhood of Painters and Paperhangers' Union No. 83 of Keokuk, in favor of the construction of war vessels being built in the navy yards of this country.

Referred to committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Harper, Senate file No. 329, a bill for an act to provide for the purchase of sundry additions to the historical department.

Read first and second time and referred to committee on Appropriations.

By Senator Bachman, Senate file No. 330, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town in payment therefor.

Read first and second time and referred to committee on Judiciary.

By Senator Crossley, by request, Senate file No. 331, a bill for an act to amend section one thousand seventy-eight (1278) of the code, in relation to registration of votes in school districts.

Read first and second time and referred to committee on Schools.

HOUSE MESSAGES CONSIDERED.

House file No. 294, a bill for an act to legalize the independent town of Minden Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions and all acts done by the council of said town.

Passed on file.

Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to waterworks be made applicable to cities under special charters.

Passed on file.

House file No. 332, a bill for an act to amend section seven hundred twenty-two (722) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

Read first and second time and referred to committee on Cities and Towns.

House file No. 272, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually.

Read first and second time and referred to committee on Cities and Towns.

REPORTS OF COMMITTEES.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 284, a bill for an act to amend section six hundred forty-five (645) of the code, relating to city and town councils, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be referred to your committee on Cities and Towns.

JAMES J. CROSSLEY,

Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,

Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 133, a bill for an act relating to the granting of state certificates and life diplomas to teach upon the diplomas issued by certain institutions, when professional pedagogical preparation shall have been included in the course of study leading thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, when amended as follows:

1. "I move to strike out the word, 'any' in the sixth line of section 3 of the original bill, and insert in lieu thereof, the word, 'such'."
2. "I move to strike out the words, 'of the certificate', after the word, 'insurance', in the seventh line of the original bill, and insert in lieu thereof the word 'thereof', and by striking out all of said section after the period in the seventh line thereof".
3. "And that said bill be amended by adding thereto, the following, as section 5, thereof":

"This act, being deemed of immediate importance, shall be in full force and effect on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 213, a bill for an act repealing sections two (2), three (3), four (4) and five (5) of chapter one hundred sixteen (116) act of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code of 1897, and repealing sections twenty hundred sixty-eight (2068), twenty hundred sixty-nine (2069), twenty hundred seventy-two (2072) and twenty hun

dred seventy-four (2074) of said code, also repealing chapter one hundred forty-eight (148) of the Twenty-seventh General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 818, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 287, a bill for an act to amend section 2604 of the code, relating to the appointment of officers for the Soldiers' home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 258, a bill for an act to repeal sections 2, 3, 4 and 5, chapter 115, acts of the Twenty-eighth General Assembly; also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section 168 of the code of 1897, and repealing sections 2868, 2869, 2871, 2872, 2873 and 2874 of said code; also repealing chapter, 148 acts of the Twenty-seventh General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 218, a bill for an act repealing sections 2, 3, 4 and 5 of chapter 116, acts of the Twenty-eighth General Assembly; also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section 168 of the code of 1897, and repealing sections 2868, 2869, 2871, 2872, 2878 and 2874 of said code, also repealing chapter 148, acts of the Twenty-seventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,

Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following reports:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

Ordered passed on file.

Senator Hubbard, from joint committee of conference, submitted the following report:

MR. PRESIDENT—Your joint committee of conference, to whom was referred the concurrent resolution relating to the bill now pending in congress defining conspiracy, introduced into the senate by Senator Hoar of Massachusetts and into the house of representatives by Grosvenor of Ohio, and known as Senate file No. 1118 and House role No. 11060, beg leave to report that they have had the same under consideration and would recommend that in lieu thereof the concurrent resolution hereto attached and returned be adopted.

B. F. CUMMINGS,
GEO. F. COBURN,
G. S. WILSON,

Conferees on part of House.

E. H. HUBBARD,
THOS. D. HEALY,
J. L. WILSON,

Conferees on part of Senate.

WHEREAS, There is now pending in congress a bill introduced into the senate by Senator Hoar of Massachusetts, and favorably reported by the

judiciary committee of the senate, and introduced into the house of representatives by General Grosvenor of Ohio, said bill being known as Senate file No. 1118, and House role No. 11060; and

WHEREAS, The said bill concerns the welfare of a large number of the wage earners of the United States; therefore, be it

Resolved, That it is the opinion of the Twenty-ninth General Assembly of the state of Iowa that the said bill is a just measure and should become a law; it is further

Resolved, That the General Assembly of Iowa, having the utmost confidence in the senators and representatives in congress from Iowa, and expecting them to exercise their individual judgments upon all matters submits this resolution for their favorable consideration.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Hopkins, House file No. 55, a bill for an act to amend sections twenty-seven hundred eight (2708), twenty-seven hundred nine (2709) and twenty-seven hundred eleven (2711), title thirteen (13), chapter eight (8) of the code, to repeal sections twelve (12), thirteen (13) and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Griswold, Hariman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—31

The nays were:

None.

Absent or not voting:

Senators Arthaud, Blanchard, Brighton, Crawford, Crossley, Fitchpatrick, Harper, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, House file No. 130, a bill for an act to amend section twenty-five hundred forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Townsend, Whipple, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Allyn, House file No. 156, a bill for an act concerning and defining kidnapping for the purpose of ran-

som, and prescribing the punishment therefor, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Allyn moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Allyn, Senate file No. 109, a bill for an act to amend section forty-seven hundred and sixty-five (4765) of the code, relating to the punishment of kidnapping for ransom, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Lyons, House file No. 368 was recalled from the committee on Judiciary.

On motion of Senator Lyons, House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of

the city of Cresco, in said county and state, was taken up and considered.

The bill was read for information.

Senator Lyons moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lyons, Senate file No. 310, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state, was taken up, considered, and indefinitely postponed for the reason that a bill of similar character had already passed the House.

So the bill was indefinitely postponed.

On motion of Senator Ball, Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ball moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Hubbard, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Smith of Des Moines, substitute for House file No. 41, a bill for an act to amend section three (3) of chapter thirty (30) of the acts of the Twenty-eighth (28) General Assembly, relating to the levy of taxes for park purposes in certain cities, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Smith of Des Moines moved that the rule be suspended and that the reading just had be considered the third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman,

Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Brighton, Court-right, Crawford, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Molsberry, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Spaulding moved that House file No. 349 be recalled from the committee on Judiciary.

Carried.

On motion of Senator Spaulding, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, was taken up and considered.

The bill was read for information.

On motion of Senator Dowell, the bill was recommitted to the committee on Judiciary.

On motion of Senator Harper, House file No 31, a bill for an act relating to the sale of cocaine, and providing punishment for the illegal sale thereof, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Harper moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Griswold,

Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Townsend, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Garst, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 160, a bill for an act to amend section 2116 of the code relating to duties of railway corporations.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 848, a bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to, and support in, state institutions.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 845, a bill for an act to amend chapter 8, title 18 of the code, granting to the governor of the state the power to parole inmates of the industrial school in certain cases.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 888, a bill for an act to amend section seven hundred thirty-one (731) of the code, relating to library reports.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following joint resolution, in which the concurrence of the House was asked:

Senate joint resolution No. 3, resolution proposing amendment to the constitution of Iowa, relative to suffrage and to provide for its reference and publication.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Lewis, Senate file No. 103, a bill for an act to legalize certain assignments of mortgages, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Hayward, Senate file No. 228, a bill for an act to amend section ten hundred eighty-two (1082) of the code, relating to registration on election day, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hayward moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding,

Townsend, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Crawford, Crossley, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bachman, Senate file No. 255, a bill for an act to license auctioneers who are not actual residents of the state of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Brooks, Senate file No. 268, a bill for an act to amend section five hundred eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Brooks moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

None

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Harriman, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, House file No. 227, a bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Crawford, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bishop, Senate file No. 252, a bill for an act to amend section five thousand one hundred thirty-four (5134) of the code, relative to the punishment of tramps, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Molsberry, Senate file No. 253, a bill for an act to amend sections one thousand nine hundred forty-six (1946), one thousand nine hundred forty-eight (1948) and one thousand nine hundred fifty-one (1951) of the code, relating to levies, drains, and water courses, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Garst, Griswold, Harper, Hartshorn, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—28.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Crawford, Dowell, Fitchpatrick, Harriman, Hazelton, Healy, Hobart, Hogue, Junkin. Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, substitute for House file No. 47, a bill for an act to amend section three thousand four hundred

thirty-nine (3439) of the code, relating to the limitation of actions on judgments, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Crawford, Fitchpatrick, Hayward, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The governor's private secretary announced a communication from the governor, in writing, which was sent to the Secretary's desk.

On motion of Senator Harriman, House file No. 214 was recalled from the committee on Agriculture.

On motion of Senator Harriman, House file No. 214, a bill for an act to amend section thirty hundred sixteen of the code, relating to bushel weight, was taken up and considered.

The bill was read for information.

Senator Harriman moved that the rule be suspended, and that the reading of the bill just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Townsend, Whipple, Winne, Young of Lee, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Blanchard, Brighton, Crawford, Dowell, Fitchpatrick, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Lewis, Moffit, Porter, Smith of Mitchell, Tallman, Trewin, Wilson—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hayward, House file No. 38, a bill for an act to amend section 2764 of the code, relating to the taking of school census, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Griswold the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

Senate file No. 160, a bill for an act to amend section twenty-one hundred sixteen (2116) of the code, relating to duties of railway corporations to transport.

Passed on file.

House file No. 348, a bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to, and support in state institutions.

Read first and second time and referred to committee on Charitable Institutions.

Senate joint resolution No. 3, resolution proposing amendment to the constitution of Iowa, relative to suffrage and to provide for its reference and publication.

Passed on file.

House file No. 383, a bill for an act to amend section seven hundred thirty-one (731) of the code, relating to library reports.

Read first and second time and referred to committee on Libraries.

House file No. 345, a bill for an act to amend chapter eight (8), title thirteen (13) of the code, granting to the governor of the state the power to parole inmates of the industrial school in certain cases.

Read first and second time and referred to committee on Charitable Institutions.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 86, a bill for an act to repeal section twenty-seven hundred eighteen (2718) of the code, and chapter eighty-two (82), laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton.

Also, House file No. 188, a bill for an act to repeal section twenty-seven hundred twenty-seven of the code and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, House files Nos. 86 and 188.

On motion of Senator Ball, Senator Bruce was authorized to appoint a clerk.

The Secretary read the following communication from the governor:

EXECUTIVE OFFICE,
DES MOINES, Iowa, March 15, 1902. }

To the Senate and House of Representatives of the Twenty-ninth General Assembly:

I beg to call your attention to the fact that there are now pending in congress several bills looking toward the erection of public buildings by the government of the United States in the state of Iowa, and it is believed that within the next two years some or all of these measures may become laws.

Section 355 of the revised statutes of the United States provides, among other things, that "No money shall be expended upon any site or land purchased by the United States, for the purpose of erecting thereon any public building of any kind whatever, until the consent of the legislature of the state in which the land or site may be, to such purchase, has been given.

The only general provisions of our code relating to the subject are contained in section 4, chapter 1, and it has been held by the attorney-general of the United States that this does not satisfactorily comply with the above mentioned section of the revised statutes of the United States, in that the state reserves to its courts the jurisdiction of crimes committed on property belonging to the United States, and the enforcement thereon of quarantine and health regulations. As I understand it, this objection has been overcome in the cases of the federal buildings at Clinton, Creston and Oskaloosa by the enactment of special statutes which did not contain the reservations to which the attorney-general objects. If, therefore, a federal building were ordered in the state of Iowa during the next two years, it would be impossible for the government to either acquire a site for it or begin its construction, and we would be compelled to await the meeting of the next general assembly in order to make our laws comply with those of the United States.

In view of these conditions, I respectfully recommend the passage of a general act which will be in harmony with the construction placed upon the revised statutes of the United States by the attorney-general, and which, being passed, would enable the government to go forward with the acquisition of sites that may be purchased and the erection of any buildings that may be ordered during the ensuing two years.

I have been furnished with a draft of a statute which meets the approval of the department of justice in such case, and as a suggestion, merely, I submit it to you, trusting that it may facilitate your work in the preparation of a proper law.

Respectfully submitted,

ALBERT B. CUMMINS.

Referred to committee on Judiciary.

On motion Senator Lewis, the time for adjournment was extended fifteen minutes for the purpose of correcting the Journal.

The Journal of yesterday was taken up, corrected and approved.

Senator Hopkins moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, March 17, 1902. }

Senate met in regular session at 9:30 o'clock, A. M. President Herriott presiding.

Prayer was offered by Geo. H. Van Houten of Lenox, Iowa.

On request of Senator Molsberry, leave of absence was granted Senator Ball for one day.

On request of Senator Harriman, leave of absence was granted Senator Alexander until tomorrow.

On request of Senator Harper, leave of absence was granted Senator Hogue until tomorrow.

On request of Senator Crossley, leave of absence was granted Senator Winne until tomorrow.

PETITIONS AND MEMORIALS.

Senator Young of Lee presented petition of manufacturers, jobbers and retail dealers of Lee county, favoring passage of Senate file No. 207.

Read and referred to committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Whipple, by request, Senate file No. 232, a bill for an act to amend section fifty-six hundred sixty-three (5663) of the code, limiting the number of guards allowed at the penitentiaries at Anamosa and Ft. Madison.

Read first and second time and referred to committee on Penitentiaries and Pardons.

The President announced that he had received two communications from the governor, one nominating a member of the board

of control, to be confirmed by the Senate, the other the nomination of a custodian of public buildings and property, and upon the nomination of a member of the board of control he had appointed the following committee: Senators Hubbard, Dowell, Courtright, Lambert and Bishop.

REPORTS OF COMMITTEE.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 226, a bill for an act making an appropriation for the relief of J. T. M. Glenn of Garrison, who was injured while in the discharge of his duties as guard at the state penitentiary at Anamosa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. C. HARTSHORN.

Chairman.

Adopted.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 237, a bill for an act to pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State university, erected in eighteen hundred and ninety-seven (1897), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. C. HARTSHORN,

Chairman.

Ordered passed on file.

Senator Lewis moved that the Senate do now adjourn.

A roll call was demanded.

On the question, Shall the Senate adjourn?

The yeas were:

Senators Bishop, Brooks, Courtright, Craig, Lambert, Lewis, Molsberry, Porter—8.

The nays were:

Senators Bachman, Bruce, Classen, Dowell, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Lister, Mardis, Whipple, Young of Lee—13.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Crawford, Crossley, Griswold, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lyons, Maytag, Moffit, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Wilson, Winne, Young of Washington—29.

So the motion to adjourn was lost.

Senator Garst moved that the Senate adjourn to meet at 2 P. M.

Senator Lewis moved to amend that when the Senate adjourn that it be to meet at 10:30 A. M.

On the question, "shall the amendment be adopted", the motion prevailed.

On the question, "shall the original motion, as amended, be adopted", the motion prevailed.

Senate adjourned to meet at 10:30 o'clock A. M.,

The Senate reconvened at 10:30 o'clock.

Senator Garst moved that when the Senate adjourn, it be to meet at 2 o'clock P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 333, a bill for an act to enable incorporated towns to vote a special tax for one year for the pur-

pose of erecting a town hall, public assembly room and library building in incorporated towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Lewis, by request, Senate file No. 334, a bill for an act providing for the opening of highways on section lines in certain cases.

Read first and second time and referred to committee on Highways.

By Senator Griswold, Senate file No. 335, a bill for an act requiring abstracters to give bonds and fixing fees.

Read first and second time and referred to committee on Judiciary.

THIRD READING OF BILLS.

On motion of Senator Porter, House file No. 12, a bill for an act to amend chapter 9, title 12 of the code, relating to mines and mining, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Porter 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:

Senators Arthaud, Bachman, Bishop, Bruce, Classen, Court-right, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hubbard, Lambert, Lister, Lyons, Maytag, Molsberry, Porter, Spaulding, Tallman, Whipple, Young of Lee—27.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Brooks, Crawford, Garst, Hayward, Healy, Hogue, Hopkins, Junkin, Lewis, Mardis, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Washington—23.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Porter, House file No. 13, a bill for an act to amend section two thousand four hundred eighty-two (2482) of the code, relating to mines and mining, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Porter offered the following amendment and moved its adoption:

I move to amend the bill by striking out in lines six (6) and (7) of the bill the words and figures "one hundred (100)" and insert "fifty" in words in lieu thereof.

Carried.

Senator Porter moved the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Spaulding, Tallman, Whipple, Young of Lee—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Hayward, Healy, Hogue, Junkin, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Washington—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lister, House file No. 378 was recalled from the committee on Judiciary.

On motion of Senator Lister, House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county, was taken up and considered.

The bill was read for information.

Senator Lister moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Spaulding, Tallman, Whipple, Young of Lee—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Hayward, Healy, Hogue, Junkin, Moffit, Molsberry, Smith of Mitchell, Smith of Des Moines, Townsend, Trewin, Wilson, Winne, Young of Washington—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Dowell, House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes, was taken up and considered.

The bill as amended March 3d was read for information.

Senator Dowell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Fitchpatrick, Garst, Griswold, Harper, Harri-

man, Hubbard, Lewis, Maytag, Molsberry, Porter, Spaulding, Whipple, Young of Lee—21.

The nays were:

Senators Arthaud, Dowell, Hartshorn, Lambert, Lyons, Tallman—6.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lister, Mardis, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Washington—23.

So the bill, having failed to receive a constitutional majority was declared lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks to recall the following bill:

Senate file No. 804, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Bachman, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Bachman moved the adoption of the following committee amendments:

Strike out the word "any" in the sixth line of section 8 of the bill, and insert in lieu thereof the word "such."

Carried.

Strike out the words "of the certificate" after the word "insurance", in the seventh line of the bill, and insert in lieu thereof the word "thereof", and by striking out all of said section after the period in the seventh line thereof.

Carried.

Amend by adding thereto, the following, as section 5 thereof:

This act, being deemed of immediate importance, shall be in full force and effect on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines.

Carried.

Senator Bachman 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:

Senators Bachman, Bishop, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Molsberry, Porter, Spaulding, Tallman, Whipple, Young of Lee—28.

The nays were:

Senator Arthaud.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Bruce, Garst, Hayward, Healy, Junkin, Lyons, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Brooks, Senate file No. 267, a bill for an act to amend section two thousand, six hundred four (2604) of the code, relating to the appointment of officers for the Soldiers' home, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hopkins, Hubbard, Lambert, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Spaulding, Tallman, Whipple—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Hayward, Healy, Hobart, Hogue, Junkin, Lewis, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Lee, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Harper, House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred forty-five (745), seven hundred forty-six (746) seven hundred forty-seven (747), seven hundred forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of the first class, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Harper moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Fitchpatrick, Griswold, Harriman, Hartshorn,

Hazelton, Hopkins, Hubbard, Lister, Mardis, Maytag, Molsberry, Spaulding, Whipple, Young of Lee—23.

The nays were:

Senators Crossley, Dowell, Garst, Harper, Lewis, Lyons, Porter—7.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Hayward, Healy, Hogue, Junkin, Lambert, Moffit, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Trewin, Wilson, Winne, Young of Washington—20.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Courtright, House file No. 148, a bill for an act to amend section four hundred and twenty-three (423) of the code, relating to the powers of boards of supervisors, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Spaulding, Tallman, Whipple, Young of Lee—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Harriman, Hayward, Healy, Hogue, Junkin, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson Winne, Young of Washington—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Arthaud, Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Arthaud moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry, Porter, Spaulding, Tallman, Whipple, Young of Lee—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Hayward, Healy, Hobart, Hogue, Junkin, Lyons, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title was agreed to.

On motion of Senator Hubbard, Senate file No. 9, a bill for an act making taxes on property in the hand of receivers a preferred claim, was taken up and considered.

Senator Hubbard moved that the Senate concur in the House amendments to Senate file No. 9.

On the question, Shall the Senate concur in the House amendments to Senate file No. 9?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hopkins, Hubbard Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Spaulding, Tallman, Whipple, Young of Lee—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Crawford, Garst, Hayward, Healy, Hobart, Hogue, Junkin, Moffit, Smith of Des Moines, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The Journal of yesterday was taken up, corrected and approved.

Susie G Bachman appeared and was sworn in as clerk to Senator Bruce.

On motion of Senator Bachman the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, March 18, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. John C. Hall of Woodard, Iowa.

On request of Senator Hopkins, leave of absence was granted Senator Hayward for today.

On request of Senator Harriman, leave of absence was granted Senator Alexander until tomorrow.

PETITIONS AND MEMORIALS.

Senator Bruce presented petition of citizens of Cass county, in favor of a standard fire insurance policy.

Referred to committee on Insurance.

Senator Harriman presented petition of citizens of Franklin county, in favor of the establishment of an institution for deaf and dumb in central eastern Iowa.

Referred to committee on Charitable Institutions.

Senator Wilson presented petition of citizens of Clinton, in favor of establishing an institution for deaf and dumb in central eastern Iowa.

Referred to committee on Charitable Institutions.

Senator Hobart presented petition of forty-four citizens of Cherokee county, in favor of a standard fire insurance policy.

Referred to committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Hobart, Senate file No. 336, a bill for an act to allow a refund of money to patentees, their heirs and assigns, of certain lands patented by the state of Iowa as school lands, the title of which has failed in said patentee, their heirs or assigns.

Read first and second time and referred to committee on Claims.

HOUSE MESSAGE CONSIDERED.

House asks to recall Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

On motion of Senator Hubbard, Senate file No. 304 was returned to the House.

Senator Dowell filed the following motion:

I move to reconsider the vote by which House file No. 140 was lost on its passage.

C. C. DOWELL.

I second the motion.

JAMES J. CROSSLEY.

I move to reconsider the vote by which House file No. 98 was lost on its passage.

S. H. HARPER.

BILLS ON THIRD READING.

On motion of Senator Hartshorn, House file No. 266, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533) and fifteen hundred fifty-four (1554) of the code, and for the repeal of section fifteen hundred forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hartshorn moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Brighton, Hayward, Hazelton, Healy, Junkin, Molsberry, Smith of Mitchell, Tallman, Townsend, Trewin—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hartshorn, Senate file No. 293, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred forty-two (1542) and fifteen hundred fifty-four (1554) of the code, relating to the levying, certifying and collection of road tax, with report of committee recommending indefinite postponement, for the reason that a bill of similar character has already passed the House, was taken up, considered and the report of the committee adopted and the bill indefinitely postponed.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 111, a bill for an act to amend section two hundred fifty-five (255) of the code, relating to superior courts.

C. R. BENEDIOT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 372, a bill for an act to amend section forty-eight hundred seventy-two (4872) of the code, relating to the punishment of the crime of perjury, and providing for commitment to the grand jury therefor by the trial judge.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against property and its owner or owners and the occupant or tenant of such property.

C. R. BENEDICT,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 378, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of title five (5), chapter two (2) of the code of 1897, relating to assessors in cities and towns.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section twenty hundred twenty-six (2026) of the code, relating to such railways.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions.

C. R. BENEDICT,
Chief Clerk.

Senator Courtright called up the motion to reconsider the vote whereby Senate file No. 127 failed of passage, filed by him March 14th.

Senator Courtright moved that the vote whereby Senate file No. 127 was lost, be reconsidered.

Carried.

Senator Courtright moved that the vote whereby the rules were suspended and Senate file No. 127 passed to a third reading, be reconsidered.

Carried.

Senator Arthaud offered the following amendment and moved its adoption.

Move to strike from substitute for Senate file No. 127, section one (1) of said substitute.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Arthaud, Brooks, Bruce, Craig, Garst, Griswold, Harper, Hartshorn, Lambert, Lister, Maytag, Porter, Smith of Des Moines, Tallman, Whipple, Wilson, Young of Lee, Young of Washington—18.

The nays were:

Senators Bachman, Ball, Courtright, Crawford, Crossley, Hazelton, Hobart, Hopkins, Hubbard, Lyons, Mardis, Townsend, Winne—13.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Blanchard, Brighton, Classen, Dowell, Fitchpatrick, Harriman, Hayward, Healy, Hogue, Junkin, Lewis, Moffit, Molsberry, Smith of Mitchell, Spaulding, Trewin—19.

So the amendment was adopted.

Senator Courtright moved that the sections be renumbered, numbering section two (2) section one (1), and section three (3) section two (2).

Carried.

Senator Courtright 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:

Senators Arthaud, Bachman, Ball, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Hazelton, Hobart, Hogue, Hubbard, Lister, Mardis, Moffit, Molsberry, Spaulding, Whipple, Winne, Young of Washington—26.

The nays were:

Senators Bruce, Garst, Hartshorn, Hopkins, Lambert, Lewis, Lyons, Maytag, Porter, Smith of Des Moines, Tallman, Townsend, Wilson, Young of Lee—14.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Brighton, Harriman, Hayward, Healy, Junkin, Smith of Mitchell, Trewin—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title, as amended, agreed to.

By unanimous consent, on request of Senator Hazelton, House file No. 128 was continued as a special order until Thursday morning at 10 o'clock A. M.

On motion of Senator Hartshorn, Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hartshorn moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Smith of Des Moines, Spaulding, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Brighton, Harriman, Hayward, Healy, Junkin, Molsberry, Porter, Smith of Mitchell, Tallman, Trewin—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Spaulding, Senate file No. 37, a bill for an act to amend section twelve hundred seventy-two (1272) of the code, in relation to filling vacancies in elective city offices, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

Senator Spaulding 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:

Senators Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry Smith of Des Moines, Spaulding, Tallman, Townsend, Whipple, Winne, Young of Lee, Young of Washington—33.

The nays were:

Senators Garst, Tallman, Wilson—3.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Brighton, Dowell, Harper, Hayward, Healy, Junkin, Lyons, Moffit, Porter, Smith of Mitchell, Trewin—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lister, Senate file No. 3, a bill for an act regulating the employment of children at labor or service and to provide punishment for the violation thereof, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Lister moved the adoption of the following committee amendments.

Insert the word "or" between the words "factory or workshop" and strike out all between the words "workshop" and "except" in section 1. In section 3, strike out the word "sixteen" and insert in lieu thereof the word "twelve." In section 4, strike out all between the words "workshop" and "unless" and insert the word "or" between "factory" and "workshop." In section 5, insert the word "or" between the words "factory" and "workshop" and strike out all between the words "workshop" and "and." In section 6, strike out the word "ten" and insert the word "five" in lieu thereof, and strike out the words "one hundred" and insert in lieu thereof the words "twenty-five;" also, strike out all of the section after the word "dollars."

Carried.

Senator Lister moved to strike out the word "English," in the third line of the bill.

Carried.

The bill was read as amended for information.

Senator Crossley offered the following amendment and moved its adoption:

I move to strike out the words "the president," in line 1 of section 2 and the words "the president of" in line 2 of section 3.

Lost.

Senator Crawford moved that Senate file No. 3 be recommitted, and that it retain its place on the calendar.

Lost.

Senator Ball offered the following amendment and moved its adoption:

Amend section two (2) by striking out the words "may in his discretion" in the fifth line and insert in lieu thereof the word "shall."

Carried.

Senator Porter offered the following amendment and moved its adoption:

I move to strike out section 7 of the bill.

Carried.

Senator Ball moved that section 3 be stricken from the bill.

Lost.

Senator Arthaud offered the following amendment and moved its adoption:

I move to amend the bill by inserting between the words "workshop" and "or" in the second line of sections 1 of said bill, the words, "more than six hours each day."

Carried.

Senator Lister 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:

Senators Arthaud, Ball, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hazelton, Hobart, Hogue, Lambert, Lewis, Lister, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Wilson, Winne, Young of Washington—31.

The nays were:

Senators Hartshorn, Hubbard, Lyons, Mardis, Whipple—5.

Absent or not voting:

Senators Alexander, Allyn, Bachman, Bishop, Blanchard, Brighton, Garst, Hayward, Healy, Hopkins, Junkin, Smith of Mitchell, Trewin, Young of Lee—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

President *pro tem.* Harriman took the chair at 11.55 A. M.

The Journal of yesterday was taken up, corrected and approved.

The time of adjournment having arrived, the President *pro tem.* declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, March 19, 1902. }

Senate met in regular session at 9.30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev Geo. E. Platt of Le Mars, Iowa.

PETITIONS AND MEMORIALS.

Senator Hobart presented petition of citizens of Ida Grove in favor of limiting the duration of saloon consent petitions.

Referred to committee on Supression of Intemperence.

Senator Hobart presented petition of citizens of Le Mars in regard to the regulation of certain fire insurance business.

Referred to committee on Insurance.

Senator Hubbard called up the report of the conference committee relative to the Hoar bill now pending in congress, and moved the adoption of the substitute reported by the committee.

Carried.

HOUSE MESSAGES CONSIDERED.

House file No. III, a bill for an act to amend section two hundred fifty-five (255) of the code, relating to superior courts.

Read first and second time.

On motion of Senator Trewin, the Senate took up House file No. III and considered it at this time.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bishop, Brooks, Classen, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Senators Bachman, Ball, Blanchard, Brighton, Bruce, Courtright, Crawford, Harper, Healy, Junkin, Porter, Tallman—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand twenty-six (2026) of the code, relating to such railways.

Read first and second time and referred to committee on Railroads.

House file No. 372, a bill for an act to amend section forty-eight hundred seventy-two (4872) of the code, relating to the punishment of the crime of perjury and providing for the commitment to the grand jury therefor by the trial judge.

Read first and second time and referred to committee on Judiciary.

House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against property and its owner or owners and the occupant or tenant of such property.

Read first and second time and referred to committee on Judiciary.

House file No. 273, a bill for an act to amend section six hundred sixty-one and section six hundred seventy-four of title five (5), chapter two (2), of the code of 1897, relating to assessors in cities and towns.

Read first and second time and referred to committee on Cities and Towns.

Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions,

Placed on file.

Senator Dowell called up the motion filed by him to reconsider the vote whereby House file No. 140 was lost.

Carried.

Senator Dowell moved to reconsider the vote whereby the rules were suspended and House file No. 140 passed to its third reading.

Carried.

The bill, as amended, was read for information.

Senator Dowell moved that the rule be suspended, and that the reading just had be considered the third reading, which motion was lost.

Senator Harper called up the motion filed by him to reconsider the vote whereby House file No. 98 was lost.

Senator Harper moved that the vote whereby House file No. 98 failed of passage be reconsidered.

Carried.

Senator Harper moved to reconsider the vote whereby the rules were suspended and House file No. 98 passed to a third reading.

Carried.

Senator Harper moved that House file No. 98 be recalled from the House.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 281, a bill for an act to provide for the means of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof and punishing the violation thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

House file No. 287, a bill for an act to amend section 496 of the code, relating to the employment of additional help for county recorders.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 280, a bill for an act making an appropriation for the purchase of land, tombstone and erection thereof for the proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845 and who lies in an unmarked grave near Mills-paugh's mills, Henry county, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 252, a bill for an act making an appropriation to Charles Gray, for publishing original notice in the case of Bertamier v. Calle.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 286, a bill for an act to repeal section 1532 and to amend section 1533 of the code, relating to public roads.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park, to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 330, a bill for an act to amend chapter 2, of title 10 of the code, relating to levees, drains and water courses.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Relative to the adjournment of the Twenty-ninth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House file No. 18.

A bill for an act to amend section two thousand, four hundred eighty-two (2482) of the code, relating to mines and mining.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 250, relative to creating a board of police and fire commissioners in cities of the first class having a population of more than sixty thousand (60,000), and defining the powers and duties of such board.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 296, a bill for an act to provide for the publication of an edition of 7,500 copies of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred forty-six (746), seven hundred forty-seven (747) and seven hundred forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of the first class.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for live stock.

C. R. BENEDICT,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 826, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 92, a bill for an act relating to the indictment and punishment of persons who have been convicted of felony two or three times in this state, or in this and other states, and making certain evidence competent proof thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 321, a bill for an act to amend subdivision three (3) of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee, on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 247, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county,

for graveyard and churchyard purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 246, a bill for an act to authorize the payment of costs of corporate suretyship upon official bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to enable the United States of America to take private property for public improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking from the last line of the first paragraph the word "this", and inserting in place thereof the words "chapter four (4), title ten (10) of the", and when so amended that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred substitute for House file No. 52, a bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being, and fixing the punishment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No 245, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 187, a bill for an act providing for the punishment of persons who advise or counsel the commission of homicide, additional to title twenty-four (24), chapter two (2) 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 Senate with the recommendation that the same be indefinitely postponed for the reason that the subject matter therein is covered by House file No. 52, which is reported for passage.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred substitute for Senate file No. 80, a bill for an act to protect deserving wives and minor children against non-support and provide punishment for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 128, a bill for an act to amend section one thousand four hundred forty-one (1441) of the code, relating to service of notice of expiration of rights of redemption from tax sale, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 286, a bill for an act to legalize the acts of boards of water-works trustees in cities of the first class and cities acting under special charters under appointment made by the district courts of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 269, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the compensation to be allowed to the adjutant quartermaster and surgeon of the Iowa Soldiers' home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

JOHN T. MOFFIT,
Chairman.

Ordered passed on file.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred House file 220, a bill for an act to repeal sections twenty-one hundred sixty-eight (2168), twenty-one hundred sixty-nine (2169), twenty-one hundred seventy-three (2173) of the code, and twenty-one hundred seventy-nine (2179) of the code, and the amendments thereto as shown by chapter 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred seventy-four (2174), twenty-one hundred seventy-five (2175), twenty-one hundred eighty one (2181) of the code, and the amendment thereto as shown by chapter 72, acts of the Twenty eighth General Assembly, and twenty-one hundred ninety-nine (2199) of the code, relating to the militia, beg leave to report that they have had the same under consideration and have instructed me to report

the same back to the Senate with the recommendation that the same do pass.

JOHN T. MOFFIT,
Chairman.

Ordered passed on file.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly in relation to pension money of members of the Iowa Soldiers' home at Marshalltown, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOHN T. MOFFIT,
Chairman.

Ordered passed on file.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 110, a bill for an act to amend section thirteen hundred and four (1304), article seven (7) of the code of 1897 of the state of Iowa, pertaining to the exemption of homesteads of Union soldiers and sailors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JOHN T. MOFFIT,
Chairman.

Adopted.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 105, a bill for an act permitting all ex-Union soldiers and sailors honorably discharged from the military or marine service of the United States, residents of the state of Iowa, the right to vend, haul and peddle goods, wares, fruit and merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in 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 Senate with the recommendation that the same be indefinitely postponed for the reason that a like law has already been declared unconstitutional.

JOHN T. MOFFIT,
Chairman.

Adopted.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 216, a bill for an act to promote the public health, comfort and welfare, by improving the natural drainage of swamp, overflowed, wet or mashy land, and prescribing a method for so doing, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 265, a bill for an act to amend section fifteen hundred sixty-three (1563) of the code, relative to quack grass, burdock, cocklebur, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Adopted.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 279, a bill for an act to amend chapter eighty-five (85) of the acts of the Twenty-eighth General Assembly, relating to the appointment by the dairy commissioner of a deputy and assistants and fixing their compensation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. HARRIMAN,
Chairman.

Adopted.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 326, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Arthaud, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred Senate file No. 240, a bill for an act to amend sections twenty-four hundred seventy-eight (2478), twenty-four hundred seventy-nine (2479), twenty-four hundred eighty (2480), twenty-four hundred eighty-one (2481), twenty-four hundred eighty-two (2482), twenty-four hundred eighty-three (2483), twenty-four hundred eighty-four (2484), twenty-four hundred eighty-five (2485), twenty-four hundred eighty-six (2486), twenty-four hundred eighty-seven (2487), twenty-four hundred eighty-eight (2488), twenty-four hundred eighty-nine (2489), twenty-four hundred ninety (2490), twenty-four hundred ninety-one (2491), twenty-four hundred ninety-two (2492), twenty-four hundred ninety-three (2493), twenty-four hundred ninety-four (2494), twenty-four hundred ninety-five (2495), and twenty-four hundred ninety-six (2496) of the code, and chapter fifty-nine (59) of the Twenty-seventh General Assembly, and chapters seventy-nine (79), eighty (80), eighty-one (81), and eighty-two (82) of the Twenty-eighth General Assembly, applicable to mines and substance known as gypsum, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. ARTHAUD,
Chairman.

Ordered passed on file.

Senator Crawford, from the committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred Senate joint resolution No. 7, joint resolution relating to interstate shipments 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 senate with the recommendation that the same be indefinitely postponed.

P. W. CRAWFORD,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Potta-

wattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

Also, substitute for Senate file No. 178, a bill for an act to amend section three thousand three hundred eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another.

Also, Senate file No. 9, a bill for an act to amend section thirty-eight hundred twenty-five (3825) of the code, making property in the hands of receivers a preferred claim.

Also, Senate file No. 304, a bill for an act providing that chapter twenty-five (25) of the act of the Twenty-eighth General Assembly, relating to waterworks, be made applicable to cities under special charters.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—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 the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

Also, substitute for Senate file No. 178, a bill for an act to amend section three thousand three hundred eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another.

Also, Senate file No. 9, a bill for an act to amend section thirty-eight hundred twenty-five (3825) of the code, making property in the hands of receivers a preferred claim.

Also, Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth (28) General Assembly, relating to waterworks, be made applicable to cities under special charters.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 215, a bill for an act to legalize the action of the incorporated town of Orleans, in Dickinson county.

Also, Senate file No. 21, a bill for an act to amend section fourteen hundred (1400) of the code, making taxes levied on buildings as personal property a lien thereon.

Also, Senate file No. 88, a bill for an act to amend section five hundred eight (508) of the code, relating to sheriff's fees.

Also, Senate file No. 41, a bill for an act to amend section one thousand six hundred thirteen (1613) of the code, relative to the publication of notice of incorporation.

Also, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

Also, Senate file No. 196, a bill for an act to amend section two thousand two hundred sixty-seven (2267) of the code, relating to appeals from the findings of the commissioners of insanity.

Also, Senate file No. 192, a bill for an act amending section two thousand five hundred seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health.

E. K. WINNE,
Chairman.

On motion of Senator Hubbard, the Senate went into executive session.

EXECUTIVE SESSION.

The President laid before the executive session a communication, which was read as follows:

EXECUTIVE OFFICE,
DES MOINES, IOWA, March 15, 1902. }

To the Senate of the Twenty-ninth General Assembly:

I beg to advise your honorable body that I nominate and, with the consent of two-thirds of the members of the Senate in executive session, shall appoint Lavega G. Kinne of Des Moines, Polk county, Iowa, to succeed himself as a member of the state board of control.

The said nomination is hereby respectfully submitted for your consideration.

ALBERT B. CUMMINS.

The committee to whom was referred the nomination of Hon. Lavega G. Kinne, as a member of the board of control, submitted the following report:

MR. PRESIDENT—Your committee, to whom was referred the nomination of Hon. Lavega G. Kinne of Des Moines, Polk county, Iowa, to succeed himself as a member of the state board of control, beg leave to report

that they have had said nomination under consideration and recommend that it be confirmed by the Senate.

E. H. HUBBARD,
O. B. COURTRIGHT,
THOS. LAMBERT.
C. C. DOWELL,
H. C. BISHOP.

Committee.

On motion of Senator Hubbard, the report of the committee was adopted.

The President announced the question to be "Shall the Senate consent to the appointment of Hon. Lavega G. Kinne for the full term as a member of the board of control, ending April 6, 1908?"

On the question, Shall the Senate so consent?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Senators Brighton, Healy, Junkin—3.

The President announced that more than two-thirds of the membership of the Senate having voted in the affirmative, the Senate hereby consents to the appointment of Hon. Lavega G. Kinne as a member of the board of control for the full term, ending April 6, 1908.

The President laid before the executive session the following communication which was read:

EXECUTIVE OFFICE. }
DES MOINES, March 15, 1902. }

To the Senate of the Twenty-ninth General Assembly:

I beg to advise your honorable body that, subject to your advice and consent, I have appointed Timothy E. McCurdy of Hazleton, Buchanan

county, custodian of the public buildings and property for the term of two years, beginning April 1, 1902; and I herewith respectfully submit such appointment for your consideration.

ALBERT B. CUMMINS.

Senator Garst moved that the Senate consent to the appointment of Hon. Timothy E. McCurdy as custodian of public buildings and property for the term of two years, beginning April 1, 1902.

On the question, Shall the appointment of Hon. Timothy E. McCurdy for custodian of public buildings and property be confirmed?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harts-horn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Lee, Young of Washington
—43.

The nays were:

Senator Harriman—1.

Absent or not voting:

Senators Brighton, Healy, Junkin, Tallman, Trewin, Whipple
—6.

The appointment of Hon. Timothy E. McCurdy, having received a vote of two-thirds of the entire membership of the Senate, was declared confirmed.

On motion the Senate ordered the proceedings of the executive session published in the Journal.

The Senate arose from executive session at 11:20 A. M.

On motion of Senator Hazelton the Senate took up House messages.

On request of Senator Classen leave of absence was granted Senator Trewin indefinitely on account of sickness.

HOUSE MESSAGES CONSIDERED.

Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its suc-

cessors or assigns, a right-of-way through lands owned by the state and used for the Institution for Feeble-Minded Children at Glenwood.

The bill was read as amended:

President *pro tem* Harriman was called to the chair at 11:10 A. M.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Bachman, Brighton, Crossley, Garst, Healy, Hogue, Junkin, Maytag, Molsberry, Trewin—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House returns House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred forty-five (745), seven hundred forty-six (746), seven hundred forty-seven (747) and seven hundred forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of the first class.

Senator Harper moved that the Senate take up House file No. 98 at this time.

Carried.

Senator Harper 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:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman, Hobart, Hubbard, Lister, Mardis, Maytag, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Whipple, Winne—27.

The nays were:

Senators Arthaud, Dowell, Garst, Hartshorn, Hazelton, Hogue, Hopkins, Lambert, Lewis, Wilson, Young of Lee—11.

Absent or not voting:

Senators Blanchard, Brighton, Crossley, Hayward, Healy, Junkin, Lyons, Moffit, Smith of Des Moines, Tallman, Trewin, Young of Washington—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fireproof building for live stock.

Passed on file.

House file No. 281, a bill for an act to provide for the manner of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof and punishing the violation thereof.

Read first and second time and referred to committee on Compensation of Public Officers.

House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders.

Read first and second time and referred to committee on Compensation of Public Officers.

House file No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bertamier v. Caille.

Read first and second time and referred to committee on Claims.

House file No. 286, a bill for an act to repeal section fifteen hundred thirty-two (1532) and to amend section fifteen hundred thirty-three (1533) of the code, relating to public roads.

Read first and second time and referred to committee on Highways.

House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park, to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

House file No. 330, a bill for an act to amend chapter two (2) of title ten (10) of the code, relating to levees, drains and water courses.

Read first and second time and referred to committee on Agriculture.

Concurrent resolution relative to adjournment of the Twenty-ninth General Assembly.

Passed on file.

House concurs in Senate amendments to House file No. 13, a bill for an act to amend section two thousand four hundred eighty-two (2482) of the code, relating to mines and mining.

Passed on file.

Senate file No. 250, relative to creating a board of police and fire commissioners in cities of the first class having a population of more than 60,000, and defining the powers and duties of such board.

Passed on file.

Senate file No. 296, a bill for an act to provide for the publication of an edition of 7,500 copies of the code.

Passed on file.

House file No. 280, a bill for an act making an appropriation for the purchase of land, tombstone, and erection thereof for the

proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845, and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa.

Read first and second time and referred to committee on Appropriations.

President Herriott resumed the chair at 11:50 A. M.

Senator Griswold moved that when the Senate adjourned it be to meet at 2 o'clock P. M.

Carried.

Senator Hopkins moved that House file No. 185 be ordered placed on the calendar.

Carried.

On motion of Senator Hayward, Senate file No. 288, a bill for an act to amend section seventeen hundred forty-three (1743) of the code, relating to fire insurance, 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.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 9, 178, 204 and 294.

On motion of Senator Harriman the Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

On request of Senator Lambert, leave of absence was granted Senator Smith of Des Moines until Friday morning, on account of sickness.

INTRODUCTION OF BILLS.

By Senator Wilson, Senate file No. 338, a bill for an act to authorize cities which have voted taxes to aid any corporation,

organized under the laws of this state, for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge.

Read first and second time and referred to committee on Cities and towns.

By Senator Blanchard, Senate file No. 337, a bill for an act defining the crime of sodomy.

Read first and second time and referred to committee on Judiciary.

On motion of Senator Hayward the Senate took up the calendar in regular order.

THIRD READING OF BILLS.

The Senate resumed consideration of Senate file No. 63, as unfinished business.

Senator Young of Washington moved the adoption of the following amendment offered by him March 13th:

I move to amend section four (4) by inserting after the word "penitentiary", in the third line of said section in the printed bill, the words "and who are recommended by the wardens of said penitentiaries".

Carried.

Senator Young of Washington moved the adoption of the following amendment:

I move to amend section five (5) by inserting after the word "murder", in the fifth line of said section in the printed bill, the words "arson, burglary or rape."

Carried.

Senator Young of Washington moved the adoption of the following amendment.

I move to amend section five (5) by striking out all of said section after the word "opened," in the third line of said section in the printed bill, to the word "therein" in the seventh line, and insert in lieu thereof the following: "And after that time the district courts by whom any male person under the age of thirty-one (31) years shall be convicted of any felony except murder, arson, burglary or rape, and who has not been previously convicted of felony may, in its discretion, sentence such persons to be confined in the state reformatory, specifying the minimum and maximum time during which he shall be confined therein."

Carried.

Senator Brooks offered the following amendment and moved its adoption:

Amend section four (4) by striking out of line four (4) of the printed bill, the words "who has or may be"

Carried.

Senator Brooks offered the following amendment and moved its adoption:

Amend section three (3) by striking out all of line eleven (11) of the printed bill.

Carried.

Senator Brooks offered the following amendment and moved its adoption:

Amend section three (3) by striking out of line seven (7) of the printed bill the words "and higher."

Carried.

Senator Brooks offered the following amendment and moved its adoption:

Amend section three (3) by striking out of line eight (8) of the printed bill the words "science and arts", as they appear at the beginning of said line.

Carried.

Senator Bachman moved the previous question,

On the question "Shall the main question be now put?"

The motion prevailed.

Senator Bachman 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:

Senators Courtright, Dowell, Fitchpatrick, Garst, Harper, Hubbard, Lyons, Maytag, Townsend—9.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Craig, Crawford, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Lambert, Lewis, Lister, Mardis, Molsberry, Porter, Smith of Mitchell, Spaulding, Whipple, Wilson, Winne, Young of Lee, Young of Washington—32.

Absent or not voting:

Senators Brighton, Crossley, Hayward, Healy, Junkin, Moffit, Smith of Des Moines, Tallman, Trewin—9.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Tallman, House file No. 28, a bill for an act to amend section twelve hundred and seventy-two (1272) of the code, relating to the appointment of city officers to fill vacancies, with report of committee, was taken up, considered and indefinitely postponed for the reason that a bill of similar character had already passed the Senate.

□ On motion of Senator Courtright, Senate file No. 11, a bill for an act amending section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved the adoption of the following committee amendment:

Amend by striking out section two (2).

Carried.

Senator Courtright 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:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Hartshorn, Hayward, Hazelton, Hobart, Hopkins,

Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Brighton, Crossley, Garst, Griswold, Harper, Harriman, Healy, Hogue, Junkin, Smith of Des Moines, Tallman, Trewin—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Courtright, Senate file No. 156, a bill for an act to amend section three thousand two hundred and fifty-three (3253) chapter eight (8), title sixteen (16) of the code, relating to the rights, duties and relations between parent and child by adoption, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington.—38.

Absent or not voting:

Senators Brighton, Crossley, Garst, Griswold, Harper, Harriman, Healy, Hogue, Junkin, Porter, Smith of Des Moines, Trewin—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Courtright, Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption who die intestate without issue, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Bruce, Classen, Courtright, Craig, Crawford, Fitzpatrick, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Spaulding, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Brighton, Brooks, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Healy, Junkin, Porter, Smith of Des Moines, Smith of Mitchell, Trewin—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hayward, Senate file No. 115, a bill for an act to amend section one thousand three hundred thirty-three (1333) of the code, relating to assessment of taxes upon foreign insurance companies, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Hayward 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Mitchell, Spaulding, Townsend, Whipple, Young of Washington—34.

The nays were:

Senators Hogue, Moffit, Porter, Wilson, Young of Lee—5.

Absent or not voting:

Senators Brighton, Crossley, Garst, Harper, Harriman, Healy, Junkin, Smith of Des Moines, Tallman, Trewin, Winne—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hayward, House file No. 239, a bill for an act to amend sections one thousand three hundred twenty-eight (1328) and one thousand three hundred twenty-nine (1329) of the code, and to amend sections three (3) and four (4) of chapter forty-two (42), acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Hayward moved the adoption of the following committee amendments:

Amend the enacting clause by inserting after the word "assembly" the words "of the state."

Amend section one (1) by inserting after the word "lieu," in the third line thereof, the word "thereof."

Amend section two (2) by striking out, at the beginning of line three (3) the abbreviation "Sec." and the figures "1829."

Amend section three (3) by striking out, at the beginning of line three (3), the abbreviation "Sec." and the figure "3".

Amend section four (4) by striking out, at the beginning of line three (3), the abbreviation "Sec." and the figure "4".

Amend section ten (10) by inserting after the word "force," in the second line thereof, the words "from and".

Carried.

The bill was read as amended for information.

Senator Courtright offered the following amendment and moved its adoption:

Amend by inserting after the word "levied", in the sixth line of section 8, the word "as."

Carried.

The Journal of yesterday was taken up, corrected and approved.

Senator Blanchard moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, March 20, 1903. }

Senate met in regular session at 9:30 o'clock, A. M., President Herriott presiding.

Prayer was offered by Rev. Thomas Osborn of Winfield, Iowa.

On request of Senator Alexander, leave of absence was granted Senator Whipple until this afternoon.

PETITIONS AND MEMORIALS.

Senator Wilson presented petition of insurance agents of Chariton and Lyons, asking for favorable action on Senate file No. 182, by Townsend.

Referred to committee on Insurance.

Senator Classen presented petition of citizens of Marshalltown, in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Hazelton, Senate file No. 339, a bill for an act for compulsory education of deaf mutes.

Read first and second time and referred to committee on Schools.

By Senator Crawford, Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of water-works.

Read first and second time and referred to committee on Cities and Towns.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

Also, substitute for Senate file No. 178, a bill for an act to amend section three thousand three hundred and eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another.

Also, Senate file No. 9, a bill for an act to amend section thirty-eight hundred and twenty-five (3825) of the code, making property in the hands of receivers a preferred claim.

Also, Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the act of the Twenty-eighth General Assembly, relating to water-works, be made applicable to cities under special charters.

R. K. WINNE,
Chairman.

March, 19, 1903.

REPORTS OF COMMITTEES.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred House file No. 848, a bill for an act to prohibit the keeping of children in poorhouses and to provide for their removal therefrom to and support in state institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Add the word "orphan" after the word "no" in the first line of section 1, and the words "or child abandoned by its parents" after the word "child" in said line; also, strike out the word "sixteen" in the first line of section 1, and in the last line of section 2, and insert in lieu thereof the word "fifteen" in each section, and when so amended the same do pass.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 158, a bill for an act to establish the eastern

Senator Classen, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred House file No. 40, a bill for an act to amend section fifteen hundred thirty (1530) of the code, in relation to the working of highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. B. CLASSEN,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House file No. 249, a bill for an act to amend section 4811 of the code, with reference to jumping on and off cars in motion, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 188, a bill for an act relating to railways, railway companies, railway corporations, railroads, railroad companies and railroad corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that House file No. 248, relating to the same subject, has been recommended for passage

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section 2026 of the code, relating to such railways, beg leave to report that they have had the same under consideration and have instructed me to

Iowa school for the Deaf, and to provide for the building and 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 Senate with the recommendation that the same be indefinitely postponed.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred House file No 845, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in relation to the discharge or parole of inmates of the industrial schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

Senator Classen, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred substitute for House file No. 286, a bill for an act to amend sections one thousand seventy-five (1075), one thousand one hundred thirty (1180), one thousand five hundred twenty-eight (1528), one thousand five hundred thirty-three (1533), one thousand five hundred forty-two (1542), one thousand five hundred forty-five (1545), one thousand five hundred fifty-one (1551), one thousand five hundred fifty-four (1554) and four thousand eight hundred eight (4808) of the code, and to repeal sections one thousand five hundred thirty-two (1532), one thousand five hundred forty (1540) and one thousand five hundred fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred forty-one (1541), one thousand five hundred forty-six (1546), one thousand five hundred fifty-three (1553) and one thousand five hundred sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. B. CLASSEN,
Chairman.

Ordered passed on file.

On motion of Senator Classen, substitute for House file No. 286 was made a special order for Wednesday, March 26th, at 10 o'clock A. M.

report the same back to the Senate with the recommendation that the same do pass, and that the same be substituted for Senate file No. 188.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred House file No. 881, a bill for an act requiring all railroad companies to file plats of all lines owned or operated within the several counties of the state of Iowa with the county auditor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 186, a bill for an act for the protection of cities and to regulate contracts for public purposes involving the use of streets and alleys, public squares and highways in such cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman.

Adopted.

On motion of Senator Dowell the Senate took up Senate file No. 250.

Senator Dowell moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Winne, Young of Washington—31.

The nays were:

Senators Ball, Bishop, Fitchpatrick, Lambert, Lyons, Porter, Smith of Mitchell, Tallman, Wilson, Young of Lee—10.

Absent or not voting:

Senators Brighton, Harriman, Hartshorn, Healy, Smith of Des Moines, Spaulding, Townsend, Trewin, Whipple—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution relative to furnishing code supplements to members and officers of the Twenty-ninth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the House was asked:

Joint resolution No. 5, proposing to amend the constitution of the state of Iowa so as to provide for biennial elections.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 14, a bill for an act to amend section two thousand four hundred eighty-nine (2489) of the code, relative to mines and mining.

C. R. BENEDICT
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the fifth day of November, 1901, and

the proposition submitted at said election for the purpose of building a courthouse and jail at Sibley, in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors in said county with reference to said matter.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 221, a bill for an act to amend sections twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 64, a bill for an act to add to and amend chapter eighty-two (82), acts of the Twenty-eighth General Assembly relating to mines and mining.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 69, a bill for an act to amend section five thousand forty (5040) of the code relating to the desecration of the Sabbath.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 804, a bill for an act to indemnify Mathew B. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville.

C. R. BENEDICT,
Chief Clerk.

Senator Garst moved that House file No. 185 be referred to the committee on Appropriations.

A roll call was demanded.

On the question, Shall House file No. 185 be referred to the committee on Appropriations?

The yeas were:

Senators Bachman, Ball, Bishop, Blanchard, Brooks, Fitchpatrick, Garst, Harper, Hayward, Hubbard, Junkin, Lewis, Lister, Maytag, Porter, Smith of Mitchell, Spaulding, Wilson, Winne, Young of Washington—20.

The nays were:

Senators Alexander, Allyn, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harriman, Hartshorn, Hazelton, Hogue, Hopkins, Lyons, Mardis, Moffit, Molsberry, Townsend—19.

Absent or not voting:

Senators Arthaud, Brighton, Bruce, Healy, Hobart, Lambert, Smith of Des Moines, Tallman, Trewin, Whipple, Young of Lee—11.

So the motion to refer House file No. 185 to the committee on Appropriations prevailed.

On motion of Senator Courtright, House file No. 128, special order No. 1, was continued as a special order until Tuesday, March 25th, at 10 o'clock A. M., and is to retain its place on the calendar.

On motion of Senator Hayward, the Senate resumed consideration of House file No. 239, which was pending yesterday.

Senator Molsberry offered the following amendment and moved its adoption:

I move to amend House file No. 289 by adding to section 7 thereof, the following:

And the county auditor of such county through or in which any telegraph or telephone companies operate their lines shall, upon application of such companies, furnish them with a sectional plant of each civil township in the county into or through which said companies operate their lines; said plant shall be drawn to an accurate scale and large enough that the said telegraph and telephone lines may be plainly and accurately marked thereon; such maps shall have plainly marked thereon the boundary lines of townships, sections and quarter sections according to government survey,

together with the number of townships and sections and all public highways; the public highways to be designated by heavy double lines drawn parallel to each other and not less than one-eighth of an inch apart.

Carried.

Senator Hayward moved that the word "map" or "maps" in line 4, of section seven (7) be changed to the words "plat" or "plats".

Carried.

Senator Moffit offered the following amendment and moved its adoption:

Amend section nine (9) by adding after said section:

Section 9½. Providing that this act does not in any manner apply to mutual farmers lines, which are used by the subscribers or owned thereby and over which tolls are not charged.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Crawford, Crossley, Griswold Harper, Harriman, Hartshorn, Hazelton, Hobart, Lister, Lyons, Moffit, Spaulding, Tallman, Wilson, Winne, Young of Lee, Young of Washington—25.

The nays were:

Senators Bishop, Blanchard, Brooks, Courtright, Dowell, Fitchpatrick, Hayward, Hubbard, Junkin, Lambert, Lewis, Mardis, Maytag, Molsberry, Porter, Smith of Mitchell, Townsend—17.

Absent or not voting:

Senators Brighton, Garst, Healy, Hogue, Hopkins, Smith of Des Moines, Trewin, Whipple—8.

So the amendment prevailed.

Senator Moffit offered the following amendment and moved its adoption:

Insert after the word "line" in the third line of section nine (9) of the printed bill the words, "except farmers' mutual companies organized other than for pecuniary profit."

Lost.

Senator Blanchard moved the previous question.

On the question, Shall the main question be now put? the motion prevailed.

On motion of Senator Lister the time for adjournment was extended until the bill under consideration was disposed of and the Journal corrected.

House file No. 239, as amended, was read for information.

Senator Hayward moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Fitchpatrick, Harper, Hobart, Molsberry, Smith of Mitchell, Spaulding, Wilson, Young of Lee—9.

The nays were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Craig, Crawford, Crossley, Dowell, Griswold, Harriman, Hartshorn, Hayward, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Tallman, Townsend, Winne, Young of Washington—32.

Absent or not voting:

Senators Bishop, Brighton, Courtright, Garst, Hazelton, Healy, Smith of Des Moines, Trewin, Whipple—9.

So the bill, having failed to receive a constitutional majority, was declared lost.

Senator Bachman filed the following motion:

I move to reconsider the vote by which Senate file No. 63 failed to pass.
E. W. BACHMAN.

Senator Harriman filed the following motion to reconsider:

MR. PRESIDENT—I move to reconsider the vote by which House file No. 185 was referred to the committee on Appropriations.

G. W. LISTER.

The Journal of yesterday was taken up, corrected and approved.

Senator Garst moved that when the Senate adjourn it be to meet at 2:30 o'clock P. M.

Carried.

The time having arrived, the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2:30 o'clock P. M., pursuant to adjournment, President Herriott presiding.

INTRODUCTION OF BILLS.

By Senator Bachman, Senate file No. 341, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code and enact a substitute in lieu thereof, in relation to hospitals for the insane.

Read first and second time and referred to committee on Judiciary.

THIRD READING OF BILLS.

On motion of Senator Junkin, Senate file No. 95, a bill for an act to amend section thirty-two hundred eighty-seven (3287) of the code, relating to the recording of wills, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Junkin moved the adoption of the following committee amendments:

Strike out of the seventh and eighth lines of section one (1) thereof the words "of the will and certificate of probate thereof and" and insert in ninth line of said section after the word "probate" the following: "and if a copy of such will is not contained therein, a certified copy of such will shall be attached thereto and the same".

The bill as amended was read for information.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harri- man, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Winne, Young of Wash- ington—43.

The nays were:

None.

Absent or not voting:

Senators Ball, Brighton, Healy, Maytag, Townsend, Trewin, Young of Lee—7.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Blanchard, House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section twenty-hundred and twenty-six (2026) of the code, relating to such railways, with report of committee recommending a substi- tute, was taken up, considered and the report of the committee adopted.

Senator Blanchard moved that House file No. 248 be substituted for Senate files Nos. 183 and 205.

Carried.

On motion of Senator Blanchard the bill was read section by section for amendments.

Senator Courtright offered the following amendment as a sub- stitute to section three (3), and moved its adoption:

Section 3. Any interurban railway, shall within the corporate limits of any city or town, or of any city acting under special charter upon such streets as it may use for the purpose of carrying passengers, mail and bag- gage only, be deemed a street railway and be subject to the laws governing street railways.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Allyn, Arthaud, Bachman, Bishop, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Hartshorn, Hazelton, Lambert, Lister, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Winne, Young of Washington—26.

The nays were:

Senators Alexander, Ball, Blanchard, Fitchpatrick, Hayward, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Porter, Wilson—14.

Absent or not voting:

Senators Brighton, Classen, Garst, Harriman, Healy, Lyons, Moffit, Townsend, Trewin, Young of Lee—10.

So the amendment prevailed.

Senator Hubbard moved to amend section 4 by striking out the words and figures "twenty-five (25)," and insert the words and figures "fifty (50)" in lieu thereof.

Lost.

Senator Hubbard moved to amend section 5 by striking out the word "street" wherever it occurs in section 5 of the bill.

Carried.

Senator Crossley offered the following amendment, and moved its adoption.

I move to strike out section 5 of the bill.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Arthaud, Crossley, Moffit, Wilson, Young of Lee—5.

The nays were:

Senators Alexander, Allyn, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Gris,

wold, Harper, Harriman, Hayward, Hazleton, Hobart, Hopkins Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Young of Washington—33.

Absent or not voting:

Senators Bachman, Ball, Brighton, Garst, Hartshorn, Healy, Hogue, Lambert, Molsberry, Townsend, Trewin, Winne—12.

So the amendment was lost.

Senator Ball offered the following amendment to section 4, and moved its adoption:

Amend section 4, by inserting between the words "any" and "railway", in the sixth line of said section, the words "such street".

Senator Hazelton moved to amend the amendment by striking out the word "street".

A roll call was demanded.

On the question, Shall the amendment offered by Senator Hazelton be adopted?

The yeas were:

Senators Arthaud, Crawford, Dowell, Griswold, Hartshorn, Hayward, Hazelton, Lister, Moffit, Whipple, Wilson, Young of Washington—12.

The nays were:

Senators Alexander, Ball, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Fitchpatrick, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lyons, Mardis, Maytag, Porter, Young of Lee—21.

Absent or not voting:

Senators Allyn, Bachman, Bishop, Brighton, Garst, Harper, Harriman, Healy, Hobart, Lambert, Molsberry, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Winne—17.

So the amendment offered by Senator Hazelton was lost.

On the question, Shall the amendment offered by Senator Ball be adopted? the motion prevailed.

Senator Moffit offered the following amendment and moved its adoption.

Move to amend section 5 by inserting in the eleventh (11) line of the printed substitute, after the word "consent", the words "signed by the owner."

Lost.

Senator Moffit offered the following amendment:

Strike out of the same line the words "resident owning property," and insert in lieu thereof the words "linear front feet of the property."

Lost.

Senator Lewis moved the previous question on the amendment and the whole bill.

On the question, Shall the main question be now put? the motion prevailed.

The bill as amended, was read for information.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, as amended, which motion prevailed, and the bill, as amended, was read a third time.

On the question, Shall the bill pass?

The yeas were :

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Wilson, Winne, Young of Lee, Young of Washington—42.

The nays were:

Senators Arthaud, Crossley, Tallman—5.

Absent or not voting:

Senators Brighton, Garst, Healy, Townsend, Trewin—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Garst moved that the Senate do now adjourn.

A roll call was demanded.

On the question, Shall the Senate adjourn?

The yeas were:

Senators Bachman, Bishop, Blanchard, Brooks, Bruce, Fitchpatrick, Garst, Hayward, Hubbard, Junkin, Lewis, Lister, Maytag, Porter, Smith of Mitchell, Spaulding, Wilson, Winne, Young of Lee—19.

The nays were:

Senators Alexander, Allyn, Classen, Courtright, Craig, Crawford, Crossley, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Lambert, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Whipple, Young of Washington—24.

Absent or not voting:

Senators Arthaud, Ball, Brighton, Dowell, Healy, Townsend, Trewin—7.

So the motion to adjourn was lost.

Senator Harriman called up the motion filed by him this morning to reconsider the vote whereby House file No. 185 was referred to the committee on Appropriations.

Senator Harriman moved to reconsider the vote whereby House file No. 185 was referred to the committee on Appropriations.

A roll call was demanded.

On the question, Shall the vote whereby House file No. 185 was referred to the committee on Appropriations be reconsidered?

The yeas were:

Senators Alexander, Allyn, Arthaud, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Lambert, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Spaulding, Tallman, Whipple, Young of Washington—28.

The nays were:

Senators Bachman, Ball, Bishop, Fitchpatrick, Garst, Harper, Hayward, Hubbard, Junkin, Lewis, Lister, Maytag, Porter, Smith of Mitchell, Wilson, Young of Lee—16.

Absent or not voting:

Senators Brighton, Dowell, Healy, Townsend, Trewin, Winne—6.

So the motion to reconsider the vote, whereby House file No. 185 was referred to the committee on Appropriations, prevailed.

On motion of Senator Hayward the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, March 21, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Fayette S. Thompson of Davenport, Iowa.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution relative to furnishing code supplement to members and officers of the Twenty-ninth General Assembly.

Passed on file.

Joint resolution No. 5, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

Passed on file.

House file No. 14, a bill for an act to amend section twenty-four hundred eighty-nine (2489) of the code, relative to mines and mining.

Read first and second time and referred to committee on Mines and Mining.

Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the fifth day of November, 1901, and the proposition submitted at said election, for the purpose of building a courthouse and jail at Sibley, in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose and all the proceedings of the board of supervisors of said county with reference to said matter.

Passed on file.

House file No. 221, a bill for an act to amend sections two thousand two hundred four (2204) and two thousand two hundred fourteen(2214) of the code.

Read first and second time and referred to committee on **Military.**

House file No. 64, a bill for an act to add to and amend chapter eighty-two (82) of the acts of the Twenty-eighth General Assembly, relating to mines and mining.

Read first and second time and referred to committee on **Mines and Mining.**

House file No. 69, a bill for an act to amend section five thousand forty (5040) of the code, relating to the desecration of the Sabbath.

Read first and second time and referred to committee on **Cities and Towns.**

House file No. 304, a bill for an act to indemify Matthew R. Sadler for damages caused by sewage from Industrial School for Girls at Mitchellville.

Read first and second time and referred to committee on **Claims.**

By unanimous consent, on motion of Senator Harriman, Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) and section one (1), chapter five (5), laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences, was taken up and considered.

Senator Harriman moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in House amendments?

The yeas were:

Senators Alexander, Arthaud, Ball, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Mols-

berry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Young of Lee—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Blanchard, Brighton, Bruce, Dowell, Griswold, Hayward, Healy, Hogue, Lewis, Moffit, Townsend, Trewin, Winne, Young of Washington—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEES.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No 338, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundry river, to vote additional taxes for the purchase of such bridge, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman pro tem.

Ordered passed on file.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 338, a bill for an act to amend section five hundred sixty-five (565) of the code, relating to township assessors, where cities are included in the township, and making said section applicable to cities under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman pro tem.

Ordered passed on file.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 72, a bill for an act to amend sections thirteen hun-

dred seventy (1870), thirteen hundred seventy-one (1871) as amended, thirteen hundred seventy-two (1872) as amended, and thirteen hundred seventy-three (1873) of the code, relating to the equalization of taxes, and appeals from the local boards of review, applicable to cities acting under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted, and that the same do pass.

J. S. ALEXANDER,
Chairman pro tem.

SUBSTITUTE FOR SENATE FILE NO. 72.

A bill for an act to amend section one thousand and four (1004) of the code, in reference to levying taxes in special charter cities.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one thousand and four (1004) of the code be and the same is hereby amended by inserting a comma after the word "title" in the fourth line and the following words: "section thirteen hundred and seventy (1370), section thirteen hundred and seventy-one (1371), as amended by chapter thirty-three of the acts of the Twenty-seventh General Assembly, section thirteen hundred and seventy-two (1372), as amended by chapter thirty of the acts of the Twenty-seventh General Assembly, and section thirteen hundred and seventy-three (1373) of chapter one of title seven."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Substitute read first and second time and placed on file

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 825, a bill for an act to make section thirteen hundred fifty (1850) of the code, applicable 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 Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman pro tem.

Ordered passed on file.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 834, a bill for an act to amend section thirteen hun-

dred seventy (1870) of the code, relating to local boards of review, and making said sections apply to cities acting under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman pro tem.

Ordered passed on file.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 280, a bill for an act for 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 the same, 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 Senate with the recommendation that the accompanying bill be substituted, and that the same do pass.

A BILL.

For an act for 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.

Section 1. The owners, proprietors or lessees of all buildings, structures or enclosures of three or more stories in height, now constructed or hereafter to be erected, shall provide or equip said buildings and structures with such protection against fire and means of escape from such buildings as shall hereafter be set forth in this bill.

Sec. 2. The buildings, structures and enclosures contemplated in this act shall be classified as follows:

First. Hotels or lodging rooms of three or more stories in height.

Second. Tenements or boarding houses, of three or more stories in height, occupied by one or more families or aggregating twenty (20) persons or more; provided that a mansard roof or attic, when used for sleeping rooms, shall be counted as one story.

Third. Buildings used as opera houses, theatres or public halls, of a seating capacity exceeding three hundred (300).

Fourth. Public school buildings, seminaries and colleges more than two stories in height.

Fifth. Hospitals and asylums of three or more stories in height.

Sixth. Manufactories, warehouses and buildings of all character of three or more stories in height, not specified in the foregoing sections.

Sec. 3. Each twenty-five hundred (2500) superficial feet of area, or fractional part thereof, covered by buildings or structures specified under classification 1, of section 2 of this act, shall be provided with one ladder fire escape of steel or wrought iron construction, attached to the outer wall thereof, and provided with platforms of steel or wrought iron construction of such size and dimensions and such proximity to one or more windows of each story above the first as to render access to such ladder from each story easy and safe, said ladder to start about five feet from the ground and extend above the roof, or a drop ladder may be hung at the second story in such a manner that it can be easily lowered in case of necessity; provided, however, that where such building shall be occupied by more than twenty (20) persons, the said building shall be provided with one stairway of steel or wrought iron construction with above described platforms, accessible from each story with a drop or counterbalance stairway from the second story balcony to the ground, or a stationary stairway may be carried down to within five feet from the ground.

Buildings under classification 2 of section 2 of this act shall be provided for in the same manner as those under the head of classification 1.

Buildings under classification 3 of section 2 of this act shall be provided with at least one above described outside stairway, or such a number exits or such a number of above described stairways as may be determined by the chief of fire department, or the mayor of each city or town where no such chief of fire department exists.

Each twenty-five hundred (2,500) superficial feet of area or fractional part thereof covered by buildings, structures or enclosures under classification 4 of section 2 of this act, shall be provided for in the same manner as those under the head of classification 3.

Each twenty-five hundred (2,500) superficial feet of area or fractional part thereof covered by buildings, structures or enclosures under classification 5, section 2 of this act, shall be provided with at least one above described outside stairway; provided, however, that if there be living or sleeping quarters for more than twenty-five (25) persons in such building, then there shall be at least two of the above decided outside stairways.

Each five thousand (5,000) superficial feet of area or fractional part thereof covered by buildings under classification 6, section 2 of this act, shall be provided with at least one above described ladder, and platforms at each story, and if not more than twenty (20) persons be employed in the same, if more than twenty (20) persons be employed, then there shall be at least two of the above described ladders and platforms attached, or one such stairway and platforms of sufficient size at each story, and if more than forty (40) persons be employed in said building, then there shall be at least two, or such number of the above described outside stairways as the chief of fire department, or the mayor of any city or town where no such chief of fire department exists, may from time to time determine.

Sec. 4. It is hereby made the duty of the chief of fire department, or the mayor of each city or town where no such chief of fire department exists, or the chairman of the board of supervisors, in case such building is

not within the corporate limits of any city or town, to adopt uniform specifications for fire escapes as heretofore provided, and keep such specifications in their respective offices, and to serve or cause to be served a written notice in behalf of the state of Iowa upon the owner or owners, or their agents or lessees, of buildings within this state not provided with fire escapes in accordance with the provisions of this act, commanding such owner, owners, or agents, or either of them, to place or cause to be placed upon said buildings, such fire escape or fire escapes as are provided in this act within sixty days after service of this notice, pursuant to the specifications established. Any such owner, owners or agents, trustees or either of them so served with notice as aforesaid, who shall not within sixty days after the service of said notice upon him or them, place or cause to be placed such fire escape or fire escapes upon any such buildings as required by this act and the terms of said notice, shall be subject to a fine not less than fifty (\$50) dollars, and not more than one hundred (\$100) dollars, and shall be subject to a further fine of twenty-five (\$25) dollars for each additional week of neglect to comply with such notice.

Sec. 5. All fire escapes erected under the provisions of this act shall be subject to the inspection and approval or rejection in writing, by the person named in section 4 of this act who has caused such written notice to be served.

Sec. 6. This act shall take effect and be in force from and after the fourth day of July, A. D., 1902. All acts or parts of acts inconsistent with this act are hereby repealed.

J. S. ALEXANDER,
Chairman pro tem.

Read first and second time and placed on file.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred House file No. 82, a bill for an act to amend section one thousand eighty (1080) of the code, relative to the correction of registry of voters, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute therefor, with the recommendation that the substitute do pass.

SUBSTITUTE FOR HOUSE FILE NO. 82.

A bill for an act to amend section one thousand seventy-seven (1077) of the code, relative to the registry of voters.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section one thousand seventy-seven (1077) of the code be and the same is hereby amended by striking from the first and second lines thereof the words "second Thursday prior to any general election", and inserting in lieu thereof the following:

Thursday of the second week prior to the week in which any general election occurs.

F. M. MOLSBERRY,
Chairman.

Substitute read first and second time and placed on file.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate file No. 83, a bill for an act to amend section eleven hundred nineteen (1119) of the code, relative to the marking of ballots, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

F. M. MOLSBERRY,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 280, a bill for an act requiring the auditor to complete and prepare a financial report, and providing for the printing and distribution thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out all after the word "country," in the fourth line of section two of said bill, and when so amended that said bill do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 337, a bill for an act defining the crime of sodomy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass,

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred substitute for House file No. 85, a bill for an act to repeal section two hundred fifty-four (254) of the code, relating to com-

compensation of shorthand reporters 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 Senate with the recommendation that the same do pass.

Geo. W. LISTER,
Chairman

Ordered passed on file.

President *pro tem* Harriman was called to the chair at 9:55 A. M.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections three thousand forty-three (3043), three thousand forty-five (3045), three thousand forty-nine (3049), three thousand fifty (3050), three thousand fifty-one (3051), three thousand fifty-two (3052), three thousand fifty-four (3054) and three thousand fifty-five (3055) of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three (3).

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 70, a bill for an act to repeal section eight hundred fifty-three (853) of the code, and section two (2) of chapter twenty-eight (28) of the acts of the Twenty-seventh General Assembly, and amend subdivision six (6) of section ten hundred five (1005) of the code, relating to the subject of taxes for library purposes in cities acting under special charter.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 62, a bill for an act to amend section four hundred forty-one (441) of the code, relating to compensation of official papers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 138, a bill for an act to amend section sixteen hundred eleven (1611), title nine (9), chapter twelve (12) of the code, relating to authorized indebtedness of certain corporations.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Griswold, substitute for House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred and ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and the following enacted in lieu thereof, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Griswold offered the following amendment and moved its adoption:

I move to amend section one (1) by inserting in line nine, between the words "of" and "less," the following: "over eleven thousand and".

Carried.

Senator Griswold moved the adoption of the following committee amendments:

Insert after the word "Provided", in the twentieth line of section 1 of the substitute, the words "that in counties having a population of less than eleven thousand, in which the receipts of the office, together with the salary allowed under section five hundred eleven (511) of the code, do not amount to the sum of fifteen hundred dollars in any year, the board of supervisors shall, at the January session thereof, allow the sheriff a sum which, added to such salary and receipts of the office for the previous year, will amount to the sum of fifteen hundred dollars, and".

Carried.

Senator Blanchard offered the following amendment, and moved its adoption:

I move to amend the bill by striking out the words "section one" in line four of the bill, and by adding the words "section one" at the commencement of the first line of the bill.

Carried.

Senator Blanchard offered the following amendment, and moved its adoption:

I move to amend the title of the bill by striking out the following words therein, viz: "and the following enacted in lieu thereof," and by adding in lieu of such words the following; "and to fix the salaries of such officers"

Carried.

Senator Smith of Mitchell offered the following amendment, and moved its adoption:

I move to amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section five hundred and ten (510) of the code of Iowa be repealed and the following substituted therefor:

Each sheriff may in writing appoint one or more persons not holding a county office, as deputy or deputies, for whose acts he shall be responsible and from whom he shall require bond, which appointment and bond shall be approved by the officer who has the approval of the principal's bond, and such appointment may be revoked in writing, which appointment or revocation shall be filed and kept in the auditor's office. In all counties the board of supervisors shall fix the number of such deputies and their salaries at not exceeding one thousand dollars and not less than four hundred dollars each per annum, which compensation shall be paid by the county in quarterly installments.

Sec. 2. This act, being deemed of importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

A roll call was demanded.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Allyn, Arthaud, Ball, Brooks, Classen, Garst, Harper, Hartshorn, Hayward, Hubbard, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Wilson, Winne—21.

The nays were:

Senators Alexander, Bachman, Blanchard, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Hobart, Hogue, Hopkins, Junkin, Lambert, Lyons, Molsberry, Smith of Des Moines, Whipple, Young of Lee, Young of Washington—22.

Absent or not voting:

Senators Bishop, Brighton, Harriman, Hazelton, Healy, Townsend, Irewin—7.

So the amendment was lost.

Senator Bruce offered the following amendment, and moved its adoption:

I move to amend by striking out the word "eighteen", in line twenty-six of substitute, and insert in lieu thereof the word "sixteen."

Lost.

Senator Hayward offered the following amendment, and moved its adoption:

I move to amend section one (1) of the bill by inserting between the word "dollars" and the word "and", in the fourth line from the last of section one (1) "and in counties having a population of more than forty-five thousand, in which the receipts of the office do not in any one year amount to the sum of thirty-five hundred dollars, the board of supervisors shall, at the January session following, make an allowance to the sheriff a sum sufficient to make his salary equal to the sum of thirty-five hundred dollars".

Carried.

Senator Smith of Mitchell offered the following amendment, and moved its adoption:

Amend by striking out the words "receipts of the office in," in line twenty-nine of the substitute, and insert in lieu thereof the words "fees earned during."

Senator Ball offered the following substitute to the amendment offered by Senator Smith of Mitchell:

Amend section one (1) by striking out the words "fixed salary plus," in lines twenty-nine the bill, and in lines thirty-five and thirty-six the words "fixed salary plus the," and strike out the words "such salary and," in the amendment adopted by the Senate to line twenty of section one (1), and insert in lieu thereof the word "the."

Senator Griswold moved that the time of adjournment be extended fifteen minutes.

On a division the motion prevailed.

Senator Hubbard moved that when the Senate adjourn it be to meet at 2 o'clock P. M

On a division the motion prevailed.

The time having arrived the President *pro tem* declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

On request of Senator Tallman, leave of absence was granted Senator Townsend indefinitely on account of sickness.

On request of Senator Tallman, leave of absence was granted Senator Young of Lee until Monday.

The President announced that he had signed in the presence of the Senate, House files Nos. 31, 41, 55, 130, 156, 227, 214, 368, and Senate files Nos. 261, 296 and 304.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 809, a bill for an act to amend section nine (9) of chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that a similar bill has already passed the Senate.

E. W. BACHMAN,
Chairman.

Adopted.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 131, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 252, a bill for an act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

The Senate resumed consideration of substitute for House file No. 141, which was pending at the hour of the noon adjournment.

The question was on the substitute offered by Senator Ball, to the amendment offered by Senator Smith of Mitchell this morning.

Senator Porter moved that the bill under consideration be referred to the committee on Judiciary, and that it retain its place on the calendar.

Lost.

Senator Hobart moved the previous question on the amendments and the bill.

Carried.

On the question, Shall the substitute offered by Senator Ball to the amendment offered by Senator Smith of Mitchell be adopted? the motion prevailed.

Senator Griswold 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:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lambert, Lister, Lyons, Smith

of Des Moines, Whipple, Wilson, Winne, Young of Washington—31.

The nays were:

Senators Arthaud, Classen, Hartshorn, Lewis, Mardis, Porter, Smith of Mitchell, Spaulding, Tallman—9.

Absent or not voting:

Senators Bishop, Brighton, Healy, Maytag, Moffit, Molsberry, Townsend, Trewin, Young of Lee—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Spaulding, Senate file No. 175, a bill for an act to amend section twenty-seven hundred thirty-eight (2738) of the code, in relation to the duties of county superintendents, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Lewis offered the following amendment and moved its adoption:

Amend section one (1), line five (5), by inserting after the word "shall" and before the word "publish," the words "examine, audit and."

Carried.

Senator Blanchard offered the following amendment and moved its adoption.

I move to strike out section 2 of the bill.

Carried.

Senator Spaulding 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:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Classen, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hopkins, Lambert,

Lister, Mardis, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Young of Washington—27.

The nays were:

Senators Garst, Hayward—2.

Absent or not voting:

Senators Bachman, Brighton, Bruce, Courtright, Crossley, Dowell, Healy, Hogue, Hubbard, Junkin, Lewis, Lyons, Maytag, Moffit, Molsberry, Porter, Townsend, Trewin, Wilson, Winne, Young of Lee—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The Journal of yesterday was taken up, corrected and approved.

Senator Blanchard moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, March 22, 1902. }

Senate met in regular session at 9:30 o'clock, A. M., President Herriott presiding.

Prayer was offered by the Rev. F. W. Parsons of Marshalltown, Iowa.

On request of Senator Arthaud, leave of absence was granted Senator Classen until Monday.

On request of Senator Alexander, leave of absence was granted Senator Harriman until Monday.

On request of Senator Alexander, leave of absence was granted Senator Whipple until Monday,

On request of Senator Hopkins, leave of absence was granted Senator Mardis until Monday noon.

On request of Senator Lewis, leave of absence was granted Senator Hartshorn until Monday noon.

On request of Senator Blanchard, leave of absence was granted Senator Molsberry until Wednesday morning.

INTRODUCTION OF BILLS.

By Senator Young of Washington, Senate file No. 342, a bill for an act to amend section twenty-four hundred ten (2410) of the code, relating to sale of intoxicating liquors and abatement of nuisance.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Crossley, Senate file No. 343, a bill for an act making an appropriation to pay the expenses incurred in the Bruce-Emmert contested election case.

Read first and second time and referred to committee on Appropriations.

By Senator Allyn, Senate file No. 344, a bill for an act to repeal section one (1) of chapter ninety-four (94) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, relative to the duties and expenses of the superintendent of public instruction.

Read first and second time and, on motion of Senator Allyn, placed upon the calendar.

HOUSE MESSAGES CONSIDERED.

Senate file No. 70, a bill for an act to repeal section eight hundred and fifty-three (853) of the code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly and amend subdivision six (6) of section 1005 of the code, relating to the subject of taxes for library purposes in cities acting under special charter.

Passed on file.

House file No. 62, a bill for an act to amend section four hundred and forty-one (441) of the code, relating to compensation of official papers.

Read first and second time and referred to committee on Printing.

House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections 3043, 3045, 3049, 3050, 3051, 3052, 3054 and 3055 of title 15, chapter 3 of the code, additional to code title 15, chapter three (3).

Read first and second time and referred to committee on Judiciary.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks the recall of House concurrent resolution, relative to adjournment.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 343, a bill for an act providing that the civil actions authorized in section four thousand three hundred two (4302) of the code, may be brought in any county where a nuisance is committed in part, or in any county where any requisite to the consummation of a nuisance occurs.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction of certain lands or lots acquired by United States for public purposes within this state, and authorizing the acquisition thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation, organized under the laws of this state, for the construction of a highway or combination bridge across navigable boundary river, to vote additional taxes for the purchase of such bridge.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution relative to inviting the members of board of control to appear before a joint meeting of House and Senate to discuss appro-

priations asked of the Twenty-ninth General Assembly for state institutions.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam, and making an appropriation for the expenses thereof, and prescribing penalties for injuring or destroying such fishway.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 199, a bill for an act to amend section seven hundred forty-five (745) of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 867, a bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof in the publication of said ordinances.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein and for a levy of a tax of five mills made by said town in payment therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 884, a bill for an act to protect the property of public libraries and reading rooms.

C. R. BENEDEICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions, and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.

Read first and second time and referred to committee on Judiciary.

House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

Read first and second time and, upon motion of Senator Court-right, was taken up and considered.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Harper, Hayward, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Bishop, Blanchard, Brighton, Classen, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Healy, Hobart, Hub-

bard, Lyons, Mardis, Maytag, Molsberry, Townsend, Trewin, Whipple, Winne, Young of Lee—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House recalls concurrent resolutions relative to adjournment.

On motion of Senator Lister the Senate returned House concurrent resolutions relative to adjournment.

House file No. 343, a bill for an act providing that the civil actions authorized in section four thousand three hundred two (4302) of the code, may be brought in any county where a nuisance is committed in part, or in any county where any requisite to the consummation of a nuisance occurs.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred House file No. 27, a bill for an act to amend sections one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee, on Printing, to whom was referred Senate file No. 266, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that House file No. 324, containing the same subject matter, has been reported for passage.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 289, a bill for an act to amend section twenty-five hundred one (2501) of the code, in relation to annual reports and bulletins to be published by the state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 849, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Namely, strike out the words "Be it enacted by the general assembly of the state of Iowa", in the first line of the bill, and add after the words "Be it enacted", immediately after the words "section one, the following: "By the general assembly of the state of Iowa", and that when so amended the same do pass.

L. C. BLANCHARD,
Chairman pro tem

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 280, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, Iowa, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town in payment thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 327, a bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the code of 1878, and

by the officers therein authorized to take and certify acknowledgments, beg leave to report that they have the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 167, a bill for an act providing for condemnation of real estate by the state for the use and benefit of institutions of the United States, and the payment of damages therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 241, a bill for an act amending section twenty-nine hundred and fifty-nine (2959) of the code, in relation to the conveyance of real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 242, a bill for an act amending sections twenty-nine hundred forty-five (2945) and twenty-nine hundred forty-six (2946) of the code, in relation to the conveyance of real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 841, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof, in relation to hospitals for the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 828, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of graduates of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking out the word "twenty-four" in line three of section five (5) of the printed bill, and inserting in lieu thereof "fifteen."

And when so amended the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred House file No. 29, a bill for an act to amend section twenty-seven hundred ninety-nine (2799), chapter fourteen (14), title thirteen (13) of the code of 1897, relative to uniting independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 249, a bill for an act to require the attendance of all children at school between the ages of eight to fifteen years inclusive, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed because of House file No. 170, now before the Senate, on the same subject.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 331, a bill for an act to amend section one thousand seventy-eight (1078) of the code, in relation to registration of votes in school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 145, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for live stock, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate No. 152, a bill for an act making an appropriation and pro-

viding for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga), beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Amend section one (1) by adding thereto the following: "not more than five thousand dollars (\$5,000) of the total sum hereby appropriated shall be drawn during the biennial period commencing July 1, 1901."

Also, amend section six (6) by adding thereto the following:

"The auditor of the state is hereby authorized and directed to draw warrants upon the treasury, upon presentation to him of proper vouchers certified by said commission, from time to time and approved by the governor, in payment of the expenses of said commissioners, and in payment of said commission after contracts therefor are made and as the work progresses, but not more than 90 per cent of the cost of said monuments shall be paid for until the same be fully completed and erected in the places designated by said commission".

And that when so amended the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and service of Iowa soldiers in the campaign at the siege of Vicksburg, and to make 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 Senate with recommendation that the same be amended as follows:

Amend section two of the bill by striking out the word "five," in the second line thereof and inserting in lieu thereof the word "nine."

Also, strike out the following words in line three of section two, to wit: "at least four of whom" and insert in lieu thereof the word "who."

Also, strike out the words "ten thousand" and figures (10,000) in line nineteen of said section two and insert in lieu thereof the words "five thousand dollars"

That the figures "1902," at the end of section two, be struck out and insert in lieu thereof the figures "1901." That section four be amended to read as follows to wit:

Section 4. The auditor of state is hereby authorized and directed to draw warrants upon the treasury, upon presentation to him of the proper

vouchers certified by said commission from time to time and approved by the governor in payment of the expenses of the commissioners, and in payment of said monuments and tablets after contracts for such work are made and as the work progresses, but not more than 90 per cent of the cost of said monuments and tablets shall be paid for until the same are fully completed and erected in the places designated by said commission, and that when so amended the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in the state educational institutions.

Also, Senate file No. 296, a bill for an act to provide for the publication of an edition of seven thousand five hundred (7,500) copies of the code.

Also, Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington and Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state, and used by the Institution for Feeble Minded Children at Glenwood.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science in state educational institutions.

Also, Senate file No. 296, a bill for an act to provide for publication of an edition of seven thousand five hundred (7,500) copies of the code.

Also, Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or

assigns a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Also.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 214, a bill for and act to amend section three thousand sixteen (3016) of the code, relating to bushel weight.

Also, House file No. 130, a bill for an act to amend section two thousand five hundred forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line.

Also, House file No. 55, a bill for an act to amend sections two thousand seven hundred eight (2708, two thousand seven hundred nine (2709) and two thousand seven hundred eleven (2711), title thirteen (13), chapter (8) of the code, to repeal sections twelve (12), thirteen (13) and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools.

Also, House file No. 31, a bill for an act relating to the sale of cocaine, and providing punishment for the illegal sale thereof.

Also, House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

Also, House file No. 156, a bill for an act concerning and defining kidnapping for the purpose of ransom, and prescribing the punishment therefor.

Also, House file No. 41, a bill for an act to amend section three (3) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

Also, House file No. 227, a bill for an act to legalize the ordinances and official acts of the town of Schaller, Sac county.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 92, a bill for an act to amend section twenty-six hundred thirty-five (2635), section twenty-six hundred forty-nine (2649) and section twenty-six hundred seventy-six (2676) of the code, relating to tuition for students of the State university, the State College of Agriculture and Mechanic Arts and the State Normal school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows and do pass: That the word "five" be stricken from the term "forty-five", in all places where said term occurs in the bill.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred substitute as an amendment for House file No. 77, a bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding to section one (1) the following: "but this exemption shall not apply in the case of any soldier or sailor owning property of the actual value of five thousand dollars (\$5,000), or where the wife of such soldier or sailor owns property to the actual value of five thousand dollars (\$5,000)."

And that after being so amended the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. JUNKIN,
Chairman.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 260, a bill for an act to amend section two thousand eight (2008) of the code, relating to filing of transcript in condemnation proceedings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 200, a bill for an act to repeal section four hundred sixty (460) of the code, and enact a substitute therefor, abolishing the offices of township clerk and trustees in certain civil townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 280, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error v. Fremont county, Iowa, in error to the supreme court of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 372, a bill for an act to amend section forty-eight hundred and seventy-two (4872) of the code, relating to the punishment of the crime of perjury, and providing for commitment to the grand jury therefor by the trial judge, beg leave to report that they have had the same under consider-

ation, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 171, a bill for an act to amend section four hundred sixty-eight (468) of the code, relating to supplies for county officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

On motion of Senator Garst, House file No. 155 was made a special order for Wednesday, March 26th, at 2 o'clock P. M.

On motion of Senator Garst, Senate file No. 152 was made a special order for Wednesday, March 26th, to follow House file No. 155.

THIRD READING OF BILLS.

On motion of Senator Moffit, House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relating thereto, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Moffit moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Young of Washington—28.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brighton, Bruce, Classen, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Healy, Hobart, Hogue, Lyons, Mardis, Maytag, Molsberry, Townsend, Trewin, Whipple, Winne, Young of Lee—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Crawford, Senate file No. 286, a bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters, under appointment made by the district courts of Iowa, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Crawford moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Harper, Hayward, Hopkins, Hubbard, Junkin, Lambert,

Lewis, Lister, Maytag, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Young of Washington—28.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brighton, Classen, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hazelton, Healy, Hobart, Hogue, Lyons, Mardis, Moffit, Molsberry, Smith of Mitchell, Townsend, Trewin, Whipple, Winne, Young of Lee—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Harper, Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Harper moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crossley, Garst, Griswold, Harper, Hayward, Hopkins, Hubard, Junkin, Lambert, Lewis, Lister, Maytag, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Winne, Young of Washington—28.

The nays were:

None.

Absent or not voting:

Senators, Arthaud, Bishop, Brighton, Classen, Crawford, Dowell, Fitchpatrick, Harriman, Hartshorn, Hazelton, Healy, Hobart, Hogue, Lyons, Mardis, Moffit, Molsberry, Smith of Mitchell, Townsend, Trewin, Whipple, Young of Lee—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Lewis was called to the chair at 10:55 o'clock A. M.

On motion of Senator Blanchard, Senate file No. 337, a bill for an act defining the crime of sodomy, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Blanchard moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lister, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Wilson, Winne, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brighton, Classen, Fitchpatrick Harriman,, Hartshorn, Hazelton, Healy, Hobart, Hogue, Lewis, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Townsend, Trewin, Whipple, Young of Lee—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Young of Washington, Senate file No. 167, a bill for an act to amend section twenty-seven hundred and ninety-four (2794) of the code of Iowa, relating to the organization of independent districts, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information and laid over.

On motion of Senator Wilson, Senate file No. 338, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundry river to vote additional taxes for the purchase of such bridge, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Classen, Fitchpatrick, Garst, Harriman, Hartshorn, Hazelton, Healy, Hobart, Hogue, Lyons, Mardis, Moffit, Molsberry, Townsend, Trewin, Whipple, Winne, Young of Lee—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Spaulding, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Spaulding moved the adoption of the following committee amendments:

Amend as follows; namely, strike out the words "Be it enacted by the general assembly of the state of Iowa," in the first line of the bill and after the words "Be it enacted," immediately preceding the words "section one," the following: "by the general assembly of the state of Iowa.

Carried.

Senator Spaulding moved that the rule be suspended, and that the bill be read a third time as amended now, which motion prevailed, and the bill as amended was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Brooks, Bruce, Courtright, Craig, Crossley, Griswold, Harper, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Winne, Young of Washington—26.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Blanchard, Brighton, Classen, Crawford, Dowell, Fitchpatrick, Garst, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Lyons, Mardis, Moffit, Molsberry, Townsend, Trewin, Whipple, Young of Lee—24.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bruce, Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Bruce moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bruce, Courtright, Craig, Crossley, Dowell, Garst, Griswold, Harper, Hayward, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Winne, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Blanchard, Brighton, Brooks, Classen, Crawford, Fitchpatrick, Harriman, Hartshorn, Hazelton, Healy, Hobart, Lyons, Mardis, Moffit, Molsberry, Townsend, Trewin, Whipple, Young of Lee—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bruce, Senate file No. 221, a bill for an act to amend section two thousand five hundred and eight (2508) of the code, in relation to the inspection and use of the product of petroleum, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Bruce moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crossley, Dowell, Griswold, Harper, Hayward, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Maytag, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Winne, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Classen, Crawford, Fitchpatrick, Garst, Harriman, Hartshorn, Hazelton, Healy, Hobart, Lyons, Mardis, Moffit, Molsberry, Smith of Mitchell, Townsend, Trewin, Whipple, Young of Lee—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Wilson the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across navigable boundary rivers to vote additional taxes for the purchase of such bridge.

Read first and second time by title.

On motion of Senator Wilson, House file No. 400 was taken up and considered at this time.

Senator Wilson 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:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Hayward, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Winne, Young of Washington—31.

The nays were:

None:

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Classen, Fitchpatrick, Harriman, Hartshorn, Hazelton, Healy, Hobart, Lister, Lyons, Mardis, Moffit, Molsberry, Townsend, Trewin, Whipple, Young of Lee—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Porter the time for adjournment was extended fifteen minutes.

Senator Wilson moved to reconsider the vote whereby Senate file No. 338 passed the Senate.

Carried.

Senator Wilson moved to reconsider the vote whereby the rules were suspended and Senate file No. 338 passed to a third reading.

Carried.

Senator Wilson moved that Senate file No. 338 be indefinitely postponed for the reason that a bill of similar character had already passed the House and Senate.

Carried.

On motion of Senator Wilson, House file No. 93, a bill for an act to repeal section twenty-eight hundred fourteen (2814) of the code and enact a substitute therefor, relating to schoolhouse sites, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Crossley, House file No. 170 was made a special order for Thursday, March 27th, at 10 o'clock A. M.

The Journal of yesterday was taken up, corrected and approved.

On motion of Senator Blanchard the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, March 24, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. J. E. Groendyke of Perry, Iowa.

On request of Senator Hopkins, leave of absence was granted Senator Bruce for today.

On request of Senator Young of Lee, leave of absence was granted Senator Classen until Monday afternoon.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 345, a bill for an act to amend section twenty-three (23) of chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect.

Read first and second time and referred to committee on Appropriations.

Senate file No. 346, by committee on Judiciary.

A BILL

For an act to amend section three thousand two hundred and forty-six (3246) of the code, relating to binding minors as apprentices and to the appointment of guardians for minors in certain cases.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Section three thousand two hundred and forty-six (3246) of the code is hereby amended by adding thereto the following:

"It is hereby made the duty of the county attorney to act in behalf of the minors in all matters arising under this section, and the costs of such proceedings shall be assessed and paid as costs in criminal cases.

Sec. 2. This act, being deemed of immediate importance, shall be in effect and full force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Read first and second time and ordered placed on the calendar.

Senate file No. 347, by committee on Judiciary.

▲ BILL

For an act to amend section three hundred and twenty-five (325) of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section three hundred and twenty-five (325) of the code be and the same is hereby amended by adding thereto the following: "If an action is commenced by direction of the court, the costs shall be taxed and disposed of as in criminal cases."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Read first and second time and ordered placed on the calendar.

By Senator Griswold, Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations, and defining and regulating the same.

Read first and second time and referred to committee on Building and Loan.

HOUSE MESSAGES CONSIDERED.

Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam, and making an appropriation for the expenses thereof, and prescribing penalties for injuring or destroying such fishway.

Passed on file.

Senate file No. 199, a bill for an act to amend section seven hundred forty-five (745) of the code, as amended by the acts of the Twenty-seventh General Assembly, relative to the purchase and construction of waterworks.

Passed on file.

House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof in the publication of said ordinances.

Read first and second time and referred to committee on Judiciary.

House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein, and for a levy of a tax of five mills made by said town in payment thereof.

Read first and second time and referred to committee on Judiciary.

House file No. 384, a bill for an act to protect the property of public libraries and reading rooms.

Read first and second time and referred to committee on Libraries.

House concurrent resolution, relative to inviting the members of board of control to appear before a joint meeting of House and Senate to discuss appropriation of the Twenty-ninth General Assembly for state institutions.

On motion of Senator Blanchard, the Senate concurred in the resolution.

REPORTS OF COMMITTEES.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions, and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 317, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Adopted.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 118, a bill for an act relating to bonds given by contractors for erection and construction of public buildings and public improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying be substituted therefor, and that said substitute do pass.

L. C. BLANCHARD,
Chairman pro tem.

SUBSTITUTE FOR SENATE FILE NO. 118.

A bill for an act to amend section thirty one hundred and two (8102) of the code, relating to claims of subcontractors, for labor performed on, or material furnished for public buildings.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Section thirty-one hundred and two (8102) of the code is hereby amended by striking out the words "not belonging to the state" in the fourth line thereof; also by inserting the words "state or" between the word "the" and the word "public" in the fifth line thereof; also by inserting the words "the state or" between the word "shall" and the word "such" in the eight line thereof.

Sec. 2. Section thirty-one hundred and three (8103) of the code is hereby amended by adding thereto the following: In any action to adjudicate such claim or claims against the state, the attorney-general, or if directed by him the county attorney of the county in which such action is brought, shall appear for the state; provided, that no judgment shall be rendered against the state in any case under the provisions of this act.

Sec. 3. That section thirty-one hundred and four (8104) of the code be amended as follows: If such claim arises upon any building or erection for the state, such bond shall be filed with and approved by the officer with whom such claim is filed.

Read first and second time and placed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 368, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of mulct tax against the property and its owner or owners and the occupant or tenant of such property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

Senator Blanchard, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 185, a bill for an act in regard to supervisors districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. C. BLANCHARD,
Chairman pro tem.

Ordered passed on file.

On motion of Senator Trewin, Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin offered the following amendment and moved its adoption:

Amend Senate file No. 124 by adding at the end the following, to wit:

“The secretary of state shall make a certified report to each department of the cost of printing and binding done from and after July 1, 1901, to the date this enactment becomes operative”.

Carried.

Senator Trewin 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:

Senators Alexander, Bachman, Blanchard, Brooks, Courtright, Craig, Crawford, Fitchpatrick, Garst, Griswold, Harper, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Young of Lee—27.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Clasen, Crossley, Dowell, Harriman, Hartshorn, Hazelton, Hogue, Lambert, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Townsend, Whipple, Winne, Young of Washington—23.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Healy, Senate file No. 254, a bill for an act repealing section one hundred sixty of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant, and appropriating money to pay the same and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Bachman, Brooks, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Winne, Young of Lee—28.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Bruce, Classen, Crossley Harriman, Hartshorn, Hazelton, Hogue, Lambert, Lyons, Mardis, Maytag, Molsbery, Smith of Des Moines, Townsend, Whipple, Young of Washington—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Healy, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband of wife conveyed the contingent dower interest of the other spouse, with House substitute, was taken up and considered.

The substitute was read first and second time by title.

Senator Healy 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:

Senators Alexander, Bachman, Blanchard, Brooks, Courtright, Craig, Crawford, Dowell, Garst, Griswold, Harper, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee—27.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Classen, Crossley, Fitchpatrick, Harriman, Hartshorn, Hazelton, Hogue, Lambert, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Townsend, Whipple, Wilson, Young of Washington—23.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Young of Lee, Senate file No. 72, a bill for an act to amend sections thirteen hundred seventy (1370), thirteen hundred seventy-one (1371) as amended, thirteen hundred seventy-two (1372) as amended, and thirteen hundred seventy-three (1373), relating to the equalization of taxes and appeals from the local boards of review applicable to cities acting under special charters, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Young of Lee moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Bachman, Blanchard, Brooks, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper Hayward, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee—26.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Classen, Crossley, Harriman, Hartshorn, Hazelton, Healey, Hogue, Lambert, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Whipple, Wilson, Young of Washington—24.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bachman, Senate file No. 330, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein and for the levy of a tax of five mills made by said town in payment thereof, was taken up and considered.

Senator Bachman moved that House file No. 407, be substituted for Senate file No. 330, as they are bills of similar character and House file No. 407 had already passed the House.

Carried.

The bill was read for information.

Senator Bachman moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were :

Senators Alexander, Bachman, Blanchard, Brooks, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee—26.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Classen, Crossley, Garst, Harriman, Hartshorn, Hazelton, Hogue, Lambert, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Whipple, Wilson, Young of Washington—24.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bachman, Senate file No. 330, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town in payment thereof, with report of committee recommending it do pass, was taken up, and the bill indefinitely postponed.

On motion of Senator Smith of Mitchell, Senate file No. 274, a bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five of (165) the code, relating to powers and duties of the executive council, with report of committee

recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Bachman, Blanchard, Brooks, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee—27.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Classen, Crossley, Garst, Harriman, Hartshorn, Hazelton, Hogue, Lambert, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Townsend, Whipple, Wilson, Young of Washington—23.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Blanchard, House file No. 182, a bill for an act to amend section two thousand twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Blanchard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Bachman, Blanchard, Brooks, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lewis, Lister, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee—26.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Classen, Crossley, Garst, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Lambert, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Townsend, Whipple, Wilson, Young of Washington—24.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Alexander, Senate file No 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, relating to savings banks, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Lewis offered the following amendment and moved its adoption: Amend by striking out the words "real estate," in the fifth line of the bill, and that the words "farm lands" be inserted in lieu thereof.

Carried

Senator Alexander moved that further consideration of Senate file No. 187 be postponed, and that it retain its place on the calendar and come up as unfinished business.

Carried.

REPORT OF COMMITTEE.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 278, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674), relating to assess-

ors 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 Senate with the recommendation that the same do pass.

J. S. ALEXANDER,
Chairman pro tem.

Ordered passed on file.

On motion of Senator Dowell, the Senate took up House file No. 273 at this time.

Senator Dowell offered the following amendments and moved their adoption:

I move to amend section one (1) of the bill by striking out the words "adding thereto the following", in the sixth line and inserting in lieu thereof the following, "inserting after the period in the fourth line the following".

Carried.

Amend the title by adding the words "of the code" after the words and figures "six hundred and seventy-four (674)".

Carried.

I move to amend section two (2) of the bill by striking out the words and figures "three dollars (\$3) per calendar day, Sunday excepted", in the fifth and sixth line and inserting in lieu thereof the following, "fifteen hundred dollars per annum, to be fixed by the board of supervisors", and by striking out the words "in both cases", at the end of the section.

Carried.

I move to strike out the word "chief", in the fifth line of section two.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 348, a bill for an act to legalize the incorporation of the town of Budd, Floyd county, and the ordinances thereof.

C. B. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred

ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and the following enacted in lieu thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 354, a bill for an act amending paragraph five (5) of section seventeen hundred nine (1709) of the code, relating to insurance.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate amendments to House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section twenty hundred twenty-six (2026) of the code, relating to such railways.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 151, a bill for an act to amend section twenty-five hundred eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

House file No. 805, a bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric lights or power wires, or the appropriation or use of water or gas or electric currents for light or power purposes, without the knowledge or consent of the owner.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 286, a bill for an act to legalize the acts of boards of water-works trustees in cities of the first class acting under special charters under appointment made by district courts of Iowa

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks to recall House file No. 272, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually.

C. R. BENEDICT,
Chief Clerk.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 87 and 250.

Senator Lister filed the following motion to reconsider:

I move to reconsider the vote by which substitute for Senate file No. 157 passed the Senate.

G. W. LISTER.

Senator Hayward moved that when the Senate adjourn it be to meet at 2 o'clock P. M.

Carried.

The time having arrived the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

INTRODUCTION OF BILLS.

By Senator Blanchard, Senate file No. 349, a bill for an act to amend section nineteen hundred ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

Read first and second time and referred to committee on Judiciary.

By Senator Crawford, Senate file No. 350, a bill for an act to amend section five (5), chapter forty-three (43) of acts of the

Twenty-eighth General Assembly, relating to the taxing of insurance companies.

Read first and second time and referred to committee on Ways and Means.

The Senate resumed consideration of House file No. 273, which was pending at the hour of the noon adjournment.

Senator Dowell 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:

Senators Alexander, Arthaud, Bachman, Blanchard, Brooks, Classen, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Healy, Hobart, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Young of Lee, Young of Washington—28.

The nays were:

None.

Absent or not voting:

Senators Allyn, Ball, Bishop, Brighton, Bruce, Courtright, Crossley, Garst, Harriman, Hartshorn, Hazelton, Hogue, Hopkins, Hubbard, Lambert, Lyons, Moffit, Molsberry, Townsend, Whipple, Wilson, Winne—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Trewin moved that the Senate take up House messages.

Carried.

House asks to recall House file No. 272, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporation, and to provide for a publication of a financial statement annually.

On motion of Senator Trewin, the Senate returned House file No. 272 to the House.

Passed on file.

House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof.

Read first and second time and passed on file.

Senate file No. 286, a bill for an act to legalize the acts of board of waterworks trustees in cities of the first class, and cities acting under special charters, under appointment made by district courts.

Passed on file.

House file No. 354, a bill for an act amending paragraph five (5) of section seventeen hundred nine (1709) of the code, relating to insurance.

Read first and second time and referred to committee on Insurance.

House file No. 305, a bill for an act to prohibit and punish the secret of unlawful tapping of water or gas pipes or electric light or power wires or the appropriation or use of water or gas or electric currents for light or power purposes, without the knowledge or consent of the owner.

Read first and second time and referred to committee on Judiciary.

House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and the following enacted in lieu thereof.

Passed on file.

House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, amending section two thousand twenty-six (2026) of the code, relating to such railways.

Read first and second time and passed on file.

House file No. 151, a bill for an act to amend section twenty-five hundred eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery.

Read first and second time and passed on file.

Senator Trewin moved that the Senate take up and consider House file No. 396, in lieu of Senate file No. 319, which has been a special order for some time.

Carried.

On motion of Senator Trewin, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto, was taken up and considered.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bachman, Blanchard, Brooks, Classen, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Tallman, Trewin, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Ball, Bishop, Brighton, Bruce, Courtright, Harriman, Hartshorn, Hogue, Lambert, Lyons, Moffit, Molsberry, Spaulding, Smith of Mitchell, Townsend, Whipple, Wilson, Winne—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hayward, the Senate took up and considered Senate file No. 199 at this time.

The bill was read as amended for information.

Senator Hayward moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Arthaud, Bachman, Blanchard, Brooks, Classen, Craig, Crawford, Fitchpatrick, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Allyn, Ball, Bishop, Brighton, Bruce, Courtright, Crossley, Dowell, Garst, Harriman, Hartshorn, Hogue, Lambert Lyons, Moffit, Molsberry, Spaulding, Townsend, Whipple, Wilson—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, Senate file No. 319, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto, with report of committee, was taken up, and the bill indefinitely postponed for the reason that a bill of similar character had already passed the Senate.

So the bill was indefinitely postponed.

Senator Lister called up the motion filed by him this morning to reconsider the vote whereby substitute for Senate file No. 157 passed the Senate.

Senator Lister moved to reconsider the vote whereby substitute for Senate file No. 157 passed the Senate.

Carried.

Senator Lister moved to reconsider the vote whereby substitute for Senate file No. 157 passed to a third reading.

Carried.

Senator Lister offered the following amendment and moved its adoption: Add as section 2.

Section 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Leader and the Iowa State Register, newspapers published at Des Moines, Iowa.

Carried.

The bill was read for information.

Senator Lister moved that the rule be suspended, and that the bill as amended be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Blanchard, Brooks, Classen, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Ball, Bishop, Brighton, Bruce, Court-right, Crossley, Garst, Harriman, Hartshorn, Hogue, Lambert, Lyons, Molsberry, Spaulding, Townsend, Whipple, Wilson—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Craig, Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Craig moved the adoption of the following committee amendments:

Amend by striking out the word "said," in the last line and inserting the word "this" in lieu thereof.

Carried.

Senator Craig offered the following amendment and moved its adoption.

I move to amend section one by striking out the word "amend," in the first line, and insert the word "that", and insert after the word "code", in the first line, the words "be and the same is hereby amended.

Carried.

Senator Craig 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:

Senators Alexander, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Trewin, Winne, Young of Lee—29.

The nays were:

Senator Tallman.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Bishop, Brighton, Bruce, Dowell, Garst, Harriman, Hartshorn, Hogue, Lambert, Lewis, Lyons, Molsberry, Spaulding, Townsend, Whipple, Wilson, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Junkin, Senate file No. 129, a bill for an act relating to notice and proof of loss of personal property insured, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Smith of Mitchell moved the adoption of the following committee amendment. Amend as follows by adding to section one thereof the following: "proving nothing herein shall prevent the insurance company from requiring the insured to properly

keep, preserve and produce books of account, inventories and other proper vouchers and evidence for the use of the insurance company in arriving at the actual amount and cause of such loss.

A roll call was demanded.

On the question, Shall the committee amendment be adopted?

The yeas were:

Senators Hazelton, Smith of Mitchell—2.

The nays were:

Senators Alexander, Arthaud, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Hayward, Healy, Hobart, Hopkins, Junkin, Lewis, Mardis, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Wilson, Winne, Young of Lee, Young of Washington—29.

Absent or not voting:

Senators Allyn, Ball, Bishop, Brighton, Bruce, Fitchpatrick, Harper Harriman, Hartshorn, Hogue, Hubbard, Lambert, Lister, Maytag, Molsberry, Townsend, Whipple, Wilson—19.

So the amendment was lost.

Senator Moffit offered the following amendment, and moved its adoption. Move to strike the words "and value" from the third line of the bill.

Lost.

Senator Junkin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Ball, Bishop, Brighton, Bruce, Harper, Hartshorn, Healy, Hubbard, Lambert, Lyons, Molsberry, Townsend, Whipple, Wilson—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Alexander called up Senate file No 187, which was under consideration this morning.

Senator Lewis offered the following as a substitute to section one, and moved its adoption:

Section 1. That section eighteen hundred seventy (1870) of the code, be amended by inserting in line five (5), after the word "bank" and before the word "but," the following:

Provided, that savings banks may loan not to exceed one-half of their capital stock to any person, corporation, company or firm on notes or bonds secured by mortgage or deed of trust upon unencumbered farm land in this state, worth at least twice the amount loaned thereon.

Carried.

Senator Alexander 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:

Senators Alexander, Arthaud, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman, Hayward, Hazelton, Hobart, Hogue, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Winne, Young of Lee, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Allyn, Ball, Bishop, Brighton, Bruce, Crossley, Dowell, Garst, Hartshorn, Healy, Hopkins, Lambert, Lyons, Molsberry, Porter, Townsend, Whipple, Wilson—18.

Senator Lewis offered the following as a substitute to the title of the bill:

Substitute for title. A bill for an act to amend section eighteen hundred seventy (1870) of the code, in relation to limit of liabilities of banks.

Carried.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title as amended agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to adopt the conference committee report on Senate concurrent resolution, relative to the bill now pending in congress defining conspiracy, introduced into the senate by Senator Hoar of Massachusetts, and known as Senate file 1118, and names as for further conference committee, Clarke of Dallas, Hawk of Jasper, Graff of Page.

C. R. BENEDICT,
Chief Clerk.

Senator Young of Washington called up Senate file No. 167, which was taken up yesterday and laid over.

The bill was read for information.

Senator Young of Washington moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bachman, Blanchard, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Young of Lee, Young of Washington—32.

The nays were:

Senator Hogue.

Absent or not voting:

Senators Allyn, Ball, Bishop, Brighton, Bruce, Garst, Harts-horn, Hobart, Hubbard, Lambert, Lyons, Molsberry, Porter, Townsend, Whipple, Wilson, Winne—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

Also, Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class, having a population of more than sixty thousand, and defining the powers and duties of such board.

E. K. WINNE,

Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

Also, Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class, having a population of more than 60,000 and defining the powers and duties of such board.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 87, a bill for an act to amend section one hundred thirty-six (186) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

Also, Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class, having a population of more than 60,000, and defining the powers and duties of such board.

E. K. WINNE,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 266, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred fifty-four (1554) of the code, and for the repeal of section fifteen hundred forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax.

Also, House file No. 111, a bill for an act to amend section two hundred fifty-five (255) of the code, relating to superior courts.

Also, House file No. 12, a bill for an act to amend chapter nine (9), title twelve (12) of the code, in relation to mines and mining.

Also, House file No. 18, a bill for an act to amend section twenty-four hundred eighty-two (2482) of the code, relating to mines and mining.

Also, House file No. 148, a bill for an act to amend section four hundred twenty-three (423) of the code, relating to the powers of boards of supervisors.

Also, House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county.

Also, House file No. 47, a bill for an act to amend section three thousand four hundred thirty-nine (3439) of the code, relating to the limitation of actions on judgments.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, House files Nos. 266, 111, 12, 13, 148, 378 and 47.

On motion of Senator Crossley, Senate file No. 133, a bill for an act relating to the granting of state certificates and life diplomas to teachers upon the diplomas issued by certain institutions when pedagogical preparation shall have been included in the course of study leading thereto, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted, and laid over.

The Journal of yesterday was taken up, corrected and approved.

Senator Dowell moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, March 25, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. T. A. Trimble of Riceville, Iowa.

HOUSE MESSAGE CONSIDERED.

House refuses to adopt the conference committee report on Senate concurrent resolution, relative to the bill now pending in congress, defining conspiracy, introduced into senate by Senator Hoar of Massachusetts, and known as Senate file No. 1118.

Passed on file.

REPORT OF COMMITTEE.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 840, a bill for an act to amend section two (2) of chapter twenty-five (25), of the acts of the Twenty-eighth General Assembly relating to disbursement of tax money levied and collected for and on account of waterworks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

By unanimous consent, on motion of Senator Crawford, the Senate took up and considered Senate file No. 340 at this time.

On motion of Senator Crawford the report of the committee recommending passage was adopted.

The bill was read for information.

Senator Crawford moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Garst, Griswold, Harper, Harriman, Hartshorn, Hogue, Hopkins, Lambert, Lewis, Lister, Lyons, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Bachman, Brighton, Dowell, Fitchpatrick, Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Maytag, Molsberry, Tallman, Townsend—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEES.

Senator Alexander, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 214, a bill for an act to amend sections seven hundred seventy (770), seven hundred seventy-one (771), seven hundred seventy-three (773), and to repeal section seven hundred seventy-four (774) of chapter six (6) of the code, relating to the construction of viaducts over or under railroads on public streets or highways, and to the compensation of owners of property abutting on such streets and highways, and to enact a substitute for said section seven hundred seventy four (774), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted and that the same do pass.

SUBSTITUTE FOR SENATE FILE NO. 214.

A bill for an act to amend sections seven hundred and seventy-one (771), seven hundred and seventy-three (773), and seven hundred and seventy-

four (774) of chapter six (6), title five (5) of the code, relating to the construction of viaducts over and under railroads on public streets and to the compensation of owners of property abutting on such streets and highways.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section seven hundred and seventy-one (771) of the code be and the same is hereby amended by adding after the word "fund" in the last line of said section, the following to wit: "or in cities having a population of fifty thousand (50,000) or over, from other available fund or funds."

Sec. 2. That section seven hundred and seventy-three (773) of the code be and the same is hereby amended by inserting after the word "council" and before the word "after", in the fifth line of said section, the following, to wit: "The council shall fix a time and place where it shall consider such matters and any objections that may be made to the construction of such viaduct and the approaches thereto. Not less than twenty days' written notice of such hearing shall be given to the company or companies owning or operating the track or tracks over or under which it is proposed to construct such viaduct. Said notice may be served in the same manner and upon the same persons or officers as in the case of an original notice. Such cities shall have power to regulate the use of such viaducts, and to authorize or forbid the use thereof by street railway companies and to require the payment of compensation for such use."

Sec. 3. That section seven hundred seventy-four (774) of the code be and the same is hereby amended by inserting after the word "may" and before the word "construct," in the fourth line thereof, the following, to wit: "enforce the construction, maintenance or repair of such viaduct and approaches by proceedings in mandamus and the court shall require the issues to be made up at the first term to which such action is brought and shall give the same precedence over other civil business. Refusals to comply with, or violations of, the orders of the court in such proceedings may be punished as contempts, by fine and imprisonment as provided in section 2119 of the code; or the city may."

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

J S. ALEXANDER,
Chairman pro tem.

Read first and second time and passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred House file No. 228, a bill for an act to provide for the admission and maintenance of feeble-minded children at Glenwood, and the

maintenance thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Young of Lee, Senate file No. 229, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to enable the United States of America to take private property for public improvements, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Young of Lee moved the adoption of the following committee amendments:

Amend as follows: By striking from the last line of the first paragraph the word "this" and inserting in place thereof the words "chapter four (4), title ten (10) of the"

Carried.

Senator Young of Lee 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Healy, Hogue, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Senators Brighton, Fitchpatrick, Hayward, Hobart, Hubbard, Molsberry, Smith of Mitchell, Winne—8.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 264, a bill for an act to amend sections twenty-five hundred five (2505) and twenty-five hundred six (2506) of the code, relating to the inspection of petroleum products.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673), chapter three (3), title nine (9) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 811, a bill for an act to amend section three (3), of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 153, a bill for an act making appropriations for the erection of a state arsenal and adjutant-general's building:

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 381, a bill for an act to amend section two (2) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT— I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 364, a bill for an act to amend section four thousand nine hundred seventy-nine (4979) of the code, in regard to removing dead animals from cities and towns.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 401, a bill for an act to amend section five thousand ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 374, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of Senate file No. 133, which was pending before adjournment yesterday.

The President announced that the hour for consideration of special order No. 1 had arrived.

On motion of Senator Hazelton, consideration of special order No. 1 was postponed until Senate file No. 133 was disposed of.

Senator Lewis offered the following amendment and moved its adoption:

Amend section 3 by inserting after the word "be" and before the word "accounted" in line two (2), the words "paid into the state treasury and."

Carried.

Senator Crossley, moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Bachman, Ball, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Griswold, Harper, Harriman, Hayward, Hogue, Junkin, Lister, Maytag, Moffit, Porter, Smith of Mitchell, Wilson, Young of Washington—24.

The nays were:

Senators Arthaud, Bishop, Blanchard, Hartshorn, Hazelton, Healy, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lyons, Mardis, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Young of Lee—20.

Absent or not voting:

Senators Allyn, Brighton, Fitchpatrick, Garst, Molsberry, Winne—6.

So the bill, having failed to receive a constitutional majority, was declared lost.

SPECIAL ORDER.

The Senate took up special order No. 1, substitute for House file No. 128, a bill for an act to amend chapter one (1), title three (3) of the code, relating to the organization of the supreme court, with report of committee recommending a substitute, was taken up, considered and, on motion of Senator Healy, the report of the committee was adopted.

The bill was read for information.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend the bill by striking out all of section five (5) after the word "year", in the second line, and by adding as section seven (7) of the bill the following: "This act shall take effect and be in force on and after January 1, 1904.

President *pro tem* Harriman was called to the chair at 11:35 A. M.

Senator Hazelton moved that when Senate adjourns it be to meet at 2 o'clock P. M.

Carried.

The time having arrived the President *pro tem* declared the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met in regular session, pursuant to adjournment, at 2 o'clock P. M., President Herriott presiding.

On request of Senator Junkin leave of absence was granted Senator Lewis until tomorrow.

REPORT OF COMMITTEE.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House file No. 168, a bill for an act to enable the owners of land to drain them, when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the enlargement and repair of such drains and repealing certain acts therein specified, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted for House file No. 168 do pass and that the same be printed.

W. F. HARRIMAN,
Chairman.

Ordered passed on file and printed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 70, a bill for an act to repeal section nine hundred fifty-three (953) of the code, and section two (2) of chapter twenty-eight (28) of the acts of the Twenty-seventh General Assembly, and amend subdivision six (6) of section one

thousand five (1005) of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters.

Also, Senate file No. 138, a bill for an act to amend section one thousand sixteen hundred and eleven (1611) of the code, relating to the authorized indebtedness of certain corporations.

Also, Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter.

Also, joint resolution No. 5, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 70, a bill for an act to repeal section nine hundred fifty-three (953) of the code, and section two (2), of chapter twenty-eight (28) of the acts of the Twenty-seventh General Assembly, and amend subdivision six (6) of section one thousand five (1005) of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters.

Also, Senate file No. 138, a bill for an act to amend section one thousand six hundred eleven (1611) of the code, relating to the authorized indebtedness of certain corporations.

Also Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola and state of Iowa, on the fifth day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter.

Also, joint resolution No. 5, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 70, 138, 272, and joint resolution No. 5.

The Senate resumed consideration of House file No. 128, which was pending at the hour of the noon adjournment.

The question was on the amendment offered by Senator Trewin this morning.

On motion of Senator Trewin the amendment was adopted.

Senator Tallman offered the following amendment and moved its adoption:

I move to amend section 5 of the bill by striking out the word "six", in the second line of said section and inserting in lieu thereof the word "five."

President *pro tem* Harriman was called to the chair at 2:40 P. M.

A roll call was demanded on the amendment of Senator Tallman.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bishop, Brooks, Crawford, Crossley, Griswold, Harriman, Hartshorn, Hopkins, Lambert, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Young of Lee, Young of Washington—22.

The nays were:

Senators Ball, Blanchard, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Harper, Hayward, Hazelton, Healy, Hogue, Hubbard, Junkin, Maytag, Moffit, Smith of Mitchell, Townsend, Trewin, Whipple, Winne—23.

Absent or not voting:

Senators Bachman, Brighton, Hobart, Lewis, Molsberry—5.

So the amendment was lost.

Senator Ball offered the following amendment and moved its adoption:

Amend by inserting in the third line of section 1, after the word "Tuesday", the words "after the first Monday".

Also, amend by inserting in the fifth line of section 1, after the word "Tuesday", the words, "after the the third Monday," and by striking out the word "third" in the fifth line and insert "first" in lieu thereof.

Carried.

Senator Arthaud offered the following amendment and moved its adoption:

Add as section 8: "That no member of the supreme court shall be paid any compensation for services other than the salary herein provided."

Senator Hayward offered the following amendment to the amendment:

Insert after the word "compensation" the words "by the state."

Lost.

The original motion offered by Senator Arthaud was carried.

Senator Porter rose to the point of order that the substitute was not adopted.

The President *pro tem* ruled that when the substitute was read a second time it was an independent matter before the Senate and should be treated as a bill.

Senator Healy moved the previous question.

A roll call was demanded.

On the question, Shall the main question be now put?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lister, Mardis, Maytag, Moffit, Smith of Mitchell, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—34.

The nays were:

Senators Ball, Bishop, Crossley, Garst, Lambert, Lyons, Porter, Smith of Des Moines, Spaulding, Tallman, Young of Lee—11.

Absent or not voting:

Senators Blanchard, Brighton, Hobart, Lewis, Molsberry—5.

So the motion "that the main question be now put" was carried.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and read a third time now.

A roll call was demanded.

On the question, Shall the rules be suspended and the bill be read a third time now?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lister, Mardis, Maytag, Moffit, Smith of Mitchell, Townsend, Trewin, Whipple, Winne, Young of Lee, Young of Washington—35.

The nays were:

Senators Ball, Bishop, Crossley, Lambert, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson—9.

Absent or not voting:

Senators Brighton, Garst, Hobart, Lewis, Lyons, Molsberry—6.

So the motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hayward, Hazelton, Healy, Hogue, Hubbard, Junkin, Lister, Maytag, Moffit, Smith of Mitchell, Townsend, Trewin, Whipple, Winne—27.

The nays were:

Senators Alexander, Allyn, Ball, Bishop, Crawford, Crossley, Harriman, Hartshorn, Hopkins, Lambert, Lyons, Mardis, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Young of Lee, Young of Washington—19.

Absent or not voting:

Senators Brighton, Hobart, Lewis, Molsberry—4.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Trewin moved to reconsider the vote whereby substitute for House file No. 128 passed the Senate.

Senator Healy moved that the motion of Senator Trewin to reconsider the vote whereby substitute for House file No. 128 passed the Senate be laid upon the table.

Senator Blanchard moved that the Senate do now adjourn.

A roll call was demanded.

On the question, Shall the Senate adjourn?

The yeas were:

Senators Alexander, Allyn, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Crawford, Crossley, Fitchpatrick, Garst, Harts-horn, Hogue, Junkin, Lambert, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Young of Lee, Young of Washington—26.

The nays were:

Senators Arthaud, Bachman, Courtright, Craig, Dowell, Harper, Hayward, Hazelton, Healy, Hubbard, Junkin, Maytag, Moffit, Smith of Mitchell, Townsend, Trewin, Whipple, Winne—18.

Absent or not voting:

Senators Brighton, Griswold, Harriman, Hobart, Lewis, Molsberry—6.

So the motion to adjourn prevailed.

The President *pro tem* declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, March 26, 1909. }

Senate met in regular session at 9:30 o'clock, A. M., President Herriott presiding.

Prayer was offered by Rev. G. W. Thompson of Woodbine, Iowa.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 351, a bill for an act authorizing the executive council to sell and convey two islands recently formed by accretion in the Mississippi river, and located in sections three and four, in township seventy-seven (77), north of range three, east of the fifth P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

Read first and second time and referred to committee on Judiciary.

By Senator Healy, Senate file No. 352, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code of 1897, as amended by chapter one hundred five (105) of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections.

Read first and second time and referred to committee on Elections.

By Senator Smith of Mitchell, Senate file No. 353, a bill for an act to create a state department of insurance and providing for the appointment of a commissioner of insurance.

Read first and second time and referred to committee on Insurance.

PETITIONS AND MEMORIALS.

Senator Courtright presented petition of ladies and comrades of Grand Army of the Republic, asking that Lincoln's birthday be made a legal holiday.

Read and referred to committee on Military.

Senator Hayward presented petition of 900 citizens of Davenport, in favor of the passage of the barber bill.

Referred to committee on Public Health.

Senator Bruce presented petitions of survivors of war of the rebellion in favor of a law exempting property to the extent of \$800 of old soldiers, from taxation.

Read and referred to committee on Ways and Means.

Senator Hubbard moved that the President appoint a committee on conference to confer with a like committee from the House, relative to the Hoar resolution.

Carried.

The President appointed as such commission on conference on part of the Senate, Senators Hobart, Garst and Porter.

HOUSE MESSAGES CONSIDERED.

House file No. 264, a bill for an act to amend section twenty-five hundred five (2505) and twenty-five hundred six (2506) of the code, relating to inspection of petroleum products.

Read first and second time and referred to committee on Public Health.

House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen seventy-three (1673), chapter three (3), title nine (9) of the code.

Read first and second time and referred to committee on Horticulture and Forestry.

House file No. 311, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Read first and second time and placed on calendar.

House file No. 153, a bill for an act making appropriations for the erection of a state arsenal and adjutant general's building.

Read first and second time and referred to committee on Appropriations.

House file No. 381, a bill for an act to amend section two (2) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities.

Read first and second time and referred to committee on Judiciary.

House file No. 364, a bill for an act to amend section four thousand nine hundred and seventy-nine (4979) of the code, in regard to removing dead animals from cities and towns.

Read first and second time and referred to committee on Public Health.

House file No. 401, a bill for an act to amend section fifty-hundred ninety-six (5096) of the code, relating to bail after conviction of certain crimes

Read first and second time and referred to committee on Judiciary.

House file No. 374, a bill for an act to amend section seven-hundred nine (1709) of the code, relating to insurance.

Read first and second time and placed on calendar.

REPORTS OF COMMITTEES.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred House file No. 834, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding, and distribution of public reports and documents, beg leave to report that they have had the same under consideration and have strusted me to report to same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman

Ordered passed on file.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred House file No. 62, a bill for an act to amend section four hundred forty-one (441) of the code, relating to compensation of official papers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Ordered passed on file.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House file No. 178, a bill for an act to protect owners of breeding stock, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 849, a bill for an act to amend section nineteen hundred ninety-eight (1998) of the code, relating to depot grounds of railway corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 256, a bill for an act to amend section one thousand sixty-seven (1067) of the code, and making the office of supreme court reporter appointive, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted therefor and that said substitute do pass.

A BILL

For an act to amend sections one thousand sixty-seven (1067), two hundred sixteen (216) and two hundred twenty-four (224) of the code, concerning the election, appointment, term, compensation and duties of the supreme court reporter.

Be it Enacted by the Twenty-ninth General Assembly of the State of Iowa:

Section 1. That section one thousand sixty-seven (1067) of the code be and the same is hereby amended by striking out the last word of the first line of said section, the word "reporter"; out of the second line of the said section, and substituting for the words "their terms", in the third line thereof, the word "his term."

Sec. 2. The term of the reporter now in office shall continue to and end on the first Monday in January, A. D. 1905. Thereafter the supreme court shall appoint a reporter who shall hold office during the pleasure of the court. He shall be paid at the rate of \$3,000 per year at such times as the chief justice shall, by order, direct.

Sec. 3. That there be added to section two hundred sixteen of the code the following words: The reporter now in office shall publish all opinions filed during his term as fixed in section two (2) of this act, except such as the court directs shall not be reported officially. He may use enough opinions, filed after his said term expires, to complete the last book published by him; provided, that at least one hundred pages of such last book be made up from opinions filed during his said term. The fact that his term has expired before all opinions herein specified are published shall not affect his right to be paid for publishing the same.

Sec. 4. That section two hundred twenty-four (224) of the code be amended by adding to the same the following words:

If, after all opinions specified in section three (3) of this act are printed, the compensation of the reporter now in office, computed at \$600 a volume, shall be, in the aggregate, less than \$2,000 a year for his term, as fixed in this act, the auditor of state shall, at the end of such term and as soon as all of said opinions are printed in book form, issue to said reporter a warrant drawn upon the treasurer of state, for the difference between \$2 000 a year, for such term, and the sum named, by computing said printed opinions at \$600 a volume. This warrant shall be paid out of any funds in the treasury not otherwise appropriated.

Sec. 5. If the reporter now in office shall cease to be such officer before the first Monday in January, A. D. 1905, the warrant specified in section four (4) of this act shall be issued to him, and paid as aforesaid, for the difference between \$2,000 a year for the time he has served of his term and such sum, if less than such pay per year, as he has received during the time served; provided, that the warrant specified in this section shall issue only upon a certificate of the chief justice that said reporter has performed all work properly belonging to the part of the term served by him.

THOS. D. HEALY,
Chairman

Read first and second time and ordered placed on file.

THIRD READING OF BILLS.

On motion of Senator Harper, House file No. 3, a bill for an act relating to the use of streets and highways by automobiles or motor vehicles, with report of committee recommending its passage, was taken up, considered and the report of committee adopted.

The bill was read for information.

Senator Lambert offered the following amendment and moved its adoption:

I move to strike out section four (4) of the bill.

Carried.

On motion of Senator Classen, special order No. three (3), House file No. 266, was continued until the bill under consideration was disposed of.

Senator Hayward offered the following amendment to House file No. 3, and moved its adoption:

I move to strike out section three (3) of the bill, and renumber section five (5) as section three (3).

Senator Junkin moved that House file No. three (3) be referred to the committee on Judiciary.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked.

House joint resolution No. 8, joint resolution for an application to the congress of the United States of America, in behalf of the state of Iowa, for the calling of a convention for proposing amendments to the constitution of the United States of America, as provided in article five (5) of said constitution.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 127, a bill for an act to amend section seventeen (17), title twelve (12) of the code, requiring the secretary of the state board of medical examiners to give an official bond and for other purposes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House amendments to Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 376, a bill for an act to repeal section twenty-two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof in relation to the hospital for the insane.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 323, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets, adjoining the state's property.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 187, a bill for an act to legalize the State Poultry association, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for misappropriation of any money hereby granted.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Garst, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rules be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brooks, Bruce, Classen Courtright, Craig, Crossley, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee—39.

The nays were:

None.

Absent or not voting:

Senators Bachman, Bishop, Brighton, Crawford, Dowell, Griswold, Hogue, Hubbard, Smith of Mitchell, Winne, Young of Washington—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Lewis offered the following concurrent resolution:

Resolved, By the Senate, the House concurring. That the President of the Senate and Speaker of the House shall each declare their respective houses adjourned sine die on Wednesday, April 9 1902, at 12 o'clock m.

Laid over under the rule.

SPECIAL ORDER.

On motion of Senator Classen, substitute for House file No. 286, a bill for an act to amend sections one thousand and seventy-five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542), one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551), one thousand five hundred and fifty-four (1554) and four thousand eight hundred eight (4808) of the code, and to repeal sections one thousand five hundred and thirty-two (1532), one thousand five hundred and forty (1540), and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

On motion of Senator Classen, the bill was read section by section for amendments.

Senator Hobart offered the following amendment to section three (3) and moved its adoption:

Amend section three (3) of the printed bill by inserting after the figure one (1), in the fourth line thereof, the following: "By striking out the word four in the fifth line of subdivision one (1) and inserting in lieu thereof the word two".

Senator Garst offered the following amendment to the amendment of Senator Hobart and moved its adoption:

Amend section three (3) of committee substitute by adding to said section the following: And by striking out the word "four," in line five (5) of

paragraph 1, section fifteen hundred twenty-eight (1528) and inserting therein the word "three."

Senator Hobart moved that further consideration of House file No. 286 be postponed until after the special order this afternoon.

Carried.

The Journal of Monday, March 24th, was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

Senator Blanchard moved that when the Senate adjourn it be to meet at 2 o'clock P. M.

The time having arrived, the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Herriott presiding.

The time having arrived the Senate took up House file No. 155, which was made a special order for this time.

On request of Senator Hazelton, leave of absence was granted Senator Townsend until tomorrow.

On request of Senator Courtright, leave of absence was granted Senator Hobart until tomorrow.

SPECIAL ORDER.

On motion of Senator Blanchard, House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park to mark the position occupied by Iowa brigades, regiments and batteries; to commemorate the valor and service of Iowa soldiers in the campaign and siege

of Vicksburg, and to make an appropriation therefor, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Blanchard moved the adoption of the following committee amendments.

Amend section two of the bill by striking out the word "five" in the second line thereof and inserting in lieu thereof, the word "nine".

Also, strike out the following words in line three of section two, to wit: "at least four of whom" and insert in lieu thereof the word "who".

Also, strike out the words "ten thousand" and figures (10,000) in line nineteen of said section two and insert in lieu thereof the words "five thousand dollars."

That the figures "1903", at the end of section two, be struck out and insert in lieu thereof the figures "1901." That section four be amended to read as follows to wit:

Sec. 4. The auditor of state is hereby authorized and directed to draw warrants upon the treasury, upon presentation to him of the proper vouchers certified by said commission, from time to time and approved by the governor, in payment of the expenses of the commissioners, and in payment of said monuments and tablets after contracts for such work are made as the work progresses, but not more than 90 per cent of the cost of said monuments and tablets shall be paid for until the same are fully completed and erected in the places designated by said commission.

Carried.

Senator Brooks offered the following amendment and moved its adoption:

Add to section two (2) "and not more than fifty thousand (\$50,000) dollars shall be drawn prior to July 1, 1904."

Carried.

Senator Brooks moved to reconsider the vote whereby the amendment just offered by him passed the Senate.

Carried.

By unanimous consent, Senator Brooks withdrew the amendment offered by him.

Senator Brooks offered the following amendment and moved its adoption:

Amend section two (3) by adding thereto the following: "Forty-five thousand dollars (\$45,000) to be available on and after July 1, 1904, and the remaining one hundred thousand dollars (\$100,000) to be available on and after July 1, 1905.

Carried.

Senator Blanchard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harri- man, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, May- tag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Senators Brighton, Hobart, Townsend—3.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to-

On request of Senator Hazelton, the Journal was ordered to show that had Senator Townsend, who was unavoidably absent, been present, he would have voted "aye" on the bill just passed.

On request of Senator Courtright, the Journal was ordered to show that had Senator Hobart, who was unavoidably absent, been present, he would have voted "aye" on the bill just passed.

Senator Whipple moved that the remarks of the senators rela- tive to House file No. 155, be printed in the Journal.

Carried, and so ordered.

Senator Blanchard, after describing the campaign of Vicks- burg and its results, said:

In the siege of Vicksburg Iowa had twenty-eight infantry regiments, two cavalry regiments, and two batteries. Only one state, Illinois, had more infantry regiments engaged in the siege than Iowa. In no battle or campaign of the war did Iowa have so many troops engaged, and no campaign

of the war was so successful, or the results accomplished so important. Not only was the stronghold of Vicksburg captured and the Mississippi river opened to the Gulf, but the entire rebel army of about 60,000 men defending it was also captured, together with 296 cannon. All of the territory west of the river was thereby cut off from the main armies of the rebellion and prevented from aiding them by furnishing either supplies or men. Up to this time the question which constantly came to the mind of every patriot and to every sorrowing mother who had a son in the war, "Will the North succeed in this war?" remained unanswered. But when Vicksburg fell, and on the same day Lee's army was defeated at Gettysburg and driven back across the Potomac, there was no longer room for doubt. The Union army thereafter constantly grew in strength and power, while the Confederate army gradually weakened and wasted away, until the end came at Appomattox.

General Halleck said of this campaign: "In boldness of plan, rapidity of execution and brilliancy of results, these operations will compare most favorably with those of Napoleon about Ulm."

And in a congratulatory dispatch to General Grant and his army said that they "deserved the gratitude of your country and it will be the boast of your children that their fathers were of the heroic army which reopened the Mississippi river."

President Lincoln himself, wrote a congratulatory letter to General Grant on the 16th day of July, in which he said:

"*My Dear General*—I do not remember that you and I ever met personally. I write this now as a grateful acknowledgment for the almost inestimable service you have done the country."

In the same letter he explained that he had thought when General Grant severed his communication and marched east from the Mississippi river, that it was a mistake and added: "I now wish to make the personal acknowledgment that you were right and I was wrong."

I need not dwell upon the sacrifices Iowa made in that war. With only 670,000 people, it furnished more than 75,000 soldiers, 10,000 of whom died in the service; while a still greater number were discharged on account of wounds and disease contracted in the service.

A clearer idea may be obtained as to the magnitude of those sacrifices by a single comparison. We have lately had a war with a proud-spirited European nation. For that war this nation raised a great army of 265,000 soldiers. It was a great army of strong, young patriot men, the pride of the nation. But had Iowa, with its 2,400,000 people, been called upon to do so, it could have raised the entire 265,000 men, and still it would not have raised as many soldiers in proportion to its population, as Iowa actually did furnish for the war for the Union.

Nearly forty years have passed since the campaign of Vicksburg ended. The Nation has established military parks on the great battlefields of the war. At Gettysburg every northern state, which had soldiers there, has erected monuments to commemorate their valor, and it is said that a half million of people visit this park annually. At Shiloh a park has

been established and Iowa has already erected its eleven monuments there. At Chicamangua a beautiful park has been established. The government has constructed fine driveways and placed cannon and batteries on the field in the same positions as during the engagement, while each state represented from the north and the south has erected costly regimental and state monuments. Tennessee has dedicated her state monuments "To those who fought on both sides." Iowa had no troops there. The battle itself was a drawn battle and not to be compared in its results with Vicksburg.

Sixteen thousand, six hundred Union soldiers lie buried in the National cemetery at Vicksburg. Iowa is no longer a small border state, without railroads, without wealth and without cities as in 1860. It has become a great state; great in population, great in wealth and with more than 9,000 miles of railroad. It is out of debt and is the most prosperous state in the Union. Its live stock alone is valued at \$264,000,000.

The time has come when it is able, aye, and willing to honor its soldiers. Iowa is a loyal and patriotic state. Under the leadership of her grand old war governor, it answered every call of the great Lincoln and held up his hands in his mighty efforts to save our country. She has been true to her old soldiers and has honored them as no other class of citizens has ever been honored. She has taken a patriotic pride in their glorious achievements on land and sea. She has cared for and supported the sick and the helpless, and she ever will do so. No higher type of patriotism has ever been exhibited among any people than that exhibited by the House of Representatives last week, when, without regard to party or conditions, it passed this bill by a unanimous vote—not a single vote against it. A halo of glory seemed to be over them as they eagerly responded to the roll call. The old soldier with bowed head and trembling voice acknowledges with gratitude the honor thus paid to his fellow comrades.

And shall this honorable Senate be less patriotic? We have votes enough to pass this bill, but I trust that there is not a Senator here who will not take a patriotic pride in paying this tribute to the soldiers living and to Iowa's soldier dead. For one I can say that as I turn my face forever from this hall, with its many pleasant recollections, and sever the ties of friendship of long standing, nothing could give me more pleasure or awaken stronger emotions of gratitude than to carry this bill to my comrades with the endorsement of a unanimous vote.

If Iowa is thus to honor herself and her soldiers let it be done while the old soldiers are still with us, and under their guidance and control. Two governors of this state have strongly recommended the passage of this bill, and the people of Iowa will never be content that her soldiers shall be honored less than the soldiers of sister states.

And now I am done. The soldier of the Union, with his face towards the setting sun, passes down life's declivity into the shadows and the twilight and his last words shall be, as he peers through the mists into the morning of eternal day, "I have been true to my country."

Senator Healy spoke as follows:

The kind suggestion has been made to me, Mr. President, that on this occasion a few remarks from one who has inherited the results of the labors so well, so eloquently described by the Senator from Mahaska, would not be inappropriate.

I do not rise to give any answer to the question propounded by the Senator from Mahaska when he asks, shall the Senate be less patriotic than the House? for I believe it was a question propounded not for the purpose of procuring an answer, but merely for the purpose of making a suggestion.

The war was over and a memory, Lincoln was dead, and his successor was in office when I was born. I know of the scenes so well described by the Senator from Mahaska, as they came to me from histories studied in the public schools, and have absorbed a patriotic admiration of them in the atmosphere which I have breathed.

To be told that July fourth, 1863, was a memorable day in the history of this country, is to be told a truth that is emblazoned upon the pages of the world's history. To be told that the advance of the hosts of disunion into the north was checked on that day by the army of the East when the state of Pennsylvania had been invaded; in the language of President Lincoln, to be told that the Father of Waters flowed unvexed to the sea after the siege of Vicksburg, is to have the successes of the Union army again recalled.

It is not inappropriate in a legislative body in the state of Iowa to defect for a moment from the routine of the legislative advocacy of the specific merits of the bill, to refer for a few moments to what the great victory of Vicksburg meant. The success of the Union armies at Vicksburg, Mr. President, tended in a great measure to perfect the constitution of the United States.

I cannot share in the enjoyment nor in the reminiscences of the campfire as can the distinguished Senator from Mahaska. My mind reverts on an occasion like this to what was at stake, to what was fought for by the armies of the Union forces at Vicksburg. We are often told, Mr. President, that the Union armies preserved this country and this constitution. Rather be it said that they made the constitution of this country. Why made rather than preserved? Because not very deep in our constitutional history can be seen the fact that our organic law was not perfected; that it was not the organic law of a nation until Vicksburg and Gettysburg were fought. Familiar is it to us all that Alexander Hamilton, who perhaps understood the constitution better than any of his contemporaries, never dreamed that this constitution was the organic law of a nation. He believed that it was a compact and a confederation of the then existing colonies for a purpose that was common to them all. It was so framed because there were certain issues between the several colonies that if they were to determine before the constitution was adopted, no constitution could have been adopted. These unsettled controversies ran side by side with the constitution from 1789 through the administrations of the several presidents and during the service of the great Chief Justice Marshall, until the memorable day came in January, 1830, when Daniel Webster, in the senate of the United States proclaimed, not what the constitution was

in 1789, but in his own language, "under the grace of God," what it was in the year 1830. He replied not so much to the specious arguments of the nullifiers, Calhoun and Hayne, as to show what the constitution actually meant then. It was a growth, it was a progressive growth, along a line to make a nation, and not a federation of colonies or of states. Aided by Webster's arguments before the supreme tribunal of our country, Chief Justice Marshall, more than any other man, judicially construed our constitution into the fundamental law of a nation. The speech of Webster in the United States senate furnished the keynote for the civil war; created an arm of power in the north; became the text for the school boy's declamation, for the thirty years from 1830 to 1860. The accounts of that time tell us that Webster sat silent in his seat for several days, while the storm of denunciation rolled about him, when the great nullifiers, the chiefest sitting as vice-president, gave expression to arguments and refinements justifying secession, until the eventful day came. Before it came it was circulated in New England that Webster was to reply to Hayne. People came from Massachusetts and Vermont. They filled Washington. They walked, it is said, with bowed heads and solemn faces, fearful of the issue and results, until Webster speaking, as I believe, as the prophets of God did in the Old Testament (for there is a providence in the affairs of men), proclaimed that the constitution was the organic law of a people and of a nation, and that the union was inseparable and indissoluble. This was the battle cry of the boys who left home and kindred and went to the front, fought at Vicksburg, died at Vicksburg, and for forty years have slept out their manhood on the banks of the great river.

Why, Mr. President, without that idea, without that thought, the war of the north could not have been fought and could not have succeeded. With that thought, with that battle cry, constitutional refinements were swept aside, because a nation had a right to preserve itself, and would not be a party to its own undoing. So, Mr. President, on the fields of blood, in carnage and smoke, with the roll of cannon, the shriek of shell and shrapnel, amid the groans of the wounded and the dying, in letters of blood were written into our organic law the amendments, the clauses, that shall stand so long as civil institutions exist among men, and which were not and could not have been written into that instrument by George Washington or Alexander Hamilton.

We bow with reverent head to the old soldier who wears the brass button, because he is a lawmaker, a government builder, a constitution maker. In that view, Mr. President, we place him on a plain above us all, a place that he won by his self-sacrifice and self-abnegation. I maintain that the war in which that soldier fought and served made the constitution as well as preserved it. It is for us who come after, to us who look for a longer existence in the course of nature, than those who fought on the fields of blood forty years ago, to say to them when they ask us to preserve on those identical fields monuments to their valor, monuments to their heroism, monuments to their success, to answer "Aye" on the roll call, and to further say, "You have preserved a monument to yourselves in the law and constitution of this country, and you have, as far as poor mortals may

hope to pierce with their prayers beyond the clouds, made a monument for for yourselves in the land of the great hereafter."

I thank you, Mr. President.

Senator Young of Washington spoke as follows:

Before the commencement of the war between the North and South, forty-one years ago, in this month of March, the rebels were secretly erecting a battery near Charleston, South Carolina, from which to fire on Fort Sumpter, a fort named and held on a peace-footing by soldiers of the United States, and over which floated the stars and stripes.

Thirty-seven years ago, in this same month of March, General Grant, with the grand old Army of the Potomac, was tightening closer and more firmly around Lee and his Confederate army of Virginia, the coils of grim, ghastly, cruel war. And Sherman, with his invincible western boys, the army of the Tennessees, after their many marches and battles, after the capture of Vicksburg, the last rebel stronghold on the Mississippi and joined by the gallant boys of the army of the Cumberland, had made Lookout famous by the battle above the clouds, and Missionary Ridge a household word by reason of the glorious victory there, after the battles of Atlanta and the "March to the Sea", was still pursuing Johnson and his battered hosts to certain and sure surrender or defeat.

To the boy or girl on the threshold of vigorous, joyous, young manhood or womanhood, events of thirty-five or forty years ago seem those of a dim and misty past. But the old soldier, the camps and marches and battles are an ever present reality, and the years that have passed are but as a dream of the night, or a day that has flown. The war was the epoch of his history to and from which are measured all the events of his life. And though the old veteran may be wrinkled and grizzled and gray, though his limbs may be feeble, and his step faltering and uncertain, yet he carries in memory as none others can the events preceding and during that greatest of all rebellions.

The people of the North were a peace-loving people. They had made many compromises and concessions for the sake of peace with their southern slave-holding brethren. They came to be regarded by the men of the South as a set of mud-sills, poltroons and cowards, who dared not fight for their country or their individual rights. But they reckoned wrong. They did not know us, nor did we even know ourselves. All over the North, in field, in factory, in counting house, in workshop, in home, in all the walks of life, existed a latent loyalty and love of liberty, flag and country, that needed only the first shot on Sumpter to electrify it into a mighty, living, resistless force. Boys and girls in thought and action became men and women in a day. And men and women became devoted patriots in a day, who, with quickened pulse and clenched hands and determined purpose, declared that "by the Eternal" this nation should not be destroyed by the hands of traitors, nor the liberty bequeathed us by our Puritan forefathers perish in this land of ours. Only those who lived in those days, and were themselves a part of its history, can fully understand the intensity of feeling, the enthusiastic, patriotic devotion to liberty, and

dogged determination to preserve the Union at whatever cost of money or of life. And the women,—God bless them!—were as courageous, as brave, as patriotic as the men, ready to endure hardship and privation and suffering and sorrow and parting with loved ones, for *country's sake*. The story of the days and months and years that followed is an oft told tale that no brush can fitly paint, nor pen portray, nor words describe.

The parting of fathers from their little ones, of husbands from wives, of sons from fathers and mothers, and of lovers from sweethearts, as they left their homes and enlisted in the armies of their country, are scenes almost too sacred to describe. But the old soldier does not forget those days. He was a living, moving part of their history. To him it seems but as yesterday since he was a soldier boy and carried the knapsack and gun. Again he makes the weary march. He bivouacs in the open, tentless field, the sodden earth his bed, the open sky his covering. He stands again on the lonely picket post, communing only with himself and God, thinking of the father and mother, the sister, the wife and children, the sweetheart and friends in that far away home in the North. Or, again, it is to him the day of battle. He hears the first scattering shots on the picket line. He "falls in" the ranks, he buckles tighter the belt of his cartridge box, he pulls closer down the old army cap. The "Forward" is ordered. And then he remembers only the roar of the cannon, the rattle of musketry, the clashing of sabres, the hoarse commands of his officers, the fixing of bayonets the fierce, wild charge, and the glorious shouts of victory when the battle is won. And he remembers, too, that other sadder scene, after the battle. The sad moans of the wounded and dying, the water he gave to parched lips, the last clasp of a comrade's hand, and the words he was to send to loved ones at home. He helped dig the wide trench, in which, wrapped in their blankets, side by side, he tenderly laid the dead heroes.

Iowa was then a young state, with a population of about seven hundred thousand, and its now capital city a country town. Its people were a liberty loving people, a loyal people, a brave people. And for all the calls that were made for volunteers, Iowa furnished her full quota,—in all, nearly eighty thousand men,—who did honor to themselves and their state at Pea Ridge and Bird's Point, at Donnellson and Shiloh, at Corinth and Iuka, at Arkansas Post and Chickasaw Bayou, at Jackson, and Champion Hills, and at Vicksburg,—above the clouds on the rugged sides of Lookout, and on the fortified slopes of Mission Ridge. On these and many other fields of strife are written the history of Iowa's boys, who were always proud to say "I am an Iowa soldier". Of Iowa's private soldiers, it has been said that "they were resolute as Grant, wise as Sherman, patient as Thomas, gallant as Custer, superb as Hancock, fiery as Sheridan, skilled as McClellan; braving all dangers for their ideas of right, seeking not booty or fame, but only that their flag should stand alone in their country, that the constitution should live, and liberty prevail.

It has been said that republics are ungrateful, and that a state forgets the service of its citizens. But our republic is not ungrateful. It still treasures the memory of its Grand Army of the Republic; and in no other land have sacrifice, loyalty and bravery been so fittingly remembered, the memories of the fallen so tenderly cherished, and the wants of the unfor-

tunate and needy so fully provided for as in our own free America. And Iowa, our Iowa, does not forget her soldier boys who did her honor on so many bloody battlefields in 1861 to 1865. They have been given every position of honor and trust, laws have been passed by almost every general assembly for their benefit, and a home, of which every lowan is justly proud, has been provided for those who can have no other home of their own. Iowa remembers her soldiers, both living and dead. And while she ministers freely and ungrudgingly to the wants of the needy living, she at the same time provides that, living or dead, the glories of her citizen soldiers shall not fade, their names perish in the dust, or the sacrifices they made, that liberty might live, be forgotten.

The old wounds of war are healed. There is no more a bloody chasm. Bridged over it has been by the strong arms and friendly hand of veterans, north and south. The boy in blue who sleeps at Vicksburg or Shiloh, at Atlanta or Richmond, is in his own country, our country, all ours, where, in the recurring May days, loving hands will cover his grave with flowers, with "cheers and tears, for the blue." And now when peace prevails over all our fair land, when erstwhile enemies are again friends and brothers, when the boy from Mississippi and the boy from Iowa, side by side, can proudly march under the same glorious old banner, on the battlefields around Vicksburg, reddened by the blood of so many of her brave boys; as a token of her continued devotion and love, Iowa proposes to erect monuments of granite and marble and bronze; monuments that shall stand for a thousand years, and tell to generations yet unborn, the story of the loyalty, the courage, the bravery, the love of liberty of Iowa's soldiers in the war of the Rebellion. Is there any Senator who will say to her, nay? I hope not one. In honoring them, let us honor ourselves and the state whose servants we are.

Let us honor our dead soldiers who sleep the last long sleep in the beautiful National cemetery at Vicksburg; let us honor our living comrades who so nobly did their duty there; let us honor our grand state, which stands always in the forefront for loyalty and liberty, and for every good and patriotic cause; let us honor ourselves and the people whose servants we are by giving this bill a unanimous aye.

Senator Ball spoke as follows:

MR. PRESIDENT—I have prepared no speech for this occasion, but I feel that I cannot let the opportunity pass without briefly expressing my sentiments regarding the question now before the Senate.

I esteem it as a great honor, as well as a sacred duty, to support this bill providing for the erection of a monument to the memory of the gallant soldiers from Iowa who were engaged in the siege and capture of Vicksburg. Like some of the other Senators who have spoken on this occasion, I am a member of the committee on Appropriations, and I can truthfully say that while other bills coming before the committee, making appropriations for various purposes deemed to be necessary for the proper support of the state and its institutions, have received careful scrutiny in the committee, yet no member of the committee has ever raised a question as to the propriety of making the appropriations, or to the amount asked, for the

erection of monuments at Vicksburg or at Lookout Mountain and Missionary Ridge. All agreed that the appropriations should be made, and without a dissenting vote the committee recommended the bills for passage. I remember well when the men of Iowa were called to join in the suppression of the Rebellion, and when they, then young and vigorous went to the front and risked their lives in the defense of the Union, I remember that the patriotic people of Iowa followed their gallant sons through their successes and reverses with the ever fervent hope that their efforts to preserve the Union would be crowned with success.

That the armies of the Union were crowned with victory over the armies of the South need not be told by me. The fact is attested by the return of the men of the South to their allegiance to the Union, a union now and forever secure. They made the statement in the Declaration of Independence that "all men are created equal" an allegation that for many years was untrue in practice, an accomplished fact. As has been said by another Senator, they completed the constitution, so that now every citizen of the United States is free and equal with every other, in fact as well as in name.

We are the only nation on the face of the globe where perfect freedom and equal rights are guaranteed to every citizen, and for this priceless heritage we are indebted to the valor of the soldiers of Iowa and of other states who marched fearlessly into the war of the Rebellion and bought with their blood, and many of them with their lives, that freedom equality and liberty which, under a restored and perpetual union, we now enjoy.

Mr. President, I am proud of the fact that I was born in the great state of Iowa, a state that sent more than 10 per cent of all her citizens to the war to put down the rebellion. I esteem it a great privilege to be permitted to represent in this honorable Senate the county of Johnson, the home of Iowa's great war governor, who enlisted her 75,000 soldiers to serve in that war; and I esteem it as a privilege to represent that county for the further reason that the Twenty-second Iowa was there organized and went to the front, and of that gallant regiment seven companies were recruited from the patriotic citizens of that county.

Mr. President, when a question of supporting the constitution or preserving the union is involved, or when a question that appeals to the patriotism of our citizens is under consideration, I am glad to say that there is no partisanship in this Senate nor in the state of Iowa. Some of the soldiers who marched from Iowa to the southern battlefields are now honored members of this Senate; others are honored citizens of Iowa, engaged in the various walks of life, while others lie buried on southern battlefields, and many of them fill a soldiers grave at Vicksburg. In memory of those brave men, living and dead, the state of Iowa can well afford to erect the proposed monument at Vicksburg.

I will cheerfully vote for this bill and trust it may receive, as it justly deserves, the unanimous vote of the Senate.

Senators Courtright, Garst and Harriman also spoke feelingly in favor of the bill.

On motion of Senator Young of Washington, Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments [in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battles of Chattanooga, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Young of Washington moved the adoption of the following committee amendment:

Amend as follows: Amend section one (1) by adding thereto the following: Not more than five thousand dollars (\$5,000) of the total sum hereby appropriated shall be drawn during the biennial period commencing July 1, 1901.

Also, amend section six (6) by adding thereto the following: The auditor of state is hereby authorized and directed to draw warrants upon the treasury upon presentation to him of proper vouchers, certified by said commission from time to time and approved by the governor, in payment of the expenses of said commission and in payment of said commission after contracts therefor are made and as the work progresses, but not more than 90 per cent of the cost of said monuments shall be paid for until the same be fully completed and erected in the places designated by said commission.

Carried.

Senator Young of Washington moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harri-man, Hayward, Hazelton, Healy, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Brighton, Hartshorn, Hobart, Hogue, Hubbard, Townsend—6.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On request of Senator Bruce the Journal was ordered to show Senator Hartshorn was called away unavoidably, but had he been present he would have voted aye on the bill just passed.

On motion of Senator Harriman substitute for House file No. 168 was read first and second time by title and ordered placed on the calendar.

On motion of Senator Moffit, House file No. 275, a bill for an act to amend chapter one hundred sixty-seven (167), laws of the Twenty-eighth General Assembly, entitled: An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Moffit moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harriman, Hayward, Hazelton, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Senators Brighton, Dowell, Harper, Hartshorn, Healy, Hobart, Hogue, Hubbard, Townsend—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Crawford, House file No. 135, a bill for an act in regard to supervisors districts, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information and laid over.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 199, a bill for an act to amend section seven hundred forty-five (745) of the code, as amended by the acts of the Twenty seventh General Assembly, relating to the purchase and construction of waterworks.

Also, Senate file No. 286, a bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters, under appointment made by the district courts of Iowa.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 199, a bill for an act to amend section seven hundred forty-five (745) of the code, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

Also, Senate file No. 286, a bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters, under appointment made by the district courts of Iowa.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Also:

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred forty-five (745), seven hundred forty-six (746), seven hundred forty-seven (747) and seven hundred forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

Also, House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

Also, House file No. 400, a bill for an act to authorize cities, which have voted, taxes to aid any corporation organized under the laws of this state, for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge.

Also, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof.

Also, House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and to fix the salaries of such officers.

Also, House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election held September 16, 1901, and for the rebuilding of a school-house in said independent school district, and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 70, a bill for an act to repeal section nine hundred fifty-three (953) of the code, and section two (2) of chapter twenty-eight (28) of the acts of the Twenty-seventh General Assembly, and amend subdivision six (6) of section one thousand five (1005) of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters.

Also, Senate file No. 138, a bill for an act to amend section one thousand six hundred eleven (1611) of the code, relating to the authorized indebtedness of certain corporations.

Also, Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola and state of Iowa, on the fifth day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter.

E. K. WINNE,
Chairman.

March 25, 1902.

The President announced that he had signed in the presence of the Senate, House files Nos. 98, 141, 326, 349, 400, 409 and Senate files Nos. 199 and 286.

On motion of Senator Garst the Senate adjourned until 7:15 P. M.

EVENING SESSION.

Senate met in regular session at 7:15 P. M., President *pro tem.* Harriman presiding.

Senator Tallman moved that the Senate adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, March 27, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Enoch Hill of Woodbine, Iowa.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 354, a bill for an act to amend sections four hundred thirty (430) and four hundred thirty-one (431) and four hundred thirty-three (433) of the code, relating to dependent soldiers and sailors tax, and making said sections apply to dependent United States volunteers, soldiers, sailors and marines of the late Spanish-American war.

Read first and second time and referred to committee on Military.

By Senator Hogue, Senate file No. 355, a bill for an act to amend section seventeen hundred twenty-one (1721) of the code, in relation to insurance companies.

Read first and second time and referred to committee on Insurance.

By Senator Crossley, Senate file No. 356, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas.

Read first and second time and referred to committee on Schools.

On motion of Senator Crawford, House file No. 135 was recommitted to the committee on Judiciary.

On motion of Senator Hogue, Senate file No. 328 was referred to the committee on Appropriations and is to retain its place on the calendar.

HOUSE MESSAGES CONSIDERED.

House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets adjoining the state's property.

Read first and second time and referred to committee on Appropriations.

House joint resolution No. 3, joint resolution for an application to the congress of the United States of America in behalf of the state of Iowa for the calling of a convention for proposing amendments to the constitution of the United States of America as provided in article five (5) of said constitution.

Read first and second time and referred to committee on Federal Relations.

House file No. 137, a bill for an act to legalize the Iowa State Poultry association, to define certain duties of said association to make an annual appropriation therefor and to fix a penalty for misappropriation of any money hereby granted.

Read first and second time and referred to committee on Appropriations.

House file No. 376, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof, in relation to hospital for the insane.

Read first and second time and referred to committee on Charitable Institutions.

Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

On motion of Senator Whipple, the Senate took up House amendments to Senate file No. 141 at this time.

The amendments were read for information.

Senator Whipple moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Allyn, Arthaud, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitzpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bachman, Ball, Brighton, Lyons, Townsend—6.

So the bill, having received a constitutional majority, was declared to have passed the Senate, and its title agreed to.

Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

Passed on file.

Senate file No. 127, a bill for an act to amend chapter seventeen (17), title twelve (12) of the code, requiring the secretary of the state board of medical examiners to give an official bond, and for other purposes.

Passed on file.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, from the committee on Insurance submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House file No. 854, a bill for an act to amend paragraph five (5) of section seventeen hundred nine (1709) of the code, relating to insurance, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance to whom was referred House file No. 241, a bill for an act to amend section seventeen hundred fifty-nine of the code, and to provide for the insurance of plate glass, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 282, a bill for an act to amend section seventeen hundred and ten (1710) of the code, relating to insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that a similar bill has been reported favorably heretofore.

JAS. A. SMITH,
Chairman.

Adopted.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred House file No. 81, a bill for an act to amend section eleven hundred thirteen of the code, in relation to polling places, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. MOLSBERRY,
Chairman.

Ordered passed on file.

Senator Crawford, from the committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred concurrent resolutions, relating to a bill known as House roll No. 8885, before the congress of the United States, in relation to swamp lands, beg leave to report that they have had the same under con-

sideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

P. W. CRAWFORD,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 350, a bill for an act to amend section sixty-five (65), chapter one (1) of the code of 1897, in relation to the salary of the governor and secretary to the governor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 268, a bill for an act to amend the law relating to public health; an act to amend sections twenty-five hundred sixty-four (2564), twenty-five hundred sixty-five (2565), twenty-five hundred sixty-eight (2568), twenty-five hundred seventy-one (2571), twenty-five hundred seventy-four (2574), twenty-five hundred seventy-five (2575) of the code, and chapter sixty-seven (67), acts of the Twenty-eighth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 337, a bill for an act to define the crime of sodomy.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (84), thirty-five (85) and thirty-six (86) of article three (8) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 235, a bill for an act to amend section three hundred eight (808) of the code, relative to compensation of county attorney.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Trewin the Senate took up concurrent resolution relating to a bill known as House roll 8335, before the congress of the United States, in relation to swamp lands, at this time.

The resolution was read for information.

Senator Trewin moved that the Senate concur in the House resolution, relative to swamp lands.

A roll call was demanded.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Senators Allyn, Bachman, Bishop, Craig, Crawford, Dowell, Griswold, Harper, Harriman, Hazelton, Healy, Lambert, Lyons, Moffit, Porter, Smith of Des Moines, Tallman, Trewin, Whipple; Young of Lee—19.

The nays were:

Senators Alexander, Arthaud, Courtright, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hogue, Hubbard, Junkin, Lewis, Lister, Mardis, Molsberry—15.

Absent or not voting:

Senators Ball, Blanchard, Brighton, Brooks, Bruce, Classen Garst, Hobart, Hopkins, Maytag, Smith of Mitchell, Spaulding, Townsend, Wilson, Winne, Young of Washington—16.

So the Senate concurred in the House resolution.

The governor's private secretary announced a communication from the governor.

On motion of Senator Porter, the secretary read the communication.

EXECUTIVE OFFICE,
DES MOINES, IOWA, March 25, 1902. }

To the Senate of the Twenty-ninth General Assembly:

I return herewith Senate file No. 138, a bill for an act to amend section 1611 of the code, relating to the authorized indebtedness of certain corporations, to your honorable body, without my approval; and, in compliance with my duty under the constitution, I respectfully submit my objections to the proposed amendment.

First. I believe the bill to be repugnant to section 6 article I, and section 30 article III, of the constitution of the state of Iowa. The former provides that "All laws of a general nature shall have a uniform operation; the general assembly shall not grant to any citizen, or class of citizens, privileges or immunities which upon the same terms shall not equally belong to all citizens." The latter, in so far as the question here involved is concerned, provides that "In all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the state."

A brief analysis of the bill in connection with the existing law of the state will indicate clearly the point of repugnance. It has been the general law of this state, at least since the code of 1851, that the indebtedness of a corporation organized under the laws of this state is limited to two-thirds of its capital stock. Various exceptions have, from time to time, been engrafted upon the general statute, which will be noticed hereafter. The bill under examination removes a certain class of corporations entirely from any limitation or restriction respecting the amount of indebtedness that may be lawfully created. The class of corporations thus removed is described in the bill as follows: "Any railroad corporation owning or operating a railroad or railroads in this and any other state."

The language so used divides, primarily, railway corporations into two classes: first, those corporations which own or operate a line or lines of railway lying wholly within the state; second, those which own or operate a line or lines of railway lying partly within the state and partly without the state. The railway companies constituting the former class, and there are many in the state of Iowa, remain under the restrictions, whatever they are, of the statute. The railway companies of the latter class, and at this time they are few in number, are invested by the bill with additional privileges and powers

in that they are permitted to incur indebtedness without limitation. It is, therefore, palpable that a sharp discrimination between the two classes of railway companies is proposed; and the inquiry is, has the general assembly constitutional power to create the discrimination? This subject is one which has often engaged the attention of the supreme court of this state, as well as the supreme court of the United States, and the law respecting it is perfectly familiar. The right of the general assembly, under our constitution, to classify men, municipalities, and corporations, and to impose upon all men, municipalities, and corporations of one class a law that does not apply to other classes, has often been recognized and sustained. It has, however, been constantly declared by the courts that the classification must describe natural conditions and grow out of differences which exist in the very nature of things. The classification cannot be the mere arbitrary will of the lawmaking power. To illustrate, we have a statute imposing upon railway companies a liability to an employe, engaged in the hazards of the operation of a railroad, for the negligence of employes; and it has been held constitutional, although it does not apply to other corporations or employes. Suppose, however, that the legislature had attempted to declare that the railway companies owning lines of railway running east and west should be liable to employes for the negligence of employes, and that the railway companies owning and operating lines of railway running north and south should not be so liable. The unconstitutionality of such a measure would be plainly apparent. Again, we have a statute requiring railway companies to use automatic couplers. What would be thought of the validity of the law if this obligation were imposed only upon railway companies "owning or operating a railroad or railroads in this and any other states?" These instances might easily be multiplied indefinitely. We have scores of enactments either conferring powers or imposing duties upon railway companies, and I invite your attention to them to show how futile it is to prescribe a classification respecting the right to incur indebtedness upon the basis that one class is wholly within the state and the other partly outside. The mere circumstance that a portion of a line of railway extends into an adjoining state creates no difference in condition as compared with a line of railway wholly within the state. It is impossible to impute a reason for permitting a railway company that has gone beyond the state to incur indebtedness without limit, that does not apply with equal force to a railway company that has remained within the state. If it is wise to withdraw the safeguards which have heretofore been recognized as to the companies with a line outside the state, it is equally wise to give the advantage, if it be one, to the companies whose lines do not pass beyond the borders of the state. I cannot but regard the classification as arbitrary and groundless, and I am, therefore, constrained to the opinion that the proposed law would be a violation of the constitution.

There is, however, still another classification in the bill that is even less reasonable. It not only segregates railroad corporations which extend beyond the state from all other railroad corporations, but it limits the privileges conferred by the proposed amendment to "railroad corporations owning or operating a railroad or railroads in this state and any other state;" that is to say, before any such company could acquire the benefits of the bill it must actually own or operate a line both within and without the state. If

a railway corporation were organized under the laws of the state for the purpose of constructing a line of railway from Des Moines to Chicago, it would not be within the provisions of the proposed statute, for the reason that it would neither own nor operate a line. The very purpose of all the enlargements which have hitherto been made has been to encourage the building of railways, but this bill declares that a line must be already built before the company owning it would have the right to incur indebtedness without limit. I very respectfully submit that such a classification can find no warrant in our constitution and must fall when tested by the authority which controls both the general assembly and the executive.

If, however, the bill were in harmony with the constitution I would be unable to give it my approval for the reason that it is so radical a departure from the policy which has controlled the state in its relation to corporations for more than half a century, and its effect would, in my judgment, be so subversive of the best interests of the people, that it well deserves further consideration by the general assembly.

A review of the development of the law upon the subject is necessary to a fair understanding of the results of the bill. Section 676 of the code of 1851, relating to corporations for pecuniary profit, provided, among other things, "Such articles of incorporation must fix the highest amount of indebtedness or liability to which the corporation is at any one time to be subjected, which must in no case, except in that of the risks of insurance companies, exceed two-thirds of its capital stock."

It will be observed that the limitation upon all corporations is absolute, with the single exception of the risks of insurance companies. This unlimited exception did not long continue, for shortly thereafter laws were passed looking to the examination of the affairs of insurance companies, and restricting the liability upon such risks to the assets of the corporation. Without pursuing in detail the history of these changes, it is sufficient to say that at the present time the first exception to the general rule is stated in section 1611 of the code of 1897, in these words: "Except risks of insurance companies and liabilities of banks not in excess of their available assets, not including their capital." So that insurance companies and banks are limited to their available assets, exclusive of their capital, and the limitation is carefully enforced by periodical examinations made by an officer of the state.

In the progress of time it became necessary to make another exception to provide for the construction of railways, and thereupon railway companies were given the right to issue bonds to an amount not exceeding \$16,000 per mile of single track, standard gauge railway, and \$8,000 per mile of single track, narrow gauge railway. But this relief from the general rule has three restrictions: First, the indebtedness must be evidenced by bonds; second, the bonds must not exceed \$16,000 per mile; and third, and most important of all, the bonds must be issued to aid in the location, construction and equipment of the railways.

At a still later period it became necessary to make provision for such loan and trust companies as were issuing debentures or bonds, and the provision made for them was that they might issue bonds or debentures without regard to the amount of their capital stock, provided, however, that such

bonds or debentures are secured by a first mortgage upon real estate of at least double the value of the bonds or debentures. It will thus be seen that the state still imposes a rigid restriction upon loan and trust companies with respect to their indebtedness.

At a still later time the Twenty-fifth General Assembly enacted a law which is now section 2049 of the code, in which railway companies are given the right to mortgage their property and franchise to secure the payment of bonds issued by them. Whether this statute repealed the limit of \$16,000 per mile theretofore existing, I do not enquire; but I call your attention to the fact that the limitation still continued in that the power conferred was a power to mortgage railway property to secure the payment of bonds issued by the railway companies for certain purposes, and that the bonds were to be issued for the purposes recited in the statute. When you consider that section 1611 as it now appears, and section 2049, to which reference has just been made, were contemporaneously enacted by the adoption of the code of 1897, it may be assumed at least that the Twenty-sixth General Assembly believed that there was room for the operation of both.

The conclusion to be drawn from the foregoing review of the legislation of the state upon the question is that no corporation, save insurance companies, and that only for a brief period, has ever been given the right to incur indebtedness without limit and without regard to the amount of its capital stock or the extent of its property. It has not only been the policy of the state of Iowa, but of substantially every state in the Union, to restrict in some manner and some degree the liabilities of its corporations, I have examined the constitutions and statutes of many states, and I have not yet found a state that has conferred upon its corporations the unlimited right to incur indebtedness. Under the policy to which I have referred, Iowa has done well. Her railroad systems are many and extensive. They have been successfully constructed and profitably operated, and, so far as I know, it has never before been suggested that the legislation of the state was not liberal in its grants of corporate power for lawful purposes. The bill which I am examining proposes to take off, for the first time, every limitation, and confer upon a class of railway companies a privilege which, within the limits of my investigation, has no parallel in modern legislation.

I beg to refer more specifically to the companies to which this extraordinary license would apply. As I am informed, there were, prior to the 16th day of October, 1901, two railway companies organized under the laws of this state, owning or operating lines of railway in this and another state. They were the Burlington, Cedar Rapids & Northern Railway company, and the Chicago, Rock Island & Pacific Railway company. The former was a complete single track railway, and I am not advised that it is proposing any betterments that cannot be paid for from the earnings of the company. The latter owns and operates an extensive system, beginning at Chicago, Illinois, passing through or into the states of Illinois, Iowa, Missouri, Nebraska, Kansas, Oklahoma Territory, Indian Territory, Texas and Colorado. This great system has been constructed to a high point of efficiency under the law as it is; and I have not been able to ascertain that it has been hampered or embarrassed in its work by any provision of the Iowa statute, nor has it been made known to me that it proposes to issue

additional bonds or incur additional indebtedness. On the contrary, I have been led to believe that the improvements which from time to time it is adding to its property are made from its earnings. I am, therefore, of the opinion that there is no necessity for the bill under consideration in order to enable either of these systems to be operated more economically or run more safely. If there was such necessity it is manifest that the proper and natural amendment to the statute would be to enlarge the rights of all railway companies organized under the laws of this state to issue bonds for the improvement or the betterment of railways, instead of wholly removing every limit and safeguard respecting the creation of indebtedness. In view of these conditions, which are well known and are a part of the history of the state, I cannot resist the belief that the real application of the proposed amendment would not be to enable the two or three railway companies to which it would apply to improve their properties for their own profit and for the advantage of the people, but that its only substantial effect would be to overcome real or imaginary difficulties growing out of the purchase of the stock of the Chicago, Burlington & Quincy Railroad company by the Great Northern and Northern Pacific Railroad companies.

Prior to October last, the Chicago, Burlington & Quincy Railroad company owned and operated a vast system of railway lines, a part of which was in the state of Iowa. The company itself was organized under the laws of the state of Illinois, and under such laws it had built up one of the largest, as well as one of the best railway systems in the United States. It had, in large measure, constructed a double track from Chicago to the Missouri river. For many years it had been in the enjoyment of all the privileges which a foreign corporation exercises in our state, and insofar as the mere operation of its lines of railway is concerned, it is difficult to perceive any reason that would lead its managers to abandon the old corporation and organize a new one in our state. Nevertheless it did so, and on the 16th day of October, 1901, there was filed in the recorder's office of Des Moines county articles of incorporation of the Chicago, Burlington & Quincy Railway company, with an authorized capital stock of \$100,000, and the right to begin business when \$10,000 of the capital stock had been subscribed. It took to itself practically all the powers which can be conferred upon a railway corporation in this state, and especially the power to purchase and become the owner of the system of railway lines which had theretofore been owned and operated by the Chicago, Burlington & Quincy railroad company.

It is not difficult, if inquiry be made, to find the motive for the organization of this company. The old company, which had been so prosperous, could not, either by reason of the laws of Illinois, or by reason of what had occurred in the purchase of its stock by the two Minnesota companies, create the volume of indebtedness which those who are interested desired to create. It was, therefore, necessary to add another corporation, and Iowa was chosen for its domicile. It is a matter of common knowledge that the new company, with an insignificant amount of capital stock actually taken, has leased the entire system of the old company. It must be true that it is without substantial assets, save the lease, and with the rental attached to the lease its value, if anything, is purely speculative. In this situation it seeks the power to incur indebtedness without

limit. It is one thing to grant to railway companies the right to borrow the money needed to aid in the construction and equipment of their lines of railway; it is quite another thing to authorize a class of railway companies to incur unlimited obligations without respect to the amount of their stock or the worth of their property. I cannot bring myself to believe that this species of special legislation is consistent with the public welfare or necessary for the legitimate development of railway property; on the contrary it is my firm belief that corporate power to issue stocks and incur indebtedness needs regulation rather than expansion.

To the wise judgment of the general assembly I submit these objections for such consideration as the constitution prescribes. I trust that it is not inappropriate to say that I express my dissent from its action with the utmost deference and with great regret, and that nothing but an imperative sense of duty could have constrained me to withhold my approval from an act passed by a majority of the members of both Houses of the Legislature.

Respectfully submitted,

(Signed)

ALBERT B. CUMMINS,
Governor of the State of Iowa.

Senator Molsberry moved that the communication from the governor be printed in the Journal, and considered at 2 o'clock tomorrow afternoon.

Carried.

The Senate resumed consideration of House file No. 286, which was pending yesterday before the noon adjournment.

The question was on the amendment offered by Senator Garst to the amendment of Senator Hobart to section three.

Senator Healy moved the previous question on the amendment of Senator Garst.

Carried.

A roll call was demanded by Senator Garst on the amendment offered.

On the question, Shall the amendment offered by Senator Garst be adopted?

The yeas were:

Senators Alexander, Bachman, Bishop, Blanchard, Bruce, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Winne—25.

The nays were:

Senators Arthaud, Ball, Brooks, Classen, Crawford, Harper, Harriman, Hayward, Healy, Junkin, Lambert, Lewis, Lister, Mardis, Smith of Des Moines, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—21.

Absent or not voting:

Senators Allyn, Brighton, Hubbard, Townsend—4.

So the amendment prevailed.

The question was on the amendment offered by Senator Hobart to section three (3), as amended by the amendment of Senator Garst.

Senator Hobart moved the adoption of the amendment offered by him yesterday, as amended by the amendment of Senator Garst.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Alexander, Bachman, Blanchard, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Lyons, Maytag, Smith of Mitchell, Spaulding, Winne—19.

The nays were:

Senators Allyn, Arthaud, Ball, Bishop, Brooks, Bruce, Classen, Crawford, Crossley, Harper, Hayward, Healy, Junkin, Lambert, Lewis, Lister, Mardis, Molsberry, Porter, Smith of Des Moines, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—26.

Absent or not voting:

Senators Brighton, Harriman, Hubbard, Moffit, Townsend—5.

So the amendment was lost.

Senator Harriman moved to amend section 4 by striking out of line four the words and figures "fifteen hundred thirty-two (1532)".

Carried.

Senator Garst moved that when the Senate adjourn it be to meet at 2 o'clock P. M.

Carried.

Senator Young of Lee offered the following amendment and moved its adoption.

I move to amend section 4 of the bill by striking out all of the substitute after the words "section fifteen hundred thirty-two (1582)" and inserting the following:

The board of township trustees of each civil township in this state shall submit to the electors of each township to be voted upon by the next regular election the proposition whether or not the township shall be consolidated into one road district, and if a majority of the votes cast in any township at said election shall be in favor of such consolidation, then all the road funds belonging to the road district of said township shall at once become a general road township fund, out of which all claims for work done, or material furnished for road purposes shall be paid, under the provisions of this act, and if a majority of said votes so cast shall be against the consolidation of the township into one road district then the road tax of such district shall be collected and expended as now provided by statute, and this act shall not affect such township.

Lost.

Senator Healy moved that the time of adjournment be extended until the amendment under discussion be disposed of.

Carried.

A roll call was demanded on the amendment of Senator Young of Lee.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Bishop, Brooks, Hopkins, Lambert, Smith of Des Moines, Spaulding, Wilson, Young of Lee—8.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Bruce, Classen, Courtright, Craig, Crawford, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Mitchell, Trewin, Whipple, Winne, Young of Washington—32.

Absent or not voting:

Senators Ball, Blanchard, Brighton, Crossley, Dowell, Hubbard, Moffit, Porter, Tallman, Townsend—10.

So the amendment was lost.

The time having arrived, the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

INTRODUCTION OF BILLS.

By Senator Harriman, Senate file No. 357, a bill for an act authorizing the commander-in-chief to organize Naval Militia of Iowa and prescribing regulations therefor.

Read first and second time and referred to committee on Military.

Senator Porter filed the following motion to reconsider:

I move to reconsider the vote whereby concurrent resolution relating to a bill known as House resolution 8885 before congress of the United States, relative to swamp lands, passed the Senate.

CLAUDE R. PORTER.

I second the motion.

C. C. DOWELL.

On motion of Senator Healy, House file No. 386 was recommended to the committee on Judiciary, and is to retain its place on the calendar.

Senator Dowell moved that the Senate recall from the House, House concurrent resolution relative to swamp lands, which passed the Senate this morning.

Carried.

REPORT OF COMMITTEE.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR PRESIDENT—Your committee on Public Health to whom was referred House file No. 864, a bill for an act to amend section forty-nine hundred seventy-nine (4979) of the code, in regard to r moving des

animals from cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 227, a bill for an act requiring the examination and providing for the licensing of municipal and county engineers and for the protection of public property and public health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

E. W. BACHMAN,
Chairman.

Adopted.

Senator Bachman from the committee on Public Health submitted the following report.

MR. PRESIDENT—Your committee on Public Health to whom was referred House file No. 88, a bill for an act to repeal section twenty-five hundred seventy (2570) of the code and enact a substitute therefor, in relation to quarantine and 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 Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 278, a bill for an act to regulate the practice of osteopathy in the state of Iowa, and fixing penalties for the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying be substituted therefor and that said substitute do pass.

SUBSTITUTE FOR SENATE FILE NO. 273.

A bill for an act to repeal chapter sixty-nine (69), of the laws of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa, and enacting a substitute therefor.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Any person holding a diploma from a legally incorporated school of osteopathy, recognized as of good standing by the Iowa Osteopathic association, and wherein the course of study comprises a term of at least twenty (20) months, or four (4) terms of five (5) months each, in actual attendance at such school, and which shall include instruction in the following branches, to-wit: Anatomy, including dissection of a full lateral half of the cadaver, physiology, chemistry, histology, pathology, gynecology, obstetrics, and theory of osteopathy and two full terms of practice of osteopathy, shall, upon the presentation of such diploma to the state board of medical examiners and satisfying such board that he is the legal holder thereof, be granted by such board an examination on the branches herein named (except upon the theory and practice of osteopathy until such time as there may be appointed an osteopathic physician on the state board of health and of medical examiners). The fee for said examination, which shall accompany the application, shall be ten dollars (\$10) and the examination shall be conducted in the same manner, and at the same place and on the same date that physicians are examined, as prescribed by section twenty-five hundred and seventy-six (2576) of the code. The same general average shall be required as in cases of physicians; provided, that osteopaths who are graduates of legally incorporated schools of osteopathy as above recognized, and who are, at the time of the passage of this act, engaged in the practice of osteopathy in Iowa, shall be entitled to receive a certificate upon the payment of the prescribed fee without such examination. Upon passing a satisfactory examination as above prescribed, the said board of medical examiners shall issue a certificate to the applicant therefor, signed by the president and secretary of said board, which certificate shall authorize the holder thereof to practice osteopathy in the state of Iowa. This certificate when issued shall be registered with the recorder of the county in which the holder thereof resides and for which he shall pay a fee of fifty cents (50c). And the holder thereof shall not be subject to the provisions of section two thousand five hundred and eighty (2580) of the code.

Sec. 2. The certificate provided for in the foregoing section shall not authorize the holder thereof to prescribe or use drugs in his practice, nor to perform major or operative surgery.

Sec. 3. The board of medical examiners may refuse to grant a certificate to any person otherwise qualified, who is not of good moral character. For like cause, or for incompetency, or habitual intoxication, or upon satisfactory evidence by affidavit or otherwise that a certificate had been granted upon false and fraudulent statements as to graduation or length of practice, the said board may revoke a certificate by an affirmative vote of at least five (5) members of the board, which number shall include one or more members of the different schools of medicine represented in said board. After

the revocation of a certificate, the holder thereof shall not practice osteopathy, surgery, of obstetrics in the state.

Sec. 4. Any person who shall present to the board of medical examiners a fraudulent or false diploma, or one of which he is not the rightful owner, for the purpose of procuring a certificate as herein provided, or shall file, or attempt to file, with the recorder of any county in the state the certificate of another as his own; or who shall falsely personate any one to whom a certificate has been granted by such board, or shall practice osteopathy, surgery or obstetrics in the state without having first obtained and filed for record the certificate herein required, and who is not embraced in any of the exceptions contained in this chapter, or who continues to practice osteopathy, surgery, or obstetrics after the revocation of his certificate, is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than three hundred dollars (\$300), nor more than five hundred dollars (\$500) and costs of prosecution, and shall stand committed to the county jail until such fine is paid; and whoever shall file or attempt to file with the recorder of any county in the state the certificate of another with the name of the party to whom it was granted or issued erased, and the claimant's name inserted, or shall file or attempt to file with the board of medical examiners any false or forged affidavit of identification, shall be guilty of forgery.

Sec. 5. Every person practicing osteopathy, surgery or obstetrics, or professing to treat, cure, or heal diseases, ailments or injury by any application or method, who goes from place to place, or from house to house, or by circulars, letters or advertisements solicits persons to meet him for professional treatment at places other than his office at the place of his residence, shall be considered an itinerant osteopath; and such itinerant osteopath shall, in addition to the certificate elsewhere provided for in this chapter, procure from the state board of medical examiners a license as an itinerant, for which he shall pay to the treasurer of state, for use of the state of Iowa, the sum of two hundred and fifty dollars (\$250) per annum. Upon payment of this sum the secretary shall issue to the applicant therefor a license to practice within the state as an itinerant osteopath, for one year from the date thereof. The board may, for satisfactory reasons, refuse to issue such license, or may cancel such license upon satisfactory evidence of incompetency or gross immorality,

Sec. 6. All acts and parts of acts in conflict herewith are hereby repealed.

E. W. BACHMAN,
Chairman.

Read first and second time and passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 356, a bill for an act to amend section twenty-six hundred twenty nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Dowell from the committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Public Libraries, to whom was referred House file No. 883, a bill for an act to amend section seven hundred thirty-one (731) of the code, relating to library reports, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report,

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate File No. 76, a bill for an act providing for interest on state funds, establishing state depositories and repealing sections one hundred eleven (111), one hundred twelve (112), one hundred thirteen (113) and one hundred fourteen (114) 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 senate with the recommendation that the following be substituted for said senate file number seventy-six (76) and that said substitute do pass.

J. M. JUNKIN,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 76.

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.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. Section one hundred and thirteen (113) of the code is hereby amended by adding thereto the following: "On the moneys remaining on deposit, such depository shall pay to the treasurer of state, for the use of the state, interest at such rate, and at such times, as shall be agreed upon between said treasurer and the depository aforesaid, with the approval of the executive council."

Read first and second time and placed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 199, a bill for an act, to amend section one hundred and forty five of

of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

Also.

Senate file No. 286, a bill, for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters, under appointments made by the district courts of Iowa.

E. K. WINNE,
Chairman.

March 27, 1902.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns, as requested by the Senate, concurrent resolution relating to swamp lands.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park to mark the position occupied by Iowa brigades, regiments and batteries; to commemorate the valor and service of Iowa soldiers in the campaign and siege of Vicksburg; and to make an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-minded Children, at Glenwood.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 268, a bill for an act to amend section five hundred eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 267, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the appointment of officers for the Soldiers Home.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following in which the concurrence of the House was asked:

Senate file No. 195, a bill to amend section thirteenth-two hundred twenty-five (3225) of the code, relating to the support of persons adjudged to be insane.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of substitute for House file No. 286, which was pending this morning.

Senator Harriman moved to amend by striking out of line three (3) of section six (6) the words and figures "section 1540".

Carried.

Senator Healy moved to strike out section eleven (11) of the bill and re-number the following sections to section sixteen (16).

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to amend by adding as section sixteen the following: "That the trustees of each township shall make and file with the board of supervisors on or before the first Monday in each year a full and itemized account verified by the township clerk, showing each item of expenditure and receipt of all moneys secured and disbursed during the preceding year for road purposes in said township, which report shall remain on file with the county auditor, and a copy thereof shall be published in the published report of the proceedings of the January session of the board of supervisors.

Carried.

Senator Harriman offered the following amendment and moved its adoption:

I move to amend section thirteen (13) of the bill by adding the following

thereto: "And amend section fifteen hundred fifty-four (1554) of the code by striking out the words "the supervisors of the several districts of each" and insert in lieu thereof the following words, to-wit: "the superintendent of the."

Carried.

Senator Young of Lee offered the following amendment and moved its adoption:

I move to strike out section (17) of the bill and inserting in lieu thereof the following:

Section (17). That wherever the term road supervisors appears in the code and amendments thereto it shall be held so far as applicable to mean the superintendent or contractor.

Carried.

Senator Crossley filed the following motion to reconsider:

I move to reconsider the vote by which Senator Hobart's amendment to section three (8) in regard to the number of mills that are to go to the township was lost.

A roll call was demanded on the motion to reconsider.

On the question "shall the vote whereby the amendment offered by Senator Hobart to section three (3) be reconsidered,"

The yeas were:

Senators Courtright, Garst, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lyons, Maytag, Moffit, Smith of Mitchell, Spaulding, Trewin—14.

The nays were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman, Hayward, Healy, Junkin, Lambert, Lewis, Lister, Mardis, Porter, Smith of Des Moines, Tallman, Whipple, Wilson, Young of Lee, Young of Washington—29.

Absent or not voting:

Senators Bachman, Brighton, Crossley, Dowell, Molesberry, Townsend, Winne—7.

So the motion to reconsider was lost.

Senator Classen 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hogue, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Winne, Young of Washington—40.

The nays were:

Senators Bishop, Porter, Spaulding, Wilson, Young of Lee—5.

Absent or not voting:

Senators Brighton, Hartshorn, Hobart, Hopkins, Townsend—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Griswold, House file No. 170, a bill for an act to provide for compulsory education, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted. The bill was read for information.

President *pro tem* Harriman was called to the chair at 4:25 P. M.

Senator Arthaud offered the following amendment and moved its adoption :

I move to amend House file No. 170 by striking section four (4) from said bill.

Senator Hubbard offered the following as a substitute to the amendment offered by Senator Arthaud.

Amended by striking from section four (4) all after and including the words "if any child" in line seven (7) to the end of such section.

Senator Blanchard moved that the Senate take up Senate File No. 248, for consideration immediately after House File No. 170, is disposed of.

Carried and so ordered.

Senator Ball, moved that the Senate take up House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to township officers, other than justices of the peace and constables.

Read first and second time and referred to committee on Judiciary.

House file No. 225, a bill for an act to amend section 308 of the code relative to compensation of county attorney.

Read first and second time and referred to committee on Compensation of Public Officers.

Senate file No. 337, a bill for an act to define the crime of sodomy.

Passed on file.

House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood.

Read first and second time and referred to committee on Appropriations.

Senate file No. 268, a bill for an act to amend section 586 of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

Passed on file.

Senate file No. 267, a bill for an act to amend section 2604 of the code, relating to the appointment of officers for the Soldiers' Home.

Passed on file.

Joint resolution No. 2, for an amendment to the Constitution of the state of Iowa, proposing the repeal of sections 34, 35, 36, of article three (3), of said Constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor:

Passed on file.

House returns concurrent resolution relating to swamp lands

Passed on file.

House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park, to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and seige of Vicksburg, and to make an appropriation therefor.

Passed on file.

Senate file No. 195, a bill for an act to amend section 3225 of the code, relating to the support of persons adjudged to be insane.

Passed on file.

House file No. 268, a bill for an act to amend the law relating to public health; an act to amend sections 2564, 2565, 2568, 2571, 2575, of the code, and chapter 67, acts of the Twenty-seventh General Assembly.

Read first and second time and referred to committee on Public Health.

House file No. 350, a bill for an act to amend section 65, chapter I of the code of 1897, in relation to the salary of the governor and the secretary to the governor.

Read first and second time and placed on calendar.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, March 28, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Harriott presiding.

Prayer was offered by Rev. Jesse Cole, chaplain of the Iowa Soldiers' Home at Marshalltown, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 437, a bill for an act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stoves that are of no further use to the state.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 892, a bill for an act to amend sections ten hundred sixty-two (1062) and fourteen hundred nineteen (1419) of the code, relating to the publication of the sheriff's proclamation and the delinquent tax list.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 237, a bill for an act to amend sections eleven hundred eighty-two (1182), eleven hundred eighty-eight (1188), eleven hundred eighty-nine (1189) and eleven hundred ninety (1190) of the code, to require county supervisors to give official bonds and providing for the approval thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 397, a bill for an act to appoint a commission of land title, to define its duties and to provide for the publication of its reports.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 333, a bill for an act to amend section 5, chapter 43 of the acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for the recovery of taxes alleged to

be due on personal property omitted, not listed, withheld or overlooked.

C. R. BENEDICT,
Chief Clerk.

Senator Hubbard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That the governor be authorized to, and we recommend he grant a pardon or parole to William Young, formerly of Woodbury county, Iowa, now confined in the state prison at Anamosa.

Laid over under the rule.

Senator Whipple offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That the governor be authorized to, and we recommend he grant, a pardon to Theodore Bushick, formerly of Mills county, Iowa, and now confined in state prison at Anamosa.

Laid over under the rule.

HOUSE MESSAGE CONSIDERED.

House file No. 437, a bill for an act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state.

Read first and second time by title.

On motion of Senator Lewis the Senate took up and considered House file No. 437 at this time.

The bill was read for information.

Senator Lewis moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bishop, Blanchard, Brooks, Bruce, Classen, Craig, Crossley, Fitchpatrick, Garst, Griswold, Harri- man, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bachman, Ball, Brighton, Courtright, Crawford, Dowell, Harper, Healy, Hobart, Lambert, Molsberry, Townsend, Whipple, Winne—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Trewin offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

WHEREAS, There are a large number of copies of an illustrated work entitled "Hand Book of Iowa Soldiers and Sailors Monument", stored in the basement of the capitol and,

WHEREAS, The same is of general interest to the people of the state and can be obtained now only at the cost of thirty-five cents per copy, therefore

Resolved, By the Senate, the House concurring: That each member of the Twenty-Ninth General Assembly be awarded twenty-five copies thereof for distribution among the schools of the state and otherwise as they may deem proper.

Adopted.

REPORTS OF COMMITTEES.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 268, a bill for an act to amend sections twenty-five hundred sixty-four (2564), twenty-five hundred sixty-five (2565), twenty-five hundred sixty-eight (2568), twenty-five hundred seventy-four (2574) and twenty-five hundred seventy-five (2575) of the code, and chapter sixty-seven (67), acts of the Twenty-seventh General Assembly, relating to public health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass and that the same be referred to the committee on Appropriations.

E. W. BACHMAN,
Chairman

Adopted.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 212, a bill for an act to establish a barber examiners board, to regulate the practice of barbering, the licensing of persons to

carry on such practice, to insure the better education, skill and proficiency of such practitioners and to provide penalties for the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred House file No. 876, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code and enact a substitute in lieu thereof in relation to hospitals for the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 867, a bill for an act to legalize the ordinances of the town Swan, Marlon county, Iowa, and the official acts of the mayor and recorder thereof in the publication of said ordinances, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 207, a bill for an act to amend section three thousand eighty-nine (3039) of the code, relating to mechanics' liens, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 292, a bill for an act to amend chapter ninety-one (91) of the

laws of the Twenty-eighth General Assembly, pertaining to the board of dental examiners and the practice of dentistry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 351, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections three and four, in township seventy-seven north of range three, east of the fifth P. M., in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and 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 Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 381, a bill for an act to amend section two (2) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 886, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 101, a bill for an act in regard to supervisor districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass:

1. That section one be amended by striking out, wherever they occur, the words "thirty-five" and inserting in lieu thereof the words "thirty-six".
2. Amend section two by adding thereto at the end thereof the following additional provision:

Notice of which shall be given in the following manner: Whenever a petition, signed by twenty-five per cent of the voters of the county, requesting that the question of abolishing supervisor districts be submitted to the voters of said county, shall be presented to the county sheriff, he shall cause notice to be published once each week for three consecutive weeks in a newspaper published in the county, the last publication to be at least ten days before the date of the general election at which such question is to be submitted. Said notice shall state that the question of abolishing supervisor districts will be submitted to a vote of the people at the approaching election. At the first general election after complete service of said notice the question shall be submitted to the voters in the following form: "Shall the supervisor districts as now established be abolished?" Each voter shall designate his preference by writing "yes" or "no" opposite to the question.

Amend section four (4) by striking out before the word "Register", in the second line, the word "Des Moines" and inserting in lieu thereof the words "Iowa State".

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 816, a bill for an act to amend section three thousand six hundred fifty-one (3651) of the code, relating to method of trial in ordinary actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS D. HEALY,
Chairman.

Ordered passed on file.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to the care of friendless children and the installment, regulation and visitation of homes for friendless children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. A. FITCHPATRICK,
Chairman.

Ordered passed on file

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 818, 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, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof.

SUBSTITUTE FOR SENATE FILE NO. 313.

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.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section four hundred seventy-nine (479) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

County auditors shall receive as full compensation for all services, annually, the following: In counties having a population of less than ten thousand the salary shall be eleven hundred dollars. In counties having a popu-

lation of ten thousand and not exceeding fifteen thousand, the salary shall be twelve hundred dollars. In counties having a population of fifteen thousand and not exceeding twenty thousand, the salary shall be thirteen hundred dollars.

In counties having a population of twenty thousand and not exceeding twenty-five thousand, the salary shall be fifteen hundred dollars. In counties having a population of thirty thousand and not exceeding thirty-five thousand, the salary shall be sixteen hundred dollars. In counties having a population of thirty thousand and not exceeding forty thousand, the salary shall be eighteen hundred dollars. In counties having a population of forty thousand and not exceeding forty-five thousand, the salary shall be two thousand dollars. In counties having a population of forty-five thousand and over, the salary shall be twenty-two hundred dollars. The board of supervisors may allow such additional compensation to the auditor as it may seem just and proper, not exceeding the sum of three hundred dollars in any one year.

GEO. W. LISTER,
Chairman.

REPORT OF COMMITTEE.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred resolution recommending the pardon of Theodore Bushick, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPLE,
Chairman.

Also.

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred resolution recommending the pardon or parole of Wm. Young, beg leave to report that they have had same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPELL,
Chairman.

Senator Moffit called up the concurrent resolution offered by Senator Lewis relative to adjournment, and moved to amend by striking out the words "Wednesday, April 9th," and inserting in lieu thereof the words "Saturday, April 5th."

Senator Lewis moved that the consideration of the resolution be postponed until Tuesday next.

A roll call was demanded on the motion of Senator Lewis.

On the question, Shall consideration of the concurrent resolution offered by Senator Lewis be postponed until Tuesday next?

The yeas were:

Senators Arthaud, Ball, Brooks, Bruce, Courtright, Crawford, Dowell, Garst, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Smith of Mitchell, Spaulding, Whipple—18.

The nays were:

Senators Alexander, Allyn, Bachman, Bishop, Classen, Craig, Crossley, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Lambert, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Trewin, Wilson, Winne, Young of Lee, Young of Washington—28.

Absent or not voting:

Senators Blanchard, Brighton, Tallman, Townsend—4.

So the motion was lost.

The question was on the amendment offered by Senator Moffit.

A roll call was demanded.

On the question, Shall the amendment offered by Senator Moffit be adopted?

The yeas were:

Senators Alexander, Allyn, Bachman, Bishop, Classen, Craig, Crossley, Griswold, Harriman, Hartshorn, Hazelton, Lyons, Mardis, Moffit, Molsberry, Porter, Smith of Des Moines, Trewin, Wilson, Young of Lee, Young of Washington—21.

The nays were:

Senators Arthaud, Ball, Blanchard, Brooks, Bruce, Courtright, Crawford, Dowell, Fitchpatrick, Garst, Harper, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Maytag, Smith of Mitchell, Spaulding, Tallman, Whipple, Winne—27.

Absent or not voting:

Senators Brighton, Townsend—2.

So the amendment was lost.

SPECIAL ORDER.

On motion of Senator Griswold the Senate took up House file No. 170, which was pending yesterday, for consideration.

The question was on the amendment offered by Senator Hubbard to the amendment offered by Senator Arthaud.

The amendment to the amendment offered by Senator Hubbard was lost.

The amendment offered by Senator Arthaud was lost.

Senator Trewin offered the following amendment and moved its adoption.

Amend section four by inserting after the word "school," in the eighth line, the words "with the consent of the parent or guardian," and by striking out the words "or habitually truant," and inserting after the word "be," at end of line nine, the words "habitually vagrant, disorderly or."

Carried.

Senator Harriman offered the following amendment and moved its adoption:

I move to amend section five of the bill by striking out the word "shall," in the first line of said section and insert in lieu thereof the word "may."

Carried.

Senator Griswold 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:

Senators Allyn, Blanchard, Brooks, Bruce, Classen, Court-right, Craig, Crossley, Dowell, Fitchpatrick, Garst Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lewis, Lister, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Winne, Young of Washington—35.

The nays were:

Senators Arthaud, Ball, Crawford, Hogue, Young of Lee—5.

Absent or not voting:

Senators Alexander, Bachman, Bishop, Brighton, Hubbard, Lambert, Lyons, Moffit, Townsend, Wilson—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On request of Senator Crossley the Journal was ordered to show that had Senator Wilson been present he would have voted "aye" on the bill just passed.

Senator Healy moved that the rule be suspended in order to take up Senate file No. 349 at this time.

Carried.

On motion of Senator Healy Senate file No. 349, a bill for an act to amend section nineteen hundred ninety-eight (1998) of the code, relating to depot grounds of railway corporations, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Healy offered the following amendment and moved its adoption:

I move to amend section one (1) of the bill by inserting at end thereof the following: That section nineteen hundred ninety-eight (1998) be further amended by inserting after the word "operating," in second line of said section, the words "or constructing."

Carried.

Senator Healy 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:

Senators Allyn, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Trewin, Whipple, Winne, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Brighton, Crawford, Crossley, Griswold, Harriman, Hogue, Hubbard, Lambert, Moffit, Molsberry, Tallman, Townsend, Wilson, Young of Lee—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

SPECIAL ORDER.

On motion of Senator Blanchard the Senate took up House file No. 248, which was made a special order for this time.

Senator Blanchard moved that the Senate recede from its amendments to House file No. 248.

Senator Junkin moved that the time for adjournment be extended until House messages are considered and the Journal corrected.

Carried.

HOUSE MESSAGES CONSIDERED.

Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

Passed on file.

House file No. 392, a bill for an act to amend sections one thousand sixty-two (1062) and fourteen hundred nineteen (1419) of the code, relating to the publication of the sheriff's proclamation and the delinquent tax list.

Read first and second time and referred to committee on Printing.

House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

Read first and second time and referred to committee on Public Health.

House file No. 237, a bill for an act to amend sections eleven hundred eighty-two (1182), eleven hundred eighty-eight (1188), eleven hundred eighty-nine (1189) and eleven hundred ninety (1190) of the code, to require county supervisors to give official bonds and providing for the approval thereof.

Read first and second time and referred to committee on Judiciary.

House file No. 397, a bill for an act to appoint a commission of land titles, to define its duties, and to provide for the publication of its reports.

Read first and second time and referred to committee on Judiciary.

House file No. 388, a bill for an act to amend section five (5), chapter forty-three (43) of the acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations.

Read first and second time and referred to committee on Insurance.

House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for the recovery of taxes alleged to be due on personal property omitted, not listed, withheld or overlooked.

Read first and second time and referred to committee on Judiciary.

Senator Hubbard offered the following resolution:

Resolved, That the President of the Senate is hereby directed to appoint a sifting committee consisting of seven members, and when so appointed all bills other than appropriation bills be referred to said committee, and that hereafter, no bills, except appropriation bills, shall be considered unless personally reported by said committee.

Laid over under the rule.

The Journal of March 26th was taken up, corrected and approved.

The time having arrived the President declared the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

On request of Senator Blanchard, leave of absence was granted Senator Brighton indefinitely on account of sickness.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 200, a bill for an act to amend section eight hundred and ninety-four (894) of the code, as amended by the Twenty-sixth General Assembly, relating to the levy of taxes by cities.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code, relating to notice of the levy of special assessments.

C. R. BENEDICT,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 201, a bill for an act to amend section six hundred and fifty-eight (658) of the code, relating to the powers and duties of mayors of cities.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to enable the United States of America to take private property for public improvement.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 274, a bill for an act to amend sections one hundred sixty-four (164) and one hundred sixty-five (165) of the code, relating to powers and duties of executive council.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same.

C. E. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 114, a bill for an act to encourage the planting of forest and fruit trees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 170, a bill for an act for compulsory education.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 286, a bill for an act to amend sections one thousand and seventy-five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542), one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551) and one thousand five hundred and fifty-four (1554) of the code, and to repeal sections one thousand five hundred and thirty-two (1532), one thousand five hundred and forty (1540) and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors, the consolidation of road districts and the levy and collection of road tax.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Relative to disposition of sewerage.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 217, a bill for an act to amend section eight (8), of chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

The Senate took up the governor's veto message for consideration at this time.

Senator Trewin moved that consideration of the governor's veto message be postponed until next Tuesday afternoon at 2 o'clock and that a session of the Senate be held at that time.

A roll call was demanded.

On the question, Shall the motion offered by Senator Trewin be adopted?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Harri- man, Hartshorn, Hazelton, Hobart, Hubbard, Lambert, Mardis, Moffit, Molsberry, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple, Young of Lee, Young of Washington—28.

The nays were:

Senators Bishop, Blanchard, Dowell, Garst, Harper, Hayward, Healy, Hogue, Hopkins, Junkin, Lewis, Lister, Lyons, Maytag, Porter, Smith of Mitchell, Spaulding, Winne—18.

Absent or not voting:

Senators Alexander, Brighton, Griswold, Wilson—4.

So the motion prevailed.

On motion of Senator Moffit, House file No. 221 was re-referred from the committee on Military to the committee on Appropriations.

The Senate resumed consideration of House file No. 248, which was pending before the hour of the noon adjournment.

The question was on the motion of Senator Blanchard, made this morning, that the Senate recede from its amendments to section three (3) of House file No. 248.

A roll call was demanded.

On the question, Shall the Senate recede from its amendments to section three (3)?

The yeas were:

Senators Allyn, Arthaud, Ball, Blanchard, Classen, Crawford, Harriman, Hartshorn, Hayward, Hobart, Hogue, Hopkins, Lewis, Mardis, Smith of Mitchell, Trewin, Young of Lee, Young of Washington—18.

The nays were:

Senators Bachman, Bishop, Brooks, Bruce, Courtright, Craig, Dowell, Garst, Harper Hazelton, Healy, Hubbard, Junkin, Lambert, Lister, Lyons, Maytag, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Whipple, Winne—25.

Absent or not voting:

Senators Alexander, Brighton, Crossley, Fitchpatrick, Griswold, Moffit, Wilson—7.

So the Senate refused to recede from its amendments to section three (3) of the bill.

On request of Senator Healy the Journal was ordered to show that had Senator Crossley been present he would have voted "no" on the motion, that the Senate recede from its amendments to section 3.

Senator Blanchard moved that the Senate recede from its amendment to section four (4).

Lost.

Senator Blanchard moved that the Senate recede from its amendments to section five (5).

Lost.

On motion of Senator Ball a conference committee was requested on the part of the House.

Carried.

Senator Harriman was called to the chair at 4:38 o'clock P. M.

On motion of Senator Craig the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty-eight (58), acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon state fair grounds.

Passed on file.

Concurrent resolution relative to disposition of sewerage.

Passed on file.

House file No. 286, a bill for an act to amend sections one thousand and seventy five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542), one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551) and one thousand five hundred and fifty-four (1554) of the code, and to repeal sections one thousand five hundred and thirty two (1532), one thousand five hundred and forty (1540) and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax.

Passed on file.

Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code, relating to notice of the levy of special assessments.

Passed on file.

Senate file No. 201, a bill for an act to amend section six hundred fifty-eight (658) of the code, relating to the powers and duties of mayors of cities.

Passed on file.

Senate file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-sixth General Assembly, relating the levy of special taxes by cities.

Passed on file.

House file No. 170, a bill for an act for compulsory education.

Passed on file.

Senate file No. 274, a bill for an act to amend sections one hundred sixty-four (164) and one hundred sixty-five (165) of the code, relating to powers and duties of executive council.

Passed on file.

Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to enable the United States of America to take private property for public improvement.

Passed on file.

House file No. 114, a bill for an act to encourage the planting of forest and fruit trees.

Read first and second time and referred to committee on Horticulture and Forestry.

House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same.

Read first and second time and referred to committee on Schools.

Senator Lewis moved that when the Senate adjourn it be to meet at 7:30 P. M., and that the Senate take up the legalizing acts and bills recommended for indefinite postponement at that time.

Carried.

Senator Porter moved that the Senate adjourn.

Carried.

Senate adjourned until 7:30 o'clock P. M.

EVENING SESSION.

Senate met at 7:30 P. M., pursuant to adjournment, President *pro tem* Harriman presiding.

Senator Dowell moved that the Senate take a recess awaiting the call of the President.

Carried.

President *pro tem* Harriman called the Senate to order at 7:40 P. M.

On request of Senator Whipple, leave of absence was granted Senator Griswold until Tuesday.

On request of Senator Whipple, leave of absence was granted Senator Alexander until Tuesday.

On motion of Senator Lewis, Senate file No. 50, a bill for an act to amend section thirteen hundred eleven of the code, relating to listing property for assessment and taxation, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Bishop, Senate file No. 56, a bill for an act to repeal section one thousand three hundred eleven (1311) of the code, relative to the listing of property for taxation, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Trewin, House file No. 206, a bill for an act providing for the appointment of public examiners, defining

the duties and fixing the compensation therefor, and providing for a uniform system of keeping the books of county treasurers, auditors and clerks, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Trewin, Senate file No. 168, a bill for an act to amend section four hundred ninety (490) of the code, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Crawford, Senate file No. 208, a bill for an act to repeal section forty-six hundred (4600) of the code, relating to fees of justices of the peace and constables, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Crawford, Senate file No. 185, a bill for an act to amend section forty-six hundred (4600) of the code, in relation to fees of justices of the peace and constables, with report of committee recommending that it be indefinitely postponed was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Harper, Senate file No. 173, a bill for an act to prevent the condemnation of cemeteries and other real estate, and to limit the power to dispose of the same, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Allyn, Senate file No. 205, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section two thousand and twenty-six (2026) of the code, relating to such

railways, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Crawford, Senate file No. 158, a bill for an act to establish the eastern Iowa school for the deaf and to provide for the building and government of the same, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Dowell, House file No. 383, a bill for an act to amend section 751 of the code, relating to reports, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Senator Allyn, House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Allyn moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Lambert, Lewis, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Young of Lee—30.

Absent or not voting:

Senators Alexander, Ball, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hopkins, Hubbard,

Junkin, Maytag, Moffit, Smith of Mitchell, Townsend, Wilson, Winne, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lewis, House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error, v. Fremont county, Iowa, in error to the supreme court of Iowa, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Lewis moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Garst, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Lambert, Lewis, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Young of Lee—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Bishop, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hopkins, Hubbard, Junkin, Maytag, Moffit, Smith of Mitchell, Townsend, Wilson, Winne, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bachman, Senate file No. 341, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof, in relation to hospitals for the insane, with report of committee recom-

mending its passage, was taken up, considered and the report of the committee adopted.

On motion of Senator Bachman, House file No. 376 was substituted for Senate file No. 341.

On motion of Senator Bachman, the report of the committee on House file No. 376, recommending passage was adopted.

Senator Bachman 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:

Senators Allyn, Arthaud, Bachman, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hubbard, Lambert, Lewis, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Young of Lee—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Blanchard, Brighton, Bruce Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hopkins, Junkin, Lister, Maytag, Moffit, Townsend, Wilson, Winne, Young of Washington—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Bachman, Senate file No. 341, a bill for an act to repeal section two thousand two hundred fifth-three of the code, and enact a substitute in lieu thereof in relation to hospitals for the insane, with report of committee recommending passage, was taken up and indefinitely postponed, for the reason that a bill of similar character has already passed the Senate.

So the bill was indefinitely postponed.

On motion of Senator Brooks, House file No. 311, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the

acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture, was taken up and considered.

The bill was read for information.

Senator Brooks moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Træwin, Whipple, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Blanchard Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hopkins, Junkin, Maytag, Moffit, Townsend, Wilson, Winne—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Brooks, Senate file No. 326, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture, with report of committee recommending passage, was taken up and indefinitely postponed for the reason that a bill of similar character has already passed the Senate.

So the bill was indefinitely postponed.

On motion of Senator Brooks, Senate file No. 327, bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the code of 1873, and by the officers therein authorized to take and certify acknowledgments, with

report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Brooks 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:

Senators Allyn, Arthaud, Bachman, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Garst, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert Lewis, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Young of Lee—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Maytag, Moffit, Townsend, Wilson, Winne, Young of Washington—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Brooks, House file No. 178, a bill for an act to protect owners of registered stallions, jacks or bulls, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Junkin moved to strike out the enacting clause of the bill.

A roll call was demanded.

On the question, Shall the enacting clause be stricken from the bill?

The yeas were:

Senators Courtright, Craig, Dowell, Garst, Harper, Hazelton

Healy, Hubbard, Junkin, Lewis, Lister, Molsberry, Porter, Spaulding, Trewin—15.

The nays were:

Senators Allyn, Arthaud, Bachman, Brooks, Classen, Crawford, Harriman, Hobart, Hogue, Lambert, Lyons, Mardis, Smith of Des Moines, Smith of Mitchell, Tallman, Whipple, Young of Lee—17.

Absent or not voting:

Senators Alexander, Ball, Bishop, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hopkins, Maytag, Moffit, Townsend, Wilson, Winne, Young of Washington—18.

So the motion was lost.

Senator Lambert moved that further consideration of House file No. 178 be postponed and that it retain its place on the calendar.

Carried.

On motion of Senator Dowell, House File No. 167, a bill for an act providing for the condemnation of real estate by the state for use and benefit of institutions of the United States, and the payment of damages therefor, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Garst, Harper, Harriman, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Young of Lee—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Bishop, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Hartshorn, Hayward, Hogue, Hopkins, Maytag, Moffit, Smith of Mitchell, Townsend, Wilson, Winne, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hobart, Senate file No. 241, a bill for an act amending section twenty-nine hundred fifty-nine (2959) of the code, in relation to the conveyance of real estate, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Junkin was called to the chair at 9 P. M.

On motion of Senator Trewin, the bill was laid over for consideration.

On motion of Senator Lambert, House file No. 48, a bill for an act to fix the compensation of appraisers of property, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lambert moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Garst, Harper, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Young of Lee—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Ball, Bishop, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hogue, Hopkins, Maytag, Moffit, Porter, Townsend, Wilson, Winne, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, Senate file No. 275, a bill for an act to amend section, twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the industrial schools, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Brooks, Classen, Court-right, Crawford, Dowell, Garst, Harper, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Young of Lee—27

The nays were:

Senator Lewis—1.

Absent or not voting:

Senators Alexander, Ball, Bishop, Blanchard, Brighton, Bruce, Craig, Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hogue, Hopkins, Maytag, Moffit, Spaulding, Townsend, Wilson, Winne, Young of Washington—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Healy offered the following resolution.

I move that, in consideration of future legislation, no member shall speak more than once and not longer than seven minutes on any debatable

proposition, except that the mover of a motion or resolution or the member in charge of a measure shall have five minutes to close the discussion; it shall be the duty of the presiding officer to enforce this rule.

Laid over under the rule.

On motion of Senator Hazelton, Senate file No. 295, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to limitation of insurance risks, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted:

The bill was read for information.

Senator Hubbard moved to amend by inserting in line six after the words "division two" the words "or division five."

On motion of Senator Hazleton further consideration of Senate file No. 295 was postponed.

On motion of Senator Dowell, Senate file No 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes, with the report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved that the rule be suspended and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Garst, Harper, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lewis, Liser, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Young of Lee—28.

The nays were:

None.

Absent or not voting:

Senators. Alexander, Ball, Bishop, Blanchard, Brighton, Bruce, Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hogue, Hopkins, Maytag, Moffit, Spaulding, Townsend, Tallman, Wilson, Winne, Young of Washington—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, Senate file No. 19, a bill for an act to amend section forty-eight hundred forty-five (4845) of the code, in relation to receiving stolen goods, with report of committee recommending its passage, was taken up, considered, and indefinitely postponed.

On motion of Senator Smith of Mitchell, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Saturday, March 29, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Ivan S. Ford of Des Moines, Iowa.

INTRODUCTION OF BILLS.

By Senator Molsberry, Senate file No. 358, a bill for an act to amend section two thousand forty-nine (2049) of the code, relating to the indebtedness or liability of railway corporations.

Read first and second time and referred to committee on Corporations.

Senator Trewin moved to reconsider the vote whereby the concurrent resolution offered by him relative to the distribution of a book called a "Handbook of Iowa Soldiers and Sailors Monument," passed the Senate.

Carried.

Senator Trewin offered the following concurrent resolution and moved its adoption :

SENATE CONCURRENT RESOLUTION.

Preamble and concurrent resolution, authorizing the executive council to distribute the "Handbook for the Iowa Soldier's and Sailor's Monument:"

WHEREAS, There are in the hands of the executive council about fifteen hundred copies of the "Handbook of the Iowa Soldier's and Sailor's Monument," for which there is no provision of law for the distribution of the same, and which are valuable for the numerous public and school libraries of the state, the historical department, etc., therefore

Resolved, By the Senate, the House concurring: That the executive council is hereby directed to distribute the same as follows, to wit:

To the State university, ten copies; to the Agricultural college, ten copies; to the State Normal school, ten copies; to the curator of the Historical department, for exchange purposes, 100 copies; to the State Historical society, twenty-five copies; to each member of the Twenty-ninth General Assembly, five copies; to the state library commission for distribution to public and school libraries of the state, one copy to each of said libraries; 500 copies and the remainder to be distributed to the Department of Iowa Grand Army of the Republic.

Adopted.

Senator Whipple offered the following resolution:

Be it Resolved by the General Assembly of the State of Iowa:

That the governor be and is hereby authorized to, and we advise and recommend that he grant a conditional pardon to Joseph McCreary formerly of Mills county, and who is now confined in the state prison at Fort Madison, under a life sentence, from the district court in and for said county, upon such terms as the governor may prescribe.

Laid over.

Senator Whipple offered the following resolution:

Be it Resolved by the General Assembly of the State of Iowa:

That the governor be, and is hereby authorized to, and we advise and recommend that he grant a conditional pardon to George Stanley, formerly of Story county, Iowa, under a life sentence from the district court of Iowa, in and for said county, upon such terms and conditions as the governor may prescribe.

Laid over.

Senator Whipple offered the following resolution:

Resolved, By the Twenty-ninth General Assembly of Iowa; That the governor be authorized and we hereby recommend that he grant to John Wesley Elkins a parole upon such terms and conditions as he may prescribe and which said conditions must contain the following: Avoid all evil associations, obey the laws, and abstain from the use of intoxicating liquors for a period of ten years, and that if at the end of said period he has not violated any of the conditions of his parole, he shall be entitled to his final discharge and restored to all rights of citizenship.

Laid over.

Senator Junkin moved that House file No. 388 be referred to the committee on Ways and Means.

Carried.

Senator Hayward offered the following resolution and moved its adoption:

Resolved, That from and after Monday, March 31st, the Senate hold daily afternoon sessions, Sundays excepted, and that such sessions begin at 2 o'clock.

Adopted.

Senator Trewin called up concurrent resolution relative to distribution of supplements of the code to members and officers of the Twenty-ninth General Assembly and moved its adoption.

Adopted.

REPORTS OF COMMITTEES.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 69, a bill for an act to amend section five thousand forty (5040) of the code, relative to the disecration of the Sabbath, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Judiciary.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 284, a bill for an act to amend section six hundred forty-five (645) of the code, relating to city and town councils, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that it was incorporated as an amendment into another bill.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 169, a bill for an act to amend chapter fourteen (14), title five (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 Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 809, a bill for an act authorizing the council in towns and cities having a population of five thousand (5,000) inhabitants or less, to appropriate money from their general fund for the improvement and maintenance of public parks and providing for the expenditure thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 84, a bill for an act to amend section two (2) of chapter forty-one (41), of the acts of the Twenty-eighth General Assembly, limiting the 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 Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 333, a bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, provide assembly room, and library building in incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 332, a bill for an act to amend section seven hundredthirty-two (732) of the code, as amended by chapters twenty-one (21),

and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes, beg leave to report that they had the same under consideration and have instructed to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate file No. 2, 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, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate as follows: Owing to the fact, that a bill practically the same as Senate file No. 2 was defeated in the House, and the further fact that the committee decided that it is too late in the session to offer a substitute they have requested now to report the same for indefinite postponement.

F. M. MOLSBERRY,
Chairman.

Adopted.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House file No. 6, a bill for an act relating to the assessment and collection of the collateral inheritance tax and repealing chapter four (4) of title seven (7) of the code, and chapter thirty-seven (37) of the acts of the Twenty-seventh General Assembly and chapter fifty-one (51) of the Twenty-eighth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Adopted.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 48, a bill for an act relating to the assessment and collection of the collateral inheritance tax, and repealing chapter four (4) of title seven (7) of the code, and chapter thirty-seven (37) of the acts of the Twenty-seventh General Assembly, and chapter fifty-one (51) of the acts of the Twenty-eighth General Assembly, beg leave to report that they

have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Adopted.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 350, a bill for an act to amend section five (5) of chapter forty-three (43) of the acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman,

Adopted.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 98, a bill for an act to repeal section thirteen hundred seventy-four (1374) of the code, and chapter fifty (50) of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Adopted.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate file No. 91, a bill for an act to amend sections thirteen hundred seventy (1370) and thirteen hundred seventy-three (1373) of the code, relating to the local board of review and appeal therefrom, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Adopted.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 355, a bill for an act to amend section seventeen hundred twenty-one (1721) of the code, in relation to insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Mardis, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 343, a bill for an act to amend section twenty-four hundred ten (2410) of the code, relating to sale of intoxicating liquors and abatement of nuisance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

ALEXANDER MARDIS,
Chairman.

Ordered passed on file.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred House file No. 252, a bill for an act to make an appropriation to Chas. Gray for publishing original notice in the case of Bettannier v. Caille, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. C. HARTSHORN,
Chairman.

Ordered passed on file.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred Senate file No. 332, a bill for an act to amend section fifty-six hundred sixty-three (5663) of the code, limiting the number of guards allowed at the penitentiaries at Anamosa and Ft. Madison, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Whipple, from the committee on Penitentiary and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred resolution recommending the pardon of John Wesley Elkins, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation and to state the fact that four of the committee were against and three in favor of pardon or parole.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred resolution recommending the pardon of George Stanley, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred resolution recommending the pardon of Joseph McCreary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers to whom was referred Senate file No. 174, a bill for an act to amend section three hundred eight (308) of the code, relative to compensation of county attorneys, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

G. W. LISTER,
Chairman.

Ordered passed on file.

Senator Spaulding, from the committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your committee on Horticulture and Forestry, to whom was referred House File No. 114, a bill for an act to encourage the planting

of forest and fruit trees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting in line two of the original bill, after the word "two" and before the word "acres," "nor more than twenty," and when so amended that the same do pass.

E. C. SPAULDING,
Chairman.

Ordered passed on file.

Senator Spaulding, from the committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your committee on Horticulture and Forestry, to whom was referred House file No. 71, a bill for an act to amend sections six hundred seventy-two (1672), sixteen hundred seventy-three (1673), chapter three (3), title nine (9) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. C. SPAULDING,
Chairman.

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred substitute for House file No. 225, a bill for an act to amend section three hundred eight (308) and to repeal section three hundred three (303) of the code, and enact a substitute therefor, relative to the compensation of county attorneys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Strike out the words "thirty-six", in the fourth and eleventh lines of section 1, and insert the words "thirty-five" in lieu thereof. Strike out the figures "36" in the fourth and eleventh lines of section 1. Strike out the words "the crime of", in the fifteenth line of section 1, and insert the word "a" in lieu thereof. Strike out all of section 2; and that when so amended the bill do pass.

G. W. LISTER,
Chairman.

Ordered passed on file.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate file No. 858, a bill for an act to amend section two thousand forty-nine (2049) of the code, relating to the indebtedness or liability of railway corporations, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 262, a bill for an act to amend section five hundred and eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

Also, Senate file No. 267, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the appointment of officers for the Soldiers' Home.

Also, Senate file No. 195, a bill for an act to amend section three thousand two hundred and twenty-five (3225) of the code, relating to the support of families of persons adjudged to be insane.

Also, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

Also, Senate file No. 337, a bill for an act defining the crime of sodomy.

Also, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 268, a bill for an act to amend section five hundred eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

Also, Senate file No. 267, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the appointment of officers for the Solders' Home.

Also, Senate file No. 195, a bill for an act to amend section three thousand two hundred twenty-five (3225) of the code, relating to the support of families of persons adjudged to be insane,

Also, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control, and invest funds donated for and on account of cemetery purposes

Also, Senate file No. 387, a bill for an act defining the crime of sodomy.

Also, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 182, a bill for an act to amend section two thousand twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement.

Also, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns and requiring that publicity be given thereto.

Also, House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, Iowa, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town, in payment therefor.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Healy called up the resolution offered by him last evening and moved its adoption.

Senator Lister offered the following amendment to the resolution and moved its adoption. Add the following to the end of said resolution: "and that no member be permitted to yield his time to another."

Carried.

The question was on the resolution offered by Senator Healy, as amended by the motion of Senator Lister.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Allyn, Arthaud, Ball, Blanchard, Bruce, Classen, Court-right, Craig, Crawford, Dowell, Garst, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Bachman, Bishop, Brighton, Brooks, Crossley, Fitchpatrick, Griswold, Harriman, Hogue, Hubbard, Moffit, Porter, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple, Wilson, Winne—20.

So the resolution was adopted.

THIRD READING OF BILLS.

On motion of Senator Lewis, Senate file No. 76, a bill for an act providing for interest on state funds, establishing state depositories, and repealing sections one hundred eleven (111), one hundred twelve (112), one hundred thirteen (113) and one hundred fourteen (114) of the code, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lewis offered the following amendment and moved its adoption: Amend by adding at end of section one (1). "In the event that the treasurer of state furnishes a security company bond where the bond and cost thereof shall have been approved by the executive council the auditor of state shall issue his warrant therefor payable out of any funds in the state treasury not otherwise appropriated."

Senator Lewis moved that further consideration of Senate file No. 76 be indefinitely postponed.

Carried.

On request of Senator Young of Washington, leave of absence was granted Senator Crawford until Tuesday.

On request of Senator Lambert, leave of absence was granted Senator Trewin for balance of the day.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Tallman until Monday.

On request of Senator Hobart, leave of absence was granted Senator Hogue indefinitely on account of sickness.

On request of Senator Young of Washington, leave of absence was granted Senator Harriman until Monday.

On motion of Senator Courtright, Senate file No. 289, a bill for an act to amend section twenty-five hundred one (2501) of the code, in relation to annual reports and bulletins to be published by the state, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Courtright 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:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Harts-horn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hogue, Hubbard, Moffit, Tallman, Towns-end Trewin, Wilson, Winne—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Classen, Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Classen moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hogue, Hubbard, Lewis, Moffit, Tallman, Townsend, Trewin, Wilson, Winne—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No, 402, a bill for an act requiring administrators, executors and guardians to file certificate of the clerk of the court of their appoint-

ment in any county where any judgment, mortgage or deed of trust released by them as such officers is executed.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 168, a bill for an act relating to transfer by treasurer of state to successor of funds of the state and liabilities incident thereto and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of taxes of fees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 291, a bill for an act to amend chapter ninety-three (98) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 428, a bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

A bill for an act to legalize the incorporation of the town of Kenross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town and all ordinances and resolutions adopted by the council of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes.

C. R. BENEDIOT,
Chief Clerk.

On motion of Senator Young of Washington, Senate file No. 269, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Young of Washington 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:

Senators Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Brighton, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hogue, Hubbard Lewis, Moffit, Tallman, Townsend, Trewin, Wilson—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The President announced that he had signed, in the presence of the Senate, Senate files Nos. 141, 157, 195, 267, 268, 337 and House files Nos. 182, 396, 407.

On motion of Senator Ball, Senate file No. 113, a bill for an act relating to bonds given by contractors for erection and construction of public buildings and public improvements with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Ball, Senate file No. 113, was postponed for consideration and is to retain its place on the calendar.

On motion of Senator Mardis, substitute for Senate file No. 230, a bill for an act for the preservation of life and the protection of property, to require the construction of fire escapes to certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing the same and imposing penalties for the violation thereof, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mardis moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell Harper, Hayward, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Lee, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hazelton, Hogue, Hubbard, Moffit, Tallman, Townsend, Trewin, Wilson—18.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.

On motion of Senator Porter the Senate took up House file No. 293 for consideration at this time.

The bill was read for information.

Senator Porter moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Harts-horn, Hayward, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Crawford, Crossley Fitchpatrick, Griswold, Harriman, Hazelton, Hogue, Hubbard, Lyons, Mardis, Moffit, Tallman, Townsend, Trewin, Wilson, Winne, Young of Lee—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Porter, Senate file No. 247, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes, with report of committee recommending its passage, was taken up, considered and indefinitely postponed for the reason that a bill of similar character had already passed the Senate.

On motion of Senator Healy the time of adjournment was extended thirty minutes.

Senator Garst moved that when the Senate adjourn it be to meet at 2 o'clock P. M.

Carried.

Senator Garst moved to reconsider the vote whereby the Senate, when it adjourns, was to meet at 2 o'clock P. M.

Carried.

By unanimous consent Senator Garst withdrew his motion to adjourn.

HOUSE MESSAGE CONSIDERED.

Senate file No. 163, a bill for an act relating to transfer by treasurer of state to successor of funds of the state, and liabilities incident thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of taxes of fees.

On motion of Senator Healy the Senate took up Senate file No. 163 for consideration at this time.

Senator Healy moved the Senate concur in the House amendments.

On the question, Shall the Senate concur in House amendments?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Hartshorn, Hayward, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Brooks, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hazelton, Hogue,

Hubbard, Mardis, Maytag, Moffit, Tallman, Townsend, Trewin, Wilson—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Ball, Senate file No. 346, a bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding minors as apprentices and the appointment of guardians for minors in certain cases, was taken up and considered.

The bill was read for information.

Senator Ball moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Harts-horn, Hapward, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hazelton, Hogue, Hubbard, Lyons, Mardis, Maytag, Moffit, Tallman, Townsend, Trewin, Wilson—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Molsberry moved that Senate file No. 256 be made a special order for Wednesday next, at 2 o'clock P. M.

Lost.

On motion of Senator Winne, substitute for House file No. 35, a bill for an act to repeal section two hundred fifty-four (254)

of the code, relating to compensation of shorthand reporters and enacting a substitute therefor, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Winne moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Garst, Harper, Hartshorn, Hayward, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Molsberry, Smith of Des Moines, Smith of Mitchell, Whipple, Winne, Young of Lee, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Brighton, Crawford, Crossley, Fitchpatrick, Griswold, Harriman, Hazelton, Hogue Hubbard, Mardis, Maytag, Moffit, Porter, Spaulding, Tallman, Trewin, Wilson—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The Journal of yesterday was taken up, corrected and approved.

The President appointed as a conference committee on the part of the Senate relative to Senate amendments to House file No. 248, Senators Courtright, Hazelton, Hubbard and Lambert.

The time having arrived the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, March 31, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. David McPherson of Des Moines, Iowa.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, for committee on Insurance, Senate file No. 359, a bill for an act providing for a uniform policy to be used by all fire insurance companies doing business in the state of Iowa.

Read first and second time and placed on calendar.

HOUSE MESSAGES CONSIDERED.

House file No. 402, a bill for an act requiring administrators, executors and guardians to file certificate of the clerk of the court of the county of their appointment in any county where any judgment, mortgage or deed of trust released by them as such officers is executed.

Read first and second time and referred to committee on Judiciary.

Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

Passed on file.

House file No. 423, a bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county.

Read first and second time and referred to committee on Judiciary.

House file No. 424, a bill for an act to legalize the incorporation of the town of Kenross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town and all ordinances and resolutions adopted by the council of said town.

Read first and second time and referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 812, a bill for an act providing for a uniform policy to be used exclusively by all fire insurance companies doing business in the state of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that a similar bill has been heretofore favorably recommended for passage.

JAS. A. SMITH,
Chairman.

Adopted.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 858, a bill for an act to create a state department of insurance and providing for the appointment of a commissioner of insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the committee on Insurance, submitted the following report.

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 801, a bill for an act to amend chapter 4, title 9 of the code, and providing for a uniform policy and contract of fire insurance to be known as the Iowa standard policy, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely

postponed for the reason that a similar bill has heretofore been favorably reported for passage.

JAS. A. SMITH,
Chairman.

Adopted.

Senator Townsend, from the special committee appointed to draft resolutions on the death of Henry L. Dashiell, late of Monroe county, submitted the following resolutions:

MR. PRESIDENT—Your committee appointed to prepare resolutions in honor of the memory of Henry L. Dashiell, late of Monroe county, Iowa, respectfully report the following:

WHEREAS, The Hon. Henry L. Dashiell, a member of the State Senate of Iowa in the Sixteenth and Seventeenth General Assemblies departed this life on the 22d day of July, 1901; therefore, be it

Resolved, That this memorial be entered in the Journal of the Senate as a mark of enduring respect to the memory of one whose life and character was such as to win the confidence and inspire the emulation of all men, and as a tribute to an upright and God-fearing citizen, whose services to his country as a soldier, jurist and legislator commands our respectful admiration.

Resolved, That the Senate extend to the family and friends of the deceased its sincere sympathy in their bereavement and that an engrossed copy of these resolutions be sent to the widow.

FRED TOWNSEND,
J. B. CLASSEN,
L. C. BLANCHARD,
Committee.

Senator Townsend spoke as follows in favor of the resolutions:

MR. PRESIDENT—Although late in the session and time is valuable I feel that I must ask the indulgence of the Senate while I pay a brief tribute to the memory of one who was to me both an example of good living and a friend.

Henry L. Dashiell was born in Louisville, Kentucky, July 9, 1835. Like many other men who have achieved distinction his early life was passed in comparative poverty and his advantages were few. But such as they were he improved them to the utmost and at the age of twelve had read five books of Cæsar and three of Virgil.

About 1848 his parents removed with him to Eddyville, Iowa, and settled on a farm. There the next eight or nine years of young Dashiell's life were spent. Then he went to Ottumwa and studied law, was admitted to the bar and a few months later located at Albia and "hung out his shingle."

In 1861 Mr. Dashiell enlisted in company H, First Iowa Volunteer Cavalry, of which he soon became first lieutenant. At the battle of Wilson's Creek, near Springfield, Mo., in July 1863, Lieutenant Dashiell was severely

wounded in the right lung, and carried the bullet, which often caused him intense suffering, with him to the grave.

Retiring from the army he resumed the practice of law at Albia, in which he spent the greater part of the next thirty years, interrupted only by a term on the district bench and a term as member of the senate.

In public life Judge Dashiell was ever conscientious and faithful. Possessed of rugged honesty of purpose, straightforward and direct, he sought only the right, and once thoroughly convinced what the interests of the people demanded, nothing could swerve him from his course. He submitted to no dictation and acknowledged no master save duty.

As a lawyer Judge Dashiell was a close student and few knew the law better. Possessed of those sterling qualities of heart and mind which won him the confidence of his clients and the respect of his associates at the bar, he early built up a lucrative practice and attained high rank among the leading lawyers of Iowa.

Modest and unostentatious, never posing for effect or display, always courteous and kind, ever ready to do a good deed and never doing a mean one, Judge Dashiell secured and retained the love and friendship of many and the respect and admiration of all.

Judge Dashiell's private life was above reproach. He and his ever faithful wife inhabited, as tenants in common, that sacred place called home, and needed no court to define their relative rights and duties. There he found his inspiration and there he spent the happiest hours of his life. There the world of toil and sin was shut out and the poisoned arrows of envy and calumny could not enter, for at the portals thereof love and confidence stood ever on guard. There the last long months of physical suffering were passed, while, surrounded by his loved ones, with Christian fortitude he calmly awaited the summons to his just reward, a life in the Eternal City.

Mr. President, if there be no further remarks I move the adoption of the resolutions by a rising vote.

The resolutions were unanimously adopted by a rising vote.

On motion of Senator Young of Lee, the remarks of Senator Townsend were ordered printed in the Journal.

On motion of Senator Dowell, the Senate took a recess awaiting the call of the President.

President Herriott reconvened the Senate at 11 o'clock A. M.

Senator Hubbard moved that the Senate do now adjourn to meet at 2 o'clock this afternoon.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

On request of Senator Lambert, leave of absence was granted Senator Trewin for today.

On request of Senator Harriman, leave of absence was granted Senator Alexander indefinitely on account of sickness.

On request of Senator Spaulding, leave of absence was granted Senator Mardis until Tuesday.

On request of Senator Young of Lee, leave of absence was granted Senator Allyn for today.

On request of Senator Young of Lee, leave of absence was granted Senator Whipple for today.

On request of Senator Hopkins, leave of absence was granted Senator Bruce for today.

On request of Senator Townsend, leave of absence was granted Senator Hazelton for today,

On request of Senator Lister, leave of absence was granted Senator Young of Washington for today.

THIRD READING OF BILLS.

On motion of Senator Bachman, House file No. 162, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to the time of meetings of local boards of health, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Bachman 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:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Fitchpatrick, Garst, Harper, Harriman, Hartshorn,

Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Winne, Young of Lee—28.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Crossley, Dowell, Griswold, Hazelton, Healy, Hobart, Hogue, Mardis, Moffit, Molsberry, Smith of Mitchell, Trewin, Whipple, Wilson, Young of Washington—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Winne, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinance and resolutions and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Winne moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Crossley, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Winne, Young of Lee—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Dowell, Griswold, Hazelton, Healy, Hobart, Hogue, Mardis, Moffit, Molsberry, Trewin, Whipple, Wilson, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 290, a bill or an act amending section thirteen hundred thirty-four (1884) of the code and repealing sections thirteen hundred thirty-five (1885), thirteen hundred thirty-six (1886) of the code and enacting substitute therefor, in relation to railway taxation and providing for the publication of proceedings of said council and directing the payment of expenses provided for by this act.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 416, a bill for an act to amend sections seven hundred seventy-one (771), seven hundred seventy-three (773), seven hundred seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Maytag, Senate file No. 224, a bill for an act to provide safe means of egress from buildings, with report

of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendments:

Strike out the word "and", at the end of the title, fifth (5) line of section one (1) of the printed bill; and also, by striking out of the sixth (6) line of section one (1) the following words: "which shall have been fully completed prior to July 4, A. D. 1902."

Also, by inserting after the word five (5), as it appears in the eighth (8) line of section two (2) of the printed bill, and inserting in lieu thereof the word "one."

Also, by striking out the word "ninety", as it appears in the ninth (9) line of section two (2), and inserting in lieu thereof the word "thirty."

Carried.

The bill was read for information.

Senator Maytag moved that the rules be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Crossley, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Winne, Young of Lee—28.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Dowell, Griswold, Hazelton, Healy, Hobart, Hogue, Junkin, Mardis, Moffit, Molsberry, Porter, Trewin, Whipple, Wilson, Young of Washington—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lambert, Senate file No. 297, a bill for an act amending sections two thousand five hundred forty (2540),

two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556), and two thousand five hundred sixty-one (2561) of the code; and section two thousand five hundred thirty-nine (2539) of the code as amended by chapter 64 of the laws of the Twenty-seventh General Assembly; repealing section five (5) of chapter 64 of the laws of the Twenty-seventh General Assembly, and making further provisions additional to said chapter 15, title 12 of the code, relating to the care and propagation of fish and the protection of birds and game, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Winne was called to the chair at 2:45 P. M.

Senator Lambert moved the adoption of the following committee amendments:

Amend section four (4) by striking out the words "twenty-five" and figures "25", at the end of line six (6) and beginning of line seven (7) in said section, and inserting in lieu thereof the word "forty" and figures "40".

Carried.

Amend section five (5) by striking out after the word "be", in line eight (8) of said section and all of line nine (9), up to and including the word "be".

Carried.

Amend section five (5) by striking out the word "and" in line ten (10) of said section, and inserting in lieu thereof the word "or".

Carried.

Amend section seven (7) by striking out all after the word "inserting", in line two (2) of said section, up to and including the word "inserted", in line four (4) thereof.

Carried.

Amend section nine (9) by striking out of line three (3) of said section the words "turtle dove and", and also the quotation marks preceding and following the words "turtle dove".

Carried.

Senator Lambert offered the following amendment and moved its adoption:

Add as section 10:

Section 10. This act, being deemed of immediate importance, shall take effect and be in force from and after publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Carried.

The bill was read for information as amended.

On motion of Senator Lambert, the words "of the code" were inserted after the words and figures "twenty-six hundred and eleven (2611)," in the first line of section nine.

On motion of Senator Lambert, the words and figures "one hundred (100)" were stricken from the ninth and tenth line of section five, and the words and figures "fifty (50)" inserted in lieu thereof.

The President resumed the chair at 3:15 P. M.

Senator Lambert moved to strike out the words and figures "one thousand (1,000)" in line ten of section five (5) and insert the words and figures "one hundred (100)" in lieu thereof.

Carried.

Senator Lambert moved to strike out all after the word "jail," in line eleven of section five, and insert the following in lieu thereof, "not less than fifteen (15) nor more than thirty (30) days."

Carried.

Senator Lambert moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Crossley, Dowell, Fitchpatrick, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Winne, Young of Lee—29.

The nays were:

None.

Absent or not voting

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Garst, Griswold, Hazleton, Healy, Hobart, Hogue, Mardis, Moffit, Molsberry, Spaulding, Trewin, Whipple, Wilson, Young of Washington—21.

Senator Blanchard offered the following amendment to the title and moved its adoption;

I move to amend the title of the bill by striking out of the first line the following: "chapter fifteen (15), title twelve (12) of the code."

Carried.

So the the bill, having received a constitutional majority, was declared to have passed the Senate and its title, as amended, agreed to.

On motion of Senator Townsend, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Townsend moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Young of Lee—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Griswold, Hazelton, Healy, Hobart, Hogue, Mardis,

Moffit, Molsberry, Trewin, Whipple, Wilson, Winne, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Ball, Senate file No. 347, a bill for an act to amend section three hundred twenty-five (325) of the code, relating to the removal or suspension of attorneys and the payment of costs and fees therefor, was taken up and considered.

The bill was read for information.

Senator Ball offered the following amendment and moved its adoption: "Add to section one (1), provided, however, that no allowance shall be made in such case for the payment of attorneys' fees."

Carried.

Senator Ball 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:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harper, Harriman, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Young of Lee—29.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Griswold, Hartshorn, Hazelton, Healy, Hobart, Hogue, Mardis, Moffit, Molsberry, Trewin, Whipple, Wilson, Winne, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

President *pro tem* Harriman was called to the chair at 3:45 P. M.

On motion of Senator Blanchard, House file No. 331, a bill for an act requiring railroad companies to file plats of all lines owned or operated within the several counties of the state of Iowa, with county auditors, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Blanchard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harper, Harriman, Hartshorn, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Winne, Young of Lee—31.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Bruce, Crawford, Griswold, Hazelton, Healy, Hobart, Hogue, Mardis, Moffit, Molsberry, Trewin, Whipple, Wilson, Young of Washington—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 275, a bill for an act to amend chapter one hundred sixty-seven (167) laws of the Twenty-eighth General Assembly of Iowa, entitled, "An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners."

Also, House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park and to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg; and to make an appropriation therefor.

Also, House file No. 437, a bill for an act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state.

Also, House file No. 170, a bill for an act for compulsory education.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT:—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 268, a bill for an act to amend section five hundred eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

Also, Senate file No. 267, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the appointment of officers for the Soldiers' Home.

Also, Senate file No. 195, a bill for an act to amend section three thousand two hundred twenty-five (3225) of the code, relating to the support of families of persons adjudged to be insane.

Also, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

Also, Senate file No. 337, a bill for an act defining the crime of sodomy.

Also, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

E. K. WINNE,

Chairman.

March 29, 1902.

The President resumed the chair at 4:10 P. M.

The President announced that he had signed, in the presence of the Senate, House files Nos. 437, 272, 170 and 155.

President *pro tem* Harriman was called to the chair at 4:15 P. M.

On motion of Senator Porter, House file No. 230, a bill for an act to require the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Porter moved the adoption of the following committee amendment:

Strike out all after the word "country," in the fourth line of section 2 of said bill.

Carried.

On motion of Senator Porter, further consideration of House file No. 230 was postponed, same to be taken up as unfinished business.

On motion of Senator Dowell, the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

Senate file No. 188, a bill for an act to legalize certain instruments in writing, which were defectively acknowledged.

Passed on file.

Senate file No. 290, a bill for an act amending section thirteen hundred thirty-four (1334) of the code, and repealing sections thirteen hundred thirty-five (1335), thirteen hundred thirty-six of the code, and enacting a substitute therefor in relation to railway taxation and providing for the publication of proceedings of said council and directing the payment of expenses provided for by this act.

Passed on file.

House file No. 416, a bill for an act to amend sections seven hundred seventy-one (771), seven hundred seventy-three (773), seven hundred seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways.

Read first and second time and upon motion of Senator Dowell, by unanimous consent, was taken up for consideration at this time.

The bill was read for information.

Senator Dowell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harper, Harriman, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Winne, Young of Lee—27.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Crawford, Griswold, Hartshorn, Hazelton, Healy, Hobart, Hogue, Mardis, Maytag, Moffit, Molsberry, Trewin, Whipple, Wilson, Young of Washington—23.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Dowell, Senate file No. 214, a bill for an act to amend sections seven hundred seventy (770), seven hundred seventy-one (771), seven hundred seventy-three (773) and to repeal section seven hundred seventy-four (774) of chapter 6 of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways, and to enact a substitute for said section seven hundred seventy-four (774), with report of committee recommending its passage, was taken up, considered, and indefinitely postponed for the reason that a bill of similar character had already passed the Senate.

So the bill was indefinitely postponed.

On motion of Senator Arthaud, the Senate took up Senate file No. 188, with House amendments.

The bill, as amended, was read for information.

Senator Arthaud moved that the Senate concur in the House amendments to Senate file No. 188.

On the question, Shall the Senate concur in the House amendments to Senate file No. 188?

The yeas were:

Senators Arthaud, Bachman, Ball, Blanchard, Classen, Court-right, Dowell, Fitchpatrick, Harper, Harriman, Hayward, Hopkins, Hubbard, Lewis, Lister, Lyons, Smith of Mitchell, Townsend, Young of Lee—19.

The nays were:

Senators Craig, Garst, Porter—3.

Absent or not voting:

Senators Alexander, Allyn, Brighton, Bishop, Brooks, Bruce, Crawford, Crossley, Griswold, Hartshorn, Hazelton, Healy, Hobart, Hogue, Junkin, Lambert, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Washington—28.

So the bill, having failed to receive a constitutional majority, was declared lost.

Senator Porter moved to reconsider the vote whereby the Senate refused to concur in the House amendments to Senate file No. 188.

The Journal of Saturday, March 29th, was taken up, corrected and approved.

On motion of Senator Arthaud, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, April 1, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. A. E. Kepford of Ida Grove, Iowa.

PETITIONS AND MEMORIALS.

Senator Hartshorn presented petition of citizens of Kawau, in favor of limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river and located in sections 3 and 4 in township 77, north of range 8 east of the 5th P. M. in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 278, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674), relating to assessors in cities and towns.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 261, a bill for an act to amend section five hundred eighty-five (585) of the code, relating to the condemnation of land for gravel for roads.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 228, a bill for an act to amend section one thousand eighty-two (1082) of the code, relating to registration on election day.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code as amended, relating to certain powers of cities and towns.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker names as conference committee on part of House on House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand twenty-six (2026) of the code, relating to such railways, Messrs. Hamann, Temple, Jones, Koontz.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution, in which the concurrence of the House was asked:

Concurrent resolution authorizing the executive council to distribute the "Handbook of the Iowa Soldier's and Sailor's Monument."

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 243, a bill for an act to amend sections 860, 861 and 862 of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns, or parks without their corporate limits.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 265, a bill for an act making provision for the support of the department of Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 481, a bill for an act to amend section six hundred fifty-four (654) of the code, relating to the appointment of police matrons.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No 408, a bill for an act to regulate corporations organized under the laws of any state, territory or country other than the state of Iowa.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Hayward, Senate file No. 260, a bill for an act to amend sections 1328, 1329 of the code, and to amend sections 3 and 4 of chapter 42, acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Hayward offered the following amendment and moved its adoption:

Strike out the word "section" and figures "1321" and word "section" and figure "8" in section 2.

Carried.

Senator Hayward offered the following amendment and moved its adoption:

I move to amend Senate file No. 260 by adding to section 7 thereof, the following:

And the county auditor of such county through or in which any telegraph or telephone companies operate their lines shall, upon application of such companies, furnish them with a sectional plat of each civil township in the county into or through which said companies operate their lines; said plat shall be drawn to an accurate scale and large enough that the said telegraph and telephone lines may be plainly and accurately marked thereon; such maps shall have plainly marked thereon the boundary lines of townships, sections and quarter sections according to government survey, together with the number of townships and sections and all public highways; the public highways to be designated by heavy double lines drawn parallel to each other and not less than one-eighth of an inch apart.

Carried.

Senator Hayward moved that the word "map" or "maps" in line four (4) of section seven (7) be changed to the words "plat" or "plats."

Carried.

Senator Moffit offered the following amendment and moved its adoption:

Amend section one (1) of Senate file No. 260, by striking out the same and inserting in lieu thereof the following: Section one (1). That section thirteen hundred twenty-eight (1328) of the code be amended by striking

out the first four lines thereof and inserting in lieu thereof the following, to-wit: "Every telegraph and telephone company operating a line in this state for commercial purposes, or which collects tolls, rentals or make charges of any kind to any one for the use or maintenance of the said line or the instruments connected therewith, shall, on or before the 1st day of May in each year, furnish to the executive council a statement verified by its president or secretary showing."

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Arthaud, Bachman, Ball, Bruce, Classen, Craig, Crossley, Harper, Hartshorn, Hazelton, Moffit, Spaulding, Tallman, Wilson, Young of Lee—15.

The nays were:

Senators Allyn, Bishop, Blanchard, Brooks, Courtright, Dowell, Fitchpatrick, Garst, Hayward, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Townsend—25.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Griswold, Harriman, Healy, Hobart, Trewin, Winne, Young of Washington—10.

So the amendment was lost.

Senator Hayward 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:

Senators Allyn, Bishop, Brooks, Bruce, Courtright, Fitchpatrick, Garst, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Townsend, Whipple—26.

The nays were:

Senators Arthaud, Bachman, Ball, Classen, Craig, Lyons, Moffit, Porter, Spaulding, Tallman, Wilson, Young of Lee—12.

Absent or not voting:

Senators Alexander, Blanchard, Brighton, Crawford, Crossley, Dowell, Griswold, Harper, Hogue, Trewin, Winne, Young of Washington—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lewis, House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Lewis moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Brooks, Bruce, Clasen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Blanchard, Brighton, Crawford, Griswold, Harriman, Hogue, Smith of Des Moines, Young of Washington—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, House file No. 207, a bill for an act to amend section three thousand eighty-nine (3089) of the code, relating to mechanics' liens, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bruce, Craig, Fitzpatrick, Harper, Harriman, Hazelton, Hobart, Hopkins, Lister, Mardis, Smith of Mitchell, Whipple, Winne—17.

The nays were:

Senators Blanchard, Brooks, Classen, Courtright, Crossley, Dowell, Hubbard, Junkin, Lambert, Lyons, Maytag, Moffit, Smith of Des Moines, Tallman, Townsend, Trewin, Wilson—17.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Crawford, Garst, Griswold, Hartshorn, Hayward, Healy, Hogue, Lewis, Molsberry, Porter, Spaulding, Young of Lee, Young of Washington—16.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Arthaud, Senate file No. 273, a bill for an act to regulate the practice of osteopathy in the state of Iowa, and fixing penalties for violation thereof, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section one (1) of the bill by striking out all of the sentence after the word "physicians" in the twentieth line, commencing with the word "provided" and ending with the word "examination" in the twenty-fifth line.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Crossley, Garst, Mardis, Maytag, Molsberry, Spaulding, Tallman, Townsend, Trewin, Wilson, Winne—12.

The nays were:

Senators Allyn, Arthaud, Bachman, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Harper, Harts-horn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Porter, Smith of Des Moines, Smith of Mitchell, Whipple, Young of Lee—30.

Absent or not voting:

Senators Alexander, Ball, Blanchard, Brighton, Crawford, Griswold, Moffit, Young of Washington—8.

So the amendment was lost.

Senator Trewin offered the following amendment and moved its adoption:

Amend section 1 by inserting after the word "act" in the twenty-third line thereof the following words: "and have been for five years immediately prior thereto."

Senator Hubbard filed the following motion to reconsider:

MR. PRESIDENT—I move to reconsider the vote by which House file No. 207 was lost.

Senator Hayward moved that the time of adjournment be extended until the bill under consideration is disposed of.

Lost.

The time having arrived the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Herriot t presiding.

On request of Senator Young of Lee, leave of absence was granted Senator Fitchpatrick until tomorrow, on account of sickness.

INTRODUCTION OF BILLS.

By Senator Blanchard, Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Read first and second time and referred to committee on Mines and Mining.

REPORTS OF COMMITTEES.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 852, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code of 1897, as amended by chapter one hundred five (105) of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Elections.

JAS. J. CROSSLEY,
Chairman

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No.

163, a bill for an act relating to the defence of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected, and providing for the payment and satisfaction of judgments rendered against him in such cases.

Also, Senate file No. 200, a bill for an act to amend section eight hundred and ninety-four (894) of the code of Iowa, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities.

Also, Senate file No. 201, a bill for an act to amend section six hundred and forty-five (645) and section six hundred fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities.

Also, Senate file No. 208, a bill for an act to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments.

Also, Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds.

Also, Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam, also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

Also, Senate file No. 274, a bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five (165) of the code, relating to powers and duties of the executive council.

Also, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

Also, Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to enable the United States of America to take private property for public improvements.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file 163, a bill for an act relating to the defense of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected, and providing for the payment and satisfaction of judgments rendered against him in such cases.

Also, Senate file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities.

Also, Senate file No. 201, a bill for an act to amend section six hundred forty-five (645) and section six hundred fifty eight (658) of the code, relating to the powers and duties of the mayors of cities.

Also, Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code, relating to notice of the levy of special assessments.

Also, Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty eight (58) of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds.

Also, Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection on a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

Also, Senate file No. 274, a bill for an act to amend section one hundred and sixty-four (164) and section one hundred and sixty-five (165) of the code, relating to the powers and duties of the executive council.

Also, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

Also, Senate file No. 399, a bill for an act amendatory of chapter four (4) title ten (10) of the code of Iowa, to enable the United States of America to take private property for public improvements.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks the recall of Senate file No. 223, a bill for an act to amend section one thousand eighty-two (1082) of the code, relating to registration on election day.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 445, a bill for an act to amend section thirteen hundred and thirty-six (1336) of the code, relative to the assessment of railway property for taxation.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 444, a bill for an act to legalize all acts done and ordinances passed by town council of the incorporated town of Bondurant, Polk county, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 818, a bill for an act to amend section twenty-one hundred fifty-eight (2158) of the code, relating to the right-of-way of telegraph and telephone companies on public roads.

C. R. BENEDICT,
Chief Clerk.

The time having arrived the Senate proceeded to consider the veto message of the governor, relative to Senate file No. 138.

The President announced the question to be, Shall the Senate on reconsideration, agree to pass Senate file No. 138, the objections of the governor notwithstanding?

Senator Molsberry moved that Senate file No. 138 be indefinitely postponed.

Senator Porter rose to the point of order, that the question under consideration was the veto message of the governor.

The President sustained the point of order.

On the question, Shall the Senate, on reconsideration, agree to pass Senate file No. 138, the objection of the governor notwithstanding?

The yeas were:

None.

The nays were:

Senators Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Garst, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter,

Smith of Mitchell, Spaulding, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

Absent or not voting:

Senators Alexander, Allyn, Brighton, Crawford, Fitchpatrick, Griswold, Harriman, Hartshorn, Moffit, Molsberry, Smith of Des Moines, Tallman, Trewin—13.

So the bill, having failed to receive a vote of two-thirds of the membership of the Senate, failed to pass over the governor's veto.

On motion of Senator Harriman, House file No. 330 was ordered placed on the calendar.

The Senate resumed consideration of Senate file No. 273, which was pending before the hour of the noon adjournment.

The question was, "shall the amendment offered by Senator Trewin be adopted?"

On the question, Shall the amendment offered by Senator Trewin be adopted?

The yeas were:

Senators Ball, Bishop, Blanchard, Crossley, Mardis, Maytag Tallman, Trewin, Wilson, Winne—10.

The nays were:

Senators Allyn, Arthaud, Bachman, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Harper, Harriman, Hartshorn, Hayward, Healy, Hobart, Hogue, Hopkins, Junkin, Lewis, Lister, Porter, Smith of Des Moines, Smith of Mitchell, Whipple, Young of Lee, Young of Washington—26.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Fitchpatrick, Garst, Griswold, Hazelton, Hubbard, Lambert, Lyons, Moffit, Molsberry, Spaulding, Townsend—14.

So the amendment was lost.

Senator Harriman offered the following amendment and moved its adoption:

I move to amend section five (5) by striking out the word "surgery" in the first line thereof. Also insert the word "osteopathic" between the words "any" and "application", in the third line.

Carried.

Senator Brooks offered the following amendment and moved its adoption:

Amend section three (3) by striking out of lines 3 and 4 the words "or habitual intoxication", and inserting in lieu thereof the words "or who occasionally becomes intoxicated."

Lost.

Senator Arthaud 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:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

Senators Mardis, Tallman, Trewin—3.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Crossley, Griswold, Harriman, Healy, Hogue, Hubbard, Junkin, Smith of Mitchell—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

¶On motion of Senator Healy, Senate file No. 316, a bill for an act to amend section three thousand six hundred and fifty-one (3651) of the code, relating to method of trial in ordinary actions, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

President *pro tem* Harriman was called to the chair at 2:55 P. M.

Senator Healy offered the following amendment and moved its adoption:

Amend by inserting the words "of an ordinary action" after the word "reversal" in the first line of section one.

Carried.

The bill as amended was read for information.

Senator Healy moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Bachman, Ball, Brooks, Bruce, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harper, Hartshorn, Hayward, Healy, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

Senators Arthaud, Blanchard, Hubbard, Molsberry—4.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Classen, Crawford, Griswold, Harriman, Hazelton, Hogue, Mardis—10.

On motion of Senator Healy the words, "after reversal in the supreme court" were added to the title.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title as amended agreed to.

The President resumed the chair at 3:40 P. M.

On motion of Senator Garst the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

Announcing conference committee on part of the House on House file No. 248.

Passed on file.

House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river and located in sections 3 and 4, in township 77, north of range 3, east of the 5th P. M., in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

Read first and second time and placed on the calendar.

House file No. 273, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of the code, relating to assessors in cities and towns.

Passed on file.

House file No. 261, a bill for an act to amend section five hundred eighty-five (585) of the code, relating to the condemnation of land for gravel for roads.

Read first and second time and referred to committee on Judiciary.

Senate file No. 228, a bill for an act to amend section ten hundred eighty-two (1082) of the code, relating to registration on election day.

Passed on file.

Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

Passed on file.

Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code as amended, relating to certain powers of cities and towns.

Passed on file.

Concurrent resolution, authorizing the executive council to distribute the "Handbook of the Iowa Soldier's and Sailor's Monument."

Passed on file.

Senate file No. 243, a bill for an act to amend sections eight hundred sixty (860), eight hundred sixty-one (861) and eight hun-

dred sixty-two (862) of the code, relating to voting of taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities of the second class and towns or parks without their corporate limits, was taken up and considered at this time, upon motion of Senator Ball.

Senator Ball moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Allyn, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Harper, Hartshorn, Hayward, Hobart, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Bachman, Bishop, Brighton, Classen, Crawford, Garst, Griswold, Harriman, Hazelton, Healy, Hogue, Hubbard, Molsberry, Porter, Winne, Young of Lee—18.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House recalls Senate file No. 228, a bill for an act to amend section ten hundred and eighty-two (1082) of the code, relating to registration on election day.

Passed on file.

House file No. 444, a bill for an act to legalize all acts done and ordinances passed by town council of the incorporated town of Bondurant, Polk county.

Passed on file.

House file No. 313, a bill for an act to amend section twenty-one hundred and fifty-eight (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 Highways.

House file No. 265, a bill for an act making provision for the support of the department of Industrial School for Boys, at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relative to support of the industrial school.

Read first and second time and referred to committee on Appropriations.

House file No. 431, a bill for an act to amend section six hundred fifty-four (654) of the code, relating to the appointment of police matron.

Read first and second time and referred to committee on Judiciary.

House file No. 403, a bill for an act to regulate corporations organized under the laws of any state, territory or country other than the state of Iowa.

Read first and second time and referred to committee on Judiciary.

House file No. 446, a bill for an act to amend section thirteen hundred thirty-six (1336) of the code, relative to the assessment of railway property for taxation.

Read first and second time and, upon motion of Senator Garst, was taken up for consideration at this time.

The bill was read for information.

On motion of Senator Hobart further consideration of House file No. 446 was postponed until tommorrow, same to come up as unfinished business.

Senator Lewis offered the following amendments:

Amend by adding as section two (2) the following, and make section two (2) section six (6).

Section 2. The executive council shall have power to send for persons, books and papers, to issue subpoenas, and to compel the attendance of witnesses, and the production of such books, papers and records as, in their judgment, is necessary to a full and complete exercise of the powers vested

in said executive council, to use the same in evidence; and any member thereof may administer an oath to such witness or witnesses. The sheriff of any county of the state shall serve an order, subpoena or process of the executive council, and receive such compensation therefor as is now provided by law for similar service in civil actions. All necessary costs and expenses therefor shall be paid out of the state treasury upon warrants drawn by the auditor of state, when the same shall have been allowed by the executive council.

Sec. 5. The failure of any railway company to comply with the law respecting the furnishing of statements, or to respond to the order of the executive council as provided by law, shall subject the said delinquent to the penalties and provisions of section thirteen hundred fifty-seven (1857) of the code, and it shall be the duty of the said executive council to add the penalty therein named to the assessment of each mile of railway so assessed.

Add the following as section 3:

Sec. 3. That section thirteen hundred and thirty-five (1835) of the code is hereby repealed, and the following is enacted in lieu thereof:

There shall not be included in said operating expenses, any disbursement for taxes, or for interest on debt, or for discount, or for the amounts used in new construction, in betterments, in investments, in new equipment, or for any expenditure or disbursements that are usually charged to profit and loss account. The council may demand in writing, detailed, explanatory and amended statements of any of the items mentioned in section thirteen hundred and thirty-four (1834) of the code as amended, or in any other items deemed by it important, to be furnished it by such railway corporation within thirty days from such demand, in such forms as it may designate, which shall be verified as required for the original statement. The returns, both original and amended, shall show such other facts as the council, in writing, shall require.

Amend the bill by adding as section four (4) the following: "Amend section thirteen hundred thirty-four (1334) of the code by adding at the end thereof the following:

"The number of shares of its stock and the par value thereof, and if the same consist of different classes, the number of each class and the par and market value thereof, or if there is no market value, then the actual value of each share; the amount of its funded and floating debt, and the market value of any of such indebtedness, or if there is no market value, then the actual value; the number, amount and market value, or if there be no market value, then the actual value of any unpaid bonds or other indebtedness secured by mortgage or other lien on the property or earnings of said railway."

Amend by adding as section 5:

Section 5. Section thirteen hundred thirty-six (1836) of the code is hereby repealed, and the following is enacted in lieu thereof:

The railway property of this state, tangible and intangible, exclusive of the property described in section thirteen hundred and forty-two (1842) of

the code, shall be valued at its actual value and shall be assessed at twenty-five per centum of such actual value, which shall be considered as the taxable value of such property and the value at which it shall be listed and upon which the levy shall be made. The actual value of such railway property shall mean its value in the market in the ordinary course of trade.

The executive council in determining such valuation, shall take into consideration the sum of the market or actual value of the stocks, bonds and securities of each railway, the gross earnings, the net earnings, the physical condition of such railway within the state, and the information furnished by the reports required to be made, together with any other matter necessary to secure a just and equitable assessment.

When only a part of a railway lies in this state, that part of the value of the entire railway which is measured by the proportion of the length of the particular railway in this state to the whole railway, shall be considered in estimating its value in this state for taxation purposes within the state.

Senator Moffit offered the following amendments:

I move to amend House file No. 446, by adding the following section:

Sec. 8. In case of any railway company, which, during the two years ending on the 31st day of December next preceding the time for making such annual returns, has paid regular dividends on all or any class of its shares of stock, the market value of each share of such stock or class of stock, as the case may be, for the purpose of the returns so to be made as aforesaid, shall be and the same is hereby declared to be the average of the closing bids or prices offered for said stock or any share thereof during the year ending December 31st next preceding the time for making such returns, as regularly published by any board of brokers, such board being named in said returns; and the executive council, in examining and correcting said returns, shall conform to and adopt such valuation, unless they shall be of the opinion that the market value of said stock shall be otherwise ascertained, in which case it may find and fix a different valuation, upon the best information which it can obtain. As to all other shares of stock in any railway company, the market value thereof shall be ascertained and returned, as far as possible, in the same manner as hereinbefore provided for the share of stock upon which regular dividends have been paid as aforesaid, but in such returns any facts may be stated showing that such market value differs from the true value, and the executive council, in examining and correcting such returns, shall regard said market value, if it can be ascertained, as the proper standard of value of such shares, unless, from the facts stated, or from other information, it shall think it proper to adopt a different valuation. In all cases where, for any reason it is not possible or feasible to fix or ascertain the market value for any stock in the manner aforesaid, it shall be returned by the party whose duty it is to make such return, at the price of the last reported market sale of said stock, and the executive council shall, in correcting said returns, fix and determine the same according to the best information which it can obtain. The executive council shall enter on its

records for publication, the valuation of all the stocks as thus returned and corrected, and its reasons in full for any variations therefrom. The publication and method of procedure prescribed herein for the ascertainment of the value of stock shall be followed in the ascertainment of the value of bonds and other securities. The executive council shall not be bound by any reports or estimates respecting railway property furnished it under provisions of law. Whenever it is found that one railway corporation owns stocks, bonds or other securities in another railway corporation, and which corporation is assessed by the executive council, the said council may, if it deem just, make proper deduction therefor in assessing the property of the corporation so owning said stocks, bond and securities, but no deduction shall be made in excess of the value at which said stocks, bonds and other securities are estimated by said council against the railway corporation issuing the same.

Senator Tallman moved that the Senate adjourn.

A roll call was demanded.

On the question "Shall the Senate adjourn."

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Craig, Dowell, Garst, Harper, Harriman, Hartshorn, Healy, Hogue, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Whipple, Young of Washington—28.

The nays were:

Senators Brooks, Bruce, Courtright, Crossley, Hayward Hobart, Lyons, Smith of Mitchell, Townsend, Trewin, Wilson, Winne, Young of Lee—13.

Absent or not voting:

Senators Alexander, Brighton, Classen, Crawford, Fitchpatrick, Griswold, Hazelton, Hopkins, Molsberry—9.

So the motion to adjourn prevailed.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 163, 200, 201, 203, 217, 218, 274, 298 and 299.

The President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, April 3, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. W. G. Wilson of Grinnell, Iowa.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has reconsidered the vote whereby House file No. 446, a bill for an act to amend section 1386 of the code, relative to the assessment of railway property for taxation was passed, and by which it passed to its third reading and by which the rules were suspended and the bill taken up without reference to a committee, and on motion the House recalls and requests from the Senate the return of said bill to the House.

C. R. BENEDIOT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 230, a bill for an act for 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.

C. R. BENEDIOT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 294, a bill for an act to amend section twenty-seven hundred fifty-seven (2757) of the code, relating to time of meeting of

boards of school directors and to amend sections 2762, 2764, 2765, 2769, 2785, 2793, 2781 of the code to conform therewith.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 289, a bill for an act to amend section twenty-five hundred one (2501) of the code of Iowa, in relation to annual reports and bulletins to be published by the state.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 197, a bill for an act relating to powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases.

C. R. BENEDICT,
Chief Clerk.

Senator Hayward moved that House file No. 446 be taken up, the request of the House granted and the bill returned to the House.

Senator Trewin rose to the point of order, that the regular order of business for considering House messages had not been reached.

The President sustained the point of order.

PETITIONS AND MEMORIALS.

Senator Ball presented petition of students of Drake university, urging favorable action on House joint resolution No. 3, relative to election of United States senators by direct vote of the people.

Referred to committee on Federal Relations.

Senator Healy presented petition of students of Highland Park college, in favor of election of United States senators by direct vote of the people.

Referred to committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Brooks, Senate file No. 361, a bill for an act to amend section one hundred thirty-seven (137) of the code, relating to the publication of the proceedings of the State Teachers' association.

Read first and second time and referred to committee on Schools.

Senator Whipple called up the concurrent resolution relative to recommending the pardon of John Wesley Elkins.

Senator Healy moved that the limit for debate under the rules be waived as to Senators Bishop and Whipple.

Senator Blanchard moved to amend by extending the time limit for debate to all members of the committee.

On the question, "shall the amendment be adopted," the motion was lost.

On the question, "shall the original motion of Senator Healy be adopted," the motion prevailed.

The question was, Shall the resolution recommending the pardon or parole of John Wesley Elkins be adopted?

On motion of Senator Garst the time for adjournment was extended until the remarks of Senator Bishop were completed.

Senator Bishop having completed his remarks, the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met at 2 o'clock P. M., pursuant to adjournment, President Herriott presiding.

The Senate took up House resolution, relative to the pardon or parole of John Wesley Elkins, pending at the hour of the noon adjournment.

Senator Trewin offered the following amendment and moved its adoption:

Insert in the first line of the resolution after the word "the", when it first occurs, the words "Senate of the".

Also, insert the words "the House concurring" after the word "Iowa" in the first line.

A roll call was demanded.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Arthaud, Bruce, Classen, Courtright, Craig, Crawford, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lister, Mardis, Moffit, Molsberry, Trewin, Whipple, Young of Lee, Young of Washington—26.

The nays were:

Senators Allyn, Bachman, Bishop, Blanchard, Brooks, Crossley, Dowell, Harper, Lambert, Lewis, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Wilson, Winne—19.

Absent or not voting:

Senators Alexander, Ball, Brighton, Garst, Porter—5.

So the amendment prevailed.

President *pro tem* Harriman was called to the chair at 2:30 o'clock P. M.

President Herriott resumed the chair at 2:35 o'clock P. M.

Senator Whipple moved that the resolution be adopted.

A roll call was demanded.

On the question, Shall the resolution be adopted.

The yeas were:

Senators Allyn, Arthaud, Ball, Bruce, Classen, Courtright, Craig, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lister, Mardis, Moffit, Molsberry, Trewin, Whipple, Young of Lee—27.

The nays were:

Senators Bachman, Bishop, Blanchard, Brooks, Crawford, Crossley, Dowell, Harper, Lambert, Lewis, Lyons, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Wilson, Winne, Young of Washington—20.

Absent or not voting:

Senators Alexander, Brighton, Maytag—3.

So the resolution was adopted.

REPORTS OF COMMITTEES.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 112, a bill for an act to repeal section one thousand three hundred seventy-four (1874) of the code and enact a substitute therefor, and to amend chapter forty-seven (47) and chapter fifty (50) of the acts of the Twenty-eighth General Assembly, relating to the correction, assessment and collection of taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended the same do pass:

That section 2 be amended by striking out the period at the end thereof and adding the following: "by serving notice upon the auditor and otherwise proceeding in the manner provided by section 1 thereof."

Amend by adding as section 4 the following:

Sec. 4. On appeal from the auditor or treasurer the county shall be plaintiff and shall show by a preponderance of the evidence the actual ownership and value of the property at the time it should have been assessed, and that the alleged delinquent did not return the proper amount or the value of his said property. If moneys and credits are listed against the delinquent the fact that mortgages remain unreleased of record shall not be *prima facie* evidence of the ownership thereof by the payee therein named, or of the validity thereof as against the alleged delinquent.

Amend by adding as section 5 the following:

Sec. 5. That section 8 of chapter 47 of the acts of the Twenty-eighth General Assembly be and the same is hereby repealed.

Amend by adding as section 6 the following:

This act shall not affect pending litigation brought under section thirteen hundred seventy-four (1874) of the code, or assessments made by county auditor for a period of five years before the assessment.

Also, amend by changing section 4 of the bill to section 7.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 401, a bill for an act to amend section five thousand ninety-six (5096) of the code, relating to bail after conviction of certain crimes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 423, a bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the 18th day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 343, a bill for an act providing that the civil actions authorized in section forty-three hundred two (4302) of the code, may be brought in any county where a nuisance is committed in part, or in any county where any acts or effects constituting or requisite to the consummation of nuisance occur, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 321, a bill for an act to repeal section forty-eight hundred ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 322, a bill for an act to amend section fifty-seven hundred seven (5707) of the code, relating to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosures, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 287, a bill for an act to amend sections eleven hundred and eighty-two (1182), eleven hundred and eighty-five (1185), eleven hundred eighty-eight (1188), eleven hundred ninety (1190) of the code, to require county supervisors to give official bonds and providing for the approval thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

THOS. D. HEALY,
Chairman.

Ordered passed on file.

Senator Healy, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 890, a bill for an act to amend section thirty-six hundred fifty-two (3652) of the code, relating to practice 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 Senate with the recommendation that the same be indefinitely postponed.

THOS. D. HEALY,
Chairman.

Adopted.

Senator Mardis, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate file No. 211, a bill for an act relating to the duties of the commissioner of the bureau of labor statistics, and repealing sections 2470, 2472 and 2474, enacting others in lieu thereof, and to amend sections 2471 and 2477, beg leave to report that they have had the same under consideration and have instructed me to report a substitute to the Senate with the recommendation that the same do pass.

ALEXANDER MARDIS,
Chairman pro tem.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 211.

A bill for an act relating to the duties of the commissioner of labor statistics and amending sections twenty-four hundred and seventy (2470), twenty-four hundred and seventy-one (2471) and twenty-four hundred and seventy-two (2472) of the code.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section twenty-four hundred and seventy (2470) of the code be and the same is hereby amended by inserting after the words "laboring classes," in the fifth line thereof, the words "the means of escape from, and the protection of life and health in factories, the employment of children, the number of hours of labor exacted from them and from women."

Sec. 2. That section twenty-four hundred and seventy-one (2471) of the code be and the same is hereby amended by striking out, in the seventh line thereof, the words "contingent fund of the bureau in advance", and insert in lieu thereof the words, "general funds of the state on voucher by the commissioner."

Sec. 3. That section twenty-four hundred and seventy-two (2472) of the code be and the same is hereby amended by striking out the semicolon after the word "thereof," in the tenth line thereof, and insert a period and the words: "If the commissioner shall learn of any violation of, or neglect to comply with the law in respect to the employment of children, or in respect to fire escapes, or the safety of employes, or for the preservation of health, he shall give written notice to the owner or person in charge of such factory or building of such offense or neglect, and if the same is not reme

died within thirty days after service of such notice, such officer shall give the county attorney of the county in which such factory or building is situated, written notice of the facts, whereupon that officer shall immediately institute the proper proceedings against the person guilty of such offense or neglect.

Read first and second time and placed on file.

Senator Mardis, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended and when so amended that the same do pass.

Amend section 4 by striking out the word "marshal"; also, amend section 4 by striking out the words "or mercantile".

ALEXANDER MARDIS,
Chairman pro tem.

Ordered passed on file.

Senator Arthaud, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred Senate file No. 880, a bill for an act relating to examination of shot examiners in coal mines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. ARTHAUD,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 278, a bill for an act making an appropriation for the purchase of land, tombstone and erection thereof for the proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845 and who lies in an unmarked grave near Mills-paugh's mills, Henry 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 Senate with the recommendation that the accompanying substitute be enacted in lieu thereof.

WARREN GARST,
Chairman.

Ordered passed on file.

COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 278.

A bill for an act making an appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing the method of such erection.

WHEREAS, The remains of one Charles Shepherd, a soldier of the Revolutionary war, lies in Iowa soil—in the midst of a cultivated field, with no stone or monument of any sort to mark the spot—he having died in his pioneer home situated on the left bluff of Skunk river, near Millspaugh's mills, Henry county, in 1845. His home place consisted of a forty-acre tract that was secured with money paid by a grateful government, in the form of a pension, for services rendered under the leadership of Washington in our first great struggle for national life. On this little farm the old patriot lived, and died, and was buried. The burial on this farm is well authenticated by persons now living, and who were present and saw the body committed to the earth, and who are able to locate the place closely, but not exactly; therefore,

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That there be and there is hereby appropriated out of the funds, not otherwise appropriated, the sum of five hundred dollars (\$500), or so much thereof as may be required, for the purpose of erecting in Forest Home cemetery at Mount Pleasant, a suitable and durable monument in commemoration of the public services, and the devotion to duty and country, of this old patriot and soldier.

Sec. 2. McFarland Post, G. A. R., at Mount Pleasant is authorized to purchase said monument and cause it to be erected in a suitable and conspicuous place in said cemetery.

The material to be used and the manner of construction shall be such as to render the monument durable and permanent; and it shall bear a concise and brief statement, as far as known, of the life, public services, death and burial of the said Charles Shepherd, a description, according to government survey, of the tract of land in which the remains were buried; also a statement of the fact that the monument is erected by the state of Iowa, assisted by McFarland Post, G. A. R., of Mount Pleasant, and the "Daughters of the American Revolution.

Sec. 3. The material, style and cost of said monument shall be determined by said post, except that the entire cost when said work is completed shall not exceed the amount of this appropriation, and; provided, that the monument shall be placed on a suitable lot, the title of which is vested either in the city of Mount Pleasant or in said McFarland post, and; provided further, that no part of this appropriation shall be used either for the purchase of ground or for superintendance.

The auditor of state shall issue a warrant on the state treasury payable to said McFarland post, for such sum as shall be required to pay for the monument and the erection thereof, provided for in this act, when the officers of said post shall file in said auditor's office a statement over their official signatures showing that said monument has been purchased and

erected in accordance with the provisions of this act, which statement shall show a detailed account of the cost of said work.

Read first and second time and placed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 187, a bill for an act to legalize the Iowa State Poultry association; to define certain duties of said association; to make an annual appropriation therefor, and to fix a penalty for the misappropriation of any of the money hereby granted, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 221, a bill for an act to amend sections 2204 and 2214 of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out the words "three hundred and fifty", in the fourth line of section one (1) and insert in lieu thereof the words "three hundred".

Also, strike out the words "sixty thousand", in the last line of section two and insert the words "fifty-seven thousand three hundred and fifty (57,350)" in lieu thereof.

And that when so amended that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 225, a bill for an act to provide for the encouragement and development of the dairy interests of the state and to appropriate money therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 280, a bill for an act to appropriate funds for the marking of the grave of Charles Shepherd, a soldier who served in the war of the Revolution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 270, a bill for an act to provide for the encouragement of the live stock interests of the state and to appropriate money therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out sections five (5) and six (6) of the bill and that when so amended the same be reported back to the Senate without recommendation.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 143, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 328, a bill for an act to provide for the inspection, regulation and supervision of schools, for the instruction and training of teachers for the common schools and providing for the licensing of graduates of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "twenty-five," in line three (3) of section five (5) of the printed bill, and inserting in lieu thereof "fifteen," and when so amended the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 177, a bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. C. HARTSHORN,
Chairman.

Adopted.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 386, a bill for an act to allow a refund of money to patentees, their heirs and assigns of certain lands patented by the state of Iowa as school lands, the title of which has failed in said patentees, their heirs or assigns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. C. HARTSHORN,
Chairman.

Adopted.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred substitute for House file No. 304, a bill for an act to indemnify Matthew R. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Appropriations.

F. C. HARTSHORN,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 163, a bill for an act relating to the defense of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected, and providing for the payment and satisfaction of judgements rendered against him in such cases.

Also, Senate file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities.

Also, Senate file No. 201, a bill for an act to amend section six hundred forty-five (645) and section six hundred fifty-eight (658) of the code, relating to the powers and duties of the mayors of cities.

Also, Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code, relating to notice of the levy of special assessments.

Also, Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds.

Also, Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

Also, Senate file No. 274, a bill for an act to amend section one hundred and sixty-four (164) and section one hundred and sixty-five (165) of the code, relating to the powers and duties of the executive council.

Also, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

Also, Senate file No. 339, a bill for an act amendatory of chapter four (4) title ten (10) of the code, to enable the United States of America to take private property for public improvements.

E. K. WINNE,
Chairman.

April 1, 1902.

Senator Trewin moved that when the Senate adjourn it be to meet at 7:45 P. M.

Carried.

INTRODUCTION OF BILLS.

By Senator Blanchard, joint resolution No. 8, a joint resolution making an appropriation for the relief of the widows and orphans created by the Lost Creek mine disaster.

Read first and second time and referred to committee on Appropriations.

HOUSE MESSAGES CONSIDERED.

By unanimous consent, on motion of Senator Hayward, the Senate took up the House message on House file No. 446.

Senator Hayward moved that the request of the House that House file No. 446 be returned be granted.

Carried.

On motion of Senator Garst the Senate returned House file No. 228, as requested by the House.

Senator Garst moved that Senate take up House file No. 263 at this time.

Senator Porter called for the regular order of business.

Senator Trewin stated that appropriation bills could be brought up at any time.

Senator Lewis rose to the point of order, that there was no rule of the Senate giving appropriation bills the right of way.

The President sustained the point of order raised by Senator Lewis.

The Journal of Monday was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

Senator Hazelton moved that the Senate do now adjourn.

Carried.

Senate adjourned.

EVENING SESSION.

Senate met at 7:45 P. M., pursuant to adjournment, President *pro tem* Harriman presiding.

On motion of Senator Trewin, a recess was taken subject to the call of the President.

President Herriott called the Senate to order at 7:55 P. M.

THIRD READING OF BILLS.

On motion of Senator Hobart, House file No. 225, a bill for an act to amend section three hundred eight (308) of the code, relating to compensation of county attorneys, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved the adoption of the following committee amendments:

Strike out the words "thirty-six", in the fourth and eleventh lines of section 1, and insert the words "thirty-five" in lieu thereof.

Senator Healy offered the following amendment to the amendment and moved its adoption:

Strike out the words "thirty-six" and insert "forty-five", in the fourth and eleventh lines of section 1.

A roll call was demanded.

On the question, Shall the amendment to the amendment offered by Senator Healy be adopted?

The yeas were:

Senators Allyn, Blanchard, Brooks, Crawford, Garst, Healy, Hubbard, Lyons, Wilson—9.

The nays were:

Senators Arthaud, Bachman, Bishop, Bruce, Craig, Griswold, Harper, Harriman, Hayward, Hobart, Lister, Mardis, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Young of Lee, Young of Washington—21.

Absent or not voting:

Senators Alexander, Ball, Brighton, Classen, Courtright, Crossley, Dowell, Fitchpatrick, Hartshorn, Hazelton, Hogue, Hopkins, Junkin, Lambert, Lewis, Maytag, Moffit, Smith of Mitchell, Townsend, Winne—20.

So the amendment to the amendment was lost.

The original committee amendment was adopted.

Strike out the figures "86" in the fourth and eleventh lines of section one (1).

Carried.

Strike out the words "the crime of," in the fifteenth line of section one (1), and insert the word "a" in lieu thereof.

Carried.

Strike out all of section two (3).

Carried.

Senator Dowell 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:

Senators Arthaud, Bachman, Ball, Bishop, Bruce, Courtright, Craig, Crossley, Harper, Harriman, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lister, Mardis, Molsberry, Porter, Smith of Des Moines, Young of Lee—21.

The nays were:

Senators Allyn, Blanchard, Brooks, Crawford, Dowell, Garst, Griswold, Healy, Lyons, Spaulding, Tallman, Trewin, Whipple, Wilson, Young of Washington—15.

Absent or not voting:

Senators Alexander, Brighton, Classen, Fitchpatrick, Hartshorn, Hogue, Junkin, Lambert, Lewis, Maytag, Moffit, Smith of Mitchell, Townsend, Winne—14.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Hobart, Senate file No. 174, a bill for an act to amend section 308 of the code, relative to compensation of county attorney, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Harriman, Senate file No. 149, a bill for an act to define the rights of owners and proprietors of land in respect to surface waters, with report of committee recommending that it do pass, was taken up, considered and indefinitely postponed.

So the bill was indefinitely postponed.

On motion of Senator Harriman, by unanimous consent, joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of section thirty-four (34), thirty-five (35), and thirty-six (36) of article three (3) of said constitution and proposing to adopt the following in lieu thereof and as a substitute therefor, was taken up, and considered.

Senator Harriman moved that the Senate concur in the House amendments to 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.

Be it Resolved by the General Assembly of the State of Iowa:

That sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of the constitution of the state of Iowa be repealed, and the following be adopted in lieu thereof:

Section 84. 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. 85. 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. 86. The general assembly shall, at the first regular session held, following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation and apportion the additional representatives as hereinbefore required.

Be it further resolved, That this resolution and the amendment to the constitution therein contained and proposed, be, and the same is hereby referred to the next succeeding general assembly for action. And the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next general assembly, as provided by law.

On the question, Shall the Senate concur in the House amendments to joint resolution No. 2?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Brooks, Bruce, Clasen, Courtright, Crawford, Crossley, Garst, Griswold, Harper, Harriman, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—34.

The nays were:

Senators Blanchard, Spaulding—2.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Craig, Dowell, Fitzpatrick, Hartshorn, Hayward, Hogue, Lewis, Maytag, Moffit, Molsberry, Townsend—14.

So the joint resolution, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Harriman joint resolution No. 2 was ordered printed in the Journal in full as amended by the House.

On motion of Senator Smith of Mitchell, House file No. 78, a bill for an act to amend section seventeen hundred twenty-six (1726) of the code, in relation to notes taken for policies of

insurance, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

Senator Smith of Mitchell offered the following amendment and moved its adoption:

Strike out the word "premiums" and insert the word "money" in the fourth line of section 1.

Carried.

Senator Blanchard offered the following amendment and moved its adoption:

Amend by striking out the following words after the word "brought" in the second line, viz.: "by the receiver or assignee of any company."

A roll call was demanded.

On the question, Shall the amendment offered by Senator Blanchard be adopted?

The yeas were:

Senators Ball, Blanchard, Brooks, Bruce, Courtright, Crossley, Garst, Harper, Hogue, Hopkins, Lambert, Lister, Lyons, Porter, Tallman, Wilson, Winne—17.

The nays were:

Senators Allyn, Bachman, Craig, Crawford, Dowell, Hayward, Healy, Hubbard, Junkin, Mardis, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Young of Lee, Young of Washington—17.

Absent or not voting:

Senators Alexander, Arthaud, Bishop, Brighton, Classen, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Lewis, Maytag, Moffit, Spaulding, Townsend—16.

So the amendment was lost.

Senator Trewin offered the following amendment and moved its adoption.

I move to amend the bill by inserting after the word "company" in the third line the following: "or any assignee or endorsee of such receiver or assignee".

Carried.

Senator Healy offered the following amendment and moved its adoption.

Amend by inserting after the word "due" in the fifth line the words "from the insured."

Carried.

Senator Healy offered the following amendment and moved its adoption:

Amend the bill by adding as section 2, the following:

"This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa."

Carried.

Senator Smith of Mitchell 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:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Craig, Crawford, Dowell, Garst, Harper, Hayward, Healy, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—32.

The nays were:

Senator Courtright.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Classen, Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazleton, Hobart, Hogue, Lewis, Maytag, Moffit, Spaulding, Townsend—17.

Senator Ball moved to amend the title by striking out the words "other than life."

A roll call was demanded.

On the question, Shall the amendment to the title be adopted?

The yeas were:

Senators Ball, Blanchard, Brooks, Bruce, Harper, Junkin, Porter, Winne—8.

The nays were:

Senators Allyn, Arthaud, Bachman, Craig, Crawford, Dowell, Garst, Hayward, Healy, Hopkins, Hubbard, Lambert, Lister, Mardis, Smith of Mitchell, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—20.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Classen, Courtright, Crossley, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazleton, Hobart, Hogue, Lewis, Lyons, Maytag, Moffit, Molsberry, Smith of Des Moines, Spaulding, Tallman, Townsend—22.

So the amendment to the title was lost.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Dowell filed the following motion to reconsider:

I move to reconsider the vote by which House file No. 225 was lost on its passage.

On motion of Senator Blanchard, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Thursday, April 3, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President *pro tem* Harriman presiding.

Prayer was offered by Rev. D. G. Bruce of Des Moines, Iowa.

Senator Lewis called up the resolution offered by him March 26th, relative to adjournment, and moved its adoption.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Allyn, Arthaud, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hubbard, Lewis, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—35.

The nays were:

Senator Lister.

Absent or not voting:

Senators Alexander, Bachman, Ball, Bishop, Blanchard, Brighton, Garst, Hobart, Hogue, Hopkins, Junkin, Lambert, Moffit, Young of Lee—14.

So the resolution was adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 255, a bill for an act to amend section seven hundred twenty-five (725) of the code, relating to the powers of cities and towns and to authorize cities and towns to prescribe regulations relating thereto and to fix and regulate telephone rates and service.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of John Bellew.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of Theodore Bushick.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of George Stanley.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of Joseph McCreary.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

SENATE CHAMBER,
DES MOINES, Thursday, April 8, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President *pro tem* Harriman presiding.

Prayer was offered by Rev. D. G. Bruce of Des Moines, Iowa.

Senator Lewis called up the resolution offered by him March 26th, relative to adjournment, and moved its adoption.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Allyn, Arthaud, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hubbard, Lewis, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Washington—35.

The nays were:

Senator Lister.

Absent or not voting:

Senators Alexander, Bachman, Ball, Bishop, Blanchard, Brighton, Garst, Hobart, Hogue, Hopkins, Junkin, Lambert, Moffit, Young of Lee—14.

So the resolution was adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 255, a bill for an act to amend section seven hundred twenty-five (725) of the code, relating to the powers of cities and towns and to authorize cities and towns to prescribe regulations relating thereto and to fix and regulate telephone rates and service.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of John Bellew.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of Theodore Bushick.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of George Stanley.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of Joseph McCreary.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of Otto Otten.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution authorizing and recommending the conditional pardon of William Young.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolutions on the death of Hon. John H. Gear.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 72, a bill for an act amending sections thirteen hundred and seventy (1870), thirteen hundred and seventy-one (1871), thirteen hundred and seventy-three (1873), relating to equalization of taxes and appeals from the local boards of review, applicable to cities acting under special charter.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 25, a bill for an act to amend section seven hundred twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 253, a bill for an act to amend sections nineteen hundred forty-six (1946), nineteen hundred forty-eight (1948) and nineteen hundred fifty-one (1951) of the code, relating to levees, drains and water courses.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

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.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments and adopted the report of conference committee and adopted the amendments recommended by the conference committee to House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section two thousand twenty-six (2026) of the code, relating to such railways.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House file No. 294, a bill for an act to amend section twenty-seven hundred fifty-seven (2757) of the code, relating to time of meeting of boards of school directors, and to amend sections twenty-seven hundred sixty-two (2762), twenty-seven hundred sixty-four (2764), twenty-seven hundred sixty-five (2765), twenty-seven hundred sixty-nine (2769), twenty-seven hundred eighty-five (2785), twenty-seven hundred ninety-three (2793) and twenty-eight hundred one (2801) of the code, to conform therewith.

Read first and second time and referred to committee on Schools.

Senate file No. 230, a bill for an act for 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 providing penalties for violation thereof.

Passed on file.

Senate file No. 289, a bill for an act to amend section twenty-five hundred one (2501) of the code, in relation to annual reports and bulletins to be published by the state.

Passed on file.

Senate file No. 197, a bill for an act relating to powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases.

Passed on file.

Senator Courtright, from the special committee on the Nolan v. Crawford contest case, submitted the following report and asked that it be printed in the Journal:

IN THE MATTER OF THE CONTEST FOR STATE SENATORSHIP FROM THE THIRTY-FIFTH SENATORIAL DISTRICT OF IOWA.

THOMAS F. NOLAN,
Contestant,

v.

PHINEAS W. CRAWFORD,
Incumbent.

} Report of Committee.

MR. PRESIDENT—Your committee in the above entitled cause beg leave to report that they have had the same under consideration, and herewith submit their findings of fact, conclusions of law, and recommendations.

ISSUES.

The contestant, Thomas F. Nolan, alleges in substance:

First. That the judges of election and board of canvassers of the voting precinct known as Iowa township, Dubuque county, Iowa, erroneously reported this contestant as having received 83 votes, when in truth and in fact he received at least 88 votes.

Second. That the judges of election and board of canvassers of the voting precinct known and designated as Vernon township, Dubuque county, Iowa, erroneously reported this contestant as having received 100 votes, when in truth and in fact he received at least 101 votes.

Third. That the judges of election of the voting precinct known as Farley precinct of Taylor township, Dubuque county, Iowa, fraudulently closed the

polls of said Farley precinct at 6 o'clock on the evening of the day of election, with the express intention of keeping certain voters, to the number of ten, from casting their votes at said election; that the persons referred to were legal voters of said precinct, and presented themselves within the time prescribed by law, and would have voted for this contestant; that said votes should be counted for the contestant, and that by reason of the fraudulent, unlawful and illegal action of said judges of election and board of canvassers of said precinct the voters of said precinct were not all present to cast their votes at said election, and for that reason the election in said precinct is invalid and void, and the votes therein cast ought not to be canvassed and counted.

Fourth. That in the First precinct of the Fourth ward of Julien township, Dubuque county, Iowa, there were two republican clerks, although there was no vacancy in said board, and one of said clerks was not appointed by the board of supervisors, was not authorized to serve, and therefore said precinct should be rejected.

Fifth. That in certain precincts of Dubuque county, Iowa, to wit: Twenty nine of said precincts, there was erroneously counted for Phineas W. Crawford 135 votes, and that in the same precincts the judges of election and board of canvassers committed errors in the counting and canvassing of the ballots that were counted and returned as having been cast for Phineas W. Crawford, and failed to count and return ballots as having been cast for this contestant, which were in fact voted and cast for him according to law to the number of sixty-five, and wrongfully and illegally counted for the incumbent ballots to the number of fifty-eight.

Wherefore, and by reason of the premises the contestant asks the Senate to make a thorough and complete canvass of all of the votes cast in the several precincts of said Dubuque county, Iowa, being the Thirty-fifth Senatorial district, and that it summon the auditor of Dubuque county, with all the returns, papers and ballots showing the acts and transactions complained of, and that it summon and bring before it such witnesses and papers as should be necessary to show the acts and transactions complained of, and that said Senate may do what may be needful and lawful in the matter to the end that the rights of the contestant may be ascertained and declared according to law and justice be accomplished and public interest subserved.

To which declaration the incumbent answered substantially as follows:

First. Denies both specifically and generally each and every material allegation contained in the declaration of contestant.

Second. Affirmatively alleges that at the general election held in Prairie Creek township, Dubuque county, Iowa, the judges of election and board of canvassers closed the polls at the hour of 6 o'clock p. m., and that the contestant received 112 majority over the incumbent, as shown by the returns, that the said election in said Prairie Creek township was illegal and void, and that the votes of said township should be thrown out.

Third. That the contestant does not allege and show that the ballots cast in Dubuque county, Iowa, at the general election in November, 1901, have been so kept since the said ballots were canvassed by the board of supervisors as to warrant the same being recounted by the Senate of Iowa.

Four. The incumbent asks the Senate not to consider the third, fourth, fifth, sixth and seventh specifications of the declaration because of the matters alleged therein are vague, uncertain and indefinite, and not sufficient, certain and specific to entitle any investigation of such specifications.

Fifth. Alleges that when the board of supervisors of Dubuque county, Iowa, concluded to canvass the returns of the general election of 1901, both contestant and incumbent were present, and after the conclusion of the canvass the contestant requested the board of supervisors of Dubuque county, Iowa, to issue certificate of election to the incumbent as having been elected senator of the Thirty-fifth Senatorial District; that said certificate was issued on the said request, and the incumbent received said certificate and acted on it; that the contestant knew as much about the general election of Dubuque county, Iowa, for 1901 for state senator as he does now; that the contestant is now estopped from contesting the seat of the incumbent as such senator.

Wherefore, the incumbent asks that the Senate do not make a thorough and complete canvass of all the votes cast in each of the several precincts of Dubuque county, being the Thirty-fifth Senatorial district; that the petition of contestant be wholly denied, and that the declaration of contestant be dismissed.

The contestant for reply in substance alleges:

First. Denies both generally and specifically each and every affirmative allegation of incumbent's answer.

It will be observed by the foregoing pleadings:

First. That a direct issue was raised as to the competency of the ballots, or, in other words, whether the ballots had been so preserved after being returned to the auditor of Dubuque county, Iowa, that they were competent; evidence.

Second. Whether the incumbent, by his acts and declarations, estopped himself from maintaining this contest.

Third. Whether there were such irregularities and illegal proceedings had in Farley precinct of Taylor township as to invalidate and make void the election held in said precinct; and if not held to be invalid and void, whether the contestant should be credited with the number of votes alleged to have been prevented from being cast by such irregularities and illegal proceedings.

Fourth. Whether or not there were such irregular proceedings and irregularities in the First precinct of the Fourth ward of Julien township as to invalidate and make void the election held in said precinct.

Fifth. Whether there were such irregularities and illegal proceedings on the part of the judges of election in Prairie Creek township as to make void and illegal the election held in said township.

Before requiring the production of the ballots and returns of the election held in said Thirty-fifth Senatorial district, your committee deemed it advisable to hear the evidence that the parties hereto had to submit upon the propositions; first, whether the ballots had been preserved as required by

law; second, whether the contestant had by his acts and declarations estopped himself from maintaining this contest.

In pursuance of such determination your committee proceeded to summon and bring before them at Des Moines, Iowa, such witnesses as the contestant and incumbent thought proper in relation thereto and proceeded to hear the evidence upon both of said issues, and after listening to the evidence produced by the parties, your committee make and submit herewith the following findings of fact:

That the county auditor's office of Dubuque, Dubuque county, Iowa, is a large room twenty-five or thirty feet square, located on the second floor and in the southeastern corner of the courthouse; that the entry to said office from the public corridor is near the northwestern corner of said auditor's office; that in entering the office from the corridor there is an office counter running along the full length of the office north and south, and five or six feet from the westerly side of the office, leaving a public office or lobby in front of the counter; that at the north end of the counter where the business is transacted with the public there is a door or gateway for admission from the public office into the private office behind the counter; that besides the counter there are three desks located in the private part of the office, one being in the southeastern corner of the room, which was used by the auditor himself; directly north of the auditor's desk and placed against the eastern wall of the office is a second desk occupied by the first deputy; and still a little farther north, placed against the eastern wall of the office, is a third desk, used by the second deputy; in the north end of [the office, and about six feet from the northeastern corner are double steel doors opening into the vault, which vault is from ten to twelve feet wide north and south, and from twenty-five to thirty feet long east and west. In the east end of the vault is a window, being the only light afforded to the vault. Near this window and in the northeast corner of the vault is located the safe, and to the west of the door and nearly in the center of the vault is an iron table from three and a half to four feet wide, and six or eight feet long; that the auditor and each of his deputies when working at their desks sit with their backs to the door of the vault; that any one working in the auditor's office could not see from such office any person working in the vault, unless such person was directly in front of the vault doors.

That John H. Weimer was auditor of Dubuque county, Iowa, at the time of the November election, 1901, and is now such auditor. That on the day after election all of the ballots and returns from the various election precincts of Dubuque county were turned over to said auditor by the judges of election in the various precincts throughout the county; that the ballots from the county districts were in a manilla cloth-lined envelope, and in addition to that those from the country districts were placed in flour sacks for convenience. Those from the city precincts were also sealed in manilla cloth envelopes with one exception and placed in the galvanized iron ballot boxes. The flour sacks containing the ballots from the country districts were tied with ordinary string. Those from the city precincts contained in the ballot boxes were locked with a key, the key to each box being left in the lock or hanging to the outside of the box. The one exception referred to was the ballots from the Second precinct of the Second ward of Julien township,

and was not in any manner sealed. The manilla envelopes from the country precincts were sealed with sealing wax without any imprint upon the wax. Those from the city precincts, with the one exception, were sealed with sealing wax, upon which were placed with a stamp the imprint of the precinct and ward wherein they were cast. As these ballots were received by the auditor those contained in the ballot boxes were set on the floor of the vault near the safe and near the north wall of the vault, and those contained in the flour sacks were piled up on the floor against the north wall of the vault. Those contained in the flour sacks were so nearly north of the door that they could be seen from the auditor's office when one was standing in direct line of the door and the ballots. They were left in this situation until after the canvass of the votes by the board of supervisors of Dubuque county. About the time that this canvass was concluded the ballots were moved to the west end of the vault, and cans being placed on the floor along the north wall and flour sacks piled up on the floor west of the table and near the west end of the vault. They were permitted to remain in this situation for several weeks, when they were taken from the floor and placed on top of the shelving on the north wall of the vault, where they remained until about the 15th or 20th of February of the present year. Then they were taken down by the auditor and some of his assistants and placed in a large box preparatory to being shipped to Des Moines in case your committee should order the production of them. That upon attempting to place them in the box which the auditor had caused to be constructed for that purpose it was found that if the uncast ballots were left in the flour sacks with the regular ballots which were separate in the manilla envelopes, that the box was not of sufficient size and capacity to contain them all; they were removed from the box, taken from the sacks, the uncast ballots separated therefrom. And during this time the manilla envelopes containing the ballots or many of them were piled upon the iron table located near the center of the vault, with no other protection than the envelopes in which they were contained. On the next day, or within a day or two after, they were again returned to the box, which box was so constructed that it had two padlocks, the auditor carrying the key to one padlock and the first deputy carrying the key to the other lock, the box containing the ballots remaining in the vault and near the east end of the iron table. During the time that the ballots were being taken from and placed in the box one of the clerks in the office, who was neither the auditor nor the deputy, did a considerable portion of the work, and some of the time, at least, was alone in the vault; that the floors to this vault consisted of two iron or steel doors, the inside door being locked with a key and the outer door with a combination lock, the only parties having a key to the inside door or the combination to the outside door being the auditor and his deputies; that it was the custom of the office to unlock and open these doors on reaching the office in the morning, the same remaining open until the noon hour, when they were closed and locked, being opened again on returning to the office in the afternoon and remaining open until the closing hour in the evening; that during all of the time from the day the ballots were returned to and deposited with the auditor up to the time of the examination here at Des Moines, and, in fact, for many months and years previous thereto, it had been the custom of the auditor and his deputies to permit any reputable person hav-

ing any business in the office to have free access to the vault and to the papers and documents therein contained, the number of such persons being variously estimated from twenty-five to fifty, such as attorneys, abstract and real estate men, different members of the board of supervisors, township assessors, and deputies, insurance men, etc., and all of these parties were permitted at any time they so desired to have free access to the vault and to remain therein for an indefinite length of time, without being accompanied by any of the force of the office, and many of these different parties were permitted to be and remain in the vault alone without any observation or oversight by any of the force of the office for various lengths of time, ranging from 3 to 5 minutes; some 50, 15 and one 20 minutes; that upon the occasion when the ballots were being taken from the box and being prepared to be returned to the same and while they lay upon the table one party, a member of the board of supervisors, entered the vault, found no one therein, saw the ballots piled upon the table as hereinbefore described, got what he was after, went out, was gone an hour and a half, and upon his return to the vault found the ballots still upon the table and no one in the vault; and upon one occasion one M. E. Nagal went to the auditor's office and found no one therein and not seeing any one in the office, looked into the vault and saw one Mr. Laube in the vault alone, none of the official force of employes of the office being present, either in the vault or in the office, this being at a time when the ballots were still in the vault, and before they were placed in the box as hereinbefore described. During the last week of December, 1901, and the first week of January, 1902, the city assessor of Dubuque and his deputies were working in and about the auditor's office and vault for a period of about eight days, and during all of that time the assessor and his deputies were permitted free access to the vault and were permitted to remain therein alone so long as they desired. During the time the assessor and his deputies were working in the office the ballots were piled upon the floor at the westerly end of the iron table and near the west end of the vault.

Upon the question as to whether or not the contestant is estopped, your committee find and report the following to be the facts:

That in the Third precinct of the Fourth ward of Julien township the contestants received 188 votes; that the board of canvassers in carrying the vote out upon their returns made a mistake and credited the contestant with 288; that this was an apparent error, was manifested from the figures upon the returns, which, taking the total amount of votes cast, the number of votes cast for the incumbent and the number reported for the contestant, clearly shows that the canvassers made a mistake and entered as received by the contestant 288, when the same should have been 188, which error was apparent to all the members of the board canvassers and to every one present. Had this one hundred been credited to the contestant he would have been elected upon the face of the returns by seventy-two majority, and if he was not credited with them the incumbent would be elected by 28 majority. About this time the contestant and the incumbent entered the board of canvassers' room together, and when the matter was called to Mr. Nolan's attention he said to the chairman of the board that he waived all claim to a certificate on what was clearly a clerical error, and ask the board of canvassers to issue the certificate to the incumbent, which they did after calling

in the judges and clerks of election of said Third precinct of said Fourth ward, and having the returns corrected, after which the contestant again said that he did not want to take advantage of that error, and did not want the certificate unless he got it fairly.

Upon the foregoing statement of facts your committee find as conclusions of law the following:

First. That the acts and declarations of the contestant do not contain the necessary elements of an estoppel, and that the contestant is not legally estopped from maintaining this contest by reason of such acts and declarations.

Second. Your committee further finds as a conclusion of law that the ballots cast at the general election, 1901, in the Thirty-fifth Senatorial district were kept and preserved by the auditor after being placed in his custody and under his control in such a careless and negligent manner that they were in fact many opportunities for them to be tampered with, and while there is no direct evidence that such ballots were tampered with, your committee believes that under the law the opportunities for tampering with them was sufficient to entirely destroy their weight as evidence, and consequently would be of no value, and therefore your committee find as a matter of law that said ballots would afford no competent evidence in this case, and have therefore refused to order the production and cause a recount of the same.

Your committee further find that, admitting the allegations of the contestant to be true in relation to the irregularities and illegalities of the judges of election in Farley precinct of Taylor township, and in the First precinct of Fourth ward of Julien township, that the facts therein alleged in relation thereto are not sufficient in law to throw out the vote of either of such election precincts and thereby disfranchise all of the voters of said precinct or either of them.

Your committee further find that, admitting the allegations of the contestant to be true in relation to the fact that he received five more votes in the voting precinct of Iowa township than he was credited with, and in the voting precinct of Vernon township received one more vote than he was credited with, and admitting that the parties, ten in number, who, it is alleged, would have voted for him had not the polls been closed in Farley precinct of Taylor township before the time prescribed by law, such votes would not have been sufficient to change the result, and crediting the contestant with said votes the incumbent would still have been elected by twelve majority.

Wherefore, your committee recommend that the petition of the contestant be dismissed and that the incumbent be legally declared elected as senator of the Thirty-fifth Senatorial district and entitled to his seat as such.

Your committee would further report that in the progress of this case it was necessary for them to subpoena and bring before them certain witnesses and incur certain expenses therefor as follows, to wit:

John Steimer, sheriff of Polk county, Iowa, by W. P. Dillan, deputy, serving subpoena on John H. Kenety, Theodore Sharle, Thomas H. McQuillen, as will appear by subpoena and return thereon hereto attached..... \$ 4.50

B. A. Bean, for serving subpoena on M. D. Nagal, I. C. Chamberlain, Wm. Kretchmer, E. P. Laude, C. V. Scheer, R. F. Jess, Herman Ternes, Adam Doerr, Harry F. Salot, as will be seen by subpoena and return thereon hereto attached..... 6.00

John H. Weimer, witness four days, 205 miles..... 25.50

Theodore Scharle, witness three days, 205 miles..... 24.25

E. P. Laude, witness three days, 205 miles..... 24.25

Frank Jess, witness four days, 205 miles..... 25.50

Harry F. Salot, witness three days, 205 miles..... 24.25

M. E. Nagal, witness three days, 205 miles..... 24.25

Herman Taernes, witness three days, 205 miles..... 24.25

C. B. Scharle, witness three days, 205 miles..... 24.25

Adam Doerr, Jr., witness three days, 205 miles..... 24.25

W. F. Kratchmer, witness three days, 205 miles..... 24.25

I. C. Chamberlain, witness four days, 205 miles..... 25.50

John M. Kenety, witness three days, 205 miles..... 24.25

T. H. McQuillen, witness four days, 263 miles..... 31.30

F. B. Bean, witness three days, 205 miles..... 24.25

Total..... \$360.80

The witness, Frank Jess, demanded his fees in advance, which were paid by I. C. Chamberlain for the incumbent, Phineas W. Crawford, as will be seen by the receipt of H. F. Jess hereto attached.

And your committee would recommend that the expenses incurred by them in procuring the foregoing evidence be paid by the state.

Your committee caused all of the evidence upon which they based the foregoing findings of facts and conclusions of law to be taken down by the clerk of said committee in shorthand, and caused the minutes thereof to be transcribed and extended, which said minutes, together with subpoena, receipt and pleadings, are herewith returned and made a part of this report, all of which is most respectfully submitted.

O. B. COURTRIGHT,
 C. C. DOWELL,
 J. A. FITCHPATRICK,
 FRED. TOWNSEND,
 JOHN L. WILSON.

Senator Courtright submitted the following supplementary report of the special committee, relative to the Nolan v. Crawford contest case and asked that it be printed in the Journal:

REPORT OF COMMITTEE.

THOMAS F. NOLAN,
Contestant,
 v.
 PHINEAS W. CRAWFORD,
Incumbent. }

In the matter of the contest for state senatorship from the Thirty-fifth Senatorial district of Iowa:

As a separate and farther report your committee would state that in their opinion this contest was brought about by the contestant honestly and for

an honest purpose, without malice, and because he believed that he was elected by the qualified electors of the Thirty-fifth Senatorial district; that he was in no manner responsible for the careless and negligent manner in which the ballots were kept and preserved by the auditor of Dubuque county, and that he has been put to large cost by way of attorney fees and expenses, and deprived of a trial upon the merits by reason of the carelessness and negligence in the preservation of the ballots by the auditor of Dubuque county, an itemized statement of which said costs and expenses are as follows, to wit:

Traveling expenses of self in looking up testimony.....	\$ 29.50
Board and lodging for self.....	66.00
Board and lodging for attorney, J. T. P. Power, while in Des Moines	30.00
Attorney fees of J. T. P. Power, as per bill attached hereto....	380.00
Attorney fees of Hugh Brennan, as per bill attached hereto.....	190.00
Total.....	<u>\$695.50</u>

That the incumbent, Phineas W. Crawford, has also been put to a large cost and expense by way of attorney fees expended herein, to wit, the sum of \$200.

Your committee would therefore recommend to the Senate that there be paid to Thomas F. Nolan for expenses the sum of \$95.50, for attorney fees the sum of \$200, and that there also be paid to the incumbent, Phineas W. Crawford, for attorney fees the sum of \$200.

All of which is respectfully submitted,

O. B. COURTRIGHT,
J. A. FITCHPATRICK,
C. C. DOWELL,
FRED TOWNSEND,
JOHN L. WILSON.

On motion of Senator Courtright, ordered referred to committee on Appropriations.

Senator Hogue, from the special committee appointed to draft resolutions on the death of Senator L. R. Bolton, late of Harrison county, submitted the following resolution and moved its adoption:

RESOLUTION.

WHEREAS, On the 29th day of June, 1901, Senator L. R. Bolter of the Thirty-fourth Senatorial district, died at his home at Logan, Iowa, be it

Resolved, That the Senate has learned with regret of the death of Senator Bolter, and that in his death the state has lost an able and high minded legislator, who at all times was a staunch and untiring advocate of the interests of the masses and his fellow citizens.

As a lawyer Senator Bolter achieved an eminent position at the bar, and his deep and well founded legal knowledge made him a master of those

principles of popular government, which the fathers of the country established, and which were developed by the great mind of Marshall and his associates.

As a legislator, Senator Bolter ever found guidance in the teachings of the great builders of our country, and his public career reflects the life of one, who was so ennobled and enlightened, and who from first to last retained the highest ideals.

He was a fair and honest man in all relations with his associates; his sense of right always permitted and demanded that the position of his political opponents be fairly stated.

We hereby record the recollection and deep impression which our departed associate made in this chamber on the last day of the Twenty-eighth General Assembly, when he bade us and the people of this commonwealth whom he loved so well, a touching farewell, anticipating as he probably did that his days were numbered.

Be it further Resolved, That a copy of this resolution be spread on the records of the Senate, and that the President and Secretary are requested to send an authenticated copy thereof to members of his family.

E. L. HOGUE,
THOS. D. HEALY,
GEO. W. BALL,
Committee.

Senator Ball spoke as follows, in favor of the resolution:

MR. PRESIDENT—In seconding the resolutions upon the death of ex-Senator Bolter, I desire to read the following brief statement prepared by his life-long friend, Hon. Chas. Aldrich, and Published in the *Annals*, Vol. 5, page 156:

“Lemuel R. Bolter was born in Richland county, Ohio, July 27, 1834; he died at his home in Logan, Iowa, April 29, 1901. His early days were passed upon his father's farm in Ohio and later in Michigan. He attended the district and graded schools for several years, finally entering Hillside college. He received a good business education, his favorite study being mathematics. After his college days he taught school for a short time, when, in company with three other young men he started on the overland journey to California. This was in 1852. The traveling outfit consisted of a wagon and three yoke of oxen. The way was long and the journey full of peril from the elements and hostile Indians. Reaching Mokelumne Hill, Calaveras county, he served the Wells-Fargo Express company awhile as a clerk at \$300 per month, but left that work to try his hand at mining. The results not meeting his expectations, he returned to the town where he worked two years as a clerk in a store. He returned to Michigan in 1854, where he taught school and studied law. He removed to Iowa in 1863, having in the meantime married Miss Caroline J. Rinehart. He settled upon a farm in Jefferson township, Harrison county, where for some years he devoted his time to farming and the practice of law. He was admitted to the bar in the court of Judge Isaac Pendleton, in 1866, in which year he was elected to the Iowa house of representatives. As a legislator he secured,

and always retained, a strong hold upon his constituency. Mr. Bolter probably served more years in the Iowa legislature than any other man in the territory or state. He sat in the house in the Fifteenth, Sixteenth, Nineteenth and Twentieth General Assemblies, and in the Senate in the Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-seventh and Twenty-eighth. He received the democratic nomination for congress in 1876 against Col. William F. Sapp of Council Bluffs. The district had a large republican majority and Mr. Bolter was defeated. The canvass, however, was a memorable one. In 1885 Gov. Buren R. Sherman appointed Mr. Bolter as a delegate to the N. W. Waterway convention at Kansas City, of which he was chosen president. He was mentioned at different times for the nominations for governor and supreme judge. While he was an uncompromising democrat, and acted with his party on all political questions, he was a man of liberal views in regard to education, libraries and other public improvements—truly a man of the people—without trace of the demagogue. With clear convictions of his duty as a representative of the people no consideration personal to himself was ever allowed to influence his official action. He was a thoroughly independent man throughout his busy life. His long service in the legislature, where he was always useful, gave evidence of the respect and confidence in which he was held by his constituents. He was most trusted by those who knew him best."

Mr. President, Senator Bolter was a member of the general assembly during ten sessions. I was a member of the House in the Twenty-first General Assembly and of the Senate in the Twenty-eighth. During these sessions I became well acquainted with Senator Bolter, and am proud of the fact that I was numbered among his friends. He was a man of the most positive convictions and never hesitated to express his views upon pending questions. He was fearless in debate and his arguments were forcible and convincing; but while he contended with great tenacity for his own views upon public questions, he at the same time had the greatest consideration for the opinions of others; and if convinced that his views were erroneous, he was ever ready to abandon his cherished convictions and support the cause that he deemed to be right.

He was always a friend of the people and his best efforts as a legislator were put forth in their behalf and in behalf of the state. He believed in advancing the interests of the state and in supporting the institutions to the extent of their needs. His earnest efforts were directed towards forming the historical department of the state, and from the time the law was passed until his death that valuable institution had no more strenuous and earnest friend than he. Personally, he was a man actuated by the highest sense of honor, and his integrity of character was above approach. His long years of service in the general assembly showed that he enjoyed the confidence of the people among whom he lived. His services during those years were of great value to the state and in his death the people have lost an able representative and one who was always faithful to his convictions and zealous in the discharge of his duties.

The resolutions were unanimously adopted by a rising vote.

Senator Hazelton moved that the communication read by Senator Ball be ordered printed in the Journal.

Carried and so ordered.

Senator Hayward filed the following motion to reconsider:

MR. PRESIDENT—I move to reconsider the vote by which concurrent resolution was adopted to adjourn April 9th.

Laid over.

Senator Lewis filed the following motion to reconsider.

I move to reconsider the vote by which the concurrent resolution in regard to final adjournment passed the Senate.

Laid over.

THIRD READING OF BILLS.

On motion of Senator Wilson, House file No. 212, a bill for an act to establish a barbers' examining board, to regulate the practice of barbering, and licensing of persons to carry on such practice, to insure the better education, skill and proficiency of such practitioners, and to provide penalties for the violation thereof, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Courtright offered the following amendment and moved its adoption:

I move to amend section 3 of the bill by striking therefrom the following: "and shall have its headquarters at the state capitol."

Senator Garst moved that the amendment lay on the table.

A roll call was demanded.

On the question, Shall the amendment offered by Senator Courtright be laid on the table?

The yeas were:

Senators Arthaud, Bachman, Blanchard, Brooks, Bruce, Garst, Griswold, Harriman, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Mitchell, Spaulding, Townsend, Whipple, Winne, Young of Washington—21.

The nays were:

Senators Ball, Classen, Crawford, Dowell, Fitchpatrick, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hubbard, Lyons, Molsberry, Smith of Des Moines, Tallman, Trewin Wilson Young of Lee—19.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Courtright, Craig, Crossley, Hartshorn, Hopkins, Lambert—10.

So the motion prevailed.

Senator Dowell called up the motion filed by him to reconsider the vote whereby House file No. 225 failed on passage.

Senator Dowell moved to reconsider the vote whereby House file No. 225 failed to pass.

Carried.

Senator Dowell moved to reconsider the vote whereby House file No. 225 passed to a third reading.

A roll call was demanded.

On the question, Shall the vote whereby House file No. 225 passed to a third reading be reconsidered?

The yeas were:

Senators Arthaud, Ball, Blanchard, Bruce, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Smith of Des Moines, Townsend, Young of Lee—25.

The nays were:

Senators Brooks, Classen, Crawford, Garst, Griswold, Hartshorn, Lambert, Lyons, Porter, Spaulding, Tallman, Trewin, Whipple, Young of Washington—14.

Absent or not voting:

Senators Alexander, Allyn, Bachman, Bishop, Brighton, Hariman, Moffit, Molsberry, Smith of Mitchell, Wilson, Winne—11.

So the motion prevailed.

Senator Dowell offered the following amendment and moved its adoption.

Strike out the figures "thirty-six (36)" in the fourth and eleventh lines of section one (1) and insert "thirty-nine (39)" in lieu thereof.

Lost.

Senator Dowell 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:

Senators Arthaud, Bachman, Ball, Blanchard, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Young of Lee, Young of Washington—32.

The nays were:

Senators Allyn, Brooks, Crawford, Griswold, Hartshorn, Lambert, Lyons, Tallman, Trewin, Whipple—10.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Garst, Harriman, Moffit, Wilson, Winne—8.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, Senate file No. 74, a bill for an act to amend section sixty-five (65), chapter one (1) of the code of 1897, in relation to the salary of the governor and the secretary to the governor, was taken up and considered.

Senator Garst moved that House file No. 350 be substituted for Senate file No. 74.

Carried.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell,

Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Trewin, Whipple, Winne, Young of Lee, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Moffit, Molsberry, Tallman, Wilson—7.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, Senate file No. 74, a bill for an act to amend section sixty-five (65), chapter one (1) of the code of 1876, in relation to the salary of the governor and the secretary to the governor, with report of committee recommending passage, was taken up, considered, and indefinitely postponed for the reason that a bill of similar character had already passed the Senate and the bill was indefinitely postponed.

On motion of Senator Trewin, Senate file No. 13, a bill for an act to amend section two thousand seven hundred forty-two (2742) of the code, relating to county superintendents, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Ball, Bishop, Blanchard, Brooks, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding,

Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

Senators Arthaud, Bachman, Harriman, Lyons, Porter, Townsend—6.

Absent or not voting:

Senators Alexander, Brighton, Bruce, Crawford, Garst, Junkin, Mardis, Tallman—8.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hobart, Senate file No. 180, a bill for an act to amend section six hundred and forty-one (641), title five (5), chapter two (2) of the code, relating to cities being divided into wards, new ones created or the boundaries changed, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Porter offered the following amendment and moved its adoption:

I move to amend by striking out the words "or resolution," at the close of section one (1).

Carried.

On motion of Senator Hobart, Senate file No. 180 was indefinitely postponed.

On motion of Senator Ball, Senate file No. 113, a bill for an act to amend sections thirty-one hundred two (3102) and thirty-one hundred three (3103) and thirty-one hundred four (3104) of the code, relating to claims of subcontractors for labor performed on, or material furnished for, public buildings, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

Senator Ball offered the following amendment and moved its adoption:

Amend section two (2) by striking out the words "against the" in the third line and inserting the words "for material furnished for, or labor performed upon, buildings erected for," in lieu thereof. Also, amend section

two (2) by striking out the word "state" in the fifth line and inserting the words "officer with whom such claim or claims are filed.

Carried.

Senator Ball offered the following amendment and moved its adoption:

Amend section 1 by striking out the word "state" in the third line, and inserting the word "contractor" in lieu thereof.

Carried.

The bill as amended was read for information.

Senator Ball moved that the time for adjournment be extended fifteen minutes.

On a division, the motion was lost.

The President *pro tem* declared the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Herriott presiding.

On request of Senator Lyons, leave of absence was granted Senator Young of Lee.

INTRODUCTION OF BILLS.

By Senator Crawford, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Read first and second time and referred to committee on Cities and Towns.

Senator Smith of Mitchell moved that when the Senate adjourn this afternoon it be to meet at 7:45 this evening.

Carried.

THIRD READING OF BILLS.

On motion of Senator Brooks, House file¹No. 424, a bill for an act to legalize the incorporation of the town [of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all other ordinances [and¹ resolutions adopted by the council of said town, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Brooks moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hobart, Hogue, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Wilson, Young of Lee—41.

The nays were:

None.

Absent or not voting:

Senators Alexander, Brighton, Bruce, Classen, Hartshorn, Hopkins, Trewin, Winne, Young of Washington—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Garst offered the following motion and moved its adoption:

I move that the Senate request the return from the House of Senate file No. 275, which passed the Senate.

Carried.

The Senate resumed consideration of Senate file No. 113 which was pending before the hour of the noon adjournment.

The bill was read for information.

Senator Ball moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Ball, Blanchard, Classen, Crawford, Harper, Hayward, Hobart, Hubbard, Lister, Mardis, Molsberry, Smith of Mitchell, Wilson, Young of Lee—15.

The nays were:

Senators Bachman, Bruce, Courtright, Craig, Crossley, Fitzpatrick, Garst, Healy, Hopkins, Junkin, Lewis, Maytag, Moffit, Porter, Tallman, Trewin, Whipple—17.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Brighton, Brooks, Dowell, Griswold, Harriman, Hartshorn, Hazelton, Hogue, Lambert, Lyons, Smith of Des Moines, Spaulding, Townsend, Winne, Young of Washington—18.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Lister, House file No. 77, a bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Lister moved the adoption of the following committee amendment:

Amend by adding to section one (1) the following: "but this exemption shall not apply in the case of any soldier or sailor owning property of the actual value of five thousand dollars (\$5,000), or where the wife of such soldier or sailor owns property to the actual value of five thousand dollars (\$5,000).

Carried.

Senator Crossley offered the following amendment and moved its adoption:

Amend by inserting after the word "sailor", in the third line of Senate amendment, the words "or the widow of such soldier or sailor".

Carried.

Senator Lister 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:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee—44.

The nays were:

None.

Absent or not voting:

Senators Alexander, Brighton, Hartshorn, Hazelton, Lambert, Young of Washington—6.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Junkin, House file No. 228, a bill for an act to provide for the admission and maintenance of feeble-minded children at Glenwood, and the maintenance thereof, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Junkin moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell,

Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hogue, Hopkins, Junkin, Lambert, Lewis Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—40.

The nays were:

None.

Absent or not voting

Senators Alexander, Bishop, Brighton, Hartshorn, Hobart, Hubbard, Smith of Mitchell, Spaulding, Townsend, Young of Washington—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, Senate file No. 285, a bill for an act to amend section two thousand and eighty-six (2086) of the code, relating to the voting of taxes in aid of railways, with report of committee recommending its passage, was taken up, and the report of the committee adopted.

Senator Trewin offered the following amendment and moved its adoption:

I move to strike out all of section 1 of the bill after the word "amended by" and insert the following adding at the end thereof the words "the right to vote taxes within the limit herein provided shall exist after the expiration of ten years from the exercise to the limit of the right herein granted".

Carried.

Senator Harriman moved to amend the amendment by inserting the word "ten" in lieu of the word "fifteen" and moved its adoption.

A roll call was demanded.

On the question Shall the amendment offered by Senator Harriman be adopted?

The yeas were:

Senators Bachman, Ball, Blanchard, Bruce, Classen, Court-right, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Mardis, Molsberry, Whipple, Young of Washington—23.

The nays were:

Senators Allyn, Arthaud, Bishop, Brooks, Crossley, Dowell, Garst, Healy, Hubbard, Lewis, Lister, Lyons, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Townsend, Winne—19.

Absent or not voting:

Senators Alexander, Brighton, Lambert, Moffit, Smith of Des Moines, Trewin, Wilson, Young of Lee—8.

So the amendment offered by Senator Harriman prevailed.

The amendment offered by Senator Trewin as amended prevailed.

Senator Trewin offered the following amendment and moved its adoption:

Add to section 1.

Nothing herein shall authorize a tax of five per centum within the period named to steam railroads; and also five per centum within such period to interurban railways.

Carried.

Senator Trewin 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:

Senators Bachman, Ball, Blanchard, Bruce, Classen, Court-right, Craig, Crawford, Fitchpatrick, Harper, Harriman, Harts-horn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lewis, Lyons, Mardis, Moffit, Molsberry, Smith of Mitchell, Trewin, Young of Washington—26.

The nays were:

Senators Allyn, Arthaud, Bishop, Brooks, Crossley, Dowell, Garst, Griswold, Hubbard, Lambert, Lister, Maytag, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Whipple Wilson, Winne, Young of Lee—21.

Absent or not voting:

Senators Alexander, Brighton, Healy—3.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

Also, Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code, as amended, relating to certain powers of cities and towns,

Also, Senate file No. 243, a bill for an act to amend section eight hundred sixty (860), eight hundred sixty-one (861), and eight hundred sixty-two (862) of the code, relating to the voting of taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities having a population under twenty thousand (20,000) and towns, over parks without their corporate limits.

Also, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

Also, Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code, as amended, relating to certain powers of cities and towns.

Also, Senate file No. 243, a bill for an act to amend section eight hundred sixty (860), eight hundred sixty-one (861) and eight hundred sixty-two (862) of the code, relating to the voting of taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities having a population under twenty thousand (20,000) and towns, over parks without their corporate limits.

Also, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error, v. Fremont county, Iowa, in error to the supreme court of Iowa.

Also, House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.

Also, House file No. 376, a bill for an act to repeal section two thousand two hundred fifty three (2253) of the code, and enact a substitute in lieu thereof, in relation to hospitals for the insane.

Also, House file No. 48, a bill for an act to fix the compensation of appraisers of property.

Also, House file No. 311, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Also, House file No. 167, a bill for an act providing for the condemnation of real estate by the state for the use and benefit of institutions of the United States and the payment of damages.

Also, House file No. 286, a bill for an act to amend section one thousand seventy-five (1075), one thousand, one hundred thirty (1130), one thousand, five hundred twenty-eight (1528), one thousand, five hundred thirty-three (1533), one thousand, five hundred forty-two (1542), one thousand, five hundred forty-five (1545), one thousand, five hundred fifty-one (1551), one thousand, five hundred fifty-four (1554) and four thousand, eight hundred eight (4808) of the code, and to repeal sections one thousand, five hundred thirty-two (1532), one thousand, five hundred forty (1540) and one thousand, five hundred fifty (1550) of the code, and enact substitutes therefor, and to repeal sections one thousand, five hundred forty-one (1541), one thousand, five hundred forty-six (1546), one thousand, five hundred fifty-three (1553) and one thousand, five hundred sixty-seven (1567) of the code, relative to the duties of township trustees, the duties of township clerks, the

election, qualification, duties, compensation and payment of road supervisors, the consolidation of road districts and the levy and collection of road tax.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, House files Nos. 48, 167, 283, 286, 311, 328, 376, and Senate files Nos. 190, 202, 243, 291.

Senator Courtright moved that the Senate take up House messages.

Lost.

The Journal of yesterday was taken up, corrected and approved.

Senator Hazleton moved that the Senate do now adjourn.

Carried.

Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 7:45 P. M., President *pro tem* Harriman presiding.

INTRODUCTION OF BILLS.

By Senator Courtright, Senate file No. 363, a bill for an act to amend section six hundred forty-one (641) of the code, relating to dividing cities into wards, creating new ones or changing the boundaries thereof.

Read first and second time and referred to committee on Cities and Towns.

REPORTS OF COMMITTEES.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections, to whom was referred Senate file No. 352, a bill for an act to amend section two thousand seven hundred and fifty-five (2755) of the code, relating to the registration of voters for school elections, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute to the Senate with the recommendation that the same do pass.

SUBSTITUTE FOR SENATE FILE NO. 352.

A bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That section two thousand seven hundred and fifty-five (2755) of the code be and the same is hereby amended by substituting a period for the semicolon after the word "elections", at the end of line thirteen, and by inserting after the period following said word "elections" the following: "The board of directors of such school corporation, on or before the first Monday preceding such election shall appoint two suitable persons to be registrars in each of the election precincts of such school corporation for the registration of voters therein, who shall have the same qualifications as registrars appointed for general elections and shall qualify in the same manner and receive the same compensation to be paid by the school corporation. The registrars shall meet on the day of election at the voting place in the precinct in which they have been appointed and shall hold continuous session from nine o'clock in the forenoon until seven o'clock in the afternoon. Any person claiming to be a voter and who is not already registered in the proper precinct, may appear before them in the election precinct where he claims he is entitled to vote and make and subscribe under oath a statement in the registry book, which oath and statement shall be of the same general character as that prescribed by section one thousand and seventy-seven (1077) of the code and shall thereupon be granted a certificate of registration", followed by a period.

Sec. 2. That said section two thousand seven hundred and fifty-five (2755) of the code be further amended by striking out the word "but" in the fourteenth line thereof.

F. M. MOLSBERY,
Chairman.

Read first and second time and ordered placed on file.

Senator Harriman, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House file No. 298, a bill for an act to amend section twenty-five hundred twenty-two (2522) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violation of the section as amended, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. HARRIMAN,
Chairman.

Ordered passed on file.

Senator Griswold, from the committee on Building and Loan, submitted the following report:

MR. PRESIDENT—Your committee on Building and Loan, to whom was referred Senate file No. 348, a bill for an act to amend chapter thirteen (13) of the code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations, and defining and regulating the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

H. J. GRISWOLD,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Lewis, House file No. 52, a bill for an act making it a crime to advise, council, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Lewis moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Arthaud, Bachman, Ball, Brooks, Bruce, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Harriman, Hayward, Healy, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Bishop, Blanchard, Brighton, Classen, Crossley, Griswold, Harper, Hartshorn, Hazelton, Hogue, Junkin, Porter, Townsend—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Smith of Mitchell, House file No. 71, a bill for an act to amend sections 1672 and 1673 of the code, which report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Molsberry moved that House file No. 71 be referred to the committee on Appropriations.

Lost.

Senator Lambert moved to strike out section 1 of the bill.

Lost.

Senator Lambert moved to strike out the word "four" in the last line of section 2 and insert the word "three" in lieu thereof.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Arthaud, Bachman, Bishop, Brooks, Crawford, Harri- man, Healy, Lambert, Lewis, Maytag, Porter, Tallman, Trewin, Winne, Young of Lee—15.

The nays were:

Senators Ball, Bruce, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Hayward, Hobart, Hopkins, Hubbard, Lister, Mardis, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Whipple, Wilson, Young of Washington—21.

Absent or not voting:

Senators Alexander, Allyn, Blanchard, Brighton, Classen, Crossley, Harper, Hartshorn, Hazelton, Hogue, Junkin, Lyons, Moffit, Townsend—14.

So the amendment was lost.

Senator Smith of Mitchell 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:

Senators Allyn, Bachman, Ball, Bishop, Brooks, Bruce, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Hayward, Hobart, Hogue, Hopkins, Hubbard, Lister, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Washington—30.

The nays were:

Senators Arthaud, Harriman, Healy, Lambert Lyons, Porter, Tallman, Young of Lee—8.

Absent or not voting:

Senators Alexander, Blanchard, Brighton, Classen, Crawford, Crossley, Harper, Hartshorn, Hazelton, Junkin, Lewis, Townsend—12.

Senator Smith of Mitchell moved to amend the title by adding thereto the following: "relating to the reports of and appropriation for the Horticultural society."

Carried.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title as amended agreed to.

On motion of Senator Arthaud, House file No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bettanier v. Caille, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Arthaud 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:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst,

Griswold, Hayward, Healy, Hobart, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Brighton, Classen, Crossley, Harper, Harriman, Hartshorn, Hazelton, Hogue, Junkin, Lambert, Tallman, Townsend—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stocks, bonds, or securities of railroads in other states, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hubbard offered the following amendments and moved their adoption:

I move to amend Senate file No. 117 as follows:

1. Amend section 1 by inserting after the words "this state" the words, "and owning and operating a railroad therein."
2. Amend section 1 by inserting after the words "United States" the words "in which it may control and operate a connecting line or lines of railway."
3. Amend section 2 by inserting after the word "Iowa" the words, "and owning and operating a railroad therein."
4. Amend section 2 by inserting after the word "operate" the word "connecting" and after the word "railroads" in the second line of the printed bill, the words "not parallel and competing."

Carried.

The bill was read for information.

Senator Hubbard moved that the printed copy as amended be substituted for the written copy.

Carried.

Senator Hubbard moved that the rule be suspended, and that, the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Brooks, Bruce, Craig, Fitchpatrick, Garst, Griswold, Harriman, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Young of Lee, Young of Washington—27.

The nays were:

Senators Lambert, Lewis, Lyons, Porter, Spaulding—5.

Absent or not voting:

Senators Alexander, Bishop, Blanchard, Brighton, Classen, Courtright, Crawford, Crossley, Dowell, Harper, Hartshorn, Hazelton, Junkin, Moffit, Tallman, Townsend, Wilson, Winne—18.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Molsberry moved that Senate file No. 358 be made a special order for tomorrow at 2 o'clock p. m.

A roll call was demanded.

On the question, Shall Senate file No. 358 be made a special order for tomorrow at 2 o'clock p. m.?

The yeas were:

Senators Allyn, Bachman, Ball, Brooks, Bruce, Courtright, Craig, Fitchpatrick, Griswold, Harriman, Hobart, Hogue, Hubbard, Mardis, Moffit, Molsberry, Porter, Smith of Des Moines, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—24.

The nays were:

Senators Arthaud, Dowell, Garst, Hayward, Healy, Hopkins, Lambert, Lewis, Lister, Lyons, Maytag, Smith of Mitchell, Winne—13.

Absent or not voting:

Senators Alexander, Bishop, Blanchard, Brighton, Classen, Crawford, Crossley, Harper, Hartshorn, Hazelton, Junkin, Spaulding, Townsend—13.

· So the motion prevailed.

Senator Healy rose to the point of order that it requires a two-thirds vote to take up a bill out of its order.

The President *pro tem* held that the point of order was not well taken.

On motion of Senator Courtright, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, April 4, 1903. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

{Prayer was offered by Rev. Albert A. Walburn of Coin, Iowa.

On request of Senator Young of Washington, leave of absence was granted Senator Crawford until tomorrow.

Senator Blanchard called up the concurrent resolution relative to the death of Hon. John H. Gear.

Senator Blanchard spoke feelingly in favor of the resolution, as follows:

MR. PRESIDENT—At this late day in the session, when business of importance is crowding the Senate, I realize that my remarks on this occasion should be brief.

The resolutions of the committee meet my hearty endorsement. They are not extravagant or overdrawn, but truthfully express the sorrow which the people of this great state feel in the death of their distinguished senator.

The life of John H. Gear was in many respects a remarkable one. Commencing his business career at the age of 19 in the then straggling village of Burlington, on the banks of the Mississippi, in what was then the Territory of Iowa, by his own energy and force of character he became a successful business man, and later in life, after his faculties had fully matured, he entered public life in which he attained honor and success. His first office was that of mayor of his city. Afterwards he was elected a member of the house of representatives in the legislature, and was twice re-elected to the same position and served as Speaker of the House for two terms. Within my recollection he is the only person who has ever served two successive terms as Speaker of that body. From this position he easily became governor of the state, a position which he held for two terms. His administration was distinguished for its business methods, and the watchful care with which he looked after every detail of the multitudinous demands which are made upon the incumbent of this exalted position. He served three terms in the lower house of congress and as an active member of the ways and means committee did much of the work in framing the bill to

which the name of the late president was attached, and which made him famous. In 1894 he was elected United States senator from Iowa, and prior to his death he had been re-elected to the same office for the six years commencing March 4, 1901.

This is the splendid ladder he climbed. His life is another exemplification of a self-made man. It will stand as an inspiration and worthy of emulation by ambitious youth, and even of statesmen of maturer years.

Great wealth and social position are the means by which political positions are sometimes attained. John H. Gear possessed neither of these. He won position and fame by reason of his sound common sense, his frank, open, genial disposition, his remarkable energy, his strength of memory, his power to measure the qualities and traits of character of others, and his manly, straightforward business methods. It will not be claimed for him that he was a great orator. But the time has passed when a man's influence is measured by his powers of oratory. True the sentimental and emotional element still abide with us, and they are sometimes aroused by the charm of eloquence and the magic spell of oratory to such a pitch that reason loses its supremacy and the mind becomes as clay in the hands of the potter. But such influence is ephemeral and lasts only till reason can resume its natural supremacy.

John H. Gear was a man of influence. In his palmy days he was a good speaker; his methods were direct, forcible and logical. As a campaign speaker he carried great weight by reason of his direct methods, the information which his speeches contained and his absolute sincerity.

He was an optimist, always cheerful, genial and companionable. He was loved and honored by his neighbors and by those who knew him best, for his manly and noble traits of character. In public life he was industrious and faithful to every trust, true to every interest of his adopted state which he loved so well. He was a patriot, a faithful friend to the old soldiers, an honest man. His friends were legion; he had no enemies.

In many respects his life was a remarkable one and illustrates anew the honors and achievements which are attainable by the laudably ambitious young man of the great republic under our free and beneficent system of government.

In the days to come, Iowa may produce other men equally gifted and patriotic, but the days will be many ere she produces one more loyal to her interests or more faithful to her people than was John H. Gear.

"Go search the land of living man
Where shall we find his like again?"

Senator Trewin also spoke feelingly and eloquently in favor of the resolution.

On motion of Senator Ball the resolution was unanimously adopted by a rising vote.

Senator Harper moved that the remarks of Senator Blanchard and Senator Trewin be printed in the Journal.

Carried.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 77, a bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of acts of the Twenty-eighth General Assembly, in relation to the inspection and use of products of petroleum.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 221, a bill for an act to amend section twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns the following bill, Senate file No. 275, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge of inmates of the industrial schools.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked.

Senate file No. 260, a bill for an act to amend sections thirteen hundred twenty-eight (1328) and thirteen hundred twenty-nine (1329) of the code, and to amend sections 3 and 4 of chapter 42, acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and

telephone companies, and requiring said companies to file with the county auditors maps and schedules of their lines.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refused to concur in Senate amendments to House file No. 78, a bill for an act to amend section seventeen hundred twenty-six (1726) of the code, in relation to notes taken for policies of insurance.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 211, a bill for an act to amend chapter one hundred two (102) of the acts [of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for women.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal School at Cedar Falls.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House concurred in Senate amendments to House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand twenty-six (2026) of the code, relating to such railways.

Read first and second time and, on motion of Senator Court-right, by unanimous consent, House file No. 248 was taken up at this time.

Senator Blanchard moved that the Senate adopt the amendments recommended by the conference committee, on House file No. 248.

Carried.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Senators Alexander, Brighton, Classen, Crawford, Crossley, Harriman, Healy, Junkin, Tallman, Townsend, Winne—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House file No. 255, a bill for an act to amend section seven hundred twenty-five (725) of the code, relating to the powers of cities and towns, and to authorize cities and towns to prescribe regulations relating thereto, and to fix and regulate telephone rates for service.

Read first and second time and referred to committee on Telegraph and Telephones.

Senate file No. 72, a bill for an act amending sections thirteen hundred seventy (1370), thirteen hundred seventy-one (1371) and thirteen hundred seventy-three (1373) of the code, relating to equalization of taxes and appeals from the local boards of review, applicable to cities acting under special charters.

Passed on file.

Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts.

Passed on file.

Senate file No. 25, a bill for an act to amend section seven hundred twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

Passed on file.

Senate file No. 253, a bill for an act to amend sections nineteen hundred forty-six (1946), nineteen hundred forty-eight (1948) and nineteen hundred fifty-one (1951) of the code, relating to levees, drains and water courses.

Passed on file.

House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others.

Read first and second time and referred to committee on Cities and Towns.

Concurrent resolution authorizing and recommending the conditional pardon of John Bellew.

Placed on file.

Concurrent resolution authorizing and recommending the conditional pardon of F. Joseph McCreary.

Placed on file.

Concurrent resolution authorizing and recommending the conditional pardon of Theodore Bushick.

Passed on file.

Concurrent resolution authorizing and recommending the conditional pardon of George Stanley.

Passed on file.

Concurrent resolution authorizing and recommending the conditional pardon of Otto Otten.

Referred to committee on Penitentiaries and Pardons.

Concurrent resolution authorizing and recommending the conditional pardon of William Young.

Referred to committee on Penitentiaries and Pardons.

Senate file No. 211, a bill for an act to amend sections twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the code.

Passed on file.

Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of products of petroleum.

Passed on file.

House file No. 77, a bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation.

Passed on file.

Senator Whipple moved that the Senate substitute the concurrent resolution as messaged from the House for Senate concurrent resolutions, relative to the pardon of Theodore Bushick.

Carried.

Senator Whipple moved to adopt the concurrent resolution as messaged from the House.

A roll call was demanded.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Moffit, Porter, Smith of Des Moines, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Arthaud, Brighton, Classen, Crawford, Harriman, Hogue, Hopkins, Maytag, Molsberry, Smith of Mitchell, Tallman, Townsend—13.

So the concurrent resolution, having received a majority, was declared to have passed the Senate.

HOUSE MESSAGE CONSIDERED.

Senate file No. 275, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge of inmates of the industrial schools.

Passed on file.

THIRD READING OF BILLS.

On motion of Senator Trewin, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit Porter, Smith of Des Moines, Trewin, Whipple, Wilson, Young of Washington—38.

The nays were:

Senators Molsberry, Young of Lee—2.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Hartshorn, Hogue Smith of Mitchell, Spaulding, Tallman, Townsend, Winne—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of

a non-resident insane person, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Lewis, Lister, Mardis, Moffit, Molsberry, Porter, Smith of Mitchell, Trewin, Whipple, Winne, Young of Lee, Young of Washington—37.

The nays were:

Senators Lambert, Lyons—2.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Hogue, Hopkins, Maytag, Smith of Des Moines, Spaulding, Tallman, Townsend, Winne—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEES.

Senator Griswold, from the committee on Building and Loan, submitted the following report:

MR. PRESIDENT—Your committee on Building and Loan, to whom was referred Senate file No. 343, a bill for an act to amend chapter thirteen (13) of the code, and chapter sixty-nine (69) of the acts of the Twenty-ninth General Assembly, relating to building and loan associations and defining and regulating the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

H. J. GRISWOLD,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report :

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 339, a bill for an act for compulsory education of deaf mutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to committee on Charitable Institutions.

JAMES J. CROSSLEY,

Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report :

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 75, a bill for an act governing the election of city superintendent of schools and defining their duties in cities of three thousand or more, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,

Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 164, a bill for an act to repeal chapter one hundred nine (109), acts of the Twenty-eighth General, relative to teaching vocal music in the public schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,

Chairman.

Adopted.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report.

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. W. LISTER,

Chairman.

Ordered passed on file.

On request of Senator Griswold, by unanimous consent, Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating the same, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Healy offered the following amendment and moved its adoption: "Amend by striking out section 11 and change section 12 so it shall read as section 11."

Adopted.

Senator Ball offered the following amendment and moved its adoption: Amend section two by inserting after the word "mortgages," in the eleventh line of the bill, the following words, "and negotiable notes in the same amount secured thereby."

Carried.

Senator Ball offered the following amendment and moved its adoption:

Amend section 1 by inserting after the word estate, in the tenth line of the bill, the words "or personal property "

Also, amend section 1 by striking out the word "both," in the eleventh line of the bill and inserting the following words; "any or all of such purposes" in lieu thereof.

Carried.

The bill was read for information.

Senator Griswold moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tall-

man, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—44.

The nays were:

Senator Hogue.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Junkin, Townsend—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Smith of Mitchell moved that the time of adjournment be extended ten minutes to consider House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

Senate file No. 260, a bill for an act to amend sections thirteen hundred twenty-eight (1328), thirteen hundred twenty-nine (1329) of the code, and to amend sections three (3), four (4) of chapter forty-two (42), acts of the Twenty-eighth General Assembly, relating to reports by, and taxation of telegraph and telephone companies and requiring said companies to file with county auditors maps and schedules of their lines.

Placed upon the calendar.

House file No. 78, a bill for an act to amend section seventeen hundred twenty-six (1726) of the code, in relation to notes taken for policies of insurance.

Passed on file.

House file No. 211, a bill for an act to amend chapter one hundred two (102) of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for women.

Read first and second time and referred to committee on Appropriations.

House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal School at Cedar Falls, Iowa.

Senators Bachman, Ball, Brighton, Crawford, Garst, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Junkin, Lyons, Molsberry, Townsend—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 10, a bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 153, a bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 438, a bill for an act to amend section thirty-three hundred five (3305) of the code, relating to limitation of time for granting letters of administration on estates of decedents.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate concurrent resolution:

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of Senate file No. 280, a bill for an act for 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.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House has appointed the following as a conference committee on the part of the House on House file No. 78, a bill for an act amendatory of and additional to section seventeen hundred and twenty-six (1726) of the code, relating to notes taken for insurance other than life, Sweet of Bremer, Jones of Mahaska, Lyman of Poweshiek, Furry of Hardin.

C. R. BENEDICT,
Chief Clerk.

Senator Hobart moved that the rule be suspended and that House file No. 252 be taken up at this time.

A roll call was demanded.

On the question, Shall the rule be suspended?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bishop, Brooks, Bruce, Classen, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harri- man, Hartshorn, Hazelton, Hobart, Hogue, Junkin, Mardis, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Wil- son, Young of Lee, Young of Washington—26.

The nays were:

Senators Harper, Lewis, Moffit, Porter, Spaulding, Tallman—6.

Absent or not voting:

Senators Bachman, Ball, Blanchard, Brighton, Courtright, Crawford, Garst, Hayward, Healy, Hopkins, Hubbard, Lambert, Lister, Lyons, Maytag, Molsberry, Townsend, Winne—18.

So the motion prevailed.

Senator Ball requested that the Journal show that had he been present he would have voted "aye" on House file No. 418.

On motion of Senator Hobart, House file No. 252, a bill for an act to define and regulate the practice optometry and for the creation of a board of examiners in optometry, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Healy moved that the bill be re-referred to the committee on Public Health.

A roll call was demanded.

On the question, Shall the bill be so referred?

The yeas were:

Senators Ball, Courtright, Garst, Harper, Healy, Maytag, Porter, Spaulding, Tallman—9.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Brooks, Bruce, Classen, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harri-man, Hartshorn, Hazelton, Hobart, Hopkins, Junkin, Lewis, Mardis, Molsberry, Smith of Mitchell, Whipple, Winne, Young of Lee, Young of Washington—26.

Absent or not voting:

Senators Bishop, Blanchard, Brighton, Crawford, Hayward, Hogue, Hubbard, Lambert, Lister, Lyons, Moffit, Smith of Des Moines, Townsend, Trewin, Wilson—15.

So the motion to re-refer was lost.

Senator Courtright offered the following amendment and moved its adoption:

I move to amend section five (5) of the bill by striking from the first line thereof the following words, "at the capitol building."

Carried.

Senator Courtright offered the following amendment and moved its adoption:

Amend section 16 of the bill by adding thereto the following: "And in no case shall the said board incur expenses beyond the amount received from examinations, certificates and renewals thereof.

Carried.

Senator Ball offered the following amendment and moved its adoption:

Amend section 15 by striking out the following words in the third and fourth lines of the bill: "without attempting to traffic upon assumed skill in adapting them to the eye.

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to amend section fifteen (15) by striking out the words "over the counter as ordinary merchandise" in second and third lines thereof.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Bishop, Brooks, Harper, Healy, Lister, Lyons, Maytag, Spaulding, Tallman, Trewin—10.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Crossley, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Molsberry, Smith of Mitchell, Whipple, Young of Lee, Young of Washington—28.

Absent or not voting:

Senators Blanchard, Brighton, Courtright, Crawford, Garst, Hayward, Lambert, Moffit, Porter, Townsend, Wilson, Winne—12.

So the amendment was lost.

Senator Lister offered the following amendment and moved its adoption:

I move to amend section three (3) by striking out the word "five" and figure "5", in line 4, and inserting the word "three" and figure "3" in lieu thereof.

Senator Courtright offered the following amendment to the amendment offered by Senator Lister and moved its adoption:

I move to amend the bill by striking therefrom section three (3) and substituting therefor the following:

The state board of medical examiners is hereby declared and made a state board of examiners in optometry, whose duty it shall be to carry out the provisions of this act.

Senator Hobart rose to the point of order that the amendment as offered by Senator Courtright was not germane to the question.

The President overruled the point of order.

On the question, "shall the amendment to the amendment be adopted," a roll call was demanded.

On the question, Shall the amendment to the amendment be adopted?

The yeas were:

Senators Alexander, Arthaud, Ball, Blanchard, Bruce, Courtright, Garst, Harper, Healy, Hubbard, Lambert, Lister, Lyons, Mardis, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Young of Lee—22.

The nays were:

Senators Allyn, Bachman, Bishop, Brooks, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hogue, Hopkins, Junkin, Lewis, Moffit, Molsberry, Smith of Des Moines, Whipple, Winne, Young of Washington—22.

Absent or not voting:

Senators Brighton, Crawford, Crossley, Hayward, Hobart, Townsend—6.

So the amendment was lost.

Senator Dowell moved the previous question.

A roll call was demanded.

On the question, Shall the main question be now put?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Young of Washington—24.

The nays were:

Senators Bishop, Blanchard, Brooks, Courtright, Garst, Harper, Healy, Lambert, Lyons, Maytag, Moffit, Porter, Smith of

Mitchell, Spaulding, Tallman, Trewin, Whipple, Winne, Young of Lee—19.

Absent or not voting.

Senators Brighton, Crawford, Crossley, Hayward, Lister, Townsend, Wilson—7.

So the motion prevailed.

Senator Trewin moved that the Senate do now adjourn.

A roll call was demanded.

On the question, Shall the Senate adjourn?

The yeas were:

Senators Blanchard, Courtright, Garst, Healy, Lambert, Lyons, Moffit, Porter, Spaulding, Tallman, Trewin—11.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harper, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Molsberry, Smith of Des Moines, Winne, Young of Washington—27.

Absent or not voting:

Senators Brighton, Brooks, Crawford, Crossley, Harriman, Hayward, Maytag, Smith of Mitchell, Townsend, Winne, Wilson, Young of Lee—12.

So the motion to adjourn was lost.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

Also, Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code, as amended, relating to certain powers of cities and towns.

Also, Senate file No. 243, a bill for an act to amend section eight hundred sixty (860), eight hundred sixty-one (861) and eight hundred sixty-two (862) of the code, relating to the voting of taxes for the purchase of real estate for parks and constructing dams and improvements of parks and

rivers, condemning real estate for parks and jurisdiction of cities having a population under twenty thousand (20,000) and towns, over parks without their corporate limits.

Also, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

E. K. WINNE,
Chairman.

April 8, 1903.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 197, a bill for an act relating to the powers of boards of health and health officers and the erection and maintenance of pesthouses and hospitals in certain cases.

Also, Senate joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of said constitution, and proposing to adopt the following in lieu thereof.

E. K. WINNE,
Chairman Senate Committee,
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 197, a bill for an act relating to the powers of boards of health and health officer and the erection and maintenance of pesthouses and hospitals in certain cases.

E. K. WINNE,
Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 197, a bill for an act relating to the powers of boards of health and health officers and the erection and maintenance of pesthouses and hospitals in certain cases.

Also, Senate joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of said constitution, and proposing to adopt the following in lieu thereof.

E. K. WINNE,
Chairman.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 292, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.

Also, House file No. 35, a bill for an act to repeal section two hundred fifty-four (254) of the code, relating to compensation of shorthand reporters, and enacting a substitute therefor.

Also, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, Iowa, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof and to fix the limits of said town.

Also, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances.

Also, House file No. 162, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to time of meetings for local boards of health.

Also, House file No. 273, a bill for an act to amend section six hundred and sixty-one (661) and section six hundred and seventy-four (674) of the code, relating to assessors in cities and towns.

Also, House file No. 416, a bill for an act to amend sections seven hundred and seventy-one (771), seven hundred and seventy-three (773) and seven hundred and seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways.

Also, House file No. 331, a bill for an act requiring railroad companies to file plats of all lines of railroad owned or operated in the several counties of the state of Iowa with county auditors, amendatory of the provisions of chapter one (1), title seven (7) of the code, relating to the assessment of taxes.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Healy moved that the Senate do now adjourn.

A roll call was demanded.

On the question, Shall the Senate adjourn?

The yeas were:

Senators Blanchard, Brooks, Courtright, Garst, Harper, Healy, Lambert, Lyons, Maytag, Moffit, Porter, Spaulding, Tallman, Trewin, Wilson, Winne, Young of Lee—17.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Harts-horn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Molsberry, Smith of Des Moines, Smith of Mitchell, Whipple, Young of Washington—27.

Absent or not voting:

Senators Bishop, Brighton, Crawford, Crossley, Hayward, Townsend—6.

So the motion to adjourn was lost.

The President announced that he had signed, in the presence of the Senate, Senate file No. 197, Senate joint resolution No. 4, House files Nos. 367, 408, 35, 293, 275, 415, 331, 162.

Senator Smith of Mitchell moved that when the Senate adjourn it be until 7:45 this evening.

A roll call was demanded.

On this question.

The yeas were:

Senators Alexander, Brooks, Courtright, Craig, Fitchpatrick, Harriman, Hubbard, Lambert, Lister, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Wilson, Young of Lee, Young of Washington—17.

The nays were:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Bruce, Classen, Dowell, Garst, Griswold, Harper, Hartshorn,

Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lewis, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Trewin, Whipple, Winne—28.

Absent or not voting:

Senators Brighton, Crawford, Crossley, Hayward, Townsend—5.

So the motion was lost.

The President announced the question to be on the amendment of Senator Lister.

Senator Healy moved that the amendment of Senator Lister to Senate file No. 252 be laid on the table.

On the motion to lay upon the table.

The yeas were:

Senators Bishop, Blanchard, Bruce, Garst, Harper, Healy, Lambert, Lister, Lyons, Maytag, Porter, Spaulding, Tallman, Trewin, Young of Lee—15.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brooks, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Smith of Mitchell, Whipple, Wilson, Young of Washington—26.

Absent or not voting:

Senators, Brighton, Courtright, Crawford, Crossley, Hayward, Hubbard, Moffit, Townsend, Winne—9.

So the motion to lay on the table was lost.

Senator Porter moved that the Senate do now adjourn until 9:15 tomorrow morning.

A roll call was demanded.

On this question, Shall the motion prevail?

The yeas were:

Senators Blanchard Brooks, Courtright, Garst, Harper, Hartshorn, Hubbard, Lambert, Lyons, Mardis, Maytag, Moffit, Porter,

Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Winne, Young of Lee—20.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Hazelton, Healy, Hobart, Hogue, Hopkins, Junkin, Lewis, Lister, Molsberry, Smith of Des Moines, Whipple, Young of Washington—25.

Absent or not voting:

Senators Brighton, Crawford, Crossley, Hayward, Townsend—5.

So the motion to adjourn was lost.

The question was on the amendment offered by Senator Lister.

A roll call was demanded.

On the question, Shall the amendment offered by Senator Lister be adopted?

The yeas were:

Senators Ball, Bishop, Blanchard, Brooks, Courtright, Garst, Harper, Healy, Lambert, Lister, Lyons, Maytag, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Winne—20.

The nays were:

Senators Allyn, Arthaud, Bachman, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Young of Lee, Young of Washington—22.

Absent or not voting:

Senators Alexander, Brighton, Crawford, Crossley, Hayward, Hubbard, Townsend, Wilson—8.

So the amendment was lost.

Senator Hobart moved that the rules be suspended, and the bill be read a third time now.

A roll call was demanded.

On the question, Shall the bill be read a third time now?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Harts-horn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Whipple, Young of Washington—25.

The nays were:

Senators Bishop, Brooks, Garst, Healy, Lambert, Lister, Maytag, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Wil-son—13.

Absent or not voting:

Senators Blanchard, Brighton, Courtright, Crawford, Crossley, Harper, Hayward, Lyons, Moffit, Townsend, Winne, Young of Lee—12.

So the motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Harts-horn, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Jun-kin, Lewis, Mardis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Young of Lee, Young of Washington—30.

The nays were:

Senators Bishop, Brooks, Lister, Porter, Spaulding—5.

Absent or not voting:

Senators Blanchard, Brighton, Courtright, Crawford, Crossley, Garst, Harper, Hayward, Lambert, Lyons, Maytag, Tallman, Townsend, Wilson, Winne—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Lewis moved that the vote by which House file No. 252 passed the Senate be reconsidered.

Senator Dowell moved, that the motion lay on the table.

A roll call was demand.

On this question.

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harper, Harri- man, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Whip- ple, Wilson, Young of Lee, Young of Washington—28.

The nays were:

Senators Brooks, Courtright, Healy, Lambert, Lister, Mols- berry, Smith of Des Moines, Whipple, Wilson, Young of Lee, Young of Washington—11.

Absent or not voting:

Senators Bishop, Blanchard, Brighton, Crawford, Crossley, Garst, Hayward, Lyons, Maytag, Smith of Mitchell, Townsend —11.

So the motion to lay on the table prevailed.

Senator Mardis moved that the Senate do now adjourn.

Carried.

Senate adjourned.

On the question, Shall the bill be read a third time now?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Harts-horn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Whipple, Young of Washington—25.

The nays were:

Senators Bishop, Brooks, Garst, Healy, Lambert, Lister, May-tag, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Wil-son—13.

Absent or not voting:

Senators Blanchard, Brighton, Courtright, Crawford, Crossley, Harper, Hayward, Lyons, Moffit, Townsend, Winne, Young of Lee—12.

So the motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harriman, Harts-horn, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Jun-kin, Lewis, Mardis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin, Whipple, Young of Lee, Young of Washington—30.

The nays were:

Senators Bishop, Brooks, Lister, Porter, Spaulding—5.

Absent or not voting:

Senators Blanchard, Brighton, Courtright, Crawford, Crossley, Garst, Harper, Hayward, Lambert, Lyons, Maytag, Tallman, Townsend, Wilson, Winne—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Lewis moved that the vote by which House file No. 252 passed the Senate be reconsidered.

Senator Dowell moved, that the motion lay on the table.

A roll call was demand.

On this question.

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bruce, Classen, Craig, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Mardis, Molsberry, Smith of Des Moines, Whipple, Wilson, Young of Lee, Young of Washington—28.

The nays were:

Senators Brooks, Courtright, Healy, Lambert, Lister, Molsberry, Smith of Des Moines, Whipple, Wilson, Young of Lee, Young of Washington—11.

Absent or not voting:

Senators Bishop, Blanchard, Brighton, Crawford, Crossley, Garst, Hayward, Lyons, Maytag, Smith of Mitchell, Townsend—11.

So the motion to lay on the table prevailed.

Senator Mardis moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
Des Moines, Saturday, April 5, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Father Lenihan of Marshalltown, Iowa.

On request of Senator Young of Washington, leave of absence was granted Senator Crawford until Monday.

On request of Senator Dowell, leave of absence was granted Senator Winne until Monday.

On request of Senator Dowell, leave of absence was granted Senator Crossley until Tuesday.

HOUSE MESSAGES CONSIDERED.

Senate file No. 95, a bill for an act to amend section thirty-two hundred eighty-seven (3287) of the code, relating to the recording of wills.

Passed on file.

House asks return of Senate file No. 230, a bill for an act for 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 penalties for violation thereof.

Passed on file.

House indefinitely postpones Senate file No. 61, a bill for an act to amend section thirty-one hundred seventy-four (3174) of the code, relating to divorces.

Passed on file.

House refuses to concur in Senate amendments to House file No. 225, a bill for an act to amend section three hundred eight (308) of the code and enact a substitute therefor, relating to the compensation of county attorneys.

Passed on file.

Senate file No. 316, a bill for an act to amend section thirty-six hundred fifty-one (3651) of the code, relating to method of trial in ordinary action, after reversal in supreme court.

Passed on file.

Senate file No. 273, a bill for an act to repeal chapter sixty-nine (69) of the laws of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa and enacting a substitute therefor.

Passed on file.

House has concurred in Senate concurrent resolution authorizing and recommending the conditional parole of John Wesley Elkins.

Passed on file.

House file No. 438, a bill for an act to amend section thirty-three hundred five (3305) of the code, relating to limitation of time for granting letters of administration on estates of decedents.

Read first and second time and referred to committee on Judiciary.

Senate file No. 153, a bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Passed on file.

Senate file No. 10, a bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the tax-

able property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa.

Passed on file.

House file No. 78, a bill for an act amendatory of and additional to section seventeen hundred twenty-six (1726) of the code, relating to notes taken for insurance other than life.

Passed on file.

Senator Mardis moved that we grant the request of the House in regard to return of Senate file No. 230.

Carried.

Senator Ball moved that the Senate concur in House amendment to Senate file No. 10.

On the question, Shall the Senate concur in House amendment to Senate file No. 10?

The yeas were:

Senators Alexander, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Bishop, Brighton, Crawford, Crossley, Garst, Hayward, Healy, Hobart, Hogue, Hopkins, Junkin, Spaulding, Townsend, Winne—16.

So the bill as amended, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Fitchpatrick moved that the Senate concur in the House amendments to Senate file No. 153.

On the question, Shall the Senate concur in House amendments to Senate file No. 153?

The yeas were:

Senators Alexander, Bachman, Ball, Brooks, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hazelton, Hobart, Hogue, Hopkins, Lister, Mardis, Molsberry, Spaulding, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—26.

The nays were:

Senators Arthaud, Harper, Lambert, Lewis, Lyons, Porter, Smith of Des Moines, Smith of Mitchell, Tallman—9.

Absent or not voting:

Senators Allyn, Bishop, Brighton, Brooks, Crawford, Crossley, Hartshorn, Hayward, Healy, Hubbard, Junkin, Maytag, Moffit, Townsend, Winne—15.

So the bill as amended, having received a constitutional majority, was declared to have passed the Senate and its amendments agreed to.

Senator Whipple called up Senate concurrent resolution, relative to the pardon or parole of George Stanley.

Senator Whipple moved that the Senate substitute House concurrent resolution for the Senate concurrent resolution.

Carried.

Senator Whipple moved the adoption of the House concurrent resolution.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Senators Alexander, Bachman, Bishop, Birchard, Brooks, Bruce, Classen, Courtright, Craig, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hubbard, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Tallman, Trewin, Whipple, Young of Lee, Young of Washington—33.

The nays were:

Senators Dowell, Junkin, Lyons, Smith of Mitchell, Wilson—5.

Absent or not voting:

Senators Allyn, Arthaud, Ball, Brighton, Crawford, Crossley, Hayward, Healy, Hopkins, Spaulding, Townsend, Winne—12.

So the concurrent resolutions, having received a majority, was adopted.

Senator Whipple called up the Senate concurrent resolution, relative to the pardon or parole of Joseph McCreary and moved to substitute the House concurrent resolution for the Senate concurrent resolution.

Carried.

Senator Whipple moved the adoption of the House concurrent resolution.

On the question, Shall the concurrent resolutions be adopted:

The yeas were:

Senators Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Whipple, Young of Lee, Young of Washington—32.

The nays were:

Senators Moffit, Tall

Absent or not voting:

Senators Alexander, Arthaud, Brighton, Craig, Crawford, Crossley, Hayward, Healy, Hopkins, Molsberry, Smith of Mitchell, Spaulding, Townsend, Trewin, Wilson, Winne—16.

So the concurrent resolution, having received a majority, was adopted.

Senator Whipple called up Senate concurrent resolution, relative to the pardon or parole of William Young.

Senator Hubbard moved that the House concurrent resolution be substituted for Senate concurrent resolution.

Carried.

Senator Hubbard moved the adoption of the House concurrent resolution.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hubbard, Lambert, Lister, Mardis, Maytag, Molsberry, Porter, Smith of Des Moines, Trewin, Whipple, Young of Lee, Young of Washington—30.

The nays were:

Senators Dowell, Tallman, Wilson—3.

Absent or not voting:

Senators Arthaud, Brighton, Craig, Crawford, Crossley, Garst, Hayward, Healy, Hopkins, Junkin, Lewis, Lyons, Moffit, Smith of Mitchell, Spaulding, Townsend, Winne—17.

So the concurrent resolution, having received a majority, was adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution relative to appointing a joint committee to examine and report upon the expediency of purchasing the portrait of the late Senator Harlan.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 302, a bill for an act making an appropriation for the fish and game commission of the state of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 866, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 107, a bill for an act to amend section twenty-six hundred eight (2608) of the code, providing additional support for the Soldiers' Home at Marshalltown.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 482, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 285, a bill for an act to amend section two thousand eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 115, a bill for an act to amend section thirteen hundred thirty-three (1333) of the code, relating to assessment of taxes upon foreign insurance companies.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. SPEAKER—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

I move to amend Senate file No. 207 by striking out the words "be it enacted by the general assembly of the state of Iowa."

A roll call was demanded.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Alexander, Allyn, Bishop, Bruce, Craig, Garst, Griswold, Harriman, Hartshorn, Hogue, Hopkins, Junkin, Lewis, Lyons, Mardis, Moffit, Porter, Spaulding, Tallman, Wilson, Young of Washington—21.

The nays were:

Senators Bachman, Ball, Blanchard, Brooks, Classen, Court-right, Dowell, Harper, Hazelton, Hubbard, Lister, Molsberry, Smith of Mitchell, Trewin, Whipple—15.

Absent or not voting:

Senators Arthaud, Brighton, Crawford, Crossley, Fitchpatrick, Hayward, Healy, Hobart, Lambert, Maytag, Smith of Des Moines, Townsend, Winne, Young of Lee—14.

So the amendment was adopted.

Senator Hazelton moved that when the Senate adjourned it be to meet at 2 o'clock P. M. today.

Carried.

Senator Garst moved the time for adjournment be extended until the Journal of Thursday, April 3d, be corrected.

Carried.

The Journal of Thursday April 3d was taken up, corrected and approved.

The President *pro tem* declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock, P. M., President *pro tem* Harriman presiding.

Carried.

Senator Lewis offered the following amendment and moved its adoption:

Amend by adding as section 18, the following: "To provide for the expenses of the inspection herein required there is hereby appropriated the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary from any funds of the state treasury, not otherwise appropriated."

Carried.

Senator Courtright offered the following amendment and moved its adoption:

Amend section 5 by adding thereto the following: "except that no bond shall be required to stay proceedings."

Carried.

Senator Harriman moved that the rules be suspended, and the the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Bruce, Classen, Courtright, Craig, Dowell, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lewis, Lister, Mardis, Molsberry, Smith of Mitchell, Trewin, Whipple, Young of Lee—27.

The nays were:

Senator Bishop.

Absent or not voting:

Senators Arthaud, Brighton, Brooks, Crawford, Crossley, Fitchpatrick, Garst, Hayward, Healy, Junkin, Lambert, Lyons, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Wilson, Winne, Young of Washington—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 158, a bill for an act to repeal chapter ninety-nine (99) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state, for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Also, Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state, for the erection, repair and improvement of buildings for the State University of Iowa.

E. K. WINNE,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 25, a bill for an act to amend section seven hundred twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

Also, Senate file No. 72, a bill for an act to amend section one thousand and four (1004) of the code, in reference to levying taxes in special charter cities.

Also, Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts.

Also, Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.

Also, Senate file No. 221, a bill for an act to amend section two thousand five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

Also, Senate file No. 258, a bill for an act to amend sections one thousand nine hundred forty-six (1946), one thousand nine hundred forty-eight (1948) and one thousand nine hundred fifty-one (1951) of the code, relating to levees, drains and water courses.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—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 repeal chapter ninety-nine (99) of the acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state, for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Also, Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state, for the erection, repair, improvement of buildings for the State University of Iowa.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 25, a bill for an act to amend section seven hundred and twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

Also, Senate file No. 72, a bill for an act to amend section one-thousand and four (1004) of the code, in reference to levying taxes in special charter cities.

Also, Senate file No. 167, a bill for an act to amend section twenty-seven hundred and ninety-four (2794) of the code of Iowa, relating to the organization of independent districts.

Also, Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.

Also, Senate file No. 221, a bill for an act to amend section two thousand five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

Also, Senate file No. 253, a bill for an act to amend sections one thousand nine hundred forty-six (1946), one thousand nine hundred forty-eight (1948) and one thousand nine hundred fifty-one (1951) of the code, relating to levees, drains and water courses.

E. K. WINNE,
Chairman House Committee.
J. P. LYMANN,
Chairman Senate Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 52, a bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor.

Also, House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673) of the code, relating to the reports and making appropriation for the Horticultural society.

Also, House file No. 138, a bill for an act to amend chapter 1, title 8 of the code, relating to the organization of the supreme court.

Also, House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

Also, House file No. 77, a bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation.

Also, House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk, and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town.

Also, House file No. 228, a bill for an act to provide for the admission of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood, and the maintenance thereof.

Also, House file No. 350, a bill for an act to amend section sixty-five (65), chapter one (1) of the code, in relation to the salary of the governor.

Also, House file No. 249, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and

amending section two thousand twenty-six (2026) of the code, relating to such railways.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Mardis moved that the Senate take up House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

Substitute for Senate file No. 230, a bill for an act for the preservation of life and protection of property and 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.

Senator Mardis moved that the Senate concur in the House amendments to substitute for Senate file No. 230.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Bruce, Classen, Courtright, Dowell, Harper, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Molsberry, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Young of Lee—29.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Brighton, Brooks, Craig, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Healy, Junkin, Maytag, Moffit, Porter, Smith of Des Moines, Townsend, Winne, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate as amended and its title agreed to.

House file No. 208, a bill for an act to defray the cost of inspecting county and private institutions in which insane persons are kept.

Read first and second time and referred to committee on Appropriations.

House file No. 209, a bill for an act to appropriate money in aid of the quarterly conferences of the board of control and executive officers of state institutions.

Read first and second time and referred to committee on Appropriations.

House file No. 342, a bill for an act to amend section nine hundred fifteen (915) of the code, relating to the recording and certification of plats.

Read first and second time and referred to committee on Judiciary.

Senate file No. 254, a bill for an act repealing section one hundred sixty-one (161) of the code, and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine system of records and accounts to be kept by state officers under certain conditions.

Passed on file.

Substitute for Senate file No. 37, a bill for an act to amend section 1272 of the code, relating to filling of vacancies in certain offices.

Passed on file.

Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee.

Passed on file.

House file No. 52, a bill for an act making it a crime to advise, counsel or employ another to commit murder and fixing the punishment thereof.

Read first and second time and passed on file.

House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673), chapter three (3), title nine (9) of the code.

Read first and second time and passed on file.

Senate file No. 115, a bill for an act to amend section thirteen hundred thirty-three (1333) of the code, relating to assessment of taxes upon foreign insurance companies.

Passed on file.

Substitute for Senate file No. 156, a bill for an act to amend section thirty-two hundred fifty-three (3253) of the code, relating to the rights, duties and relations between parent and child by adoption.

Passed on file.

Substitute for Senate file No. 125, a bill for an act to amend section three hundred fifty-five (355), chapter twelve (12), title three (3) of the code, providing form and bond to be given under the requirements of this section.

Passed on file.

Substitute for Senate file No. 155, a bill for an act fixing the rules of decent in respect to the property or real estate of children by adoption who die intestate, without issue.

Passed on file.

Senate file No. 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, in relation to limit of liabilities of banks.

Passed on file.

Senator Lewis moved that the Senate concur in the House amendments to Senate file No. 187.

On the question, Shall the Senate concur?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Classen, Courtright, Dowell, Garst, Griswold, Harper, Hazelton, Hobart, Hogue, Hopkins, Lambert, Lewis, Lister, Lyons, Mardis, Porter, Smith of Mitchell, Spaulding, Trewin, Whipple, Wilson, Young of Lee—28.

The nays were:

Senator Tallman.

Absent or not voting:

Senators Arthaud, Brighton, Brooks, Bruce, Craig, Crawford, Crossley, Fitchpatrick, Harriman, Hartshorn, Hayward, Healy, Hubbard, Junkin, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Winne, Young of Washington—21.

So the amendments were concurred in and the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senate file No. 285, a bill for an act to amend section twenty hundred eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

Passed on file.

House file No. 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas.

Read first and second time and referred to committee on Schools.

House file No. 107, a bill for an act to amend section twenty-six hundred eight (2608) of the code and provide additional support for the Soldiers' Home at Marshalltown.

Read first and second time and referred to committee on Appropriations.

House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examinations and control.

Read first and second time and referred to committee on Judiciary.

House file No. 302, a bill for an act making appropriation for the fish and game commission of the state of Iowa.

Read first and second time and referred to committee on Appropriations.

Concurrent resolution, relative to appointing a joint committee to examine and report upon the expediency of purchasing portrait of the late Senator Harlan.

Senator Trewin moved that the concurrent resolution relative to the portrait of the late Senator Harlan be considered at this time.

Senator Trewin moved to amend the resolution by changing the number of Senators on the committee from two to three.

Carried.

The resolution as amended was adopted.

On motion of Senator Trewin, House file No. 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examiners of applicants for state certificates and diplomas, was taken up and considered.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Ball, Bishop, Blanchard, Bruce, Classen, Courtright, Dowell, Garst, Griswold, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Young of Lee—29.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bachman, Brighton, Brooks, Craig, Crawford, Crossley, Fitchpatrick, Harper, Harriman, Hayward, Healy, Hogue, Junkin, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Winne, Young of Washington—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Dowell moved that the Senate recede from its amendments to House file No. 225.

A roll call was demanded.

On the question, Shall the Senate recede?

The yeas were:

Senators Ball, Blanchard, Bruce, Courtright, Dowell, Griswold, Hogue, Hopkins, Lewis, Mardis, Trewin—11.

The nays were:

Senators Alexander, Allyn, Bachman, Bishop, Classen, Garst, Hartshorn, Hubbard, Lambert, Lister, Lyons, Porter, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Young of Lee—18.

Absent or not voting:

Senators Arthaud, Brighton, Brooks, Craig, Crawford, Crossley, Fitchpatrick, Harper, Harriman, Hayward, Hazelton, Healy, Hobart, Junkin, Maytag, Moffit, Molsberry, Smith of Des Moines, Townsend, Winne, Young of Washington—21.

So the motion was lost.

Senator Dowell moved that a conference committee on House file No. 225 be appointed on the part of the Senate.

Carried.

The President appointed as such committee on the part of the Senate, Senators Dowell, Bachman Lister and Lambert.

Senator Blanchard was excused by the Chair until Monday morning.

The President announced that he had signed, in the presence of the Senate, Senate files Nos. 25, 72, 167, 220, 221, 253, 10 and 153, and House files Nos. 386, 77, 424, 228, 350, 248, 52, 71 and 128

On motion of Senator Ball, House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and township officers, other than justices of the peace and constables, with report of committee recommending its passage was takdn up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Monday, April 7, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Alonzo C. Douglas of Des Moines, Iowa,

On request of Senator Alexander, leave of absence was granted Senator Harriman for the morning session.

On request of Senator Alexander, leave of absence was granted Senator Young of Washington for the morning session.

On request of Senator Hazelton, leave of absence was granted Senator Bachman for today.

On request of Senator Dowell, leave of absence was granted Senator Lewis for this forenoon.

On request of Senator Hopkins, leave of absence was granted Senator Bruce for the morning session.

PETITIONS AND MEMORIALS.

Senator Porter presented petition of citizens and business men of Centerville, favoring passage of Senate file No. 154; also presented petitions of mine workers, opposing any change in the present law.

Referred to committee on Ways and Means.

Senator Porter presented nine petitions of the various trade unions of Centerville, in favor of free text-books.

Referred to committee on Schools.

REPORT OF COMMITTEE.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 363, a bill for an act to amend section six hundred and forty-one (641) of the code, relative to dividing cities into wards, creating new ones, or 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 Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 436, a bill for an act to authorize the commander-in-chief to organize naval militia.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 232, a bill for an act to amend section 2581 of the code in relation to itinerant physicians.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to which the concurrence of the House was asked:

House file No. 135, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord, and fixing the penalty therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 418, a bill for an act to add to and amend section twenty-four hundred and eighty-nine (2489) of the code, relating to mines and mining.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 273, a bill for an act to repeal section two thousand eight hundred and twelve (2812) of the code, section one (1), chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the issuance of school bonds.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 451, a bill for an act legalizing the election of the city of Clinton, in favor of establishing of a free public library in said city.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 333, a bill for an act to amend sections 2448, 2449 and 2432 of chapter 6, title 12 of the code in relation to intoxicating liquors.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 271, a bill for an act to repeal section twenty-seven hundred one (2701) of the code and to enact a substitute therefor, relating to the compensation of the superintendent and assistants of the Institution for feeble-minded children.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

House file No. 163, a bill for an act to amend section two (2), chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, relating to the care and propagation of fish and game.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 308, a bill for an act appropriating money to reimburse Samuel Purcell for losses in the suppression of the Sioux Indian insurrection in Cherokee county, Iowa, upon the 5th day of August, 1861.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following conference committee report and amendments to House file No. 78, a bill for an act to amend section 1726 of the code, in relation to notes taken for policies of insurance.

C. R. BENEDICT,
Chief Clerk.

Senator Moffit moved that the Senate take up House file No. 321 at this time.

Carried.

THIRD READING OF BILLS.

On motion of Senator Moffit, House file No. 321, a bill for an act to amend sub-division three (3) of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Moffit moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Ball, Bishop, Brooks, Classen, Courtright, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harts-horn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard,

Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Bachman, Blanchard, Brighton, Bruce, Crossley, Harriman, Healy, Junkin, Lewis, Molsberry, Townsend, Young of Washington—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Smith of Mitchell moved that House file No. 374 be substituted for Senate file No. 206.

Carried.

On motion of Senator Smith of Mitchell, House file No. 374, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senate: Smith of Mitchell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Ball, Bishop, Brooks, Classen, Court-right, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Bachman, Blanchard, Brighton, Bruce, Crossley, Harriman, Healy, Junkin, Lewis, Molsberry, Townsend, Young of Washington—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Smith of Mitchell, Senate file No. 206, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance, with report of committee recommending its passage, was taken up, considered and indefinitely postponed, for the reason that a bill of similar character has already passed the Senate.

So the bill was indefinitely postponed.

On motion of Senator Maytag, Senate file No. 211, a bill for an act relating to the duties of the commissioner of the bureau of labor statistics, and repealing sections twenty-four hundred seventy (2470), twenty-four hundred seventy-two (2472) and twenty-four hundred seventy-four (2474), enacting others in lieu thereof, and to amend sections twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-seven (2477), with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Ball, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—34.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Bachman, Blanchard, Brighton, Bruce, Crossley, Garst, Griswold, Harriman, Healy, Hogue, Lewis, Molsberry, Townsend, Young of Washington—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Maytag, Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved the adoption of the following committee amendments:

Amend section four (4) by striking out the word "marshal"; also, amend section four (4) by striking out the words "or mercantile".

Carried.

Senator Maytag moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Ball, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Arthaud, Bachman, Blanchard, Brighton, Bruce, Crossley, Harriman, Hartshorn, Healy, Lewis, Smith of Mitchell, Townsend, Young of Washington—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hogue, Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same, with report of committee recommending amendments, was taken up and considered.

Senator Hogue moved the adoption of the committee amendments: Strike out sections 5 and 6 of the bill.

Carried.

Senator Trewin moved to strike out all after the word "code", in line 9 of section 2.

Carried.

Senator Hogue 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:

Senators Alexander, Ball, Brooks, Classen, Courtright, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lister, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—32.

The nays were:

Senators Bishop, Craig—2.

Absent or not voting.

Senators Allyn, Arthaud, Bachman, Blanchard, Brighton, Bruce, Crossley, Harriman, Healy, Junkin, Lambert, Lewis, Lyons, Smith of Mitchell, Townsend, Young of Washington—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Whipple, House file No. 343, a bill for an act providing that the civil actions authorized in section four thousand three hundred two (4302) of the code, may be brought in any county where a nuisance is committed in part, or in any county where any of the acts or effects constituting or requisite

to the consummation of a nuisance occur, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Whipple moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Ball, Bishop, Brooks, Fitchpatrick, Griswold, Hartshorn, Hobart, Hopkins, Lambert, Maytag, Molsberry, Porter, Smith of Des Moines, Tallman, Whipple, Wilson—18.

The nays were:

Senators Classen, Courtright, Craig, Crawford, Dowell, Garst, Harper, Hayward, Hubbard, Lister, Lyons, Mardis, Smith of Mitchell, Trewin—14.

Absent or not voting:

Senators Allyn, Bachman, Blanchard, Brighton, Bruce, Crossley, Harriman, Hazelton, Healy, Hogue, Junkin, Lewis, Moffit, Spaulding, Townsend, Winne, Young of Lee, Young of Washington—18.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Senator Mardis, House file No. 40, a bill for an act to amend section fifteen hundred thirty (1530) of the code in relation to the working of highways, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Mardis moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bishop, Brooks, Classen, Court, right, Craig, Crawford, Fitchpatrick, Garst, Griswold, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Winne—30.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Bruce, Crossley, Dowell, Harper, Harriman, Healy, Junkin, Lewis, Lister, Porter, Spaulding, Townsend, Wilson, Young of Lee, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, House file No. 92, a bill for an act defining the crime of the commission of crime as an occupation and providing the penalty therefor with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Ball, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne—37.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Blanchard, Brighton, Bruce, Crossley, Harriman, Healy, Junkin, Lewis, Townsend, Young of Lee, Young of Washington—13,

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hazelton, House file No. 287, a bill for an act to amend section four hundred and ninety-six (496) of the code, relating to the employment of additional help by county recorders, with report of committee recommending its passage was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Young of Lee offered the following amendment and moved its adoption:

I move to amend the bill by striking out of section 1 the words "forty thousand" and figures "(40,000)", in line 6, and insert in lieu thereof the words and figures "thirty-five thousand (35,000)".

Carried.

On motion of Senator Garst the time of adjournment was extended until the business under consideration be disposed of and the Journal of Friday corrected.

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 268, a bill for an act to amend the law relating to public health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section five (5) of the bill by striking out the word "seven," in line 4, and insert the word "six" in lieu thereof.

And when so amended the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 822, a bill for an act to appropriate money to pay for paving the state's portion of east Walnut street, between Fourteenth and Fifteenth streets adjoining the state's property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 265, a bill for an act making provision for the support of the department of the Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to the support of the Industrial school, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 208, a bill for an act to defray the cost of inspecting county and private institutions in which insane persons are kept, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 802, a bill for an act making appropriations for the fish and game commission of the state of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 288, a bill for an act to make an 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 Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 209, a bill for an act to appropriate money in aid of the quarterly conference of the board of control and executive officers of state institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 283, a bill for an act making an appropriation, and providing for the erection of an equestrian statue on the capitol grounds of the late Major-General Francis J. Herron, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred joint resolution No. 8, joint resolution making an appropriation for the relief of the widows and orphans created by the Lost Creek mine disaster, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 329, a bill for an act to provide for the purchase of sundry additions to the historical department, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed postponed.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom referred Senate file No. 210, a bill for an act to provide for the erection of a monument to mark the last resting place of Iowa volunteers who died while prisoners at Andersonville, Georgia, and to make an appropriation to pay for the same and to pay for the expenses of the commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 345, a bill for an act to amend section twenty-three (23) of chapter one hundred and eighteen (118) of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect, beg leave to report that they have had the same under consideration and have instructed me report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 314, a bill for an act providing for the completion of the 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 Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate file No. 306, a bill for an act to amend sections 5049, 5050 and 5051 of the code, relating to label trade-mark or form of advertisement, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting between the words "issued" and "shall," in the third line of section 5, the words "accept such as are issued to associations or unions of working men and corporations not for pecuniary profit".

Also, by striking from the fourth line of said section the word "association or money" and by adding at the end of said section the words "which may be renewed from time to time for the same or shorter periods, within three months before or after the time for the termination thereof, in the same manner as required for the original registration of certificate.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate file No. 307, a bill for an act to amend sections sixteen hundred ten (1610), sixteen hundred fourteen (1614), sixteen hundred fifteen (1615) and sixteen hundred seventeen (1617) of the code, relating to corporations for pecuniary profit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred Senate file No. 219, a bill for an act to prevent fraud in the sale of stock in private coporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. C. HOBART,
Chairman.

Ordered passed on file.

Senator Crawford, from the committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred joint resolution No. 8, in relation to a convention to propose certain amendments to the constitution of the United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

P. W. CRAWFORD,

Chairman.

Ordered passed on file.

The time having arrived the President declared the Senat adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Herriott presiding:

The Senate resumed consideration of House file No. 287, which was pending at the hour of the noon adjournment.

Senator Hazelton offered the following amendment and moved its adoption:

I move to amend House file No. 287 by striking out of the fifth and sixth lines of section one (1) of the bill the words "in case no deputy be appointed and," and inserting in lieu thereof the words "in counties where no deputy is appointed or."

Carried.

Senator Hazelton moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and he bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Blanchard, Brooks, Classen, Courtwright, Craig, Fitchpatrick, Garst, Hartshorn, Hayward, Hazelton, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines,

Smith of Mitchell, Spaulding, Tallman, Whipple, Young of Lee, Young of Washington—30.

The nays were:

Senator Bishop.

Absent or not voting:

Senators Allyn, Bachman, Ball, Brighton, Bruce, Crawford, Crossley, Dowell, Griswold, Harper, Harriman, Healy, Hobart, Hogue, Junkin, Townsend, Trewin, Wilson, Winne—19.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred substitute for House file No. 304, a bill for an act to indemnify Mathew R. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended, as follows:

Amend the substitute for House file 304, by adding to the end of section 1, the following: "provided that the sum appropriated under this act shall not exceed five hundred dollars (\$500).

Also, amend section 2, of said substitute by striking out the last line of said section and insert in lieu thereof, the following: "prior to the time of the completion of a sewage disposal plant for the Industrial School for Girls at Mitchellville," and when so amended the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 121, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg and to make an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 297, a bill for an act to amend sections twenty-five hundred forty (2540), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-six (2556) and twenty-five hundred sixty-one (2561) of the code and section twenty-five hundred thirty-nine (2539) of the code, as amended by chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of the following bill:

House file No. 380, a bill for an act to amend chapter 2 of title 10 of the code, relating to levees, drains and water courses.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 286, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes.

C. R. BENEDIOT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No 426, a bill for an act making an appropriation for the payment of the costs in the case of the State of Iowa ex rel Milton Remley attorney-general vs. Byron F. Meek, Kirk L. Meek and Hugh H. Meek et al.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House names as conferance committee, on part of the House Hurn of Cerro Gordo, Fields of Plymouth, Robinson of Emmet, English of Polk, to House file No. 225, a bill for an act to amend section three hundred and eight (308) of the code, relative to compensation of county attorney.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

On motion of Senator Molsberry, Senate file No. 256, a bill for an act to amend section ten hundred sixty-seven (1067) of the code, and making the office of supreme court reporter appointive, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Porter offered the following amendment and moved its adoption:

I move to amend by striking out section four (4) and five (5) of the bill.

Senator Hayward moved the previous question on the amendment.

On the question, Shall the main question be now put? The motion prevailed.

A roll call was demanded on the amendment of Senator Porter.

On the question, Shall the amendment offered by Senator Porter prevail?

The yeas were:

Senators Alexander, Arthaud, Bishop, Blanchard, Brooks, Classen, Crossley, Garst, Harper, Harriman, Hartshorn, Hayward, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—30.

The nays were:

Senators Ball, Bruce, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Hobart, Hopkins, Hubbard, Molsberry—11.

Absent or not voting:

Senators Allyn, Bachman, Brighton, Griswold, Hazelton, Healy, Hague, Junkin, Townsend—9.

So the amendment prevailed.

Senator Lambert offered the following amendment and moved its adoption;

I move to strike out all of the first line of section two (2), after the figure two (2), and all of line two (2), up to and including the word "thereafter", and insert in lieu thereof, the words "after the first Monday in January 1908".

A roll call was demanded on the amendment.

On the question, Shall the amendment offered by Senator Lambert be adopted?

The yeas were:

Senators Alexander, Arthaud, Ball, Bishop, Classen, Courtright, Craig, Crossley, Harper, Harriman, Hartshorn, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Washington—29.

The nays were:

Senators Blanchard, Brooks, Bruce, Crawford, Dowell, Fitchpatrick, Garst, Hobart, Hopkins, Molsberry, Young of Lee—11.

Absent or not voting:

Senators Allyn, Bachman, Brighton, Griswold, Hayward, Hazelton, Healy, Hogue, Junkin, Townsend—10.

So the amendment prevailed.

Senator Ball offered the following amendment and moved its adoption:

Amend section three by striking out the words in the third and fourth lines, "as fixed in section two (2) of this act".

Carried.

The bill was read as amended for information.

Senator Molsberry moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Ball, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Harper, Hayward, Hazelton, Hubbard, Lambert, Lewis, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Winne, Young of Washington—27.

The nays were:

Senators Arthaud, Blanchard, Brooks, Bruce, Classen, Crawford, Garst, Harriman, Hartshorn, Hobart, Hopkins, Lister, Lyons, Spaulding, Young of Lee—15.

Absent or not voting:

Senators Allyn, Bachman, Brighton, Griswold, Healy, Hopkins, Junkin, Townsend—8.

Senator Trewin moved to strike out the words and figures "two hundred and twenty-four" from the title and insert the word "and" between the words one thousand and sixty-seven and two hundred and sixteen.

Carried.

So the bill having received a constitutional majority, was declared to have passed the Senate and its title as amended agreed to.

On motion of Senator Ball, House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa relating to townships and township officers other than justices of the peace and constables, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin offered the following amendment and moved its adoption:

Insert after the word "be" in line 1 of section 8, the words "not more than".

Also, insert after the word "of", in line 10 of section 8, the words "not more than".

Carried.

Senator Trewin offered the following amendment and moved its adoption:

Strike out the figures "\$1.50", in lines 1 and 10, in section eight (8) and insert in lieu thereof the figures \$1.00.

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Alexander, Arthaud, Bishop, Brooks, Classen, Craig, Crossley, Garst, Harriman, Hartshorn, Hayward, Hazleton, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Winne, Young of Lee, Young of Washington—30.

The nays were:

Senator Ball—1.

Absent or not voting:

Senators Allyn, Bachman, Blanchard, Brighton, Bruce, Court-right, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Healy, Hogue, Lambert, Lyons, Moffit, Molsberry, Wilson—19.

So the amendment was adopted.

President *pro tem* Harriman was called to the chair at 4:12 P. M.

Senator Ball moved that the rule be suspended, and that the bill as amended 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:

Senators Arthaud, Ball, Classen, Courtright, Crawford, Crossley, Fitchpatrick, Harriman, Porter, Smith of Des Moines, Tallman, Whipple, Wilson, Young of Lee, Young of Washington--16.

The nays were:

Senators Bishop, Brooks, Craig, Dowell, Garst, Hartshorn, Hazelton, Lewis, Lister, Mardis, Smith of Mitchell, Spaulding, Trewin--14.

Absent or not voting:

Senators Alexander, Allyn, Bachman, Blanchard, Brighton, Bruce, Griswold, Harper, Haywood, Healy, Hobart, Hogue, Hopkins, Junkin, Lambert, Maytag, Moffit, Molsberry, Townsend, Winne--20.

So the bill having failed to secure a constitutional majority was declared lost,

Senator Garst moved that when the Senate adjourned it be to meet at 7:45 P. M.

Carried.

On motion of Senator Garst the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

{House file No. 426, a bill for an act to make an appropriation for the payment of the costs in the case of the State of Iowa *ex rel* Milton Remley, attorney-general, vs. Byron T. Meek, Kirk L. Meek, and Hugh H. Meek, *et al.*

Read first and second time and referred to committee on Judiciary.

House file No. 236, a bill for an act to amend section seven-hundred-seventy-one (1771) of the code, in relation to stock or premium notes.

Passed on file.

Senate returns House file No. 330, a bill for an act to amend chapter two (2), of title ten (10), of the code of Iowa, relating to levees, drains and water courses.

On motion of Senator Tallman the request of the House was granted and House file No. 330 ordered returned to the House.

Senate file No. 297, a bill for an act to amend sections twenty-five hundred forty (2540), twenty-five hundred fifty-one (2551), twenty-five hundred fifty-six (2556), twenty-five hundred sixty-one (2561) of the code, and section twenty-five hundred thirty-nine (2539) of the code, as amended by chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, repealing section five (5), of chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, and making further provisions additional to the said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

Passed on file.

Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same.

Passed on file.

House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders.

Passed on file.

House file No. 225, a bill for an act to amend section three hundred eight (308) of the code relative to compensation for county attorney.

Passed on file.

House file No. 271, a bill for an act to repeal section twenty-seven hundred one (2701) of the code and to enact a substitute therefor relating to the compensation of the superintendent and assistants of the Institution for Feeble-Minded Children.

Read first and second time and referred to committee on Compensation of Public Officers.

House file No. 78, a bill for an act to amend section seventeen hundred twenty-six (1726) of the code in relation to notes taken for policies of insurance.

Passed on file.

House file No. 308, a bill for an act appropriating money to reimburse Samuel Pursell for losses in the suppression of the Sioux Indian insurrection in Cherokee county, Iowa, upon the 5th day of August 1861.

Read first and second time and referred to committee on Claims.

House file No. 163, a bill for an act to amend section two (2), chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly relating to the care and propagation of fish and game.

Read first and second time and referred to committee on Fish and Game.

House file No. 333, a bill for an act to amend section two thousand four hundred and forty-eight, two thousand four hundred and forty-nine and two thousand four hundred and fifty-two of chapter six (6), title twelve (12) of the code in relation to intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

President Herriott resumed the chair at 4:30 P. M.

House file No. 436, a bill for an act to authorize the commander-in-chief to organize naval militia.

Read first and second time, and upon motion of Senator Moffit, was taken up for consideration at this time.

The bill was read for information.

Senator Moffit moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Harper, Harri-

man, Hartshorn, Hayward, Hobart, Hopkins, Hubbard, Lambert, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Garst, Griswold, Hazelton, Healy, Hogue, Junkin, Lewis, Lyons, Molsberry, Spaulding, Townsend, Winne—19.

So the bill having received a constitutional majority was declared to have passed the Senate, and its title was agreed to.

House file No. 232, a bill for an act to amend section twenty-five hundred eighty-one (2581) of the code, in relation to itinerant physicians.

Passed on file.

House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent without the written consent of the landlord, and fixing the penalty therefor.

Passed on file.

House file No. 418, a bill for an act to add to and amend section twenty-four hundred eighty-nine (2489) of the code, relating to mines and mining.

Read first and second time and referred to committee on Mines and Mining.

House file No. 451, a bill for an act legalizing the election of the city of Clinton in favor of establishing a free public library in said city.

Read first and second time, and upon motion of Senator Wilson, was taken up for consideration at this time.

The bill was read for information.

Senator Wilson moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Ball, Bishop, Brooks, Bruce' Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Blanchard, Brighton, Garst, Griswold Healy, Hobart, Junkin, Lyons, Maytag, Molsberry, Townsend, Whipple, Winne—15.

So the bill, having failed to receive a constitutional majority was declared to have passed the Senate and its title agreed to.

House file No. 373, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the code, section one (1), of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred forty-two (142) of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor providing for the issuance of school bonds.

Read first and second time and referred to committee on Schools.

Senator Smith of Mitchell, submitted the following report of the Conference committee relative to House file No. 78.

REPORT OF COMMITTEE.

MR. PRESIDENT—Your committee on Conference, appointed to act with a like committee from the House, to whom was referred House file No. 78, a bill for an act to amend section seventeen hundred and ninety-six (1796) of the code, in relation to notes taken for policies of insurance, as amended by the Senate, beg leave to report that they have had the same under consideration, and after conferring together have agreed upon the following as amendments thereto: That the word "assignee" first appearing in the third line of section one of said Senate amendment be stricken out and the word "assignees" inserted in lieu thereof, and that the same be further amended

by inserting the word "company" after the word "such," and before the word "receiver" appearing in the third line of said section, and that the same when so amended, the said amendments with the Senate amendment and the bill do pass.

JAS. A. SMITH,
 J. M. JUNKIN,
 J. H. TREWIN,
 D. A. LYONS,
 BURTON E. SWEET,
 MARK J. FURRY,
 J. P. LYMAN,
Committee.

Senator Smith of Mitchell, moved the adoption of the amendments as recommended by the Conference committee.

Carried.

On motion of Senator Smith of Mitchell, House file No. 78 was taken up for consideration at this time.

The bill, as amended, was read for information.

Senator Smith of Mitchell moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bishop, Brooks, Bruce, Classen, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson, Young of Lee, Young of Washington.—34.

The nays were:

Senator Courtright.—1.

Absent or not voting:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Garst, Griswold, Healy, Hogue, Lewis, Moffit, Molsberry, Townsend, Whipple, Winne.—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Hayward House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands, newly formed by accretions, in the Mississippi river.

The bill was read for information.

Senator Hayward moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Ball, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Harper, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bachman, Bishop, Blanchard, Brighton, Griswold, Harriman, Hartshorn, Healey, Lambert, Lyons, Molsberry, Spaulding, Townsend, Winne—15.

So the bill having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hayward, Senate file No. 351, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretions in the Mississippi river, and located in sections 3 and 4, in township 77 north, of range 3 east of the 5th p. m., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore, with report of committee recommending its passage, was taken up, considered and indefinitely postponed, for the reason that a bill of similar character has already passed the Senate.

On motion of Senator Young of Washington, Senate file No. 278, a bill for an act making an appropriation for the purchase of land, tombstone, and erection thereof for the proper marking

of the grave of one Charles Shepherd, a soldier who served in the war of the revolution, died in 1845, and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Young of Washington moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Arthaud Ball Brooks Bruce Classen Courtright Craig Crawford Crossley Dowell Fitchpatrick Garst Harper Harriman Hayward Hazelton Hobart Hogue Hopkins Hubbard Lister Lyons Mardis Maytag Moffit Porter Smith of Des Moines Smith of Mitchell Trewin Whipple Wilson Winne Young of Lee Young of Washington—35.

The nays were:

None.

Absent or not voting.

Senators Allyn Bachman Bishop Blanchard Brighton Griswold Hartshorn Healy Junkin Lambert Lewis Molsberry Spaulding Tallman Townsend—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The Journal of Saturday was taken up, corrected and approved.

On motion of Senator Garst the Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 7:45 P. M., President *pro tem* Harriman presiding.

THIRD READING OF BILLS.

On motion of Senator Hopkins, Senate file No. 241, a bill for an act to amend section seventeen hundred and fifty-nine of the code, to provide for the insurance of plate glass, with report of committee recommending its passage, was taken up, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Arthaud Ball Bishop Brooks Classen Courtright Craig Crawford Dowell Fitchpatrick Griswold Harriman Hayward Hazelton Hopkins Hubbard Lambert Lewis Lister Lyons Maytag Moffit Molsberry Porter Smith of Mitchell Spaulding Tallman Trewin Whipple Wilson Young of Lee Young of Washington—32.

The nays were:

None.

Absent or not voting:

Senators Allyn Bachman Blanchard Brighton Bruce Crossley Garst Harper Hartshorn Healy Hobart Hogue Junkin Mardis Smith of Des Moines Townsend Winne—17.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Courtright, Senate file No. 60, a bill for an act authorizing and providing for the organization of

mutual insurance companies or associations for the purpose of insuring the members of said companies or associations against loss of salary from illness, accident or from being quarantined, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Bishop Bruce Courtright Craig Crawford Fitchpatrick Griswold Harriman Hayward Hobart Moffit Smith of Mitchell Whipple—14.

The nays were:

Senators Allyn Ball Crossley Dowell Hartshorn Hazleton Hubbard Lambert Lewis Lister Lyons Maytag Molsberry Porter Smith of Des Moines Tallman Trewin Wilson Young of Lee Young of Washington—20.

Absent or not voting:

Senators Arthaud Bachman Blanchard Brighton Brooks Clasen Garst Harper Healy Hogue Hopkins Junkin Mardis Spaulding Townsend Winne—16.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Lyons House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lyons moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Allyn Arthaud Ball Bishop Brooks Bruce Courtright Craig Crawford Crossley Dowell Fitchpatrick Griswold Harper Harriman Hartshorn Hayward Hazelton Hobart Hopkins Hubbard Lambert Lewis Lister Lyons Moffit Molsberry Porter, Smith of Des Moines, Smith of Mitchell, Spaulding Tallman Trewin Whipple Wilson Young of Lee, Young of Washington--38.

The nays were:

None.

Absent or not voting:

Senators Bachman Blanchard Brighton Classen Garst Healy Hogue Junkin Mardis Maytag Townsend Winne.—12.

So, the bill having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Arthaud called up the motion filed by him to reconsider the vote whereby the Senate refused to concur in the House amendments to substitute for Senate file No. 188.

Senator Arthaud moved that the vote whereby the Senate refused to concur in the House amendments to substitute for Senate file No. 188 be reconsidered.

Carried.

Senator Arthaud moved that the Senate concur in the House amendments.

Lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 44, a bill for an act to amend sections 188 and 119 of the code, defining the duties of tate sprinter and state binder.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 389, a bill for an act to amend sections 1610, 1614, 1615 and 1617 of the code, relating to corporations for pecuniary profit.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 427, a bill for an act to amend section fourteen hundred and six (1406) of the code, in relation to the collection of taxes by distress and sale and providing for the garnishment of persons indebted to the delinquent taxpayer.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has on file a motion to reconsider the vote by which House file No. 333 passed the House.

A bill for an act to amend sections twenty-four hundred and forty-nine (2449) and twenty-four hundred and fifty-two (2452) of chapter six (6) to the twelfth (12th) of the code, in relation to intoxicating liquors.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to concurrent resolution relative to appointment of joint committee to examine portrait of the late Senator Harlan and report upon the expediency of purchasing the same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 290, a bill for an act requiring the county auditor to compile and prepare a financial report and providing for the printing and distribution thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 891, a bill for an act making appropriations for the construction, repair, support, and contingent funds of the hospitals for the insane at Mount Pleasant, Independence, and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the school for the deaf, the college for the blind, the soldiers' orphans' home, and the soldiers' home, and relating to the industrial home for the blind; also, authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda, in the enlargement and equipment of the shop building, and a portion of the balance of certain funds of the penitentiaries at Fort Madison, in the erection of the hospital and library building.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of Iowa troops on Look-out Mountain and Missionary Ridge (the battle of Chattanooga).

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 840, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursements of the tax money levied and collected for and on account of waterworks.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Substitute for Senate file No. 18 a bill for an act to amend section (2742) of code relating to county superintendents.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Dowell, House file No. 444, a bill for an act to legalize all acts done and ordinances passed by the council of the incorporated town of Bondurant, Polk county, was taken up and considered.

The bill was read for information.

Senator Dowell, moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Allyn Arthaud Ball Bishop Brooks Bruce Courtright Craig Crawford Crossley Dowell Fitchpatrick Harper Harriman Hartshorn Hayward Hazelton Hopkins Hubbard Lambert Lewis Lister Lyons Maytag Moffit Molsberry Porter Smith of Des Moines Smith of Mitchell Spaulding Tallman Trewin Whipple Young of Lee Young of Washington.

The nays were:

None.

Absent or not voting:

Senators Bachman Blanchard Brighton Classen Garst Griswold Healy Hobart Hogue Junkin Mardis Townsend Winne.

So, the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Lambert, House file No. 27, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and binder, with report of committee recommending passage, was taken up, considered, and indefinitely postponed for the reason that a bill of similar character has already passed the Senate.

On motion of Senator Allyn, House file No. 334, a bill for an act to amend sections 125 and 126 of the code, relating to the printing, binding and distribution of public reports and documents with report of committee recommending its passage was taken up, considered, and the report of the committee adopted,

The bill was read for information.

Senator Allyn moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Allyn Arthaud Brooks Bruce Court-right Crawford Dowell Fitchpatrick Harper Harriman Hartshorn Hayward Hazleton Hopkins Hubbard Lambert Lewis Lister Lyons Maytag Moffitt Molsberry Porter Smith of Des Moines Smith of Mitchell Tallman Trewin Whipple Winne Young of Lee Young of Washington--32.

The nays were:

Senator Bishop--1.

Absent or not voting:

Senators Bachman Ball Blanchard Brighton Classen Craig Crossley Garst Griswold Healy Hobart Hogue Junkin Mardis Spaulding Townsend Wilson--17.

So, the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Moffit House file No. 220, a bill for an act to repeal sections twenty-one hundred sixty-eight (2168), 2169, 2173 of the code, and 2179 of the code, and the amendments thereto as shown by chapter 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections 2174, 2175, 2181 of the code and the amendments thereto as shown by chapter 72, acts of the Twenty-eighth General Assembly, and 2199 of the code, relating to the militia, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Moffit moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Allyn Arthaud Ball Brooks Bruce Court-right Craig Crawford Crossley Dowell Fitchpatrick Harper Harriman Hartshorn Hayward Hopkins Hubbard Lambert Lister Maytag Moffit Molsberry Porter Smith of Des Moines Smith of

Mitchell Trewin Whipple Wilson Winne Young of Lee Young of Washington—32.

The nays were:

Senator Young of Washington—1.

Absent or not voting:

Senators Bachman Blanchard Brighton Classen Garst Griswold Hazelton Healy Hobart Hogue Junkin Lewis Lyons Mardis Spaulding Tallman Townsend—17.

So, the bill having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Brooks, House file No. 178, a bill for an act to protect owners of breeding stock, was taken up, considered.

Senator Brooks moved that the rules be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Allyn Arthaud Brooks Crawford Crossley Harper Harriman Hartshorn Hayward Lambert Maytag Molsberry Smith of Des Moines Whipple Wilson Winne Young of Lee Young of Washington—19.

The nays were:

Senators Ball Bishop Courtright Craig Fitchpatrick Hubbard Lewis Lister Lyons Porter Smith of Mitchell Tallman—12.

Absent or not voting:

Senators Bachman Blanchard Brighton Bruce Classen Dowell Garst Griswold Hazelton Healy Hobart Hogue Hopkins Junkin Mardis Moffit Spaulding Townsend Trewin—19.

So, the bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Lyons, House file No. 298, a bill for an act to amend section twenty-five hundred and twenty-two (2552) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and con-

densed milk factories, and providing a penalty for violations of the section as amended, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Brooks offered the following amendment and moved its adoption:

Amend section one by striking out the word "less," in the eighth line, and inserting in lieu thereof the word "more," and by striking out of line nine the words "nor more than one hundred."

Lost.

Senator Lyons 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:

Senators Allyn Ball Brooks Bruce Courtright Craig Crawford Crossley Hartshorn Hayward Hopkins Lambert Lewis Lyons Maytag Molsberry Porter Smith of Des Moines Smith of Mitchell Tallman Trewin Whipple Wilson Winne Young of Lee Young of Washington—28.

The nays were:

Senators Arthaud Fitchpatrick—2.

Absent, or not voting:

Senators Bachman Bishop Blanchard Brighton Classen Dowell Garst Griswold Harper Harriman Hazelton Healey Hobart Hogue Hubbard Junkin Lister Mardis Moffit Spaulding Townsend.

So, the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Lewis moved that the Senate do now adjourn.

Lost.

On motion of Senator Brooks, House file No. 268, a bill for an act to amend the law relating to public health, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Brooks moved the adoption of the following committee amendments:

Amend section five (5) of the bill by striking out the word "seven" in line 4 and inserting the word "six" in lieu thereof.

Carried.

The bill was read for information.

Senator Brooks moved that further consideration of House file No. 268 be postponed, and that it retain its place on the calendar.

Senator Dowell moved that House file No. 268 lay on the table.

Carried.

On motion of Senator Hayward, House file No. 348, a bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to and support in state institutions with report of committees recommending amendments was taken up, considered, and the report of the committee adopted.

Senator Porter moved the adoption of the following committee amendments:

Add the word "orphan" after the word "no" in the first line of section one.

Carried.

Add the words, "or child abandoned by its parents", after the word "child", in said line.

Carried.

Also, strike out the word "sixteen" in the first line of section one and in the last line of section two and insert in lieu thereof the word "fifteen" in each section.

Senator Ball moved to amend by striking out the word "fifteen" and inserting "twelve" in lieu thereof.

Senator Trewin moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Tuesday, April 8, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. B. E. S. Ely of Des Moines, Iowa,

INTRODUCTION OF BILLS.

By Senator Hayward, by request, Senate file No. 364, a bill for an act to amend section sixteen hundred eleven (1611) of the code, relating to the indebtedness of corporations.

Read first and second time and ordered placed on the calendar.

Senator Lewis offered the following resolution and moved its adoption:

Resolved, That the Secretary of the Senate is hereby instructed to prepare and have inserted in the printed journal of the Senate a page devoted to the memory of each of the former members of this body, and of that of any member of the council of the territory of Iowa, of whose departure from this life within the two years last past he shall be advised. Such page shall contain the following data when it shall be practicable to obtain the same:

Full name; date and place of birth; date of coming to Iowa if not a native of this state, also, date of coming to the United States if of foreign birth; date and place of death; period of service in this body and in the council of the territory of Iowa; same regarding any other public service; date, if any, as to service in the regular or volunteer army or navy of the United States.

Laid over.

HOUSE MESSAGES CONSIDERED.

Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of Iowa

troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga).

Passed on file.

Substitute for Senate file No. 13, a bill for an act to amend section twenty-seven hundred forty-two (2742) of the code, relating to county superintendents.

Passed on file.

Senate file No. 44, a bill for an act to amend sections one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

Passed on file.

House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the School for the deaf, the College for the blind, the Soldiers' Orphans' Home, and the Soldiers' Home, and relating to the Industrial Home for the blind; also, authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda, in the enlargement and equipment of the shop building, and a portion of the balance of certain funds of the penitentiary at Ft. Madison, in the erection of the hospital and library building.

Read first and second time and referred to committee on Appropriations.

Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursements of tax money levied and collected for and on account of waterworks.

On motion of Senator Crawford the Senate took up Senate file No. 340 at this time.

Senator Crawford moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Wilson, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Brighton, Bruce, Crossley, Garst, Healy, Hobart, Lyons, Molsberry, Smith of Mitchell, Tallman, Townsend, Trewin, Whipple—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

House file No. 230, a bill for an act requiring county auditors to compile and and prepare a financial report and providing for the printing and distribution thereof.

Passed on file.

Concurrent resolution to appointment of joint committee to examine portrait of the late Senator Harlan, and report upon the expediency of purchasing the same.

Passed on file.

House reconsidered House file No. 333, a bill for an act to amend sections twenty-four hundred forty-nine (2449) and twenty-four hundred fifty-two (2452) of chapter six (6), title twelve (12) of the code, in relation to intoxicating liquors.

Passed on file.

House file No. 427, a bill for an act to amend section fourteen hundred six (1406) of the code, in relation to the collection of taxes by distress and sales, and providing for the garnishment of persons indebted to the delinquent taxpayer.

Read first and second time and referred to committee on Ways and Means,

House file No. 369, a bill for an act to amend sections sixteen hundred ten (1610), sixteen hundred fourteen (1614), sixteen

hundred fifteen (1615) and sixteen seventeen (1617) of the code, relating to corporations for pecuniary profit.

Read first and second time and referred to committee on Corporations.

REPORTS OF COMMITTEES.

Senator Classen, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred House file No. 318, a bill for an act to amend section twenty-one hundred fifty-eight (2158) of the code, relating to the right-of-way of telegraph and telephone companies on public roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the same do pass:

Strike out all of section 1 of the bill after the word "ground", in the thirteenth line, up to and including the word "township", in the twenty first line.

J. B. CLASSEN,
Chairman.

Ordered passed on file.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House file No. 388, a bill for an act to amend section five (5) of chapter forty-three (43) of the acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman

Adopted.

Senator Fitchpatrick, from the committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your committee on Charitable Institutions, to whom was referred Senate file No. 389, a bill for an act for compulsory education of deaf mutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. A. FITCHPATRICK,
Chairman

Ordered passed on file.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred House file No. 271, a bill for an act to repeal section two thousand seven hundred and one (2701) of the code and to enact a substitute therefor, relating to the compensation of the superintendent and assistants of the Institution for feeble-minded children, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. LISTER,
Chairman.

Ordered passed on file.

Senator Griswold, from the committee on Building and Loan, submitted the following report:

MR. PRESIDENT—Your committee on Building and Loan, to whom was referred Senate file, No. 17, a bill for an act to amend section thirteen hundred twenty-six (1326) of the code, relating to stock of building and loan associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

H. J. GRISWOLD,
Chairman.

Adopted.

Senator Lister, from the committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred House file No. 281, a bill for an act to provide for the manner of paying the salary or compensation of deputy state officers and deputy county officers, clerks or assistants, prohibiting their principals receiving or retaining any part thereof and punishing the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. LISTER,
Chairman.

Adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 443, a bill for an act to amend section seventeen hundred twenty-one (1721) of the code, in relation to insurance companies.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate amendments to House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to care of friendless children and the establishment, regulation and visitation of homes for friendless children.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 278, a bill for an act making appropriation for the erection of a monument in Forest Home cemetery, Mount Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing the method of such erection.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code and chapter 69 of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads or to purchase the stock, bonds or securities of railroads in other states.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 95, a bill for an act to amend section thirty-two hundred eighty-seven (3287) of the code, relating to the recording of wills.

Also, Senate file No. 115, a bill for an act to amend section one thousand three hundred thirty-three (1333) the code, relating to the assessment of taxes upon foreign insurance companies.

Also, Senate file No. 156, a bill for an act to amend section three thousand two hundred fifty-three (3253) of the code, relating to the rights, duties and relations between parent and child by adoption.

Also, Senate file No. 230, a bill for an act for 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.

Also, Senate file No. 285, a bill for an act to amend section two thousand and eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

Also, Senate file No. 273, a bill for an act to repeal chapter sixty-nine (69) of the laws of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa and enacting a substitute therefor.

Also, Senate file No. 254, a bill for an act repealing section one hundred sixty-four (164) of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting the executive council power to

Senators Arthaud, Ball, Bishop, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Smith of Des Moines, Tallman, Wilson, Young of Lee, Young of Washington—14.

The nays were:

Senators Alexander, Allyn, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Hazelton, Hobart, Hopkins, Moffit, Porter, Winne—19.

Absent or not voting:

Senators Bachman, Blanchard, Brighton, Brooks, Garst, Harriman, Hartshorn, Healy, Hogue, Hubbard, Lyons, Molsberry, Smith of Mitchell, Spaulding, Townsend, Trewin, Whipple—17.

So the amendment to the committee amendment was lost.

The committee amendment was adopted.

Senator Hayward moved [that 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:

Senators Alexander, Bachman, Bishop, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Harriman, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Mardis, Molsberry, Porter, Young of Washington—21.

The nays were:

Senators Arthaud, Crossley, Garst, Griswold, Harper, Hartshorn, Hayward, Junkin, Lewis, Lister, Moffit, Smith of Des Moines, Tallman, Wilson, Young of Lee—15.

Absent or not voting:

Senators Allyn, Ball, Blanchard, Brighton, Brooks, Healy, Lyons, Maytag, Smith of Mitchell, Spaulding, Townsend, Trewin, Whipple, Winne—14.

So the bill, having failed to receive a constitutional majority, was declared lost.

The President announced that he had signed, in the presence of the Senate, Senate files Nos. 95, 115, 156, 230, 254, 273 and 285.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 894, a bill for an act to amend section five thousand seven hundred seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary in places or buildings owned or leased by the state outside of the penitentiary enclosures.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, and the acts of F. C. Richmann, acting as clerk of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution:

Concurrent resolution to adjournment *sine die* of the Twenty-ninth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the

House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 166, a bill for an act to amend section sixteen hundred seventy-five (1675) of the code, in relation to farmers county institutes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 140, a bill for an act to require railway companies to keep posted in their railway passenger stations bulletins of the arrival and departure of trains.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 375, a bill for an act to amend section twenty-eight (28) of chapter one hundred eighteen (118) of the laws of the Twenty-seventh General Assembly, in relation to insane patients.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 11, a bill for an act to amend section seven hundred twenty-one (721) of the code, relating to publication of notice of questions submitted to the voters of cities and towns.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked.

House file No. 157, a bill for an act making an appropriation for the completion of the state historical building, and to provide for the completion of the same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 800, a bill for an act to provide for an exhibit of arts, industries and resources of the state of Iowa, at the Louisiana Purchase exhibition to be held in the city of St. Louis, in the state of Missouri.

C. R. BENEDICT,
Chief Clerk.

SPECIAL ORDER.

On motion of Senator Molsberry, Senate file No. 358, a bill for an act to amend section two thousand forty-nine (2049) of the code, relating to the indebtedness of railway corporations, was taken up and considered.

The bill was read for information.

Senator Harriman offered the following amendment and moved its adoption:

Section 1. That section sixteen hundred eleven (1611) of the code be and the same is hereby amended by striking out all after the word "stock" in the fifth line to and including the word "equipped" in the twelfth line, and enacting in lieu thereof the following: "But the provisions of this section shall not apply to the bonds or other street railway securities issued by street railway companies of the state in aid of the location, construction and equipment of street railways, to an amount not exceeding \$16,000 per mile of single track, standard gauge, or \$8,000 per mile of single track, narrow gauge, lines of road for each mile of street railway actually constructed and equipped. Nor shall the provisions of this section apply to the bonds or other securities issued by steam railway companies of the state in aid of

the location, construction, equipment and improvement of railways and refunding indebtedness not exceeding \$30,000 per mile of single track, or \$45,000 per mile of double track, standard gauge, railway actually constructed and equipped, and in addition for terminal properties, not exceeding the actual value thereof."

Senator Courtright offered the following amendment to the amendment and moved its adoption:

Insert after the word "other," in line 5 of amendment, the words "interurban railways, or", and after the word "by", in same line, the words "interurban railways or", and after the word "of", in line 7, the words "interurban railway or".

Carried.

Senator Garst moved that Senate file No. 328 be postponed for consideration until 10 o'clock tomorrow morning.

A roll call was demanded.

On the question, Shall consideration of Senate file No. 328 be postponed until 10 o'clock tomorrow morning?

The yeas were:

Senators Ball, Brooks, Crossley, Dowell, Garst, Harper, Hopkins, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Winne—15.

The nays were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Brighton, Bruce, Courtright, Craig, Crawford, Fitchpatrick, Griswold, Harriman, Hartshorn, Hayward, Hazelton, [Hobart, Hubbard, Mardis, Moffit, Molsberry, Smith of] Des], Moines, Spaulding, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—29.

Absent or not voting:

Senators Blanchard, Classen, Healy, Hogue, Smith of Mitchell, Tallman—6.

So the motion was lost.

The amendment offered by Senator Harriman, as amended by the motion of Senator Courtright, was adopted.

Senator Lister offered the following amendment and moved its adoption:

Amend by striking from section 1, "and in addition for terminal purposes not exceeding the actual value thereof."

Lost.

Senator Courtright offered the following amendment and moved its adoption:

I move to amend section 1 by inserting after the word "exceeding," in the last line thereof, the following: "two-thirds of."

Senator Harriman offered the following amendment to the amendment and moved its adoption:

Amend by striking out the word "three-fourths", and insert "three-fourths" in lieu thereof.

A roll call was demanded.

On the question, Shall the amendment to the amendment, offered by Senator Courtright, be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brighton, Brooks, Bruce, Craig, Crawford, Fitchpatrick, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Mardis, Moffit, Molsberry, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—27,

The nays were:

Senators Bishop, Courtright, Crossley, Dowell, Garst, Harper, Hayward, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Maytag, Porter, Spaulding, Winne—18.

¶ Absent or not voting:

Senators Blanchard, Classen, Healy, Hogue, Smith of Mitchell—5.

So the amendment prevailed.

The amendment of Senator Courtright as amended prevailed.

Senator Lewis offered the following amendment and moved its adoption:

Amend section 1, line 12, by striking out the word "thereof" and inserting in lieu thereof the words "of such railway mileage and terminal properties."

Senator Ball offered the following amendment and moved its adoption.

Amend section one (1) by inserting after the word "equipped" in the eleventh line. the words "and not in any case exceeding actual value of the railway upon which such bonds or other securities are issued."

Carried.

Senator Allyn moved the previous question.

On the question, "Shall the main question be now put," the motion prevailed.

Senator Molsberry moved that the report of the committee recommending passage be adopted.

Carried.

Senator Molsberry 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brighton, Bruce, Craig, Crawford, Fitchpatrick, Griswold, Harper, Harri-
man, Hartshorn, Hayward, Hazelton, Hobart, Mardis, Moffit,
Molsberry, Smith of Des Moines, Tallman, Townsend, Trewin,
Whipple, Young of Lee, Young of Washington—27.

The nays were:

Senators Bishop, Brooks, Courtright, Crossley, Dowell, Garst,
Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, May-
tag, Porter, Spaulding, Wilson, Winne—18.

Absent or not voting:

Senators Blanchard, Classen, Healy, Hogue, Smith of
Mitchell—5.

Senator Trewin offered the following amendment to the title and moved its adoption:

I move to amend the title by striking out the words and figures "two thousand and forty-nine (2049)" and inserting in lieu thereof the words and figures "sixteen hundred and eleven (1611)".

Carried.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 859, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal school at Cedar Falls, Iowa.

Also:

House file No. 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examination of applicants for state certificates and diplomas.

Also:

House file No. 321, a bill for an act to amend sub-division three (3) of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

Also:

House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord, and fixing the penalty therefor.

Also:

House file No. 40, a bill for an act to amend section fifteen hundred thirty (1580) of the code, in relation to the working of highways.

Also:

House file No. 874, a bill for an act to amend section one thousand seven hundred and nine (1709) of the code, relating to insurance.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, House files Nos. 432, 374, 359, 321, 125 and 40.

REPORTS OF COMMITTEES.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the said bill be amended as follows, and when so amended that the same do pass:

That section one (1) be amended by striking out that portion beginning with "(1)" in the eighth (8) line, and ending with the word "elsewhere" in the eighteenth line (18), and substituting the following in lieu thereof:

The aggregate of the earnings upon business originating and terminating within this state, upon business originating in this state and terminating elsewhere, upon business originating elsewhere and terminating in this state, and upon business neither originating or terminating in this state but carried or done over the line or lines in this state or over some part thereof, shall be reported; and with respect to all such interstate business the earnings in this state for the purpose of report shall be actually computed upon the basis of the length of haul or carriage in this state as compared with the length of haul or carriage elsewhere.

That said bill be amended by striking out the figure seven (7) in the first line of section seven (7), and inserting in lieu thereof the figure ten (10).

That said bill be further amended by adding after section six (6) the following amendments as sections seven (7), eight (8), and nine (9):

Sec 7. The executive council shall have power to send for persons, books and papers, to issue subpoenas, and to compel the attendance of witnesses, and the production of such books, papers and records as, in their judgment, is necessary to a full and complete exercise of the powers vested in said executive council, to use the same in evidence; and any member thereof may administer an oath to such witness or witnesses. The sheriff of any county of the state shall serve any order, subpoena or process of the executive council, and receive such compensation therefor as is now provided by law for similar service in civil actions. All necessary costs and expenses therefor shall be paid out of the state treasury upon warrants drawn by the auditor of state, when the same shall have been allowed by the executive council.

Sec. 8. The failure of any railway company to comply with the law respecting the furnishing of statements, or to respond to the order of the executive council as provided by law, shall subject the said delinquent to the penalties and provisions of section thirteen hundred and fifty-seven (1357) of the code, and it shall be the duty of the said executive council to

add the penalty therein named to the assessment of each mile of railway so assessed.

Sec. 9. A complete record of the proceedings of the executive council in assessing railway properties for taxation shall be kept. Any member may propose a motion or resolution, and any member may require a roll call thereon, and the roll must be called on fixing the value of each railway assessed. On every roll call the yeas and nays shall be recorded in the official minutes of said council, and the council shall cause said record or minutes to be published in full within ten days from the date of its adjournment as a board of assessors of railway property, in two daily newspapers in Des Moines, of general circulation. All necessary expenses of such publication shall be paid out of the state treasury upon warrants drawn by the auditor of state, when the same shall have been allowed by the executive council.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 803, a bill for an act to amend section eight hundred ninety-four (894) of the code, relative to waterworks tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

J. H. TREWIN,
Chairman.

Adopted.

Senator Junkin, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred Senate File No. 123, a bill for an act to amend section thirteen hundred five (1305) of the code relating to the assessment of property for taxes and the valuation thereof by making the said section applicable to cities acting under special charters that now have a population of over twenty-five thousand and under thirty thousand (30,000) according to the United States census of 1900, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. JUNKIN,
Chairman.

Adopted.

Senator Crossley, from the committee on Schools submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of

the same, and making an appropriation for accredited schools entitled to state recognition, therefore, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that a similar bill has already passed the Senate.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred House file No. 294, a bill for an act to amend section twenty-seven hundred and fifty-seven (2757) of the code of Iowa, relating to time of meeting of boards of school directors, and to amend sections twenty-seven hundred and sixty-two (2762), twenty-seven hundred and sixty-four (2764), twenty-seven hundred and sixty-five (2765), twenty-seven hundred and sixty-nine (2769), twenty-seven hundred and eighty-five (2785), twenty-seven hundred and ninety-three (2793), twenty-eight hundred and one (2801) of the code of Iowa, to conform therewith, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 861, a bill for an act to amend section one hundred thirty-seven (137) of the code, relating to the publication of the proceedings of the State Teachers' association, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Moffit, from the committee on Military submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 357, a bill for an act to authorize the commander-in-chief to organize naval militia of Iowa and prescribing regulations therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed for the reason that House file No. 436 passed the Senate yesterday.

JOHN T. MOFFIT,
Chairman.

Adopted.

Senator Hayward moved that when then Senate adjourn it be to meet at 7:45 p. m.

Carried.

Senator Dowell submitted the following report of the Conference committee relative to House file No. 225 :

MR. PRESIDENT—Your Conference committee, appointed to act with a like committee from the House, to whom was referred House file No. 225, as amended by the Senate, being a bill for an act to amend section three hundred and eight (808) and to repeal section three hundred and three (303) of the code and enact a substitute therefor, relating to the compensation of county attorneys, beg leave to report that they have had the same under consideration, and after conferring together have agreed to submit herewith amendments to the said bill, as follows:

Amend section one (1) of the bill as amended by striking out the words and figures "thirty-five (35)" in the fourth (4th) and eleventh (11th) lines and inserting in lieu thereof the words and figures "thirty-six (36)."

To further amend section one (1) by inserting before the word "with" in the thirteenth (13th) line of the bill the words "In any county," and that the words "The crimes of" be stricken out of the 15th line and the word "A" be inserted in lieu thereof.

Amend the bill by substituting for section two (2) the following:

Section 2. That section three hundred and eight (808) of the code be amended by striking out the word "three" in the fifteenth (15th) line of said section and inserting in lieu thereof the word "five."

And your committee further recommends that each of said amendments be adopted, and that when so amended the bill do pass. All of which is respectfully submitted.

C. C. DOWELL,
E. W. BACHMAN,
THOS. LAMBERT,
GEO. W. LISTER,

Committee on the part of the Senate.

D. W. HURN,
B. F. ROBINSON,
EMERY H. ENGLISH,
E. A. FIELDS,

Committee on the part of the House.

Senator Dowell moved that the report of the Conference committee and amendments be adopted.

Carried.

On the question, Shall the amendments recommended by the committee be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brighton, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Tallman, Townsend, Whipple, Winne, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Blanchard, Classen, Craig, Garst, Healy, Hogue, Smith of Mitchell, Smith of Des Moines, Spaulding, Trewin, Wilson—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

THIRD READING OF BILLS.

On motion of Senator Garst House file No. 345, a bill for an act to amend chapter eight (8), title thirteen (13), of the code, granting to the Governor of the state the power to parole inmates of the industrial schools in certain cases, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Brighton, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Lambert, Lewis,

Lister, Mardis, Moffit, Porter, Spaulding, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Classen, Craig, Healy, Hobart, Junkin, Lyons, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Garst moved that the vote whereby Senate file No. 275 passed the Senate be reconsidered.

Carried.

Senator Garst moved that Senate file No. 275 be indefinitely postponed.

Carried.

Senator Mardis moved that the Senate do now adjourn.

Carried.

Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment at 7:45 P. M., President Herriott presiding.

Senator Lambert offered the following concurrent resolution and moved its adoption:

Be it Resolved, By the Senate, the House concurring: That there be printed 5,000 copies of the Official Register of 1908, in addition to the number provided for in the code, and that 1,000 copies of the Official Register of 1902 and 1908 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 Official Register in cloth.

Adopted.

HOUSE MESSAGES CONSIDERED.

Substitute for Senate file No. 140, a bill for an act to require railway companies to keep posted in their railway passenger stations, bulletins of the arrival and departure of trains.

Passed on file.

Senate file No. 166, a bill for an act to amend section 1675 of the code, relative to farmers' county institutes.

Passed on file.

Senate file No. 11, a bill for an act to amend section 721 of the code, relating to publication of notice of questions submitted to the voters of cities and towns.

Passed on file.

House file No. 375, a bill for an act to amend section twenty-eight (28) of chapter one hundred eighteen (118) of the laws of the Twenty-seventh General Assembly, in relation to insane patients.

Read first and second time and passed on file.

House file No. 157, a bill for an act making an appropriation for the completion of the state historical building and to provide for the completion of the same.

Read first and second time and referred to committee on Appropriations.

House file No. 300, a bill for an act to provide for an exhibit of arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri.

Read first and second time and passed on file.

House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque.

Read first and second time and referred to committee on Appropriations.

House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa,

the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn Arthaud Bachman Ball Bishop Brooks Bruce Courtright Craig Crawford Crossley Dowell Fitchpatrick Harper Harriman Hartshorn Hayward Hopkins Hubbard Junkin Lewis Lister Mardis Maytag Moffit Tallman Trewin Whipple Wilson Winne Young of Lee Young of Washington—33

The nays were:

Senators Lambert Lyons—2.

Absent or not voting:

Senators Blanchard Brighton Classen Garst Griswold Hazelton Healy Hobart Hogue Molsberry Porter Smith of Des Moines Smith of Mitchell Spaulding Townsend—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Dowell, House file No. 200, a bill for an act to repeal section five hundred and sixty (560) of the code and enact a substitute therefor, abolishing the offices of township clerks and trustees in certain civil townships with report of committee recommending a substitute was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Dowell, further consideration of House file No. 200 was postponed.

Senator Allyn called up the Concurrent Resolution relative to furnishing officers of the Twenty-ninth General Assembly a copy of the code and session laws, and moved that it be adopted.

Carried.

On motion of Senator Garst, House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand inhabitants, or less, to appropriate money from their general fund for the improvement and maintenance of public parks and providing for the expenditure thereof with

report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass!

The yeas were:

Senators Alexander Allyn Bachman Ball Brooks Bruce Court-right Craig Crawford Crossley Dowell Fitchpatrick Garst Harper Harriman Hartshorn Hayward Hopkins Hubbard Junkin Lambert Lewis Lister Lyons Mardis Maytag Porter Tallman Trewin Whipple Wilson Winne Young of Lee Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Arthaud Bishop Blanchard Brighton Classen Griswold Hazelton Healy Hobart Hogue Moffit Molsberry Smith of Des Moines Smith of Mitchell Spaulding Townsend—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Young of Washington, Senate file No. 342, a bill for an act to amend section twenty-four hundred ten (2410) of the code relating to sale of intoxicating liquors and abatement of nuisance, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Young of Washington, moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander Allyn Arthaud Bachman Brooks Bruce

Courtright Craig Crawford Crossley Dowell Fitchpatrick Garst
Harriman Hartshorn Hopkins Hubbard Junkin Lewis Lister
Mardis Maytag Porter Tallman Trewin Whipple Young of Lee
Young of Washington—28.

The nays were:

None.

Absent or not voting:

Senators Ball Bishop Blanchard Brighton Classen Griswold
Harper Hayward Hazelton Healy Hobart Hogue Lambert
Lyons Moffit Molsberry Smith of Des Moines Smith of Mitchell
Spaulding Townsend Wilson Winne—22.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard Senate File No. 131, "A Bill for an Act to provide a department in one of the hospitals for the insane, for the detention and treatments of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics," with report of committee recommending its passage was taken up, considered, and indefinitely postponed.

Senator Hubbard called up the motion filed by him to reconsider the vote whereby House file No. 207 failed of passage.

Senator Hubbard moved that the vote whereby House file No. 207 failed of passage be reconsidered.

Carried.

Senator Hubbard moved that the vote whereby House file No. 207 passed to a third reading be reconsidered.

Carried.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered the third reading.

On the question, Shall the bill pass?

The yeas were:

Senators Allyn Arthaud Bachman Ball Bruce Craig Garst

Harper Hayward Hopkins Hubbard Lister Mardis Whipple
Wilson Young of Lee Young of Washington—17.

The nays were:

Senators Brooks Courtright Crossley Dowell Lewis Tallman
Trewin—7.

Absent or not voting:

Senators Alexander Bishop Blanchard Brighton Classen
Crawford Fitchpatrick Griswold Harriman Hartshorn Hazelton
Healy Hobart Hogue Junkin Lambert Lyons Maytag Moffit
Molsberry Porter Smith of Des Moines Smith of Mitchell
Spaulding Townsend Winne—26.

So the bill having failed to receive a constitutional majority
was declared lost.

The President announced the following sifting committee.

Senators Hubbard, Crossley, Blanchard, Trewin, Healy, Bruce
and Porter.

On motion of Senator Young of Lee, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, Wednesday, April 9, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Joseph Stephen of Carson, Iowa.

On motion of Senator Trewin, leave of absence was granted Senator Classen indefinitely on account of sickness.

PETITIONS AND MEMORIALS.

Senator Healy presented petition of First M. E. church of Fort Dodge, favoring passage of Nagle bill in regard to the suppression of Sunday base ball; was read and referred to Sifting committee.

On motion of Senator Spaulding, the Senate took up Senate file No. 37 for consideration.

On motion of Senator Hubbard, Senate file No. 37 was referred to the Sifting committee.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 349, a bill for an act to amend section nineteen hundred ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

C. B. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concur-

rence of the Senate is asked: Relative to certain officers of House and Senate remaining at the capitol after the close of the session of the Twentieth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 835, a bill for an act to amend section thirty-three hundred eight (8808) of the code, relating to the release and discharge of liens by foreign administrators, executors and guardians and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of Governor's square in the city of Des Moines for park purposes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 284, a bill for an act making an appropriation to the Iowa Historical society.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 480, a bill for an act to amend chapter nine (9), title nine (9) of the code, relating to fraternal orders.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Garst, House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the Hospitals for the Insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the

Industrial schools for boys and girls, the Institution for Feeble-Minded Children, the School for the Deaf, the College for the Blind, the Soldiers' Orphans' Home and the Soldiers' Home, and relating to the Industrial Home for the Blind, also authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the penitentiary at Ft. Madison in the erection of the hospital and library building, was taken up and considered.

The bill was read for information.

Senator Lewis offered the following amendment and moved its adoption:

I move to strike out the following appropriations for land:

For Soldiers Orphans' Home.....	\$10,000
For Institution for Feeble-Minded Children.....	25,000
For Hospital for Insane at Mt. Pleasant.....	35,000
For Hospital for Insane at Independence.....	39,000
For Hospital for Insane at Clarinda.....	30,000

President *pro tem* Harriman was called to the chair at 10:45 A. M.

A roll call was demanded on the amendment of Senator Lewis.

On the question, Shall the amendment offered by Senator Lewis be adopted?

The yeas were:

Senators Bachman, Crossley, Lewis, Porter, Tallman, Townsend—6.

The nays were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brighton, Brooks, Bruce, Courtright, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Spaulding, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—37.

Absent or not voting:

Senators Blanchard, Classen, Craig, Healy, Hogue, Hopkins, Smith of Mitchell—7.

So the amendment was lost.

President Herriott resumed the chair at 10:55 A. M.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harri- man, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, May- tag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Senators Classen, Craig, Healy, Smith of Mitchell, Tallman—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEES.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred House resolution recommending the pardon of Otto Otten, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE,
Chairman.

Adopted.

Senator Whipple, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred House resolution recommending conditional pardon of John Bellew, beg leave to report that they have had same under considera-

tion and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE
Chairman.

Senator Hartshorn, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred House file No. 806, a bill for an act appropriating money to reimburse Samuel Pursell for losses in the suppression of the Sioux Indian insurrection in Cherokee county, Iowa, upon the 5th day of August, 1861, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. C. HARTSHORN,
Chairman.

Referred to Sifting committee.

Senator Hobart, from the committee on Corporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations, to whom was referred House file No. 369, a bill for an act to amend sections sixteen hundred and ten (1610), sixteen hundred and fourteen (1614), sixteen hundred and fifteen (1615), sixteen hundred and sixteen (1616) and sixteen hundred and seventeen (1617) of the code, relating to corporations for pecuniary profit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. C. HOBART,
Chairman.

Referred to Sifting committee.

Senator Arthaud, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred House file No. 418, a bill for an act to add to and amend section twenty four hundred eighty-nine (2489), relating to mines and mining, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. ARTHAUD,
Chairman.

Referred to Sifting committee.

Senator Allyn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred House file No. 892, a bill for an act to amend section fourteen hundred

nineteen (1419) of the code, relating to the publication of the delinquent tax list, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. S. ALLYN,
Chairman.

Referred to Sifting committee.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred House file No. 878, a bill for an act to repeal section one (1) of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly and chapter one hundred forty-two (142) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the issuance of school bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
Chairman.

Referred to Sifting committee.

Senator Hazelton, from the committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your committee on Congressional and Judicial Districts, to whom was referred Senate file No. 88, a bill for an act creating the Twenty-first Judicial district of the state of Iowa, and providing for the election of two judges therein, and also providing for the election of one judge in the Eighteenth Judicial district of Iowa, and defining the jurisdiction of said courts therein, and providing for holding terms of court in said districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. S. HAZELTON,
Chairman.

Referred to Sifting committee.

Senator Trewin, from the committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. TREWIN,
Chairman.

Referred to Sifting committee.

Senator Moffit, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 854, a bill for an act to amend sections four hundred thirty (430), four hundred thirty-one (431) and four hundred thirty-three (433) of the code, relating to dependent soldiers and sailors tax and making said sections apply to dependent United States volunteer soldiers and sailor marines of the late 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 Senate without recommendation.

JOHN T. MOFFIT,
Chairman.

Referred to Sifting committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 125, a bill for an act providing for condition of bonds to be given by public officers and others.

Also, Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chatanooga).

Also, Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee.

Also, Senate file No. 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, in relation to limit of liabilities of banks.

Also, Senate file No. 232, a bill for an act to amend section twenty-five hundred eighty-one (2581) of the code, in relation to itinerant physicians.

Also, Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code in relation to stock or premium notes.

Also, Senate file No. 297, a bill for an act to amend section two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code; and section two thousand five hundred thirty-nine (2539) of the code, as amended by chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, and

making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

Also, Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same.

Also, Senate file No. 44, a bill for an act to amend sections one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

Also, Senate file No. 155, a bill for an act relating to rules of descent of estates of children by adoption.

E. K. WINNE,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 125, a bill for an act providing for the condition of bonds to be given by public officers and others.

Also, Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga).

Also, Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee.

Also, Senate file No. 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, in relation to limit of liabilities of banks.

Also, Senate file No. 232, a bill for an act to amend section twenty-five hundred eighty-one (2581) of the code, in relation to itinerant physicians.

Also, Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes.

Also, Senate file No. 277, a bill for an act to amend sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code, and section two thousand five hundred and thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

Also, Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools, and providing for the instruction

and training of teachers for the common schools, and providing for the licensing of the graduates of the same.

Also, Senate file No. 44, a bill for an act to amend sections one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

Also, Senate file No. 155, a bill for an act relating to rules of descent of estates of children by adoption.

J. P. LYMAN,

Chairman House Committee.

E. K. WINNE,

Chairman Senate Committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 241, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code, and to provide for the insurance of plate glass.

Also, House file No. 92, a bill for an act relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof.

Also, House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders.

Also, House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections 8 and 4, in township 77, north of range 8, east of the 5th P. M., in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 328, 297, 236, 232, 187, 161, 155, 152, 125, 44; House file Nos. 425, 287, 241, 92.

On motion of Senator Hopkins, House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire proof building for live stock exhibits, was taken up and considered.

Senator Porter offered the following amendment and moved its adoption:

Strike out in lines 2 and 3 the words and figures "thirty-seven thousand dollars (\$37,000)" and insert in lieu thereof the words and figures "twenty-thousand dollars (\$20,000)."

On the question, Shall the amendment offered by Senator Porter be adopted?

The yeas were:

Senators Arthaud, Bachman, Bishop, Harper, Junkin, Lewis, Maytag, Porter, Tallman, Townsend, Young of Lee—11.

The nays were:

Senators Alexander, Allyn, Ball, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lister, Lyons, Mardis, Moffit, Molsberry, Smith of Des Moines, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Washington—33.

Absent or not voting:

Senators Blanchard, Brighton, Classen, Craig, Healy, Smith of Mitchell—6.

So the amendment was lost.

Senator Hopkins 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:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—41.

The nays were:

Senators Arthaud, Lewis—2.

Absent or not voting:

Senators Bishop, Brighton, Classen, Craig, Hazelton, Smith of Mitchell, Townsend—7.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hopkins, Senate file No. 145, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire proof building for live stock exhibits, with report of committee recommending its passage, was taken up, considered and indefinitely postponed for the reason that a bill of similar character has already passed the Senate.

So the bill was indefinitely postponed.

Senator Porter moved that the Senate proceed to the correction of the Journal.

Carried.

The Journal of Monday was taken up, corrected and approved.

Senator Healy moved that the time for adjournment be extended until all committees have reported.

Carried.

On motion of Senator Healy, the resolution relative to the pardon of John Bellew was made a special order immediately after the Senate convenes this afternoon.

Senator Brooks moved that House file No. 168 be recalled from the House.

On a division the motion prevailed.

The time having arrived the President declared the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Herriot presiding.

SPECIAL ORDER.

The hour having arrived the Senate took up the report of the committee on Penitentiaries and Pardons, relative to the pardon of John Bellew.

Senator Whipple moved that the report of the committee recommending indefinite postponement be adopted.

On request Senator Alexander, leave of absence was granted Senator Young of Washington until tomorrow.

INTRODUCTION OF BILLS.

By Senator Garst (by Appropriations Committee), Senate file No. 365.

A BILL

For an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby appropriated to the Iowa State College of Agriculture and Mechanic Arts, out of any money in the state treasury not otherwise appropriated, the sum of thirty-five thousand dollars (\$35,000.00) annually hereafter, and for the support of the experiment station the sum of ten thousand dollars (\$10,000 00) annually hereafter; said sums to be paid in quarterly installments on order of the trustees, the first installment to be paid July 1, 1902. There is further appropriated out of any money in the state treasury not otherwise appropriated the sum of forty-five thousand dollars (\$45,000.00) to be used as follows:

For commencing barn.....	\$ 5,000.00
For the purchase of live stock.....	5,000.00
For commencement of a central building.....	35,000 00

Sec. 2. There is hereby appropriated for the State University out of any money in thestate treasury, not otherwise appropriated, for the further and additional support of said university, in its several colleges and chairs, the sum of thirty-five thousand dollars (\$35,000.00) annually hereafter, said sum to be payable in quarterly installments on the order of the board of regents of the said university, the first installment to be payable on the first day of

September, 'A. D. 1902. There is hereby further appropriated the sum of seventy-eight thousand dollars (\$78,000.00) which may be used during the year 1902, as follows:

For land.....	\$23,000.00
For the commencement of a medical building.....	50,000.00
For repair and contingent fund.....	5,000.00

There is further appropriated to the said university the sum of forty thousand dollars (\$40,000.00) to be used during the year 1903, as follows:

Equipment for medical building.....	\$35,000.00
For repair and contingent fund.....	5,000.00

There is further appropriated to the said university to be used in the year 1904, but authorized now, for land upon which contracts may now be made the sum of twenty-seven thousand dollars (\$27,000).

Sec. 3. There is hereby appropriated to the State Normal School at Cedar Falls, out of any money in the state treasury not otherwise appropriated, the sum of nineteen thousand five hundred dollars (\$19,500) dollars annually hereafter, which shall be paid quarterly on the order of the board of trustees, the first payment to be made October 1, 1902, and to be used as follows:

For payment of teachers.....	\$7,500.00
For contingent expenses.....	5,000.00
For summer term.....	7,000.00

There is further appropriated to the said Normal school the sum of eleven thousand six hundred dollars (\$11,600.00), which shall be paid on the order of the board of trustees of said Normal school, but not more than one-fourth thereof shall be paid before October 1, 1902, nor more than one-half before April 1, 1903, nor more than three-fourths before October 1, 1903, for the following purposes:

For repairs.....	\$3,000.00
For library.....	3,000.00
For military instruction.....	1,600.00
For librarian and assistants.....	4,000.00

There is further appropriated to the said Normal school the sum of six thousand five hundred dollars (\$6,500.00), which shall be paid on the order of the board of trustees of said Normal school, but not more than one-half thereof shall be paid before June 1, 1902, nor the second half before the first day of October, 1903, to be used as follows:

For replacing roofs on boiler house, north building and superintendent's home.....	\$ 3,000.00
For grading and improvement of grounds.....	500.00
For street paving.....	2,000.00

And there is further appropriated to said Normal school the sum of \$27,169.35, which shall be paid on the order of the board of trustees of said Normal school immediately upon taking effect of this act, for the following purposes:

For extension of heating plant and boilers.....	\$ 7,078.29
Extension water mains and fire protection.....	1,096.06
For furnishing buildings	10,000.00
Janitors, firemen and fuel.....	2,000.00
Additional boilers and heating capacity.....	7,000.00

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Senator Healy moved to amend the motion of Senator Whipple as follows, "that the resolution recommending that John Bellew be granted a parole be considered."

On the question, Shall the resolution be considered?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Healy, Hobart, Hopkins, Junkin, Lister, Lyons, Mardis, Maytag, Moffit, Trewin, Wilson, Winne—27.

The nays were:

Senators Hubbard, Spaulding—2.

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Bruce, Classen, Crossley, Hartshorn, Hazelton, Hogue, Lambert, Lewis, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Young of Lee, Young of Washington—21.

So the amendment was adopted.

Senator Healy moved that the resolution be adopted.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Porter, Townsend, Trewin, Wilson—29.

The nays were:

Senator Spaulding.

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Bruce, Classen, Crawford, Crossley, Hartshorn, Hazelton, Hogue, Lewis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Whipple, Winne, Young of Lee, Young of Washington—2.

So the resolution was adopted.

Senator Lambert moved to reconsider the vote whereby the report of the committee recommending indefinite postponement of the resolution recommending the parole of Otto Otten was adopted.

Carried.

Senator Lambert moved that the resolution be adopted.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Alexander, Allyn, Bachman, Blanchard, Brighton, Courtright, Craig, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hayward, Healy, Hobart, Hogue, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Townsend, Trewin, Winne, Young of Lee—28.

The nays were:

Senators Brooks, Crawford, Harper, Lewis, Moffit, Smith of Mitchell, Spaulding—7.

Absent or not voting:

Senators Arthaud, Ball, Bishop, Bruce, Classen, Crossley, Hartshorn, Hazelton, Maytag, Molsberry, Tallman, Whipple, Wilson, Young of Washington—15.

So the resolution was adopted.

On motion of Senator Garst, House file No. 263, a bill for an act to amend sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section one hun-

dred sixty-eight (168) of the code of one thousand eight hundred ninety-seven (1897), and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly, with report of committee recommending its passage was taken up, considered and the report of the committee adopted.

The bill was read section by section for amendments.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section two of the bill by inserting in the fifth line of the printed bill, after the word "necessary" the words "and as approved by the executive council."

Carried.

Senator Lambert offered the following amendment and moved its adoption:

Amend section ten of the bill by striking out the word "bulletins" in the fifth line of the bill.

Carried.

Senator Porter offered the following amendment and moved its adoption:

I move to strike out all after the word "libraries" in line eight, section two of the bill.

Carried.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section four (4) of the bill by inserting after the figure "3", in the fourth line of the printed bill, the words "and number of assistants and their salaries, and the salary of the secretary, shall be fixed by the committee on Retrenchment and Reform."

Senator Lambert offered the following as a substitute to the amendment offered by Senator Trewin:

I move to amend section 4 by striking out all after the word "commission" in the second line thereof, up to and including the period after the figure 8 in the fourth line of the printed bill and insert in lieu thereof, the following, "at a salary of one hundred dollars (\$100) per month, it may also employ an assistant secretary at a salary of sixty dollars (\$60) per month, and a janitor at a salary of fifty-five (\$55) dollars per month.

Lost.

The amendment offered by Senator Trewin was adopted.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section four (4) of the bill by inserting in the tenth line of the printed bill after the word "be" the words "verified and".

Carried.

Senator Ball offered the following amendment and moved its adoption:

Amend section four (4) by striking out the following words in the second line thereof to wit: "and for such compensation".

Carried.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section 5 of the bill by adding at the end thereof the words "when allowed by the executive council".

Carried.

Senator Courtright offered the following amendment and moved its adoption:

Strike from the twelfth line the following, "as may be necessary by the commission," and insert the following in lieu thereof: "provided by this act."

Carried.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section seven (7) of the bill by adding at the end thereof the following: "All accounts and bills for expenses of the secretary and members of the commission, and all bills for expenditures by the commission, shall be itemized and verified and be audited and allowed by the executive council before being paid."

Carried.

Senator Lambert offered the following amendment and moved its adoption:

I move to strike out all of section seven (7) after the word "act," in the eleventh line of the printed bill.

Lost.

Senator Lambert offered the following amendment and moved its adoption:

I move to amend section seven (7) by adding after the word "year" in the eighth line of the bill the following: "Not more than three thousand five hundred dollars (\$3,500) of said sum to be used in the payment of salaries and expenses of the commission and secretary."

A roll call was demanded on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Arthaud, Bachman, Ball, Bishop, Bruce, Courtright, Garst, Healy, Hogue, Lambert, Lewis, Lister, Mardis, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Wilson, Young of Lee—21.

The nays were:

Senators Alexander, Allyn, Craig, Crossley, Fitchpatrick, Griswold, Hartshorn, Hobart, Hopkins, Moffit, Trewin, Whipple—12.

Absent or not voting:

Senators Blanchard, Brighton, Brooks, Classen, Dowell, Harper, Harriman, Hayward, Hazelton, Hubbard, Junkin, Lyons, Maytag, Molsberry, Winne, Young of Washington—17.

So the amendment was adopted.

Senator Ball offered the following amendment and moved its adoption:

Amend section 8 by striking out the words "two thousand and," wherever they occurred in said section and inserting the word "twenty" in lieu thereof. Also, amend said section by striking out the words "of one thousand eight hundred and ninety-seven" and the figures "1897" in the fourth and fifth lines of said section, and also strike out the same words when they occur in the seventh line of said section.

Carried.

Senator Courtright offered the following amendments and moved their adoption:

That the words and figures "twenty-eight hundred sixty-eight (2868)" be stricken out of the first line of section eight (8).

Carried.

Strike out the words and figures "twenty-eight hundred seventy-one (2871), twenty-eight hundred seventy-two (2872), twenty-eight hundred seventy-three (2873) and twenty-eight hundred seventy-four (2874)" from the bill.

Carried.

Strike out from section 8, all after the word "and" after the word repeal in the eighth line of said section.

A roll call was demanded.

On the question, Shall the amendment be adopted?

The yeas were:

Senators Bachman, Blanchard, Courtright, Healy, Hogue, Lambert, Porter, Smith of Mitchell, Spaulding, Wilson, Winne, Young of Lee—12.

The nays were:

Senators Alexander, Allyn, Brighton, Brooks, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hobart, Hopkins, Hubbard, Lewis, Mardis, Moffit, Smith of Des Moines, Tallman, Townsend, Trewin, Whipple—24.

Absent or not voting:

Senators Arthaud, Ball, Bishop, Bruce, Classen, Crawford, Hayward, Hazelton, Junkin, Lister, Lyons, Maytag, Molsberry, Young of Washington—14.

So the amendment was lost.

Senator Trewin offered the following amendment and moved its adoption:

Add to section four (4): "The work in connection with the associate libraries shall be conducted by the library commission."

Carried.

Senator Tallman offered the following amendment and moved its adoption:

I move to amend section 7 of the bill by inserting after the word "expenses" in the sixth line of the printed bill the words "and salaries."

Carried.

Senator Ball offered the following as a substitute for section 8.

I move that the following be adopted as a substitute for section eight and for all amendments offered thereto:

Sec. 8. That section twenty-eight hundred sixty-nine (2869) of the code, and chapter one hundred forty-eight (148) of the acts Twenty-seventh General Assembly be and the same is hereby repealed, and that section one hundred sixty-eight (168) of the code be so amended as to add after the word 'department' in the ninth line the words 'traveling library and Iowa library commission.'

Carried

Senator Trewin 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee—40.

The nays were:

None.

Absent or not voting:

Senators Bishop, Classen, Courtright, Hartshorn, Hayward, Junkin, Lyons, Maytag, Molsberry, Young of Washington—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to Building and Loan Associations and regulating the same.

Also, Senate file No. 13, a bill for an act to amend section twenty-seven hundred forty-two (2742) of the code, relating to county superintendents.

Also, Senate file No. 278, a bill for an act making an appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing for the method of such erection.

Also, Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

Also, House file No. 436, a bill for an act authorizing the commander-in-chief to organize naval militia in Iowa, and prescribing regulations therefor.

Also, House file No. 298, a bill for an act to amend section twenty-five hundred and twenty-two (2522) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violations of the section as amended.

Also, House file No. 451, a bill for an act legalizing the election of the city of Clinton in favor of establishing a free public library in said city.

Also, House file No. 78, a bill for an act amendatory of and additional to section seventeen hundred twenty-six (1726) of the code, relating to notes taken for insurance other than life.

Also, House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents.

Also, House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand or less, to appropriate money from their general fund, for the improvements and maintenance of public parks and providing for the expenditure thereof.

Also, House file No. 345, a bill for an act to amend section twenty seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of industrial schools.

Also, House file No. 345, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax, in excess of that legally due,

Also, House No. 444, a bill for an act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant Polk county.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to Building and Loan Associations and defining and regulating the same.

Also Senate file No. 13, a bill for an act to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents.

Also, Senate file No. 278, a bill for an act making an appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing for the method of such erection.

Also, Senate file No. 271, a bill for an act to legalize the publication of notice and vote, for the incorporation of the town of Gravity, Iowa.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code, and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to Building and Loan Associations and defining and regulating the same.

Also, Senate file No. 18, a bill for an act to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents.

Also, Senate file No. 278, a bill for an act making an appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one, Charles Shepherd, and providing for the method of such erection.

Also, Senate file No. 271, a bill for an act to legalize the publication of notice and vote, for the incorporation of the town of Gravity, Iowa.

E. K. WINNE,
Chairman.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 95, a bill for an act to amend section thirty-two hundred and eighty-seven (3287) of the code relating to the recording of wills.

Also, Senate file No. 115, a bill for an act to amend section one thousand three hundred and thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies.

Also, Senate file No. 156, a bill for an act to amend section three thousand two hundred and fifty-three (3253) of the code relating to the rights, duties and relations between parent and child by adoption.

Also, Senate file No. 280, a bill for an act for 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.

Also, Senate file No. 285, a bill for an act to amend section two thousand and eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

Also, Senate file No. 278, a bill for an act to repeal chapter sixty-nine (69) of the acts of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa and enacting a substitute therefor.

Also, Senate file No. 254, a bill for an act repealing section one hundred and sixty-four (164) of the code, and enacting a substitute therefor; providing for the appointment of an expert accountant and an assistant, and appropriating money to pay the same, and granting the executive council power

to determine systems of records and accounts to be kept by the state officers under certain conditions.

E. K. WINNE,
Chairman.

April 8, 1902.

Senator Junkin submitted the following report of the committee on Retrenchment and Reform and asked that it be printed in the Journal;

JOINT RESOLUTION NUMBER 9—BY COMMITTEE ON RETRENCHMENT
AND REFORM

Fixing the number and compensation of employes in the department of state at the seat of government.

Be it Resolved by the General Assembly of the State of Iowa:

Until the final adjournment of the next general assembly, the number of employes for the various offices at the seat of government, unless otherwise provided by law, shall at no time exceed the number named herein, and their compensation shall be the amount herein fixed.

For the office of attorney-general—

	Per annum.
One legal assistant at a salary of.....	\$ 1,200
One stenographer at a salary of	780
Additional assistance and contingent fund to pay advanced costs.....	800

For the office of auditor of state—

One chief clerk and examiner of insurance department at a salary of.....	1,500
One security clerk in insurance department (who shall give bond) at a salary of.....	1,250
One second assistant clerk in the insurance department, who shall do general work.....	1,000
One chief clerk in revenue department at a salary of	1,300
One clerk of building and loan department at a salary of.....	1,200
One clerk for general work at a salary of.....	780
One stenographer at a salary of	780
One janitor at a salary of.....	660

For the office of clerk of supreme court—

One clerk at a salary of.....	1,000
Additional clerical assistance	1,100
One janitor, who shall also act as messenger, and who shall also act as janitor for the supreme court room, at a salary of	660

For the office of dairy commissioner—

One clerk for three months at a salary of \$75 per month.....	225
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For the office of governor—

One pardon secretary at a salary of.....	1,500
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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 usher and messenger, who shall also act as janitor, at a salary of	840
For the state librarian's office—	
One cataloguer at a salary of	1,000
One janitor at a salary of.....	660
Assistant help in janitor service.....	200
For the railroad commissioners' office—	
One clerk at a salary of	1,000
For the office of secretary of state—	
One chief clerk (who shall give bond) at a salary of.....	1,250
One corporation clerk at a salary of	1,000
One assistant corporation clerk at a salary of.....	1,000
One stenographer at a salary of.....	780
One clerk in the document room at a salary of	900
One janitor and messenger at a salary of.....	720
Additional clerical assistance may be employed at an expense not to exceed.....	800
For copying and indexing articles of incorporation laws, not to exceed.....	1,200
For the office of superintendent of public instruction—	
One stenographer at a salary of	780
One janitor at a salary of.....	660
Extra clerical assistance not to exceed.....	300
For supreme court rooms—	
One bailiff, who shall also act as janitor and messenger, at a salary of	780
For the office of treasurer of state—	
One cashier (who shall give bond) at a salary of.....	1,250
One bookkeeper at a salary of	1,200
One clerk and stenographer at a salary of	900
One clerk for general work at a salary of.....	780
One night watch, who shall also act as janitor, at a salary of..	780
For the historical department—	
Assistant curator at a salary of.....	900
Second assistant curator, clerk and stenographer at a salary of	900
One janitor for the historical building at a salary of.....	660
For the executive council—	
One secretary at a salary of.....	1,800
One clerk at a salary of	1,200
One clerk at a salary of	840

One mail carrier with team and wagon, who shall perform the duties assigned by the executive council, at a salary of.....	1,100
For the board of control—	
One chief bookkeeper not to exceed	1,600
One storekeeper and clerk not to exceed	780
One assistant bookkeeper not to exceed	780
One clerk not to exceed	720
One assistant clerk not to exceed.....	900
One stenographer not to exceed.....	780
One stenographer not to exceed.....	780
One clerk and janitor not to exceed.....	780
For extra clerical assistance not to exceed	500
For the department of geological survey—	
One stenographer at a salary of.....	780
For the office of state mine inspector—	
One clerk at a salary of.....	600
Weather and crop service—	
Director's salary	1,500
Clerical assistance not to exceed	720
For the office of state board of health—	
One clerk or stenographer (to be appointed by the secretary) at a salary of	780
Office of supreme court reporter—	
One clerk at a salary of.....	1,200
For the office of pharmacy commissioners—	
One secretary and treasurer at a salary of	1,200
For the office of attorney-general and adjutant-general there shall be one janitor to be selected by them who shall receive a salary of.....	660
For the offices of railroad commissioners and horticultural department there shall be one janitor to be selected by them at a salary of.....	660
For the offices of state agriculture (agricultural) society and state board of health there shall be one janitor to be selected by them at a salary of.....	660
For the offices of pharmacy department, dairy department, the mining inspector and the labor bureau there shall be one janitor to be selected by the custodian at a salary of.....	660
For the offices of the secretary of the executive council, the supply department, the G. A. R. department and the geological survey, there shall be one janitor to be selected by the executive council at a salary of.....	660
The last five janitors shall be upon the custodian's pay roll.	

The custodian shall provide the necessary janitor services for all parts of the capitol and historical buildings, not otherwise provided for. The janitors of the state house shall at all times be subject to the order of the custodian, to perform any additional services by the way of assisting the state house engineer, state house carpenter, supply department, historical department, or upon the capitol grounds, or any other labor that may be necessary about the capitol grounds, at such hours as they are not necessarily employed in their regular janitor work, and it shall be the duty of the custodian to assign said janitors to do such extra service and said custodian may employ janitors and other assistants as follows:

	Per annum.
One engineer at a salary of	\$ 1,200
One carpenter at a salary of	1,000
One chief of police at a salary of	900
Two night watchmen at a salary of	900
Eight janitors at a salary of	660
One janitress for ladies' toilet rooms, not to exceed three months per year, at rate of	660
Three laborers for state grounds, eight months in year, at rate of	660
The necessary firemen for boiler rooms at rate of	720
One elevator tender at a salary of	600

Placed on file.

On motion of Senator Hubbard, from the sifting committee, House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections thirty hundred forty-three (3043), thirty hundred forty-five (3045), thirty hundred forty-nine (3049), thirty hundred fifty (3050), thirty hundred fifty-one (3051), thirty hundred fifty-two (3052), thirty hundred fifty-four (3054) and thirty hundred fifty-five (3055) of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three (3), was taken up and considered.

Senator Hubbard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Moffit, Porter, Smith of Des

Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee—35.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brighton, Classen, Courtright, Craig, Harri-
man, Hartshorn, Hayward, Healy, Hogue, Junkin, Lyons, May-
tag, Molsberry, Young of Washington—15

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst House file No. 221, a bill for an act to amend sections twenty-two hundred and four (2204) and twenty two hundred and fourteen (2214) of the code, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved the adoption of the following committee amendments:

Strike out the words "three hundred and fifty" in the fourth line of section 1 and insert in lieu thereof the words "three hundred".

Also, strike out the words "sixty thousand" in the last line of section 2 and insert the words "fifty-seven thousand three hundred and fifty (57,350) in lieu thereof.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Courtright, Crawford, Grossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hazelton, Healy, Hobart, Hubbard, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Trewin, Whipple, Winne—32.

The nays were:

Senators Porter, Tallman—2.

Absent or not voting:

Senators Allyn, Bishop, Classen, Craig, Harriman, Hartshorn, Hayward, Hogue, Hopkins, Junkin, Lambert, Lyons, Molsberry, Wilson, Young of Lee, Young of Washington—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The President announced that he had signed, in the presence of the Senate, Senate files Nos. 13, 271, 278, 348, and House files Nos. 78, 145, 245, 345, 298, 309, 334, 436, 444 and 451.

Senator Junkin, from the committee on Retrenchment and Reform, submitted the following report:

REPORT OF COMMITTEE ON RETRENCHMENT AND REFORM, IN RESPONSE TO
THE CONCURRENT RESOLUTION PASSED BY THE TWENTY NINTH
GENERAL ASSEMBLY.

The committee shows that on the 14th day of February, a resolution was introduced in the Senate, which subsequently passed both houses, authorizing this committee to inquire and report respecting the failure of certain officials and departments to make verified reports of the receipts and expenditures of such officials and departments as required by law. That, acting under said resolution, this committee finds:

First. The veterinary surgeon filed no other report than the published table which was sent to the secretary of the executive council, but was not verified. This report does not disclose the matters in sufficient detail so as to comply with the statute.

Second. The supreme court filed no report. The bailiff of said court filed certain data with the clerk of the executive council, but such report was not a compliance with the statute.

Third. The railway commissioners filed a report, but the same was not verified, and the said report was not filed in compliance with the statute nor in the time fixed by the statute.

Fourth. The geological survey made no regular report. The stenographer of that department listed certain data from which the published report was compiled, but said report was in other ways defective and was not verified.

Fifth. The regents of the State University did not verify the report which they filed, and examination of such report reveals the fact that the published report is not sufficiently definite, nor does it set out the receipts and disbursements in sufficient detail so as to comply with the statute.

Sixth. The trustees of the agriculture college filed a report, but the

same was not verified, although it was certified. We find that said report was not sufficiently definite or specific so as to comply with the statute.

Seventh. We find that the state agriculture society made no report whatever to the executive council, and it is the opinion of the committee that the law which requires such reports, is applicable to such society.

Eighth. We find that the reports of the governor, board of control, the attorney-general, the adjutant general, the superintendent of public instruction, the dairy commissioner, the secretary of state, the auditor of state and the treasurer of state are in compliance with the law requiring reports to be made by such officers and departments.

We further report that the law under which the many boards were acting was loose and indefinite as to the manner in which accounts should be kept, and the Executive Council had not sufficient power to investigate and compel a proper accounting of such boards and officers. By reason of the inadequacy of the system of accounting, in some instances certain boards were wholly unable to render a proper account of their expenditures and disbursements as required by statute. The Secretary of the Executive Council prepared a certain measure, known as Senate File No. 254, which bill has passed both houses, and will, we assume, become a law. This measure was framed to cure the defects in the present statute, and will compel a proper accounting; it also permits the Executive Council to provide a system of accounting, so that an accurate and just examination can be made, and it is the opinion of the Committee that the enforcement of the provisions of the new bill will correct to a very large extent the causes which led to the deficiencies and the neglect of which complaint is made.

On motion of Senator Lister, substitute for House file No. 129, a bill for an act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Lister moved the adoption of the following committee amendment:

Amend as follows: Strike out the words "five hundred" in the fourth line of section one (1) of the bill.

Senator Bachman moved that the Senate adjourn to meet at 7:45 this evening.

Carried.

Senate adjourned.

EVENING SESSION.

Senate met pursuant to adjournment, at 7:45, P. M., President Herriott presiding.

Senator Hubbard moved that the Senate take a recess of fifteen minutes.

Carried.

The Senate was called to order by President Herriott.

On motion of Senator Healy, further consideration of House file No. 129 was postponed until tomorrow morning.

Senator Brooks moved that the vote whereby House file No. 168 failed on passage be reconsidered.

Carried.

Senator Brooks moved that the vote whereby House file No. 168 passed to a third reading be reconsidered.

Carried.

On motion of Senator Brooks House file No. 168 was referred to the sifting committee.

THIRD READING OF BILLS.

On motion of Senator Hubbard House file No. 394, a bill for an act to amend section fifty-seven hundred and seven (5707) of the code relative to the employment of persons sentenced to imprisonment in the penitentiary in places or buildings owned or leased by the state outside of the penitentiary enclosures, was taken up and considered.

The bill was read for information.

Senator Whipple moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—41.

The nays were:

None.

Absent or not voting:

Senators Hartshorn, Hayward, Healy, Lambert, Lyons, Molsberry, Smith of Des Moines, Townsend, Young of Washington—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate, and its title agreed to.

On motion of Senator Whipple, House file No. 395, a bill for an act to repeal section forty-eight hundred and ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than for life, was taken up and considered.

The bill was read for information.

Senator Whipple moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harriman, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—39.

The nays were:

None.

Absent or not voting:

Senators Brighton, Garst, Harper, Hartshorn, Hayward, Lambert, Lyons, Maytag, Molsberry, Townsend, Young of Washington—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard House file No. 263, a bill for an act making provision for the support of the Department of Industrial School for Boys at Eldora, Iowa (amendatory to chapter-eighty-one (81) of the Acts of the Twenty-seventh General Assembly, relating to the support of the industrial schools), with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

On motion of Senator Garst, House file 265 was recommitted to the committee on Appropriations.

On motion of Senator Garst, House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allen, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee--42.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Hartshorn, Hayward, Lambert, Lyons, Molsberry, Townsend, Young of Washington—8.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 176, a bill for an act creating a commission to superintend the completion of the capitol building and repairs thereto, and appropriating money therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended the same do pass: Amend section one (1) by inserting after the word "persons," in second line, the following: "not more than two of whom shall belong to the same political party."

WARREN GARST,
Chairman.

On motion of Senator Smith of Mitchell the Senate took up Senate file No. 176 for consideration.

Senator Smith of Mitchell moved the adoption of the following committee amendments:

Amend section one by inserting after the word "persons" in second line the following, "not more than two of whom shall belong to the same political party."

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to amend line ten of section four by striking out the word "an" before the word "amend." and insert in lieu thereof the word "a;" also by inserting before the word "annual" in said line the word "verified."

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to amend section four by adding at end thereof the following: "The accounts of said commission shall be kept in a manner agreeable to the requirements of the executive council and said council shall have its

expert accountant examine the accounts of said commission, when the accounts of other officers and commissions are examined and at such other times as said council may deem advisable."

Carried.

Senator Smith of Mitchell offered the following amendment and moved its adoption:

Insert the words "and necessary" between the words "actually" and "employed" in the last line of section five.

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to amend line six (6) of section five (5) of the bill by inserting after the word "incurred" the words "and paid by them".

Carried.

Senator Smith of Mitchell 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:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Winne, Young of Lee—36.

The nays were:

Senator Bishop—1.

Absent or not voting:

Senators Arthaud, Classen, Harriman, Hartshorn, Hayward, Hogue, Lambert, Lyons, Moffit, Molsberry, Spaulding, Townsend, Young of Washington—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, Senate file No. 345, a bill for an act to amend section twenty-three (23) of chapter one hundred

eighteen (118) of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Ball, Bishop, Blanchard, Brighton, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Winne—35.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bachman, Brooks, Classen, Harriman, Hartshorn, Hayward, Lambert, Lyons, Moffit, Molberry, Spaulding, Townsend, Young of Lee, Young of Washington—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, House file No. 304, a bill for an act to reimburse Matthew R. Sadler for damage caused by sewage from the Industrial School for Girls at Mitchellville, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Garst moved that the following committee amendment be adopted:

Amend the substitute for House file No. 304 by adding to the end of section one (1) the following: Provided that the sum appropriated under this act shall not exceed five thousand dollars (\$5,000).

Also, amend section two (2) of said substitute by striking out the last line of said section and inserting in lieu thereof the following; "Prior to the time of the completion of a sewage disposal plant for the Industrial School for Girls at Mitchellville".

Carried.

The bill was read for information.

Senator Garst moved that the rule be suspended and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Mitchell, Whipple, Winne—30.

The nays were:

Senators Garst, Tallman—2.

Absent or not voting:

Senators Arthaud, Brighton, Classen, Harriman, Hartshorn, Hayward, Hogue, Lambert, Lyons, Moffit, Molsberry, Smith of Des Moines, Spaulding, Townsend, Trewin, Wilson, Young of Lee, Young of Washington—18.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Garst moved to reconsider the vote whereby House file No. 304 failed of passage.

Carried.

On motion of Senator Hubbard, House file No. 83, a bill for an act to repeal section twenty-five hundred and seventy (2570) of the code, and enact a substitute therefor in relation to quarantine, was taken up and considered.

Senator Trewin offered the following amendment and moved its adoption:

I move to amend section one (1) of the bill by adding after the words "same at end of paragraph two of" the words "section (1). The expenses paid under the provisions of this act and the chapter of which it is amendatory, shall in no case exceed the reasonable value of the property furnished or services rendered and the county shall not advance such expenses until the same shall have been audited and allowed by the board of supervisors".

Carried.

Senator Harriman 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:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Healy, Hopkins, Hubbard, Junkin, Lewis, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Winne, Young of Lee—32.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Brighton, Bruce, Classen, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Lambert, Lister, Lyons, Moffit, Molsberry, Spaulding, Townsend, Wilson, Young of Washington—18.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin House file No. 332, a bill for an act to amend section seven hundred thirty-two (732) of the code, as amended by Chapters twenty-one and twenty-two of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Trewin moved that the rule be suspended, and that

the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Harper, Harriman, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee—32.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Brighton, Classen, Griswold, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hughes, Lambert, Lyons, Moffit, Molsberry, Spaulding, Townsend, Winne, Young of Washington—18.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard House file No. 401, a bill for an act to amend section five thousand and ninety-six (5096) of the code, relating to bail after conviction of certain crimes, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Harper, Harriman, Healey, Hopkins, Hubbard, Lewis, Lister, Mardis, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Winne, Young of Lee—30.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Classen, Garst, Griswold, Hartshorn, Hayward, Hazelton, Hogue, Junkin, Lister, Lambert, Lyons, Moffit, Molsberry, Spaulding, Townsend, Wilson, Young of Washington--20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 488, a bill for an act to amend section twenty-seven hundred twenty-four (2724) of the code, relating to admission to the Iowa school for the deaf at Council Bluffs.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 846, a bill for an act to amend chapter six (6) of the code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards and persons who have taken any of the so-called cures for drunkenness and prescribing punishment for violation of same

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 422, a bill for an act to amend section 5663 of the code, limiting the number of guards at penitentiaries at Fort Madison and Anamosa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 412, a bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, assembly room and library building in incorporated towns.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns the following bill, substitute for House file No. 168 a bill for an act to enable the owners of land to drain them, when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises and to provide for the enlargement and repair of such drains and repealing certain acts herein specified.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 347, a bill for an act to amend section three hundred twenty-five (325) of the code, relating to the removal or suspension of attorneys and payment of costs and fees thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file 303, a bill for an act to amend chapter ninety-two (92), of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown.

C. R. BENEDICT,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 846, a bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding minors as apprentices, and to the appointment of guardian for minors in certain cases.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the House was asked:

Senate concurrent resolution requesting that the senators and representatives in congress use their efforts to secure the enactment of the Nelson-Corliss bill to amend the inter-state commerce bill.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report and amendments of Conference committee to House file No. 225, a bill for an act to amend section three hundred eight (308) of the code, relating to compensation of county attorney.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the House was asked:

Senate concurrent resolution relative to printing 5,000 additional copies of the official register of 1903.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the House was asked:

Senate concurrent resolution authorizing the secretary of state to furnish copy of code and session laws of Twenty-seventh and Twenty-eighth General Assemblies to second assistant clerk, Journal clerks of the Senate and House.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 445, a bill for an act to amend section one hundred thirty-even (137) of the code, relating to the publication of the proceedings of the State Teachers' association.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 447, a bill for an act to appropriate money for the construction of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to recede from House amendments and asks for a conference committee on Senate file No. 183, a bill for an act to legalize certain instruments in writing which were defectively acknowledged on the part of the House.

The Speaker appoints the following committee:

Cummings of Marshall, Sweeley of Woodbury, Gebhart of Pocahontas, Davenport of Union.

C. R. BENEDICT,
Chief Clerk.

Senator Alexander moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
Des Moines, Thursday, April 10, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. D. G. Bruce of Des Moines, Iowa.

REPORTS OF COMMITTEES.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 128, a bill for an act to amend section two thousand five hundred sixty-four (2564), chapter sixteen (16), title twelve (12) of the code of 1897, as amended by chapter eighty-eight (88) of the laws of the Twenty-eighth General Assembly, in relation to public health districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred House file No. 264, a bill for an act to amend sections two thousand five hundred five (2505) and two thousand five hundred six (2506) of the code, relating to the inspection of petroleum products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

E. W. BACHMAN,
Chairman.

Ordered passed on file.

Senator Bachman, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 179, a bill for an act to establish a barbers' examining board, to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure the better education, skill and proficiency of such practitioners and to provide 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 Senate with the recommendation that the same be indefinitely postponed.

E. W. BACHMAN,
Chairman

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Garst, House file No. 107, a bill for an act to amend section twenty-six hundred eight (2608) of the code, and provide additional support for the Soldiers' Home at Marshalltown, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Garst moved the adoption of the committee amendments:

Insert in the title after the word "code" the words "as amended by chapter seventy-two (72) of the acts of the Twenty-seventh General Assembly;" insert after the word "code" in the first line of section one (1) the words "as amended by chapter seventy-two (72) of the acts of the Twenty-seventh General Assembly."

Carried.

Senator Garst 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Classen, Craig, Crossley, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Senators Bruce, Courtright, Crawford, Dowell, Healy, Hogue, Junkin, Lyons, Maytag, Molsberry, Winne—II.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House returns substitute for House file No. 168, a bill for an act to enable the owners of lands to drain them, when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the enlargement and repair of such drains, and repealing certain acts therein specified.

Passed on file.

Senate concurrent resolution requesting that the senators and representative in congress use their efforts to secure the enactment of the Nelson-Corliss bill, to amend the interstate commerce act.

Passed on file.

House file No. 225, a bill for an act to amend section three hundred eight (308) of the code, relating to compensation of county attorneys.

Passed on file.

Senate concurrent resolution authorizing the secretary of state to furnish copy of code and session laws of the Twenty-seventh and Twenty-eighth General Assemblies to second assistant secretary and clerk and Journal clerks of the Senate and House.

Passed on file.

Senate concurrent resolution relative to printing 5,000 additional copies of the Official Register of 1903.

Passed on file.

Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding.

Passed on file.

Senate file No. 347, a bill for an act to amend section three hundred twenty-five (325) of the code, relating to the removal or suspension of attorneys, and payment of costs and fees therefor.

Passed on file.

Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown.

Passed on file.

Senate file No. 346, a bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding minors as apprentices and to the appointment of guardian for minors in certain cases.

Passed on file.

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 300, a bill for an act to provide for an exhibit of the arts, industries, and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: "Amend section two (2), by striking out of the first line the word "fifty" and insert in lieu thereof the words "twenty-five", and amend the second line by striking out the figures "\$150,000)" and inserting the figures "\$125,000)".

And when so amended the same do pass.

WARREN GARST,
Chairman.

Senator Classen, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred Senate file No. 334, a bill for an act providing for the opening of highways on section lines in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. B. CLASSEN,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 211, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa industrial reformatory for women, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

On motion of Senator Garst the Senate took up House file No. 300 for consideration.

Senator Garst moved that the following committee amendment be adopted:

Amend section 2 by striking out of the first line the word "fifty", and insert in lieu thereof the words "twenty-five", and the second line by striking out the figures "\$150,000", and inserting the figures "\$125,000".

A roll call was demanded.

On the question, Shall the amendment of the committee be adopted?

The yeas were:

Senators Allyn, Arthaud, Bachman, Bishop, Brighton, Brooks, Dowell, Fitchpatrick, Garst, Harper, Hazelton, Healy, Hobart, Hubbard, Junkin, Lewis, Lister, Moffit, Porter, Smith of Mitchell, Tallman, Townsend, Wilson, Winne, Young of Lee, Young of Washington—26.

The nays were:

Senators Alexander, Blanchard, Classen, Courtright, Craig, Crossley, Griswold, Harriman, Hartshorn, Hayward, Hogue, Hopkins, Lambert, Mardis, Smith of Des Moines, Spaulding, Trewin, Whipple—18.

Absent or not voting:

Senators Ball, Bruce, Crawford, Lyons, Maytag, Molsberry—6.

So the committee amendment was adopted.

The bill was read for information.

Senator Blanchard offered the following amendment and moved its adoption:

I move to strike out section 4 of the bill.

Carried.

Senator Healy offered the following amendment and moved its adoption:

I move to amend section 2 by adding at end thereof the following:

"The accounts of said commission shall be kept in a manner agreeable to the requirements of the executive council, and said council shall have its expert accountant examine the accounts of said commission at any time it may deem advisable. All reports required to be made by said commission shall be verified."

Carried.

Senator Lewis offered the following amendment and moved its adoption.

Amend section two (2) in last line by inserting the words "receipts and" before the word "disbursements."

Carried.

Senator Blanchard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Lewis, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Winne, Young of Lee, Young of Washington—39.

The nays were:

Senator Crawford.

Absent or not voting:

Senators Bishop, Lambert, Townsend, Harriman, Lister, Wilson, Hartshorn, Lyons, Junkin, Molsberry—10.

Senator Blanchard moved that the following be added to the title: "and making an appropriation therefor."

Carried.

So the bill, having received an constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House file No. 433, a bill for an act to amend section 2724 of the code, relating to admission to Iowa School for the Deaf at Council Bluffs.

Read first and second time and referred to Sifting committee.

House file No. 346, a bill for an act to amend chapter 6 of the code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards and persons who have taken any of the so-called cures for drunkenness and prescribing punishment for the violation of the same.

Read first and second time and referred to Sifting committee.

House file No. 422, a bill for an act to amend section 5663 of the code, limiting the number of guards at penitentiaries at Ft. Madison and Anamosa.

[Read first and second time and referred to Sifting committee.

House file No. 412, a bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, assembly room and library building in incorporated towns.

Read first and second time and referred to Sifting committee.

House concurrent resolution relative to certain officers of the House and Senate remaining at the capitol after the close of the session of the Twenty-ninth General Assembly.

On motion of Senator Garst the resolution was adopted.

Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of Governor's square in the city of Des Moines for park purposes.

Passed on file.

Senate file No. 349, a bill for an act to amend section nineteen hundred ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

Passed on file.

Senate file No. 346, a bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding minors as apprentices and to the appointment of guardian for minors in certain cases.

Passed on file.

House file No. 325, a bill for an act to amend section thirty-three hundred eight (3308) of the code, relating to the release and discharge of liens by foreign administrators, executors and guardians, and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments.

Read first and second time and referred to Sifting committee.

House file No. 234, a bill for an act making an appropriation to the Iowa State Historical society.

Read first and second time and referred to Sifting committee.

House file No. 430, a bill for an act to amend chapter nine (9), title nine (9) of the code, relating to fraternal orders.

Read first and second time and referred to Sifting committee.

House file No. 445, a bill for an act to amend section one hundred thirty-seven (137) of the code, relating to the publication of the proceedings of the State Teachers' association.

Read first and second time and referred to Sifting committee.

House file No. 447, a bill for an act to appropriate money for the construction of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

Read first and second time and referred to committee on Appropriations.

House refuses to recede from its amendments to Senate file No. 188, a bill for an act to legalize certain instruments in writ-

ing which were defectively acknowledged, and asks for conference committee.

Passed on file.

On motion of Senator Garst, House file No. 304, a bill for an act to reimburse Matthew R. Saddler for damage caused by sewage from the Industrial School for Girls at Mitchellville, was taken up and considered.

Amended.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Mitchell, Spaulding, Townsend, Whipple, Wilson, Winne—40.

The nays were:

None.

Absent or not voting:

Senators Ball, Bruce, Hobart, Junkin, Molsberry, Smith of Des Moines, Tallman, Trewin, Young of Lee, Young of Washington—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Brooks called up House message relating to House amendments to Senate file No. 188, and the President named as the conference committee on the part of the Senate, Senators Healy, Brooks, Arthaud and Courtright.

UNFINISHED BUSINESS.

Senator Hubbard called up House file No. 129, which was pending at the hour of adjournment last evening.

The question was on the committee amendments to House file No. 129.

Senator Arthaud moved the previous question on the committee amendments and on the bill.

On the question, "shall the main question be now put" the motion prevailed.

On the question, Shall the committee amendment be adopted?

The yeas were:

Senators Alexander, Arthaud, Bishop, Blanchard, Brooks, Crawford, Crossley, Garst, Harriman, Hartshorn, Hopkins, Lambert, Lewis, Lister, Lyons, Mardis, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Young of Washington—23.

The nays were:

Senators Allyn, Bachman, Ball, Brighton, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hubbard, Junkin, Maytag Moffit, Townsend, Trewin, Whipple, Winne—24.

Absent or not voting:

Senators Hogue, Molsberry, Young of Lee—3.

So the amendment was lost.

Senator Hubbard 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:

Senators Allyn, Bachman, Ball, Brighton, Bruce, Classen, Courtright, Craig, Dowell, Fitchpatrick, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hogue, Hubbard, Junkin, Mardis, Maytag, Moffit, Townsend, Trewin, Whipple, Winne, Young of Lee—27

The nays were:

Senators Allyn, Arthaud, Bishop, Blanchard, Brooks, Crawford, Crossley, Garst, Harriman, Hartshorn, Lambert, Lewis,

Lister, Lyons, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson, Young of Washington—21.

Absent or not voting:

Senators Hopkins, Molsberry—2.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 452, a bill for an act to amend section sixteen hundred forty-two (1642) of the code, in relation to organization of corporations not for pecuniary profit.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 129, a bill for an act relating to notice and proof of loss of personal property insured

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House failed to pass the following bill, in which the concurrence of the House was asked:

Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics and amending sections twenty-four hundred seventy (2470), twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-two (2472) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments, in which the concurrence of the House was asked:

House file No. 263, a bill for an act repealing sections 2, 3, 4 and 5, chapter 116, acts of the Twenty-eighth General Assembly; also defining the duties of Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section 168 of the code of 1897, and repealing sections 2868, 2869, 2871, 2873, 2874 of said code; also repealing chapter 148 of the acts of the Twenty-seventh General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 107, a bill for an act to amend section 2908 of the code, and provide additional support for the Soldiers' Home at Marshalltown.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 221, a bill for an act to amend sections twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 88, a bill for an act to amend section 2570 of the code, and enact a substitute therefor in relation to quarantine and the expenses thereof.

C. R. BENEDICT,
Chief Clerk

On motion of Senator Garst the Senate took up House messages.

HOUSE MESSAGES CONSIDERED.

House file No. 452, a bill for an act to amend section sixteen hundred forty-two (1642) of the code, in relation to organization of corporations not for pecuniary profit.

Read first and second time and referred to Sifting committee.

House file No. 107, a bill for an act to amend section twenty-six hundred eight (2608) of the code, and provide additional support for the Soldiers' Home at Marshalltown.

Passed on file.

House file No. 263, a bill for an act repealing sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly; also, defining the duties of Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also, amending section one hundred sixty-eight (168) of the code of 1897, and repealing sections twenty-eight hundred sixty-eight (2868), twenty-eight hundred sixty-nine (2869), twenty-eight hundred seventy-one (2871), twenty-eight hundred seventy-three (2873) and twenty-eight hundred seventy-four (2874) of the code; also, repealing chapter one hundred forty-eight (148) of the acts of the Twenty-seventh General Assembly.

Passed on file.

House file No. 221, a bill for an act to amend sections twenty two hundred four (2204) and twenty-two hundred fourteen (2214) of the code.

Passed on file.

House file No. 83, a bill for an act to repeal section twenty-five hundred seventy (2570) of the code, and enact a substitute therefor, in relation to quarantine and the expenses thereof.

Passed on file.

Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

Passed on file.

Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics and amending sections twenty-four hundred seventy (2470), twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-two (2472) of the code.

Passed on file.

Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others.

Passed on file.

Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

Passed on file.

Senate file No. 129, a bill for an act relating to notice and proof of loss of personal property insured.

Passed on file.

On motion of Senator Hubbard, House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for the recovery of taxes alleged to be due on personal property omitted, not listed or withheld, with report of committee recommending amendments, was taken up, considered and the report of the committee adopted.

Senator Trewin moved the adoption of the following committee amendment:

That section 2 be amended by striking out the period at the end thereof and adding the following: "by serving notice upon the auditor and otherwise proceeding in the manner provided by section 1 thereof."

Carried.

Senator Ball offered the following amendment and moved its adoption:

I move to strike out section 4 of the amendment and insert in lieu thereof the following:

Section 4. On appeal from the auditor or treasurer the county shall be plaintiff and the cause shall be tried as an equity cause.

Senator Trewin withdrew the motion filed by him to reconsider the vote whereby the House concurrent resolution passed the Senate.

On motion of Senator Harir manthe Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock, P. M., President Herriott presiding.

On motion of Senator Garst, House file No. 265, a bill for an act making provisions for the support of the department of the Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to the support of the industrial school, was taken up and considered.

Senator Brooks offered the following amendment and moved its adoption:

Amend section 1 by striking out the word "eleven (11)," as it appears at the end of said section and inserting in lieu thereof the word "ten (10)."

Carried.

Senator Garst 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:

Senators Alexander, Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Molsberry, Porter, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Brighton, Classen, Crawford, Griswold, Harper, Junkin, Lyons, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Winne—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 157, a bill for an act making an appropriation for the completion of the state historical building, and to provide for the completion of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman

Adopted.

Senator Garst from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 158, a bill for an act to make an appropriation for the erection of a state arsenal and adjutant general's office, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman

Adopted.

Senator Mardis from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred House file No. 383, a bill for an act to amend sections two thousand four hundred forty eight (2448), two thousand four hundred forty-nine (2449) and two thousand four hundred fifty-two of the code, in relation to intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

ALEXANDER MARDIS,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 11, a bill for an act amending section seven hundred and twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns.

Also:

Senate file No. 140, a bill for an act to require railway companies to keep posted in their passenger stations, bulletins giving time of arrival and departure of trains.

Also:

Senate file No. 166, a bill for an act to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmers' county institutes.

Also:

Senate file No. 173, a bill for an act to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendents.

Also:

Senate file No. 194, a bill for an act to amend section one hundred and twenty (120) of the code, relating to printing and binding.

Also:

Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

Also:

Senate file No. 393, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, Iowa.

Also:

Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of waterworks.

Also:

Senate file No. 347, a bill for an act to amend section three hundred and twenty-five (325) of the code, relating to the removal or suspension of attorneys and the payment of costs and fees thereof.

Also:

Senate file No. 349, a bill for an act to amend section nineteen hundred and ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 11, a bill for an act amending section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns.

Also:

Senate file No. 140, a bill for an act to require railway companies to keep posted in their passenger stations, bulletins giving the time of arrival and departure of trains.

Also:

Senate file No. 166, a bill for an act to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmers' county institutes.

Also:

Senate file No. 175, a bill for an act to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendents.

Also:

Senate file No. 194, a bill for an act to amend section one hundred and twenty (120) of the code, relating to printing and binding.

Also:

Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

Also:

Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, Iowa.

Also:

Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of waterworks.

Also:

Senate file No. 347, a bill for an act to amend section three hundred and twenty-five (325) of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees thereof.

Also:

Senate file No. 349, a bill for an act to amend section nineteen hundred and ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 11, a bill for an act amending section seven hundred and twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns.

Also:

Senate file No. 140, a bill for an act to require railway companies to keep posted in their passenger stations, bulletins giving time of arrival and departure of trains.

Also:

Senate file No. 186, a bill for an act to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmers' county institutes.

Also:

Senate file No. 175, a bill for an act to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendents.

Also:

Senate file 194, a bill for an act to amend section one hundred and twenty (120) of the code, relating to printing and binding.

Also:

Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

Also:

Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, Iowa.

Also:

Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of waterworks.

Also:

Senate file No. 347, a bill for an act to amend section three hundred and twenty-five (325) of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees thereof.

Also:

Senate file No. 349, a bill for an act to amend section nineteen hundred and ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

G. K. WINNE,
Chairman

On motion of Senator Trewin, the Senate resumed consideration of substitute for House file No. 112.

The question was on the amendment offered by Senator Ball

this morning, which was offered as a substitute to section 4 of the bill.

On the question, "shall the amendment offered by Senator Ball be adopted, the amendment prevailed.

Senator Trewin offered the following amendments and moved their adoption:

Amend by adding as section 5 the following: Section 5. That section three (3) of chapter forty-seven (47) of the acts of the Twenty-eighth General Assembly be and the same is hereby repealed.

Carried.

Amend by adding as section 6 the following:

This act does not affect pending litigation brought under section thirteen hundred and seventy-four (1874) of the code, or assessments made by the county auditor for a period of five years before the assessment.

Carried.

Also, amend by changing section 4 of the bill to section 7.

Carried.

Senator Smith of Mitchell moved that House file No. 112 be laid upon the table.

A roll call was demanded.

On the question, Shall the bill be laid upon the table.

The yeas were:

Messrs. Alexander, Arthaud, Bachman, Bishop, Bruce, Court-right, Craig, Crossley, Garst, Griswold, Harriman, Hartshorn, Hayward, Lambert, Lewis, Lister, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Spaulding, Townsend, Whipple, Wilson, Young of Lee, Young of Washington—27.

The nays were:

Senators Allyn, Ball, Blanchard, Brighton, Brooks, Crawford, Fitchpatrick, Harper, Healy, Hobart, Hopkins, Hubbard, Lyons, Mardis, Smith of Des Moines, Trewin, Winne—17.

Absent or not voting:

Senators Classen, Dowell, Hazelton, Hogue, Junkin, Tallman

So the motion to lay upon the table prevailed.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 11, 140, 166, 175, 194, 251, 303, 340, 347, 349.

Senator Hubbard called up Senate file No. 117 for consideration.

Senator Hubbard moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Bachman, Blanchard, Brighton, Brooks, Bruce, Craig, Crawford, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lister, Mardis, Molsberry, Smith of Des Moines, Townsend, Trewin, Whipple, Young of Washington—30.

The nays were:

Senators Arthaud, Bishop, Crossley, Dowell, Lambert, Lewis, Lyons, Porter, Wilson, Winne, Young of Lee—11.

Absent or not voting:

Senators Ball, Classen, Courtright, Hogue, Maytag, Moffit, Smith of Mitchell, Spaulding, Tallman—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home at Sioux City, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,

Chairman.

On motion of Senator Garst House file No. 116, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Garst 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:

Senators Alexander, Allyn, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—37.

The nays were:

Senators Healy, Porter, Townsend—3.

Absent or not voting:

Senators Arthaud, Classen, Harriman, Hogue, Junkin, Lewis, Lister, Moffit, Spaulding, Winne—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that same do pass.

WARREN GARST,
Chairman.

Adopted.

On motion of Senator Garst, the Senate took up House file No. 58 for consideration.

Senator Garst, 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Whipple, Wilson, Winne, Young of Lee, Young of Washington—43.

The nays were:

Senators Healy, Porter—2.

Absent or not voting:

Senators Garst, Harriman, Hogue, Townsend, Trewin—5.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Adopted.

On motion of Senator Garst the Senate took up House file No. 219 for consideration.

Senator Garst 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:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lyons, Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Winne, Young of Lee, Young of Washington—38.

The nays were:

Senators Healy, Lewis, Lister, Porter, Townsend—5.

Absent or not voting:

Senators Bachman, Brooks, Garst, Hogue, Junkin, Moffit, Wilson—7.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Blanchard offered the following resolution and moved its adoption:

Resolved, That the sergeant-at-arms, door keeper, messengers and other officers of the Senate are hereby allowed to retain their official badges.

Adopted.

On motion of Senator Garst, House file No. 234, a bill for an act making appropriations to the State Historical society, was taken up and considered.

Senator Garst 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:

Senators Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Whipple, Wilson, Winne, Young of Washington—36.

The nays were:

Mr. Arthaud.

Absent or not voting:

Senators Alexander, Bishop, Crawford, Harper, Hazelton, Hogue, Lyons, Maytag, Molsberry, Porter, Tallman, Trewin, Young of Lee—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

President *pro tem* Harriman was called to the chair at 3:15 P. M.

REPORT OF CONFERENCE COMMITTEE.

MR. PRESIDENT—Your Conference committee to whom was referred House amendments to substitute for Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that the following bill be passed in lieu thereof.

THOS. D. HEALY,
J. T. BROOKS,
F. L. ARTHAUD,
O. B. COURTRIGHT,
Senate Committee.
B. F. CUMMINGS,
F. C. GILCHRIST,
D. DAVENPORT,
M. J. SWEELEY,
House Committee.

Adopted.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 188.

A bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Be it Enacted by the General Assembly of the State of Iowa:

Section 1. That the acknowledgments of all deeds and mortgages or other instruments in writing, taken and certified previous to the passage of this act, and which have been duly recorded in the proper counties in this state, and which are defective only in the form of the certificate of the officer taking the same, or by reason of such acknowledgment having been made before an official not qualified to take the same, but who was at the time qualified to take acknowledgments generally, be and are hereby declared to be as legal and valid for all purposes as if the form of the certificate had been made in accordance with law, and the official taking such acknowledgments duly qualified therefor.

On motion of Senator Healy, substitute for Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, with report of conference committee recommending its passage was taken up, considered, and the report of committee adopted.

Senator Healy 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:

Senators Alexander, Arthaud, Bachman, Ball, Bishop, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hopkins, Hubbard, Junkin, Lewis, Lister, Lyons, Mardis, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Senators Allyn, Blanchard, Garst, Hobart, Hogue, Lambert, Maytag, Molsberry, Trewin—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senate file No. 129, as amended by the House, was taken up, and on the question, Shall the Senate concur in House amendments?.

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hazelton, Hopkins, Junkin, Lambert, Lewis, Mardis, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—38.

The nays were:

Senator Hubbard.

Absent or not voting:

Senators Ball, Garst, Hayward, Healy, Hobart, Hogue, Lister, Lyons, Maytag, Moffit, Molsberry—11.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime, was taken up and considered.

Senator Trewin moved that the rules be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hubbard, Lambert, Lewis, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Trewin, Whipple, Wilson, Winne, Young of Lee, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Senators Classen, Garst, Healy, Hogue, Hopkins, Junkin, Lister, Molsberry, Tallman—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to substitute for House file No. 304, a bill for an act to indemnify Matthew R. Saddler for damages caused by sewage from the Industrial School for Girls at Mitchellville.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following amendments to House file No. 265, a bill for an act making provisions for the support of the department of the Industrial School for Boys at Eldora, Iowa, amendatory to chapter

eight (8) of the acts of the Twenty-eighth General Assembly, relating to the support of the industrial school.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 363, a bill for an act to fix the compensation of water-works trustees in special charter cities.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines, and defining their duties.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 126, a bill for an act amending section 812 of the code, relating to salary of assistant attorney-general.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate amendments in which the concurrence of the House was asked to:

House file No. 253, a bill for an act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 342, a bill for an act to amend section two thousand four hundred ten (2410) of the code, relating to sale of intoxicating liquors and abatement of nuisance.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill, in which the concurrence of the House was asked:

Senate file No. 224, a bill for an act to provide means of egress from buildings.

C. R. BENEDICT,
Chief Clerk.

Senator Smith of Mitchell offered the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION.

Resolved, By the Senate, the House concurring: That as soon as practicable after the formal closing of the Louisiana Purchase exposition, the board of commissioners for Iowa to said exposition shall turn over and surrender to the board of control any building or buildings belonging to the state which shall have been erected on the grounds of said exposition, and the board of control is hereby authorized to accept the same and to take down and transport all or any part of the material composing such building or buildings to any state institution which to them seems advisable, and may pay any expenses necessarily incurred in the tearing down, removal and transportation of materials out of any funds available to the credit of the institution, where any part of the material may be used.

In case the board of control find they cannot use to advantage any part of such material, they may sell the same to the best possible advantage, using the proceeds of such sale or sales (1st) to pay the expenses of tearing down, removing and transporting material, and (2nd) turning any excess above such expenses into the state treasury.

Adopted.

On motion of Senator Healy, House file No. 428, a bill for an act to amend section twenty-seven hundred and fifty-five (2755) of the code of 1897 as amended by chapter one hundred and five (105) of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for the school elections, was taken up and considered.

Senator Healy 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:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Harper, Harriman, Hartshorn, Hazelton, Healy, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Porter, Smith of Mitchell, Tallman, Whipple, Winne, Young of Lee, Young of Washington

The nays were:

None.

Absent or not voting:

Senators Ball, Bishop, Dowell, Garst, Griswold, Hayward, Hobart, Hogue, Junkin, Smith of Des Moines, Spaulding, Townsend, Trewin, Wilson—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGE CONSIDERED.

House concur in Senate.

Amendments to House file No. 304, a bill for an act to indemnify Matthew R. Saddler for damages caused by sewerage from the Industrial School for Girls at Mitchellville.

Passed on file.

House file No. 265, a bill for an act making provisions for the support of the department of the Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-eighth General Assembly, relating to support of the industrial school.

Passed on file.

Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Read first and second time and referred to sifting committee

Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Passed on file.

Senate file No. 126, a bill for an act amending section 312 of the code, relating to salary of assistant attorney-general.

Passed on file.

House file No. 252, a bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry.

On motion of Senator Bachman, House file No. 252 was indefinitely postponed.

House file No. 342, a bill for an act to amend section two thousand four hundred and ten (2410) of the code, relating to sale of intoxicating liquors and abatement of nuisance.

Passed on file.

Senate file No. 224, a bill for an act to provide safe means of egress from buildings.

Passed on file.

Senator Lewis offered the following resolution:

Resolved, That no bills except appropriation bills shall be taken up on Friday except by a three-fourths vote.

Laid over.

Senator Healy moved that when the Senate adjourn it be to meet at 7:45 P. M.

On a division the motion prevailed.

On motion of Senator Hubbard, Senate file No. 264, a bill for an act to fix the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Hubbard moved the adoption of the following committee amendment:

Amend as follows, to-wit: That Wright, Hamilton and Hardin counties shall constitute the thirty-seventh district and Marshall county shall constitute the twenty-eighth district.

Carried.

Senator Crossley offered the following amendment and moved its adoption:

Amend section one (1) Senate file No 264, by striking out all the words after the word "follows" in the fourth (4th) line of said section, in the printed bill, up to and including the printed word "district" in line sixty-one (61) and inserting in lieu thereof the following:

1. Lee county shall constitute the First district.
2. Jefferson county and Van Buren county shall constitute the Second district.

3. Appanoose county and Davis county shall constitute the Third district.
4. Lucas county and Wayne county shall constitute the Fourth district.
5. Decatur county, Ringgold county and Union county shall constitute the Fifth district.
6. Adams county and Taylor county shall constitute the Sixth district.
7. Fremont county and Page county shall constitute the Seventh district.
8. Mills county and Montgomery shall constitute the Eighth district.
9. Des Moines county shall constitute the Ninth district.
10. Henry county and Washington county shall constitute the Tenth district.
11. Clarke county and Warren county shall constitute the Eleventh district.
12. Keokuk county and Poweshiek county shall constitute the Twelfth district.
13. Wapello county shall constitute the Thirteenth district.
14. Mahaska county shall constitute the Fourteenth district.
15. Marion county and Monroe county shall constitute the Fifteenth district.
16. Adair county and Madison county shall constitute the Sixteenth district.
17. Audubon county, Dallas county and Guthrie county shall constitute the Seventeenth district.
18. Cass county and Shelby county shall constitute the Eighteenth district.
19. Pottawattamie county shall constitute the Nineteenth district.
20. Louisa county and Muscatine county shall constitute the Twentieth district.
21. Scott county shall constitute the Twenty-first district.
22. Clinton county shall constitute the Twenty-second district.
23. Jackson county shall constitute the Twenty-third district.
24. Cedar county and Jones county shall constitute the Twenty-fourth district.
25. Iowa county and Johnson county shall constitute the Twenty-fifth district.
26. Linn county shall constitute the Twenty-sixth district.

27. Calhoun county and Webster county shall constitute the Twenty-seventh district.
28. Marshall county shall constitute the Twenty-eighth district.
29. Jasper county shall constitute the Twenty-ninth district.
30. Polk county shall constitute the Thirtieth district.
31. Boone county and Story county shall constitute the Thirty-first district.
32. Woodbury county shall constitute the Thirty-second district.
33. Buchanan county and Delaware county shall constitute the Thirty-third district.
34. Crawford county, Harrison county and Monona county shall constitute the Thirty-fourth district.
35. Dubuque county shall constitute the Thirty-fifth district.
36. Clayton county shall constitute the Thirty-sixth district.
37. Hamilton county, Hardin county, and Wright county shall constitute the Thirty-seventh district.
38. Black Hawk county and Grundy county shall constitute the Thirty-eighth district.
39. Bremer county and Butler county shall constitute the Thirty-ninth district.
40. Allamakee county and Fayette county shall constitute the Fortieth district.
41. Mitchell county, Winnebago county and Worth county shall constitute the Forty-first district.
42. Howard county and Winneshiek county shall constitute the Forty-second district.
43. Cerro Gordo county, Franklin county and Hancock county shall constitute the Forty-third district.
44. Chickasaw county and Floyd county shall constitute the Forty-fourth district.
45. Benton county and Tama county shall constitute the Forty-fifth district.
46. Cherokee county, Ida county, and Plymouth county shall constitute the Forty-sixth district.
47. Clay county, Dickinson county Emmet county, Kossuth county and Palo Alto county shall constitute the Forty-seventh district.
48. Carroll county, Greene county and Sac county shall constitute the Forty-eighth district.

49. Lyon county, O'Brien county, Osceola county and Sioux county shall constitute the Forty-ninth District.

50. Buena Vista county, Humboldt county and Pocahontas county shall constitute the Fiftieth District.

President Herriott resumed the chair at 4 P. M.

Senator Hazelton moved the previous question on Senate file No. 264.

On the question, Shall the main question be now put the motion prevailed?

On the question, Shall the amendment offered by Senator Crossley be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Harriman, Hartshorn, Hayward, Hazelton, Lambert, Lewis, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—36.

The nays were:

Senators Bachman, Garst, Healy, Hobart, Hogue, Hubbard, Junkin, Lister, Smith of Mitchell, Winne—10.

Absent or not voting:

Senators Griswold, Harper, Hopkins, Molsberry—4

So the amendment was adopted.

Senator Hubbard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hopkins, Junkin, Lambert, Lewis, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Des Moines,

Spaulding, Tallman, Townsend, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—40.

The nays were:

Senator Smith of Mitchell.

Absent or not voting:

Senators Garst, Griswold, Harper, Healy, Hogue, Hubbard, Lister, Molsberry, Winne—9.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation, was taken up and considered.

Senator Young of Lee offered the following amendment and moved its adoption.

SUBSTITUTE FOR HOUSE FILE NO. 419.

I move that House file No. 419 be amended by striking out all that portion of said bill after the enacting clause and inserting in lieu thereof the following:

Section 1. Apportionment. That one representative from every twenty-two thousand inhabitants is hereby constituted the ratio of apportionment, and that each representative district shall be as hereinafter described.

Sec. 2. First district. Lee county shall be the first district and entitled to two representatives (39,719).

Sec. 3. Second district. Van Buren county shall be the second district and entitled to one representative (17,354).

Sec. 4. Third district. Davis county shall be the third district and entitled to one representative (15,620).

Sec. 5. Fourth district. Appanoose county shall be the fourth district and entitled to one representative (25,427).

Sec. 6. Fifth district. Wayne county shall be the fifth district and entitled to one representative (17,491).

Sec. 7. Sixth district. Decatur county shall be the sixth district and entitled to one representative (18,115).

Sec. 8. Seventh district. Ringgold county shall be the seventh district and entitled to one representative (15,325).

Sec. 9. Eighth district. Taylor county shall be the eighth district and entitled to one representative (18,784).

Sec. 10. Ninth district. Page county shall be the ninth district and entitled to one representative (24,187).

Sec. 11. Tenth district. Fremont county shall be the tenth district and entitled to one representative (18,546).

Sec. 12. Eleventh district. Mills county shall be the eleventh district and entitled to one representative (16,764).

Sec. 13. Twelfth district. Montgomery county shall be the twelfth district and entitled to one representative (17,803).

Sec. 14. Thirteenth district. Adams county shall be the thirteenth district and entitled to one representative (13,601).

Sec. 15. Fourteenth district. Union county shall be the fourteenth district and entitled to one representative (19,928).

Sec. 16. Fifteenth district. Clarke county shall be the fifteenth district and entitled to one representative (12,440).

Sec. 17. Sixteenth district. Lucas county shall be the sixteenth district and entitled to one representative (16,126).

Sec. 18. Seventeenth district. Monroe county shall be the seventeenth district and entitled to one representative (17,985).

Sec. 19. Eighteenth district. Wapello county shall be the eighteenth district and entitled to one representative (35,426).

Sec. 20. Nineteenth district. Jefferson county shall be the nineteenth district and entitled to one representative (17,437).

Sec. 21. Twentieth district. Henry county shall be the twentieth district and entitled to one representative (20,022).

Sec. 22. Twenty-first district. Des Moines county shall be the twenty-first district and entitled to two representatives (35,989).

Sec. 23. Twenty-second district. Louisa county shall be the twenty-second district and entitled to one representative (13,516).

Sec. 24. Twenty-third district. Washington county shall be the twenty-third district and entitled to one representative (20,718).

Sec. 25. Twenty-fourth district. Keokuk county shall be the twenty-fourth district and entitled to one representative (24,979).

Sec. 26. Twenty-fifth district. Mahaska county shall be the twenty-fifth district and entitled to one representative (34,273).

Sec. 27. Twenty-sixth district. Marion county shall be the twenty-sixth district and entitled to one representative (24,159).

Sec. 28. Twenty-seventh district. Warren county shall be the twenty-seventh district and entitled to one representative (20,376).

Sec. 29. Twenty-eighth district. Madison county shall be the twenty-eighth district and entitled to one representative (17,710).

Sec. 30. Twenty-ninth district. Adair county shall be the twenty-ninth district and entitled to one representative (16,192).

Sec. 31. Thirtieth district. Cass county shall be the thirtieth district and entitled to one representative (21,274).

Sec. 32. Thirty-first district. Pottawattamie county shall be the thirty-first district and entitled to two representatives (54,336).

Sec. 33. Thirty-second district. Harrison county shall be the thirty-second district and entitled to one representative (25,597).

Sec. 34. Thirty-third district. Shelby county shall be the thirty-third district and entitled to one representative (17,932).

Sec. 35. Thirty-fourth district. Audubon county shall be the thirty-fourth district and entitled to one representative (13,626).

Sec. 36. Thirty-fifth district. Guthrie county shall be the thirty-fifth district and entitled to one representative (18,729).

Sec. 37. Thirty-sixth district. Dallas county shall be the thirty-sixth district and entitled to one representative (23,058).

Sec. 38. Thirty-seventh district. Polk county shall be the thirty-seventh district and entitled to two representatives (82,624).

Sec. 39. Thirty-eighth district. Jasper county shall be the thirty-eighth district and entitled to one representative (26,976).

Sec. 40. Thirty-ninth district. Poweshiek county shall be the thirty-ninth district and entitled to one representative (19,414).

Sec. 41. Fortieth district. Iowa county shall be the fortieth district and entitled to one representative (19,544).

Sec. 42. Forty-first district. Johnson county shall be the forty-first district and entitled to one representative (24,817).

Sec. 43. Forty-second district. Muscatine county shall be the forty-second district and entitled to one representative (28,242).

Sec. 44. Forty-third district. Scott county shall be the forty-third district and entitled to two representatives (51,558).

Sec. 45. Forty-fourth district. Cedar county shall be the forty-fourth district and entitled to one representative (19,371).

Sec. 46. Forty-fifth district. Clinton county shall be the forty-fifth district and entitled to two representatives (43,832).

Sec. 47. Forty-sixth district. Jackson county shall be the forty-sixth district and entitled to one representative (23,615).

Sec. 48. Forty-seventh district. Jones county shall be the forty-seventh district and entitled to one representative (21,954).

Sec. 49. Forty-eighth district. Linn county shall be the forty-eighth district and entitled to two representatives (55,392).

Sec. 50. Forty-ninth district. Benton county shall be the forty-ninth district and entitled to one representative (25,177).

Sec. 51. Fiftieth district. Tama county shall be the fiftieth district and entitled to one representative (24,585).

Sec. 52. Fifty-first district. Marshall county shall be the fifty-first district and entitled to one representative (29,991).

Sec. 53. Fifty-second district. Story county shall be the fifty-second district and entitled to one representative (23,159).

Sec. 54. Fifty-third district. Boone county shall be the fifty third district and entitled to one representative (26,200).

Sec. 55. Fifty-fourth district. Greene county shall be the fifty-fourth district and entitled to one representative (17,820).

Sec. 56. Fifty-fifth district. Carroll county shall be the fifty-fifth district and entitled to one representative (20,319).

Sec. 57. Fifty-sixth district. Crawford county shall be the fifty-sixth district and entitled to one representative (21,685).

Sec. 58. Fifty-seventh district. Monona county and Ida county shall be the fifty-seventh district and entitled to one representative (30,307).

Sec. 59. Fifty-eighth district. Woodbury county shall be the fifty-eighth district and entitled to two representatives (54,610).

Sec. 60. Fifty-ninth district. Cherokee county shall be the fifty-ninth district and entitled to one representative (16,570).

Sec. 61. Sixtieth district. Sac county shall be the sixtieth district and entitled to one representative (17,639).

Sec. 62. Sixty-first district. Calhoun county shall be the sixty-first district and entitled to one representative (18,569).

Sec. 63. Sixty-second district. Webster county shall be the sixty-second district and entitled to one representative (31,757).

Sec. 64. Sixty-third district. Hamilton county shall be the sixty-third district and entitled to one representative (19,514).

Sec. 65. Sixty-fourth district. Hardin county shall be the sixty-fourth district and entitled to one representative (22,794).

Sec. 66. Sixty-fifth district. Grundy county shall be the sixty-fifth district and entitled to one representative (13,758).

Sec. 67. Sixty-sixth district. Black Hawk county shall be the sixty-sixth district and entitled to one representative (32,399).

Sec. 68. Sixty-seventh district. Buchanan county shall be the sixty-seventh district and entitled to one representative (21,427).

Sec. 69. Sixty-eighth district. Delaware county shall be the sixty-eighth district and entitled to one representative (19,185).

Sec. 70. Sixty-ninth district. Dubuque county shall be the sixty-ninth district and entitled to two representatives (59,403).

Sec. 71. Seventieth district. Clayton county shall be the seventieth district and entitled to one representative (27,750).

Sec. 72. Seventy-first district. Fayette county shall be the seventy-first district and entitled to one representative (29,845).

Sec. 73. Seventy-second district. Bremer county shall be the seventy-second district and entitled to one representative (16,305).

Sec. 74. Seventy-third district. Butler county shall be the seventy-third district and entitled to one representative (17,955).

Sec. 75. Seventy-fourth district. Franklin county shall be the seventy-fourth district and entitled to one representative (14,996).

Sec. 76. Seventy-fifth district. Wright and Hancock counties shall be the seventy-fifth district and entitled to one representative (31,979).

Sec. 77. Seventy-sixth district. Humboldt and Pocahontas counties shall be the seventy-sixth district and entitled to one representative (28,006).

Sec. 78. Seventy-seventh district. Buena Vista county shall be the seventy-seventh district and entitled to one representative (16,975).

Sec. 79. Seventy-eighth district. Plymouth county shall be the seventy-eighth district and entitled to one representative (22,209).

Sec. 80. Seventy-ninth district. Sioux county shall be the seventy-ninth district and entitled to one representative (23,337).

Sec. 81. Eightieth district. O'Brien and Lyon counties shall be the eightieth district and entitled to one representative (30,150).

Sec. 82. Eighty-first district. Osceola, Emmet and Dickinson counties shall be the eighty-first district and entitled to one representative (25,659).

Sec. 83. Eighty-second district. Clay and Palo Alto counties shall be the eighty-second district and entitled to one representative (27,775).

Sec. 84. Eighty-third district. Kossuth county shall be the eighty-third district and entitled to one representative (22,720).

Sec. 85. Eighty-fourth district. Cerro Gordo county shall be the eighty-fourth district and entitled to one representative (20,672).

Sec. 86. Eighty-fifth district. Floyd county shall be the eighty-fifth district and entitled to one representative (17,754).

Sec. 87. Eighty-sixth district. Chickasaw county shall be the eighty-sixth district and entitled to one representative (17,037).

Sec. 88. Eighty-seventh district. Allamakee county shall be the eighty-seventh district and entitled to one representative (18,711).

Sec. 89. Eighty-eighth district. Winneshiek county shall be the eighty-eighth district and entitled to one representative (23,731).

Sec. 90. Eighty-ninth district. Howard county shall be the eighty-ninth district and entitled to one representative (14,512).

Sec. 91. Ninetieth district. Mitchell county shall be the ninetieth district and entitled to one representative (14,916).

Sec. 92. Ninety-first district. Worth and Winnebago counties shall be the ninety-first district and entitled to one representative (23,612).

A roll call was demanded.

On the question, Shall the amendment offered by Senator Young of Lee be adopted?

The yeas were:

Senators Arthaud, Ball, Bishop, Brighton, Bruce, Crawford, Harper, Harriman, Lambert, Lewis, Lyons, Molsberry, Porter, Smith of Des Moines, Spaulding, Townsend, Wilson, Young of Lee, Young of Washington—19.

The nays were:

Senators Alexander, Allyn, Bachman, Blanchard, Brooks, Classen, Courtright, Crossley, Fitchpatrick, Garst, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lister, Maytag, Moffit, Smith of Mitchell, Tallman, Whipple, Winne—25.

Absent or not voting:

Senators Craig, Dowell, Griswold, Hogue, Mardis, Trewin—6.

So the amendment was lost.

Senator Hubbard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crossley, Fitchpatrick, Garst, Harper, Hartshorn, Hayward, Healy, Hobart, Hop

kins, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Mitchell, Spaulding, Whipple, Winne—30.

The nays were:

Senators Ball, Bishop, Brighton, Crawford, Hogue, Lambert, Lyons, Porter, Smith of Des Moines, Townsend, Wilson, Young of Lee, Young of Washington—13.

Absent or not voting:

Senators Dowell, Griswold, Harriman, Hazleton, Molsberry, Tallman, Trewin—7.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, the Senate took up Senate file No. 362 for consideration.

Senator Trewin moved that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Harper, Hayward, Hazelton, Hopkins, Hubbard, Junkin, Lambert, Lister, Mardis, Moffit, Molsberry, Townsend, Trewin, Whipple, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Bishop, Blanchard, Griswold, Harriman, Hartshorn, Healy, Hobart, Hogue, Lewis, Lyons, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Wilson—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate as amended and its title agreed to.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 365, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts and the State University and the State Normal school.

Read first and second time.

On motion of Senator Garst the Senate took up Senate file No. 365 at this time.

Senator Garst offered the following amendment and moved its adoption:

Amend section 2 by adding after the figures \$35,000.00 at the end of the seventeenth line the following words: "which sum may be issued temporarily for medical buildings, and replaced from building fund hereafter collected from taxes."

Carried.

Senator Ball offered the following amendments and moved their adoption:

Amend section one (1) by adding thereto the following words: "Said sums hereby appropriated shall be paid upon the order of the board of trustees of the Iowa State College of Agriculture and Mechanic Arts."

Carried.

Amend section two (2) by adding to said section the following words: "The said sums hereby appropriated shall be paid upon the order of the board of regents of the said university,"

Carried.

Senator Garst offered the following amendment and moved its adoption:

Amend section 1, sixth line, after the word hereafter insert "for additional support fund".

Carried.

Senator Garst 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:

Senators Alexander, Allyn, Bachman, Ball, Brighton, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lister, Mardis, Maytag, Smith of Mitchell, Spaulding, Trewin, Young of Washington—31.

The nays were:

Senators Arthaud, Bishop, Molsbery, Porter—4.

Absent or not voting:

Senators Blanchard, Brooks, Harriman, Healy, Lambert, Lewis, Lyons, Moffit, Smith of Des Moines, Tallman, Townsend, Whipple, Wilson, Winne, Young of Lee—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Read first and second time and placed on file.

REPORTS OF COMMITTEES.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 144, a bill for an act to provide for and regulate the rights at railroad crossings of telegraph and telephone companies, constructed along 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 Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,

Chairman.

Adopted.

Senator Blanchard, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads, to whom was referred Senate file No. 4, a bill for an act to amend section 2146 of the code, relat-

ing to discrimination in railway freight rates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman.

Adopted.

Senator Blanchard from the committee on Railroads submitted the following report:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate file No. 116, a bill for an act to repeal sections 2084, 2085, 2086, 2087, 2088, 2089, 2093, 2091 of the code of Iowa, relating to taxes in aid 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 Senate with the recommendation that the same be indefinitely postponed.

L. C. BLANCHARD,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval Senate file No. 125, a bill for an act providing for the condition of bonds to be given by public officers and others.

Also, Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga).

Also, Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee.

Also, Senate file No. 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, in relation to limit of liabilities of banks.

Also, Senate file No. 232, a bill for an act to amend section twenty-five hundred eighty-one (2581) of the code, in relation to itinerant physicians.

Also, Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes.

Also, Senate file No. 277, a bill for an act to amend sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code, and section two thousand five hundred and thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly and making further provisions additional to said chapter fifteen (15), title

twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

Also, Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools, and providing for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same.

Also, Senate file No. 41, a bill for an act to amend sections one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

Also, Senate file No. 155, a bill for an act relating to the rules of descent or estates of children by adoption.

E. K. WINNE,
Chairman.

April 9, 1902.

The Journal of Tuesday, April 8th, was taken up, corrected and approved.

The Journal of Wednesday, April 9th, was taken up, corrected and approved.

On motion of Senator Garst, House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets adjoining the state's property, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Garst 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Moffit, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brighton, Classen, Harper, Hazelton, Lambert, Lyons, Maytag, Molsberry, Porter, Smith of Des Moines, Townsend, Wilson, Winne, Young of Lee—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate, and its title agreed to.

Senator Moffit moved to reconsider the vote whereby the Senate was to meet at 7:45 o'clock this evening.

Carried.

Senator Moffit moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, Friday, April 11, 1902. }

Senate met in regular session at 9:30 o'clock A. M., President Harriott presiding.

Prayer was offered by Rev. P. S. Ervin, of Indianola, Iowa.

On motion of Senator Trewin House file No. 342, a bill for an act to amend section nine hundred fifteen (915) of the code, relating to the recording and certification of plats, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Trewin 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Harriman, Hartshorn, Hayward, Hobart, Hogue, Hopkins, Hubbard, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Brighton, Courtright, Garst, Hazelton, Healy, Junkin, Lyons, Molsberry, Porter, Townsend, Wilson, Winne—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Hubbard, House file No. 423, a bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the 18th day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election, was taken up and considered.

Senator Hubbard 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:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Mardis, Maytag, Moffit, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Alexander, Blanchard, Brighton, Harriman, Lyons, Molsberry, Porter, Townsend, Wilson, Winne—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lewis the Senate took up the resolution relative to printing in the Journal data concerning the lives and history of deceased members of the General Assembly.

Adopted.

On motion of Senator Crossley, House file No. 114, a bill for an act to encourage the planting of forest and fruit trees with report of committee recommending amendments was taken up, considered and the report of the committee adopted.

Senator Crossley moved the adoption of the following committee amendments:

Amend by inserting in line two of the original bill, after the word "two (2)" and before the word "acres" "not more than twenty".

Senator Healy moved the previous question.

Carried.

Senator Crossley 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:

Senators Allyn, Bachman, Ball, Crossley, Harper, Harriman, Hayward, Hazelton, Mardis, Smith of Des Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Wilson—15.

The nays were:

Senators Arthaud, Blanchard, Classen, Courtright, Craig, Crawford, Fitchpatrick, Garst, Hartshorn, Healy, Hopkins, Hubbard, Lambert, Lewis, Lister, Lyons, Maytag, Molsberry, Porter, Whipple, Young of Lee, Young of Washington—22.

Absent or not voting:

Senators Alexander, Bishop, Brighton, Brooks, Bruce, Dowell, Griswold, Hobart, Hogue, Junkin, Moffit, Townsend, Winne—13.

So the bill, having failed to receive a constitutional majority, was declared to have been lost.

Senator Harriman from the special committee appointed to procure chairs for the governor, lieutenant governor, and speaker of the House reported, and Senator Harriman stated that the committee requested Senator Lambert to make the presentation speech.

Senator Lambert spoke as follows:

MR. PRESIDENT—As has been stated by the chairman of this committee, to me has been delegated the pleasure and the honor of presenting to you, as a part of this report, this handsome chair and this gavel, an emblem of your authority, together with the compliments and best wishes of the Senate of the Twenty-ninth General Assembly.

There are few occasions in the lives of men that create warmer, truer friendship, or cement more firmly the ties that bind mankind into one common brotherhood, than those experienced during the session of a gen-

eral assembly, and I do not believe it an exaggeration to say that the friendships thus formed almost invariably exist until memory fades.

It is this bright star of friendship that always appears at the opportune moment to quell the turbulent spirit that might otherwise arise during the heated discussion of an important measure, and no one character adds so much to the brilliancy of this emblem of good will and friendship as he who is chosen to preside over the body thus assembled. In this respect we have found you, sir, all that could be expected of man—kind, courteous, considerate and always absolutely fair and just to all. Never for one moment has there been cause to regret your election to this important office which you have honored and the duties of which you have so ably, faithfully and conscientiously discharged. And, sir, in presenting you with this beautiful chair I know that I but voice the sentiment of every senator upon this floor when I say to you that we hope it may prove a source of comfort and satisfaction to you in the future; and in your declining years, which we trust may be long postponed, but which, under the unerring laws of nature, must surely come, it is our earnest hope and desire that you may not only find a physical comfort while reclining in this chair, but that in the retrospect which then passes before your vision as the sun of life is setting, you may also find a mental and spiritual comfort and satisfaction in the knowledge that you have the sincere love and affection of each and every senator who has had the honor to serve under you in the Twenty-ninth General Assembly of Iowa.

The President deferred his remarks for the closing moment.

On motion of Senator Tallman the remarks of Senator Lambert and Lieutenant-Governor Herriott were ordered printed in the Journal.

Senator Trewin offered the following resolution and moved its adoption:

Resolved, That as a slight token of appreciation of the splendid service rendered by Senator W. F. Harriman, as President *pro tem* during two terms, he is hereby presented with the chair in the Senate which he has occupied so long and so worthily.

Adopted.

Senator Harriman thanked the Senate in a very feeling manner.

On motion of Senator Healy, House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Healy moved the adoption of the following committee amendments:

That section one (1) be amended by striking out that portion beginning with "(1)" in the eighth (8) line, and ending with the word "elsewhere" in the eighteenth line (18), and substituting the following in lieu thereof:

The aggregate of the earnings upon business originating and terminating within this state, upon business originating in the state and terminating elsewhere, upon business originating elsewhere and terminating in this state, and upon business neither originating or terminating in this state but carried or done over the line or lines in this state or over some part thereof, shall be reported; and with respect to all such interstate business the earnings in this state for the purpose of report shall be actually computed upon the basis of the length of haul or carriage in this state as compared with the length of haul or carriage elsewhere.

Carried.

Senator Healy 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Harriman, Harts-horn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Porter, Smith of Mitchell, Tallman, Young of Lee, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Bishop, Griswold, Harper, Molsberry, Smith of Des Moines, Spaulding, Townsend, Trewin, Whipple, Winne—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Porter withdrew his motion to reconsider the vote whereby the concurrent resolution relative to the Lacy bill, known as House resolution 2385, passed the Senate.

Senator Dowell withdrew his second to the motion of Porter to reconsider.

On motion of Senator Hubbard, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Hubbard 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 :

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Harper, Hayward, Healy, Hobart, Hogue, Hubbard, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Mofit, Molsberry, Smith of Des Moines, Smith of Mitchell, Trewin, Young of Lee, Young of Washington—33.

The nays were:

Senator Spaulding.

Absent or not voting :

Senators Bishop, Bruce, Crossley, Garst, Griswold, Harriman, Hartshorn, Hazelton, Hopkins, Junkin, Porter, Tallman, Townsend, Whipple, Wilson, Winne—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senator Lewis called up his resolution relating to requiring a three-fourths vote, in order to bring up bills other than appropriation bills, and moved its adoption.

Senator Trewin moved the previous question on the resolution.

Carried.

A roll call was demanded.

On the question, Shall the resolution be adopted?

The yeas were:

Senators Bachman, Brighton, Craig, Dowell, Healy, Lewis, Mardis, Moffit, Porter, Smith of Des Moines, Spaulding, Tallman, Wilson, Young of Lee—14.

The nays were:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Bruce, Classen, Crawford, Crossley, Fitchpatrick, Garst, Harper, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Lister, Lyons, Molsberry, Smith of Mitchell, Trewin, Whipple, Young of Washington—25.

Absent or not voting:

Senators Bishop, Brooks, Courtright, Griswold, Harriman, Hubbard, Junkin, Lambert, Maytag, Townsend, Winne—11.

So the resolution was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House failed to pass the following bill in which the concurrence of the House was asked:

Senate file No. 313, a bill for an act to repeal section number four hundred nine (409) of the code, relating to the compensation of county auditors and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the gallery of the historical department of Des Moines, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in Senate amendment No. 1, and concurred in Senate amendments Nos. 2, 3 and 4 to House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state

Iowa at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri.

C. R. BENEDICT,
Chief Clerk.

Senator Blanchard moved that the Senate take up House messages.

Carried.

HOUSE MESSAGE CONSIDERED.

House file No. 300, a bill for an act to provide for an exhibit of arts, industries, and resources of the state of Iowa, at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri.

Senator Blanchard moved that the Senate recede from the first amendment to House file No. 300.

Roll call was demanded.

On the question, Shall the Senate recede from its amendment to House file No. 300?

The yeas were:

Senators Alexander, Allyn, Ball, Blanchard, Brighton, Classen, Wright, Craig, Crossley, Griswold, Harriman, Hartshorn, Ward, Hazelton, Hobart, Hopkins, Lambert, Mardis, Molsberg, Smith of Des Moines, Spaulding, Tallman, Trewin, Whip-

The nays were:

Senators Arthaud, Bachman, Bishop, Brooks, Bruce, Crawford, Bell, Fitchpatrick, Garst, Harper, Healy, Hubbard, Junkin, Lister, Lyons, Maytag, Moffit, Porter, Smith of Mitchell, Young, Winne, Young of Lee, Young of Washington—24.

Present or not voting:

Senators Hogue, Townsend—2.

The motion was lost.

The motion of Senator Garst that the President was directed to appoint a conference committee relative to House file No. 300.

HOUSE MESSAGES CONSIDERED.

House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the gallery of the Historical department at Des Moines.

Read first and second time and referred to committee on Appropriations.

Senate file No. 313, a bill for an act to repeal section four hundred nine (409) of the code, relating to the compensation of county auditors and to enact a substitute therefor.

Passed on file.

On motion of Senator Trewin House file No. 454 a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa.

Senator Trewin 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:

Senators Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Hartshorn, Hayward, Healy, Hubbard, Junkin, Lewis, Lister, Mardis, Maytag, Molsberry, Porter, Spaulding, Trewin, Wilson, Young of Lee, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Senators Allyn, Bishop, Brooks, Crossley, Garst, Griswold, Harper, Harriman, Hazelton, Hobart, Hogue, Hopkins, Lambert, Lyons, Moffit, Smith of Des Moines, Smith of Mitchell, Tallman, Townsend, Whipple, Winne—21.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The president appointed the following conference committee on the part of the Senate relative to House file No. 300, Senators Smith of Mitchell, Maytag, Wilson and Lister.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House file No. 455, a bill for an act to provide for the general levy for state purposes for the year (1902) and subsequent years.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 358, a bill for an act to amend section sixteen hundred eleven (1611) of the code, relating to the indebtedness or liability of corporations.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House concurrent resolution relative to adjournment *sine die* of the Twenty-ninth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to reconsider the vote by which House file No. 333 passed the House, a bill for an act to amend sections twenty-four hundred forty-nine (2449) and twenty-four hundred fifty-two (2452) of chapter six (6), title twelve (12) of the code, in relation to intoxicating liquors.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation and providing for a uniform system in making said report.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 228, a bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly, in relation to park commissioners in certain cities.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted conference committee report and passed substitute for Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Molsberry, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred House file No. 1, a bill for an act to amend sections four hundred seventeen (417) and four hundred eighteen (418) of the code, relating to supervisors districts and the election of members thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. MOLSBERY,
Chairman.

Adopted.

Senator Mardis, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred House file No. 338, a bill for an act to amend sections twenty-four hundred forty-eight (2448), twenty-four hundred forty-nine (2449) and twenty-four hundred fifty-two (2452) of the code, in relation to intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

ALEXANDER MARDIS,
Chairman.

Senator Mardis moved that the report of the committee be adopted.

On the question, Shall the report of the committee be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Brighton, Brooks, Bruce, Classen, Courtright, Dowell, Fitchpatrick, Harri-
man, Hartshorn, Lewis, Lister, Mardis, Molsberry, Smith of Des
Moines, Smith of Mitchell, Spaulding, Tallman, Trewin, Whipple,
Young of Washington—24.

The nays were:

Senators Ball, Bishop, Crawford, Garst, Hobart, Hogue, Hub-
bard, Porter, Wilson—9.

Absent or not voting:

Senators Blanchard, Craig, Crossley, Griswold, Harper, Hay-
ward, Hazelton, Healy, Hopkins, Junkin, Lambert, Lyons, May-
tag, Moffit, Townsend, Winne, Young of Lee—17.

So the report of the committee was adopted.

On motion of Senator Hazelton, Senate file No. 295, a bill for
an act to amend section seventeen hundred ten (1710) of the
code, relating to limitation of insurance risks was taken up and
considered.

Senator Hubbard withdrew his amendment to Senate file
No. 295.

Senator Hazelton 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanch-
ard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Craw-
ford, Crossley, Dowell, Fitchpatrick, Harper, Hartshorn, Hay-
ward, Hazelton, Hobart, Hopkins, Hubbard, Lewis, Lister,
Mardis, Maytag, Molsberry, Smith of Des Moines, Smith of
Mitchell, Spaulding, Tallman, Whipple, Wilson, Young of Lee,
Young of Washington—36.

The nays were:

None.

Absent or not voting:

Senators Bishop, Garst, Griswold, Harriman, Healy, Hogue, Junkin, Lambert, Lyons, Moffit, Porter, Townsend, Trewin, Winne—14.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Trewin, House file No. 354, a bill for an act to amend paragraph five (5), of section seventeen hundred nine (1709) of the code, relating to insurance, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Trewin 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:

Senators Alexander, Allyn, Arthaud, Bachman, Bishop, Blanchard, Brighton, Brooks, Bruce, Courtright, Craig, Crawford, Fitchpatrick, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Lambert, Lister, Mardis, Maytag, Molsberry, Smith of Des Moines, Tallman, Trewin, Whipple, Young of Lee—28.

The nays were:

Senators Lewis, Wilson—2.

Absent or not voting:

Senators Ball, Classen, Crossley, Dowell, Garst, Griswold, Harper, Harriman, Hayward, Healy, Hogue, Junkin, Lyons, Moffit, Porter, Smith of Mitchell, Spaulding, Townsend, Winne, Young of Washington—20.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Lambert, Senate file No. 189, a bill for an act defining and providing for the taxation of freight line and equipment companies, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

The substitute was read first and second time by title.

Senator Lambert 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Garst, Griswold, Harper, Healy, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Des Moines, Tallman, Whipple, Wilson, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Senators Brighton, Classen, Fitchpatrick, Harriman, Harts-horn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Porter, Smith of Mitchell, Spaulding, Townsend, Trewin, Winne—16.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Garst, House file No. 447, a bill for an act to appropriate money for the construction of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections, was taken up and considered.

Senator Garst moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Brighton, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Fitchpatrick, Garst, Griswold, Harper, Hayward, Hazelton, Healy, Hobart, Hopkins, Hubbard, Lewis, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Tallman, Trewin, Whipple, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Senators Blanchard, Classen, Dowell, Harriman, Hartshorn, Hogue, Junkin, Lambert, Porter, Smith of Des Moines, Spaulding, Townsend, Wilson, Winne, Young of Lee—15.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

Also, Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics, and amending section twenty-four hundred and seventy (2470), twenty-four hundred and seventy-one (2471) and twenty-four hundred and seventy-two (2472) of the code.

Also, Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

E. K. WINNE,
Chairman.

Ordered passed on file.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 129, a bill for an act relating to notice and proofs of personal property insured.

Also, Senate file No. 342, a bill for an act to amend section two thousand four hundred ten (2410) of the code, relating to the sale of intoxicating liquors and abatement of nuisance.

Also, Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Also, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stock, bonds, or other securities of railroads in other states.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 225, a bill for an act to amend section three hundred and eight (308) and to repeal section three hundred and three (303) of the code, and to enact a substitute therefor, relating to the compensation of county attorneys.

Also, House file No. 220, a bill for an act to repeal section twenty-one hundred sixty-eight (2168), twenty-one hundred sixty-nine (2169), twenty-one hundred seventy-three (2173) of the code, and twenty-one hundred seventy-nine (2179) of the code, and the amendments thereto as shown by chapter 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred seventy-four (2174), twenty-one hundred seventy-five (2175), twenty-one hundred eighty-one (2181) of the code, and the amendments thereto as shown by chapter 72, acts of the Twenty-eighth General Assembly, and twenty-one hundred ninety-nine (2199) of the the code, relating to the militia.

Also, House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, Iowa, and the acts of F. C. Richmann, acting as clerk of said town.

Also, House file No. 62, a bill for an act to amend section four hundred and forty-one (441) of the code, relating to compensation of official papers.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the Hospitals for the Insane at Mt. Pleasant, Independence and Clarinda, the Penitentiaries, the Industrial Schools for Boys and Girls, the Institution for Feeble-Minded Children, the School for the Deaf, the College for the Blind, the Soldiers' Orphans' Home and the Soldiers' Home, and relating to the Industrial School for the Blind. Also authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the Penitentiary at Ft. Madison in the erection of the hospital and library building.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 129, a bill for an act relating to notice and proofs of personal property insured.

Also, Senate file No. 342, a bill for an act to amend section two thousand four hundred and ten (2410) of the code, relating to the sale of intoxicating liquors and abatement of nuisance.

Also, Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Also, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stock, bonds, or other securities of railroads in other states.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

Also, House file No. 447, a bill for act to appropriate money for the construction and equipment of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

Also, House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the Historical department at Des Moines, Iowa.

Also, House file No. 373, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the code, section one (1) of chapter ninety-five (95) of the acts of the Twenty-seventh General assembly and chapter one hundred forty-two (142) of the acts of the Twenty-eighth General Assembly, and enact a substitute therefor, providing for the issuance of school bonds.

Also, House file No. 342, a bill for an act to amend section nine hundred fifteen (915) of the code, relating to the recording and certification of plats.

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making said reports.

Also, House file No. 423, a bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the eighteenth day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election.

Also, House file No. 354, a bill for an act amending paragraph five (5) of section seventeen hundred nine (1709) of the code, relating to insurance.

Also, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

E. K. WINNE,

Chairman Senate Committee.

J. P. LYMAN,

Chairman House Committee.

Ordered passed on file.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 263, a bill for an act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, also amending section one hundred sixty-eight (168) of the code and repealing section two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148) acts of the Twenty-seventh General Assembly.

Also, House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime.

Also House file No. 83, a bill for an act to repeal section two thousand five hundred and seventy-two (2572) of the code, and enact a substitute therefor, in relation to quarantine and the expenses thereof.

Also, House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets, adjoining the state's property.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 129, a bill for an act relating to notice and proofs of personal property insured.

Also, Senate file No. 342, a bill for an act to amend section two thousand four hundred and ten (2410) of the code, relating to the sale of intoxicating liquors and abatement of nuisance.

Also, Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Also, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stock, bonds or securities of railroads in other states.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

Also, Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics, and amending sections twenty-four hundred and seventy (2470), twenty-four hundred and seventy-one (2471) and twenty-four hundred and seventy-two (2472) of the code.

Also, Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

REPORT OF COMMITTEE.

Senator Garst from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Adopted.

On motion of Senator Garst, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, with report of committee recommending its passage, was taken up, considered, and the report of the committee adopted.

Senator Garst offered the following amendments and moved their adoption:

Amend section one (1) by adding thereto "but nothing in this act shall be construed as increasing the amount of any annual appropriation."

Strike out section two (2) and substitute the following:

Section 2. Annual appropriations hereafter made shall be disbursed in accordance with the provisions of the acts granting the same pro rata from the time such acts shall take effect, up to the first day of the succeeding quarter, as provided in section 1 of this act.

Carried.

Senator Garst 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:

Senators Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brighton, Brooks, Bruce, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lewis, Lister, Mardis, Moffit, Molsberry, Smith of Des Moines, Smith of Mitchell, Tallman, Whipple, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Alexander, Classen, Hayward, Hogue, Lambert, Lyons, Maytag, Porter, Spaulding, Townsend, Trewin, Wilson, Winne—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

On motion of Senator Healy, House file No. 373, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the

code, section one (1), of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly and chapter one hundred forty-two of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the issuance of school funds with report of committee recommending its passage was taken up, considered and the report of the committee adopted.

Senator Hubbard 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Griswold, Harper, Hartshorn, Hazelton, Healy, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Garst, Harriman, Hayward, Hogue, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Spaulding, Townsend, Winne—12.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

The President announced that he had signed in the presence of the Senate, House files Nos. 62, 220, 225, 449, 185 and 391, and Senate files Nos. 531, 211, 212, 129, 117, 343 and 360; also House files Nos. 129, 332, 265, 219, 58, 116, 142, 234, 107, 221, 352, 395, 394, 401 and 304.

On motion of Senator Hobart, House file No. 443, with report of committee recommending its passage, was taken up, considered and the report of the committee adopted.

Senator Crossley moved that House file No. 443 be laid upon the table.

A roll call was demanded.

On the question, Shall House file No. 443 be laid upon the table?

The yeas were:

Senators Alexander, Bachman, Bishop, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitzpatrick, Garst, Healy, Junkin, Lambert, Lewis, Maytag—18.

The nays were:

Senators Allyn, Arthaud, Blanchard, Bruce, Griswold, Harper, Hayward, Hobart, Hogue, Hopkins, Hubbard, Lister, Lyons, Mardis, Smith of Mitchell, Tallman, Trewin, Whipple, Wilson, Young of Lee, Young of Washington—21.

Absent or not voting:

Senators Ball, Harriman, Hartshorn, Hazelton, Moffit, Molsberry, Porter, Smith of Des Moines, Spaulding, Townsend, Winne—11.

So the motion to lay House file No. 443 upon the table was lost.

Senator Junkin moved that House file No. 443 be indefinitely postponed.

Senator Blanchard moved the previous question.

On the question, Shall the previous question be now put? the motion was carried.

The question was on the motion of Senator Junkin that House file No. 443 be indefinitely postponed.

On a division the motion prevailed.

On motion of Senator Healy, House file No. 173, a bill for an act to amend section 4872 of the code, in relation to perjury, was taken up and considered.

Senator Harriman moved that Senate file No. 173 be laid upon the table.

Carried.

Senator Harriman and Senator Young of Washington exchanged seats, Senator Harriman taking seat No. 12 and Senator Young of Washington taking seat No. 36.

Senator Griswold and Senator Young of Lee exchanged seats, Senator Griswold taking seat No. 8 and Senator Young of Lee taking seat No. 38.

Senator Harriman offered the following resolution and moved its adoption:

As the closing moments of the Senate of the Twenty-ninth General Assembly are drawing near, it seems fitting and appropriate that as members thereof, we should briefly express our appreciation of the services of those who have labored with us and for us; therefore, be it

Resolved, That the thanks of the Senate are hereby most cordially extended to the President of the Senate, the secretary, the assistant secretaries, each, and all of the clerks, the sergeant-at-arms, the doorkeeper, assistant doorkeepers, committee clerks and all employes of the Senate for the faithful and efficient service they have rendered the Senate during the session.

Unanimously adopted by a rising vote.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 365, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 264, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 295, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to limitation of insurance risks.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to the board of commissioners for Iowa turning over the buildings belonging to the state which shall have been erected on grounds of said exposition.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 189, a bill for an act defining and providing for taxation of freight lines and equipment companies.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

C. R. BENEDICT,
Chief Clerk.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 269, a bill for an act to amend section 2604 of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Young of Washington, Senate file No. 269, was taken up for consideration.

Senator Young of Washington moved, that the Senate concur in the House amendments.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brighton, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hayward, Hazelton, Hogue, Hopkins, Hubbard, Lister, Lyons, Mardis, Maytag, Moffit, Molsberry, Smith of Mitchell, Tallman, Trewin, Whipple, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Healy, Hobart, Junkin, Lambert, Lewis, Porter, Smith of Des Moines, Spaulding, Townsend, Wil-son, Winne—13.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

Senate file No. 365, a bill for an act making an appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Passed on file.

Senate file No. 295, a bill for an act to amend section 1710 of the code, relating to limitation of insurance risks.

Passed on file.

House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Passed on file.

Senate file No. 264, a bill for an act fixing the number of Senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

Passed on file.

Senate file No. 366, a bill for an act defining and providing for taxation of freight and equipment companies.

Passed on file.

Senate concurrent resolution relative to the board of commissioners for Iowa, turning over the buildings belonging to the state which shall have been erected on grounds of said exposition.

Passed on file.

Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Passed on file.

Senate file No. 223, a bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

Passed on file.

House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation and providing for a uniform system in making said report.

Passed on file.

House file No. 333, a bill for an act to amend sections twenty-four hundred forty-nine and twenty-four hundred fifty-two of chapter six, title twelve of the code, in relation to intoxicating liquors.

Passed on file.

House concurrent resolution relative to adjournment *sine die* of the Twenty-ninth General Assembly.

Passed on file.

Senate file No. 358, a bill for an act to amend section sixteen hundred eleven of the code, relating to the indebtedness or liability of corporations.

Passed on file.

House file No. 455, a bill for an act to provide for the general levy for state purposes for the year 1902 and subsequent years.

Read first and second time.

On motion of Senator Garst, the Senate took up House file No. 455 for consideration.

Senator Garst 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:

Senators Alexander, Allyn, Bachman, Ball, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Crossley, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hazelton, Hobart, Hopkins, Hubbard, Junkin, Lambert, Lyons, Mardis, Moffit, Molsberry, Spaulding, Tallman, Trewin, Whipple, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Arthaud, Bishop, Brighton, Harper, Hayward, Healy, Hogue, Lewis, Lister, Maytag, Porter, Smith of Des Moines, Smith of Mitchell, Townsend, Wilson, Winne, Young of Lee—17.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGE CONSIDERED.

House joint resolution No. 5, fixing the number and compensation of employes in the department of state at the seat of government.

On motion of Senator Garst, House joint resolution No. 5 was taken up for consideration at this time.

Senator Lambert moved to strike out the last item of the bill "assistant librarian \$900.00."

A roll call was demanded.

On the question, Shall the amendment of Senator Lambert be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Ball, Bishop, Brooks, Bruce, Courtright, Crawford, Griswold, Harriman, Hartshorn, Hazelton, Lambert, Lyons, Molsberry, Tallman, Whipple, Young of Lee—19.

The nays were:

Senators Bachman, Blanchard, Craig, Hayward, Hopkins, Hubbard, Junkin, Mardis, Spaulding, Trewin—10.

Absent or not voting:

Senators Brighton, Classen, Crossley, Dowell, Fitchpatrick, Garst, Harper, Healy, Hobart, Hogue, Lewis, Lister, Maytag, Moffit, Porter, Smith of Des Moines, Smith of Mitchell, Townsend, Wilson, Winne, Young of Washington—21.

So the amendment was adopted.

Senator Junkin moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hopkins, Hubbard, Junkin, Lambert, Lyons, Mardis, Spaulding, Tallman, Trewin, Whipple, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Senators Brighton, Crossley, Harper, Hobart, Hogue, Lewis, Lister, Maytag, Moffit, Molsberry, Porter, Smith of Des Moines, Smith of Mitchell, Townsend, Wilson, Winne, Young of Lee—17.

So the joint resolution, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

Senate file No. 256, a bill for an act to amend section ten hundred sixty-seven of the code and making the office of supreme court reporter appointive.

Passed on file.

Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

On motion of Senator Garst the Senate took up Senate file No. 366 for consideration.

Senator Garst 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:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Blanchard, Brighton, Brooks, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Hartshorn, Hayward, Hazelton, Healy, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Molsberry, Smith of Mitchell, Spaulding, Trewin, Whipple, Wilson, Winne, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Bishop, Bruce, Crossley, Lewis, Moffit, Porter, Smith of Des Moines, Tallman, Townsend, Young of Lee—10.

So the bill, having received a constitutional majority, was declared to have passed the Senate and its title agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 256, a bill for an act to amend section one thousand sixty-seven (1067) of the code and making the office of supreme court reporter appointive.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 176, a bill for an act creating a commission to superintend the completion of the capitol building and certain repairs thereto and appropriate money therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House joint resolution No. 5, fixing the number of employes in the department of state at the seat of government.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted conference committee report and concurred in Senate amendments to House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis in the state of Missouri.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Smith of Mitchell, the Senate took up House messages.

HOUSE MESSAGE CONSIDERED.

Senate amendments to House file No. 300, a bill for an act to provide for an exhibit of the arts, industries, and resources of the state of Iowa at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the State of Missouri.

Senator Smith of Mitchell submitted the following report of the conference committee and moved its adoption:

MR. PRESIDENT—Your conference committee appointed to act with a like committee from the House, and to which was referred House file No. 800, as amended by the Senate, being a bill for an act to provide for the exhibit of the arts, industries and resources of the state of Iowa at the Louisiana Purchase exposition, to be had in the city of St. Louis, in the state of Missouri, beg leave to report that they have had the same under consideration and after conference together have agreed to submit the following report, viz: That the House do concur in the Senate amendment to said bill, placing appropriation for said purpose at \$125,000.

JAMES A. SMITH,
GEO. W. LISTER,
F. L. MAYTAG,
JOHN S. WILSON,
G. W. CLARKE,
B. F. CUMMINGS.

On the question, Shall the report of the conference committee be adopted?

The yeas were:

Senators Alexander, Allyn, Arthaud, Bachman, Ball, Bishop, Blanchard, Brooks, Bruce, Classen, Courtright, Craig, Crawford, Dowell, Fitchpatrick, Garst, Griswold, Harper, Harriman, Harts-horn, Hayward, Hazelton, Hobart, Hogue, Hopkins, Hubbard, Junkin, Lambert, Lister, Lyons, Mardis, Maytag, Moffit, Mols-berry, Smith of Des Moines, Smith of Mitchell, Spaulding, Tall-man, Trewin, Whipple, Wilson, Young of Lee, Young of Wash- ington—43.

The nays were:

None.

Absent or not voting:

Senators Brighton, Crossley, Healy, Lewis, Porter, Townsend, Winne—7.

So the report of the conference committee was adopted.

On motion of Senator Harriman the secretary of the Senate was authorized to correct the Journal of April 11th.

The Journal of yesterday was taken up corrected and approved.

Senator Smith of Mitchell moved that a committee of three be appointed to notify the governor that the Senate had completed its business and was ready to adjourn.

The President appointed Senators Smith of Mitchell, Ball and Hubbard as a committee to notify the governor that the Senate was ready to adjourn.

The committee appointed to await upon the Governor announced that they had performed that duty.

On motion of Senator Tallman a committee of three was appointed to notify the House that the Senate was ready to adjourn.

The President appointed as such committee Senators Tallman, Hayward and Hopkins.

The President announced that he had signed, in the presence of the Senate, House files Nos. 322, 83, 276, 263, 419, 447, 454, 373, 342, 428, 171, 423, 354, 176.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Also, Senate file No. 189, a bill for an act defining and providing for the taxation of freight line and equipment companies.

Also, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Also, Senate file No. 345, a bill for an act to amend section 23 of chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the expenses of the state architect.

Also, Senate file No. 264, a bill for an act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

E. W. WINNE,
Chairman.

Ordered passed on file.

Senator Winne, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 188, a

bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Also, Senate file No. 223, a bill for an act to amend sections eight hundred and fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly, and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

Also, Senate file No. 295, a bill for an act to amend section seventeen hundred and ten (1710) of the code, relating to limitation of insurance risks.

Also, Senate file No. 269, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

Also, Senate file No. 365, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Also, Senate file No. 176, a bill for an act creating a commission of the capitol building and certain repairs thereto and appropriating money therefor.

E. K. WINNE,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Also, Senate file No. 189, a bill for an act defining and providing for the taxation of freight lines and equipment companies.

Also, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Also, Senate file No. 345, a bill for an act to amend section twenty-three of chapter one hundred eighteen of the acts of the Twenty-seventh General Assembly, providing for the expenses of the state architect.

Also, Senate file No. 384, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

E. K. WINNE,
Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Also, Senate file No. 223, a bill for an act to amend section eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly, and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

Also, Senate file No. 295, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to limitation of insurance risks.

Also, Senate file No. 269, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

Also, Senate file No. 365, a bill for an act making an appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal school.

Also, Senate file No. 176, a bill for an act creating a commission of the capitol building and certain repairs thereto and appropriating money therefor.

E. K. WINNE,
Chairman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne from the joint committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Also, Senate file No. 189, a bill for an act defining and providing for the taxation of freight line and equipment companies.

Also, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Also, Senate file No. 345, a bill for an act to amend section twenty-three

(23) of chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly, providing for the expense of the state architect.

Also, Senate file No. 264, a bill for an act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Also, Senate file No. 223, a bill for an act to amend section eight hundred and fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly, and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

Also, Senate file No. 395, a bill for an act to amend section seventeen hundred and ten (1710) of the code, relating to limitation of insurance risks.

Also, Senate file No. 269, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

Also, Senate file No. 365, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Also, Senate file No. 176, a bill for an act creating a commission of the

capitol building and certain repairs thereto and appropriating money therefor.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the law of other states on that subject, and to repeal sections three thousand forty-three (3043), three thousand forty-five (3045), three thousand forty-nine (3049), three thousand fifty (3050), three thousand fifty-one (3051), three thousand fifty-two (3052), three thousand fifty-four (3054) and three thousand fifty-five (3055) of title fifteen (15), chapter three (3), of the code, additional to code title fifteen (15), chapter three (3).

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 455, a bill for an act to provide for the general levy for state purposes for the year nineteen hundred two (1902) and subsequent years.

Also, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Also, House file No. 230, a bill for an act requiring the county auditor to compile and prepare a financial report and providing for the printing and distribution thereof.

E. K. WINNE,
Chairman Senate Committee.
J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Winne, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No.

300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri.

Also, joint resolution No. 5, fixing the number and compensation of employes in the departments of state at the seat of government.

E. K. WINNE,
Chairman Senate Committee.

J. P. LYMAN,
Chairman House Committee.

Ordered passed on file.

A committee from the House announced that the House is now ready to adjourn.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 188, 223, 295, 269, 365, 176, 366, 189, 352, 345, 264 and House files Nos. 351, 428, 455, 257, 230, 300 and House joint resolution No. 5.

The committee appointed to notify the House that the Senate was ready to adjourn, reported that they had performed their duty.

The President made the following remarks:

SENATORS—Before declaring the final adjournment of the Senate I feel that I should indicate to you my appreciation of the kindly consideration constantly shown me throughout the entire session by members and officers alike. Coming to you with no experience in presiding over deliberative bodies I was sorely oppressed with a realization of my short-comings. Aware of them I asked for leniency in your judgments if I should go far astray in the performance of my duties. By reason of your many kindnesses and assistance promptly and freely given you have made my particular work not only easy but pleasant. It is but just to you, and in particular to your president *pro tem.*, Senator Harriman, to your secretary, Dr. Newman, and to your sergeant-at arms, Capt. Collins, and their faithful and capable assistants, that I express thus publicly my gratitude and obligations.

As the thoughts of separation began to force themselves on my mind in this closing week, the memories of the session have been crowding in thick and fast. One fact stands out clear and strong, and I mention it with profound gratification. Throughout all of your debates there has been a marked absence of acrimonious discussion. As became you and your responsible office, great vigor and a lively insistence upon your individual views and desires characterized your treatment of many of the questions that have been

before you. But in it all there has been almost nothing of a personal nature, nothing has been said or done that has left scars, rankling or bitterness. In saying the parting words such recollections mellow friendship and acquaintance, and they will make memories dearer in the days to come.

Senators, words feebly express my appreciation of your action. I accept your beautiful gifts gratefully and the sentiments expressed by the senator from Jackson I shall long treasure. This fine chair which you have just presented to me I shall prize not only on account of its worth and beauty but for what it signifies. It shall be a seat of honor for every member of this Senate that may chance in the future to visit my home and I hope that you may often give me a call. I assure you that a cordial welcome will always greet you.

But as much as I prize these gifts yet more do I esteem the kind words of the senator from Jackson. They remind me most forcefully of the numerous acts of kindness accorded me during the session for which I cannot begin to express my feelings of obligation; and if I know myself I shall never forget nor ignore my indebtedness to each and all of you. Again and finally I thank you for these expressions of good will.

The President then declared the Senate adjourned without day.



In Memoriam

Senators who have died during the biennial period, in addition to those previously recognized.

**They have wrought, and have entered into their rest.
We are reaping the results of their labors.
We honor their memories and hope to emulate their virtues.**

William W. Blackman, Osage.

Born at Bridgwater, Oneida county, N. Y., January 7, 1823.

Came to Iowa, 1866.

Member of Wisconsin Legislature, 1859-1860-1864.

Member of the House of Representatives of Iowa, both sessions of the Fourteenth General Assembly, by which the Code of 1873 was adopted.

Was elected to the Senate in 1876 to fill vacancy.

He held the office of postmaster of West Mitchell, was a member of the Mitchell County Medical Society, and the American Medical Association, and was a delegate to the National Medical Association which met at St. Louis in 1873.

Died at Osage, November 1, 1901.

John A. L. Crookham.

Born in Jackson county, Ohio, October 29, 1827.

Came to Iowa, 1847.

Judge of Mahaska county, 1851-1855.

Commissioner to relocate seat of government, 1856.

Member of Senate, 1864-1868.

Died at Oskaloosa, May 2, 1901.

Henry B. Hendershott, Ottumwa.

Born in Miami county, Ohio, in 1816.

Came to Iowa (Wisconsin Territory) in 1836.

Was Clerk of the District Court, 1844.

District Prosecutor, 1845.

Commissioner under appointment of the U. S. Supreme Court to fix boundary line between Iowa and Missouri, 1849-1850.

Member of the Senate, 1850-1854.

Judge of the Third District, 1856-1858.

Died at Ottumwa, August 10, 1900.



Henry Hospers, Orange City.

Born in Hook Blokland, Netherlands, February 6, 1830.

Came to America, 1840.

Came to Iowa, 1870.

Was Mayor of Pella.

Representative in Twenty-second and Twenty-third General Assemblies

Member of the Senate, 1896-1900.

Died at Orange City, October 21, 1901.



Matt Parrott, Waterloo.

Born at Schoharie, Schoharie county, N. Y., May 11, 1837.

Came to Iowa in 1856.

Was member of the City Council of Waterloo and president of the School Board, 1873-1875. Mayor of Waterloo, 1877-1880.

State Binder, 1879-1885. Member of the Senate, 1886-1894.

Seventeenth Lieutenant-Governor, and as such president of the Senate 1896-1898, presiding in the regular, the special, and the adjourned sessions of the Twenty-sixth General Assembly.

Died at Waterloo, April 21, 1900.



William H. Mills Pusey, Council Bluffs.

Born in Washington county, Pa., July 29, 1826.

Came to Iowa, 1856.

Member of the Senate, 1858-1862.

Representative in Congress, 1883-1885.

Died at Clarinda, November 15, 1900.



John J. Russell, Jefferson.

Born in Franklin county, Mass., 1839.

Came to Iowa, 1866.

Member of the Senate, 1872-1876-1878-1886.

Private, Sergeant and Lieutenant 13th Ill. Vols., 1861-1864.

Commissioner of Soldiers' Home, 1886-1898.

Died at Jefferson April 11, 1901.



Robert C. Webb, Des Moines.

Born in Tennessee, August 20, 1827.

Came to Iowa, 1865.

School District Treasurer, 1875-1877.

Member of the Senate, 1878-1882.

Died at Des Moines, July 6, 1900.



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