

STATE OF IOWA
1931

Journal of the Senate

OF THE

Forty-fourth General Assembly

REGULAR SESSION

CONVENED JANUARY 12, 1931

ADJOURNED APRIL 15, 1931

DAN W. TURNER, Governor
ARCH W. MCFARLANE, President of the Senate
FRANCIS JOHNSON, Speaker of the House

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Des Moines

1951
1950
1949

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FORTY-FOURTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

ARCH W. MCFARLANE, President.....	Waterloo
WM. E. MCLELAND, President Pro Tempore.....	Marshalltown
WALTER H. BEAM, Secretary.....	Martensdale
COPHINE J. SHERMAN, Assistant Secretary.....	Cedar Rapids
ROBERT C. PHILLIPS, Reading Clerk.....	Des Moines
ALICE MOEN, Engrossing Clerk.....	Inwood
MAY MYERS, Enrolling Clerk.....	Des Moines
ANNABELLE MILLER, Assistant Enrolling Clerk.....	Des Moines
EDNA GILLESPIE, General Clerk.....	Des Moines
CATHERINE HICKLIN, Journal Clerk.....	Wapello
LUELLA STONE, Journal Clerk.....	Des Moines
EUGENE CUDDEBACK, Bill Clerk.....	Missouri Valley
JOHN LANGFITT, JR., File Clerk.....	Greenfield
DOROTHY HAESEMAYER, Postmistress.....	Stanwood
C. H. STILWELL, Sergeant-at-Arms.....	Waukon
W. F. HATHAWAY, Assistant Sergeant-at-Arms.....	Ames
O. W. LOWERY, Chief Doorkeeper.....	Des Moines

EXCHANGE

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

Name	Office	Address
Dan W. Turner.....	Governor.....	Corning
Arch W. McFarlane.....	Lieutenant Governor.....	Waterloo
G. C. Greenwalt.....	Secretary of State.....	Des Moines
J. W. Long.....	Auditor of State.....	Ames
Ray E. Johnson.....	Treasurer of State.....	Muscatine
Mark G. Thornburg.....	Secretary of Agriculture.....	Emmetsburg
John Fletcher.....	Attorney General.....	Des Moines
Charles Webster.....	Railroad Commissioner.....	Waucoma
B. M. Richardson.....	Railroad Commissioner.....	Cedar Rapids
Fred P. Woodruff.....	Railroad Commissioner.....	Knoxville
Agnes Samuelson.....	Superintendent of Public Instruction.....	Shenandoah
William D. Evans.....	Judge of Supreme Court.....	Hampton
Truman S. Stevens.....	Judge of Supreme Court.....	Hamburg
E. G. Albert.....	Judge of Supreme Court.....	Jefferson
E. W. Morling.....	Judge of Supreme Court.....	Emmetsburg
Lawrence De Graff.....	Judge of Supreme Court.....	Des Moines
James W. Kindig.....	Judge of Supreme Court.....	Sioux City
Henry F. Wagner.....	Judge of Supreme Court.....	Sigourney
F. F. Faville.....	Judge of Supreme Court.....	Ft. Dodge
John M. Grimm.....	Judge of Supreme Court.....	Cedar Rapids

SENATORS—FORTY-FOURTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Anderson, C. E.	Stratford	44	Farmer	Rep.	27	Webster, Calhoun	40 40X 41 43
Baird, W. S.	Council Bluffs	67	Lawyer, Banker	Rep.	19	Pottawattamie	39 40 40X 41 42 42X 43
Beatty, Frank M.	Sigourney		Lawyer	Rep.	12	Poweshiek, Keokuk	42 42X 43
Bennett, O. P.	Mapleton	36	Lawyer, Farmer, Stockman	Rep.	34	Crawford, Harrison, Monona	43
Benson, C. A.	Elkader		Farmer	Rep.	36	Clayton	41 42 42X 43
Bissell, Frank	Dexter	52	Farmer	Rep.	17	Dallas, Guthrie Audubon	43
Blackford, A. V.	Bonaparte	58	Merchant, Farmer, Banker	Rep.	2	Van Buren, Jefferson	41 42 42X 43
Booth, Chas. D.	Harlan	60	Business Man and Farmer	Rep.	18	Cass, Shelby	42 42X 43
Carden, Wm.	Winfield	54	Life Insurance	Rep.	10	Washington, Henry	42 42X 43
Carroll, H. B.	Bloomfield	49	Merchant	Rep.	3	Davis, Appanoose	43
Christophel, Geo. W.	Waverly	49	Farmer	Rep.	39	Bremer, Butler	41 42 42X 43
Clark, C. F.	Cedar Rapids	59	Lawyer	Rep.	26	Linn	38 39 40 40X 42X 43
Clark, E. W.	Mason City	54	Insurance	Rep.	43	Cerro Gordo, Franklin, Hancock	43
Clark, W. A.	Pleasantville	63	Farmer	Rep.	15	Marion, Monroe	41 42 42X 43
Clearman, Geo. M.	Oxford	60	Farmer	Rep.	25	Johnson, Iowa	41 42 42X 43
Cochrane, William	Red Oak	63	Manufacturer, Banker	Rep.	8	Mills, Montgomery	42X 43
Cole, C. G.	Greeley	38	Banker, Farmer	Rep.	33	Buchanan, Delaware	41 42 42X 43
Cooney, Matt. D.	Dubuque	45	Lawyer	Dem.	35	Dubuque	
Coykendall, Frank I.	Shenandoah	52	Farmer	Rep.	7	Page, Fremont	
Doran, L. H.	Boone	37	Lawyer	Rep.	31	Boone, Story	43
Fraley, Joseph R.	Ft. Madison	54	Lawyer	Rep.	1	Lee	36 37 38 39 42 42X 43
Gunderson, O. E.	Forest City	55	Farmer, Banker	Rep.	41	Mitchell, Winnebago, Worth	41 42 42X 43
Hager, J. H.	Waukon	59	Farmer, Auto Dealer	Rep.	40	Allamakee, Fayette	41 42 42X 43
Hicklin, Edwin R.	Wapello	35	Lawyer	Rep.	20	Muscatine, Louisa	
Hill, Lafe	Nora Springs	64	Editor, Publisher	Rep.	44	Chickasaw, Floyd	41 42 42X 43
Ickis, Frank D.	Creston	57	Farmer	Rep.	5	Ringgold, Decatur, Union	42 42X 43
Irwin, H. L.	DeWitt	33	Lawyer	Dem.	22	Clinton	
Kent, John W.	Chariton	61	Farmer	Rep.	4	Lucas, Wayne	41 42 42X 43
Kimberly, D. W.	Davenport	52	Retired Farmer	Rep.	21	Scott	36 37 38 39 40 40X 41 42 42X 43
Klemme, William H.	Ridgeway	81		Rep.	42	Winneshie, Howard	25 26 27 42 42X 43
Knudson, Irving H.	Ellsworth	34	Insurance, Real Estate, Auct.	Rep.	37	Hamilton, Hardin, Wright	41 42 42X 43
Langftt, John N.	Greenfield	64	Farmer	Rep.	16	Adair, Madison	37 38 41 42 42X 43
Leonard, Arthur	Cornng	62	Farmer	Rep.	6	Taylor, Adams	40 40X 41 43
Lowe, Wesley C.	Weldon	55	Farmer, Stockman	Rep.	11	Warren, Clarke	43
MacDonald, Lew.	Cherokee	46	Lawyer	Rep.	46	Cherokee, Ida, Plymouth	43
McLeland, Wm. E.	Marshalltown	63	Farmer	Rep.	28	Marshall	41 42 42X 43
Moen, T. E.	Inwood	60	Farmer	Rep.	49	Lyon, Osceola, O'Brien, Sioux	38 39 40 40X 42X 43

MEMBERS OF THE SENATE

SENATORS—FORTY-FOURTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Myers, O. P.	Newton	74	Lawyer	Dem.	29	Jasper	
Patterson, Geo. W.	Burt	43	Farmer	Rep.	47	Kossuth, Emmet, Palo Alto, Clay, Dickinson	40 40X 41 42 42X 43
Quirk, L. T.	Wall Lake	56	Farmer	Rep.	48	Carroll, Greene, Sac	40 40X 41 42 42X
Rigby, Chas. L.	Stanwood	56	Farmer	Rep.	24	Jones, Cedar	41 42 42X 43
Ritchie, W. B.	Marathon	63	Farmer, Auctioneer	Rep.	50	Buena Vista, Humboldt, Pocahontas	
Stanley, F. C.	Oakaloosa	49	College Professor	Rep.	14	Mahaaska	41 42 42X 43
Stevens, Roy E.	Ottumwa	53	Merchant, Dairy Farming	Dem.	13	Wapello	
Stoddard, Bertel M.	Sloan	60	Farmer	Rep.	32	Woodbury	38 39 40 40X 41 42 42X 43
Tabor, Geo. W.	Baldwin	69	Farmer, Stockman	Dem.	23	Jackson	43
Topping, Clyde H.	Burlington	46	Real Estate	Rep.	9	Des Moines	42 42X 43
Wenner, Edw. J.	Waterloo	50	Lawyer	Rep.	38	Black Hawk, Grundy	
White, H. C.	Vinton	60	Farmer, Banker	Dem.	45	Benton, Tama	34 35 36 37 38 39 40 40X 41
Wilson, Geo. A.	Des Moines	46	Lawyer	Rep.	30	Polk	42 42X 43

MEMBERS OF THE HOUSE—FORTY-FOURTH GENERAL ASSEMBLY

VI

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Alken, John H.	Ida Grove	55	Farmer	Rep.	59	Ida	39 40 40X 41 42 42X 43
Allen, Byron G.	Pocahontas	29	Editor, Publisher	Rep.	77	Pocahontas	42 42X 43
Augustine, Fred D.	Benton	44	Lumber and Implements	Dem.	7	Ringgold	
Avery, A. H.	Spencer	60	Life Insurance	Rep.	83	Clay	
Babcock, J. F.	New Hampton	55	Farmer	Dem.	89	Chickasaw	
Bair, J. Park	Storm Lake	66	Farmer	Rep.	78	Buena Vista	42 42X 43
Ballew, Howard	Moulton	38	Farmer	Rep.	4	Appanoose	43
Beath, F. H.	Corning	58	Farmer	Rep.	13	Adams	
Berry, Henry S.	Albia	73	Farmer	Rep.	17	Monroe	39 40 40X 41 42 42X 43
Bonnstetter, A. H.	West Bend	38	Farmer	Dem.	85	Kossuth	
Brown, Ed. R.	Des Moines	54	Lawyer	Rep.	37	Polk	
Byers, Frank C.	Cedar Rapids	47	Lawyer	Rep.	48	Linn	43
Craven, J. E.	Kellogg	64	Farmer	Dem.	38	Jasper	36
Davis, Lawrence W.	Manchester	45	Farmer	Rep.	68	Delaware	
Dayton, C. O.	Washington	58	Internal Revenue Accountant	Rep.	23	Washington	43
Ditto, O. J.	Sibley	37	Abstract and Insurance	Dem.	98	Osceola	43
Donlon, P. H.	Ruthven	69	Farmer	Dem.	84	Palo Alto	
Drake, Roy	Richland	38	Banker	Dem.	24	Keokuk	
Drake, Theodore	Fruitland	59	Shipper	Rep.	42	Muscatine	
Durant, S. B.	Forest City	57	Farmer, Ex-Teacher	Rep.	86	Hancock	36
Elliott, Frank W.	Davenport	43	Radio Station Manager	Rep.	43	Scott	39 40 40X 43
Ellsworth, E. O.	Iowa Falls		Banking	Rep.	64	Hardin	43
Fabritz, Ernest H.	Ottumwa	35	Hardware and Implements	Dem.	18	Wapello	
Felter, Victor	Indianola	53	Farmer	Rep.	27	Warren	
Figgins, Geo. C.	Creston	62	Retired Farmer	Rep.	14	Union	43
Finnern, H. C.	Denison	53	Publisher	Dem.	56	Crawford	43
Forsling, Linus B.	Sioux City	40	Lawyer	Rep.	58	Woodbury	39 40 40X 41 42 43
Gallagher, J. P.	Williamsburg	68	Journalism	Dem.	40	Iowa	40 40X
Garrett, Harry F.	Corydon	43	Lawyer	Dem.	5	Wayne	
Gillmore, Wm. T.	Tipton		Retired Business Man	Rep.	44	Cedar	39 40 40X 42 42X 43
Gissel, Wm. H.	Independence	58	Farmer	Dem.	67	Buchanan	
Greaser, Lewis	Vinton	36	Farmer	Rep.	49	Benton	
Greene, Harry M.	Avoca	48	Farmer	Rep.	31	Pottawattamie	42 42X 43
Hansen, John T.	Davenport	72	Farmer	Rep.	43	Scott	37 38 40 40X 41 42 42X 43
Hansen, Peter	Audubon	45	Feed and Insurance	Rep.	34	Audubon	
Hanson, H. N.	Leland	54	Farmer	Rep.	95	Winnebago	41 42 42X 43
Hayes, Jas. N.	Dubuque	31	Insurance	Dem.	69	Dubuque	42X 43
Helgason, E. O.	Armstrong	58	Farmer	Rep.	96	Emmet	42X 43
Hesse, G. H.	Hartley	36	Farmer	Rep.	82	O'Brien	
Hollingsworth, Frank	Boone	57	Lawyer	Rep.	53	Boone	42 42X 43
Hollis, C. A.	Cedar Falls	63	Farmer	Rep.	66	Black Hawk	40 40X 41 42 42X 43
Hook, Chas. S.	New Market	66	Farmer	Dem.	8	Taylor	

MEMBERS OF THE HOUSE

Hopkins, Geo. M.	Guthrie Center	64	Farmer	Rep.	35	uthrie	42 42X 43
Hunt, Ralph R.	Oakville	51	Farmer	Rep.	22	Louisa	42 42X 43
Hush, Homer	Essex	41	Farmer	Rep.	12	Montgomery	43
Husted, O. E.	Truro	54	Farmer	Rep.	28	Madison	
Hutcheon, W. E. S.	Jefferson	34	Lawyer	Rep.	54	Greene	
Johnson, Francis	Terril	40	Farmer	Rep.	97	Dickinson	40 40X 41 42 42X 43
Johnson, J. H.	Knoxville	52	Lawyer	Rep.	26	Marion	41 42 42X 43
Kern, Geo. A.	Des Moines	30	Lawyer	Rep.	37	Polk	
Koch, Wm. W.	Waverly	44	Retired Merchant	Dem.	72	Bremer	
Kohler, Henry	Le Mars	57	Retired Farmer	Dem.	80	Plymouth	
Lamb, C. W.	Redfield	62	Farmer	Rep.	36	Dallas	43
Langland, Charles M.	Spr'g Grv., Min.	60	Farmer	Rep.	91	Winneshiek	
Laughlin, E. P.	Imogene	49	Farmer	Dem.	10	Fremont	42 42X
Lepley, Ellet	Beaman	61	Farmer	Dem.	65	Grundy	41
Lichty, E. M.	Waterloo	63	Farmer	Rep.	66	Black Hawk	40 40X 41 42 42X 43
Long, Wm. E.	Mason City	59	Physician	Rep.	87	Cerro Gordo	
McCaulley, Marion R.	Lake City	36	Lawyer	Rep.	61	Calhoun	41 42 42X 43
McCreery, D. R.	Alburnett	49	Farmer	Rep.	48	Linn	
McDermott, John	Bridgewater	72	Farmer	Dem.	29	Adair	43
McLain, Wm. J.	Brooklyn	64	Farmer and Stockman	Rep.	39	Poweshiek	
Malone, C. E.	Atlantic	49	Farmer	Dem.	30	Cass	
Mathews, Howard A.	Danville	64	Farmer	Rep.	21	Des Moines	40 40X 41 42 42X 43
Mayne, Geo. H.	Council Bluffs	39	Lawyer	Rep.	31	Pottawattamie	
Mead, F. D.	Cresco	60	Publisher	Dem.	92	Howard	
Miller, Geo. E.	Harlan	54	Farmer and Stockman	Dem.	33	Shelby	40 40X 41 42 42X 43
Millhone, Paul L.	Clarinda	37	Lawyer	Rep.	9	Page	
Morton, O. P.	Clarion	70	Farmer	Rep.	75	Wright	
Nelson, Fred W.	Nevada	44	Farmer	Rep.	52	Story	43
Nelson, N. M.	Cherokee	56	Farmer	Rep.	79	Cherokee	
O'Donnell, Geo.	Carroll	60	B. B. Carpenter	Dem.	55	Carroll	43
Orr, Creighton J.	Monona	45	Merchant	Rep.	70	Clayton	43
Osborn, Walter	Leon	52	Farmer	Dem.	6	Decatur	
Paisley, Wm.	Donnellson	64	Farmer	Dem.	1	Lee	
Pattison, H. C.	Fairfield	62	Retired Farmer	Rep.	19	Jefferson	42 42X 43
Peaco, Milton	Clinton	54	Machinist	Dem.	45	Clinton	
Pendray, Carolyn C.	Maquoketa	49	Homemaker	Dem.	46	Jackson	43
Randall, Jas. L.	Chariton	53	Farmer	Rep.	16	Lucas	43
Randolph, S. F.	Bloomfield	59	Farmer	Dem.	3	Davis	
Ratliff, Z. S.	Mount Pleasant	68	Retired Farmer	Rep.	20	Henry	41 42 42X 43
Rawlings, Ed.	Onawa	59	Farmer	Dem.	57	Monona	43
Reed, I. M.	Oskaloosa	60	Auctioneer	Dem.	25	Mahaska	
Reimers, Otto J.	Rock Rapids	52	Farmer	Rep.	99	Lyon	41 42 42X 43
Roe, Ove T.	Waukon	43	Farmer	Dem.	90	Allamakee	
Rutledge, Reyburn L.	Fort Dodge	42	Farmer	Rep.	62	Webster	42 42X 43
Ryder, John	Dubuque	69	Real Estate	Dem.	69	Dubuque	41 42 42X 43
Rylander, John F.	Le Grand	45	Farmer	Rep.	51	Marshall	43
Shields, LeRoy	Grand River	50	Farmer	Rep.	15	Clarke	43
Short, Wallace M.	Sioux City	64	Editor	Rep.	58	Woodbury	
Simmer, Leonard	Ottumwa	40	Lawyer	Rep.	18	Wapello	42 42X 43
Snyder, Frank G.	Webster City	64	Auto Dealer	Rep.	63	Hamilton	

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

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Sours, Roy J.	Charles City	47	Farmer	Rep.	88	Floyd	
Stanzel, Geo. C.	Sac City	65	Farmer	Rep.	60	Sac	
Stiger, Carl B.	Toledo	47	Lawyer	Dem.	50	Tama	
Strachan, W. H.	Humboldt	55	Farmer	Rep.	76	Humboldt	
Tamiska, Hugh J.	Missouri Valley	32	Lawyer	Rep.	32	Harrison	
Te Paske, Anthony	Sioux Center	62	Lawyer	Rep.	81	Sioux	
Thiessen, J. H.	Camanche	60	Farmer	Dem.	45	Clinton	
Thompson, Thore	Wadena	52	Farmer	Rep.	71	Fayette	42 42X
Torgeson, S. R.	Jolce	38	Banking	Rep.	94	Worth	42 42X 43
Van Buren, G. J.	Anamosa	48	Farmer	Rep.	47	Jones	43
Van Wert, G. E.	Hampton	50	Farmer	Rep.	74	Franklin	43
Wamstad, Brede	Osage	52	Farmer	Rep.	93	Mitchell	39 40 40X 42 42X 43
Watts, Stanley	Birmingham	36	Meat Market and Farmer	Dem.	2	Van Buren	
Wearin, Otha D.	Hastings	27	Farmer	Dem.	11	Mills	43
Whiting, Samuel D.	Iowa City	55	Attorney	Dem.	41	Johnson	42 43
Witt, Fred B.	Shell Rock	46	Lumber, Coal, Grain Dealer	Rep.	73	Butler	

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, JANUARY 12, 1931.

Pursuant to law the Senate of the Forty-fourth General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant Governor Arch W. McFarlane, President of the Senate.

Prayer was offered by Rev. Harry Longley, St. Paul's Episcopal Church, Des Moines.

Senator Bennett moved that Walter H. Beam of Martensdale, Warren county, be elected temporary Secretary of the Senate, which motion prevailed, and Mr. Beam took the required oath of office.

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

The motion prevailed and the President appointed as such committee, Senators Hager, Stanley, Anderson, Lowe, and Blackford.

REPORT OF COMMITTEE ON CREDENTIALS

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

MR. PRESIDENT: Your committee on credentials finds the following named newly elected Senators, as shown by the files, and as certified by the Secretary of State, entitled to seats in the Senate of the Forty-fourth General Assembly:

First District, Joseph R. Frailey.
Seventh District, Frank I. Coykendall.
Ninth District, Clyde H. Topping.
Tenth District, Wm. Carden.
Twelfth District, Frank M. Beatty.
Thirteenth District, Roy E. Stevens.
Eighteenth District, Charles D. Booth.
Twentieth District, E. R. Hicklin.
Twenty-first District, D. W. Kimberly.
Twenty-second District, H. L. Irwin.

Twenty-ninth District, O. P. Myers.
 Thirtieth District, Geo. A. Wilson.
 Thirty-fourth District, O. P. Bennett.
 Thirty-fifth District, Matt. D. Cooney.
 Thirty-seventh District, Irving H. Knudson.
 Thirty-eighth District, Edw. J. Wenner.
 Forty-second District, W. H. Klemme.
 Forty-fourth District, Lafe Hill.
 Forty-fifth District, H. C. White.
 Forty-eighth District, L. T. Quirk.
 Fiftieth District, W. R. Ritchie.

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

Second District, A. V. Blackford.
 Third District, H. B. Carroll.
 Fourth District, John W. Kent.
 Fifth District, F. D. Ickis.
 Sixth District, Arthur Leonard.
 Eighth District, William Cochrane.
 Eleventh District, Wesley C. Lowe.
 Fourteenth District, F. C. Stanley.
 Fifteenth District, W. A. Clark.
 Sixteenth District, John N. Langfitt.
 Seventeenth District, Frank Bissell.
 Nineteenth District, W. S. Baird.
 Twenty-third District, George W. Tabor.
 Twenty-fourth District, C. L. Rigby.
 Twenty-fifth District, George M. Clearman.
 Twenty-sixth District, C. F. Clark.
 Twenty-seventh District, C. E. Anderson.
 Twenty-eighth District, William E. McLeland.
 Thirty-first District, L. H. Doran.
 Thirty-second District, Bertel M. Stoddard.
 Thirty-third District, C. G. Cole.
 Thirty-sixth District, C. A. Benson.
 Thirty-ninth District, George Christophel.
 Fortieth District, J. H. Hager.
 Forty-first District, O. E. Gunderson.
 Forty-third District, E. W. Clark.
 Forty-sixth District, Lew MacDonald.
 Forty-seventh District, G. W. Patterson.
 Forty-ninth District, T. E. Moen.

J. H. HAGER, *Chairman*
 F. C. STANLEY
 C. E. ANDERSON
 WESLEY C. LOWE
 A. V. BLACKFORD

The report was adopted and the following Senators appeared before the bar, and were duly sworn in:

Joseph R. Frailey	E. R. Hicklin	Irving H. Knudson
Frank I. Coykendall	D. W. Kimberly	W. H. Klemme
Clyde H. Topping	H. L. Irwin	Lafe Hill
Wm. Carden	O. P. Myers	H. C. White
Frank M. Beatty	Geo. A. Wilson	L. T. Quirk
Roy E. Stevens	O. P. Bennett	W. R. Ritchie
Charles D. Booth	Matt. D. Cooney	Edw. J. Wenner

ELECTION OF PERMANENT OFFICERS

Senator Bennett placed in nomination the following persons as permanent officers of the Senate and moved their election:

Secretary—Walter H. Beam, Martensdale, Warren county.
 Assistant Secretary—Cophine J. Sherman, Cedar Rapids, Linn county.
 Reading Clerk—Robert Phillips, Des Moines, Polk county.
 Engrossing Clerk—Alice Moen, Inwood, Lyon county.
 Enrolling Clerk—May Howell Myers, Des Moines, Polk county.
 Assistant Enrolling Clerk—Annabelle Miller, Des Moines, Polk county.
 General Clerk—Edna Gillespie, Des Moines, Polk county.
 Journal Clerk—Catherine Hicklin, Wapello, Louisa county.
 Journal Clerk—Luella Stone, Des Moines, Polk county.
 Bill Clerk—Eugene Cuddeback, Missouri Valley, Harrison county.
 File Clerk—John Langfitt, Jr., Greenfield, Adair county.
 Postmistress—Dorothy Haesemeyer, Stanwood, Cedar county.
 Sergeant-at-Arms—C. H. Stilwell, Waukon, Allamakee county.
 Assistant Sergeant-at-Arms—W. F. Hathaway, Ames, Story county.
 Chief Doorkeeper—O. W. Lowery, Des Moines, Polk county.

Assistant Doorkeepers—John H. Mills, Redfield, Dallas county; W. H. Foster, Council Bluffs, Pottawattamie county; Clark Wilson, Audubon, Audubon county; John F. Baker, Newton, Jasper county; B. A. Stowe, Grinnell, Poweshiek county; H. J. Miller, Des Moines, Polk county; Rolla E. Farley, Sloan, Woodbury county; M. M. Avery, Des Moines, Polk county.

Janitors—Cloak Room: Orpheus Cebbell, Mason City, Cerro Gordo county; Ernest Peters, Des Moines, Polk county. Cloak Room Matron: Etta Mae Bland, Keokuk, Lee county. Toilet Room: Henry Jones, Albia, Monroe county.

Senator White asked the chairman of the patronage committee for an explanation of the personnel of the officers.

Senator Stoddard raised the point of order that there was no patronage committee.

Those voting for the above persons were:

Ayes, 47.

Anderson	Beatty	Benson	Blackford
Baird	Bennett	Bissell	Booth

Carden	Coykendall	Kimberly	Quirk
Carroll	Doran	Klemme	Rigby
Christophel	Frailey	Knudson	Ritchie
Clark of	Gunderson	Leonard	Stanley
Cerro Gordo	Hager	Lowe	Stevens
Clark of Linn	Hicklin	MacDonald	Stoddard
Clark of Marion	Hill	McLeland	Tabor
Clearman	Ickis	Moen	Topping
Cole	Irwin	Myers	Wenner
Cooney	Kent	Patterson	Wilson

Nays, 1.

White

Absent or not voting, 2.

Cochrane Langfitt

The officers were declared elected and were duly sworn.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Klemme moved that a committee of three be appointed to notify the Governor that the Senate is now organized and ready for business.

The motion prevailed and the President appointed as such committee Senators Klemme, Tabor and MacDonald.

COMMITTEE TO NOTIFY THE HOUSE

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

The motion prevailed and the President appointed as such committee Senators Knudson, Hill and Clark of Marion.

COMMITTEE FROM THE HOUSE

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

REPORT OF COMMITTEE TO NOTIFY HOUSE

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

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Senator Klemme reported that the committee assigned to notify the Governor that the Senate was open and ready for business had performed its duty and that the Governor reported that he would be glad to receive any communications, and hopes that the Senate and governor will work in harmony during this session.

The report was received and the committee discharged.

SENATE CONCURRENT RESOLUTION NO. 1

By unanimous consent Senator Clark of Linn offered the following concurrent resolution and moved its adoption:

Whereas, A vacancy exists in the membership of the Federal Reserve Board by reason of the death of Hon. E. H. Cunningham, of Iowa, who was looked upon and who was a representative of the agricultural interests of the country, and

Whereas, The President of the United States has under consideration as a successor to Mr. Cunningham Hon. Ernest R. Moore, formerly a member of the House of Representatives of the Iowa General Assembly, and Lieutenant Governor of this state, in which positions he demonstrated great ability, and won acknowledged leadership in public affairs as a sound and forward-looking statesman. Throughout his adult life Mr. Moore has served his country, his state and his community with unselfish devotion, both as a soldier and as a citizen. His outstanding characteristics are honesty, courage, and fidelity, both in private life and in public station, and

Whereas, Mr. Moore has for many years been one of the successful bankers of our state and at the same time actively, not theoretically, interested in agriculture as an owner and operator of farms, and is thoroughly conversant with, and sympathetic toward our great basic industry, and at the same time a financier of wide knowledge and experience, therefore,

Be It Resolved by the General Assembly of the State of Iowa, That we heartily endorse and recommend to the favorable consideration of the President of the United States Hon. Ernest R. Moore for the vacancy above referred to on the Federal Reserve Board, believing him to be at once thoroughly competent for this most important office and a true representative of all the interests of the territory wherein he was born and in which he has spent his entire life.

Be It Further Resolved, That this Resolution be transmitted to the President.

The resolution was adopted.

ADOPTION OF RULES

Senator McLeland moved that the Senate be governed by the

rules of the Forty-third General Assembly until the committee on rules is ready to report.

Senator Frailey moved to amend the motion to read "that the chairman appoint a committee of six members of the Senate as a committee on standing committees; that otherwise the rules of the Forty-third General Assembly of the Senate be adopted as the rules of the Forty-fourth General Assembly."

The amendment was adopted.

The motion prevailed and the President appointed Senators Baird, Doran, Moen, Patterson, Rigby, and Stoddard.

SELECTION OF SEATS

Senator Benson asked the unanimous consent of the Senate that Senator White be entitled to have seat No. 43, formerly occupied by him.

Consent was granted.

Senator Leonard asked the unanimous consent of the Senate that he have seat No. 24.

Consent was granted.

Senator Topping moved 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 the names of the newly elected senators be placed in a hat and drawn out, one at a time, by the secretary of the Senate, and as each name is announced, each newly elected senator shall select his seat from those seats that are unoccupied; and that any hold-over or re-elected senator that did not wish to retain his seat be allowed to cast his lot with the newly elected senators; and that any new senator having any defect such as bad hearing be allowed to select his seat first.

The motion prevailed.

Upon the drawing of seats the following seating arrangement was made:

Anderson—40
Baird—28
Beatty—35
Bennett—36
Benson—49

Bissell—41
Blackford—50
Booth—48
Carden—30
Carroll—12

Christophel—29
Clark of
Cerro Gordo—25
Clark of Linn—34
Clark of Marion—21

Clearman—7	Irwin—37	Patterson—42
Cochrane—22	Kent—5	Quirk—46
Cole—20	Kimberly—33	Rigby—32
Cooney—6	Klemme—4	Ritchie—3
Coykendall—11	Knudson—19	Stanley—39
Doran—26	Langfitt—47	Stevens—44
Frailey—38	Leonard—24	Stoddard—16
Gunderson—27	Lowe—45	Tabor—10
Hager—1	MacDonald—8	Topping—15
Hicklin—17	McLeland—31	Wenner—23
Hill—2	Moen—14	White—43
Ickis—9	Myers—18	Wilson—13

Senator Ickis took the chair at 12:03 p. m.

President Arch W. McFarlane returned to the chair at 12:05 p. m.

ASSIGNMENT OF SEATS IN PRESS GALLERY

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

The secretary assigned the following seats:

C. C. Clifton, Register, Seat No. 51.

Jas. C. Green, WHO-WOC; United States Daily, Seat No. 52.

Gene Gillette, United Press, Seat No. 53.

Theodore Koop, Associated Press, Seat No. 54.

J. W. Jarnagin, Seat No. 55.

Iowa Homestead, Seat No. 56.

Lowell M. Puckett, International News Service, Seat No. 57.

Fred B. Wolfe, Iowa Press Association, Seat No. 58.

H. R. Gross, Iowa Union Farmer, Seat No. 59.

L. W. Ainsworth, Trans-Mississippi Clip Sheet Service, Seat No. 60.

Cliff Millen, Des Moines Tribune, Seat No. 61.

COMMITTEE ON CHAPLAINS

Senator Carden moved that a committee of one be appointed to provide chaplains for the Senate during the Forty-fourth General Assembly.

The motion prevailed and the President appointed as such committee, Senator Carden.

COMMITTEE ON MILEAGE

Senator Clearman moved that the President of the Senate appoint a committee of three on mileage.

The motion prevailed and the President appointed the following committee: Senators Clearman, Topping, and Patterson.

COMMITTEE ON COMMITTEE ROOMS

Senator Stanley moved that a committee of three be appointed

to assign the committee rooms.

The motion carried and the president appointed the following committee: Senators Stanley, Carroll, and Wenner.

BADGES

Senator Cooney moved that the Secretary be authorized to secure suitable badges for such officers as require them. The motion carried.

TELLERS OF JOINT CONVENTION

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

The motion carried and the President appointed Senators Cole, Clark of Cerro Gordo, and Irwin.

COMMITTEE TO EXAMINE COMMITTEE CLERKS

Senator Hicklin offered the following resolution and moved its adoption:

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

Senator White moved that the committee clerks be not attached to the State pay roll until the Senate returns after the vacation ending January 20th.

Senator White asked for a roll call.

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

Ayes, 2.

Knudson White

Nays, 45.

Baird	Bissell	Carroll	Clark of Linn
Beatty	Blackford	Christophel	Clark of Marion
Bennett	Booth	Clark of	Clearman
Benson	Carden	Cerro Gordo	Cole

Cooney	Ickis	McLeland	Stevens
Coykendall	Irwin	Moen	Stoddard
Doran	Kent	Myers	Tabor
Frailey	Kimberly	Patterson	Topping
Gunderson	Klemme	Quirk	Wenner
Hager	Leonard	Rigby	Wilson
Hicklin	Lowe	Ritchie	
Hill	MacDonald	Stanley	

Absent or not voting, 3.

Anderson Cochrane Langfitt

The motion was lost.

The resolution was adopted.

The President appointed as committee to examine committee clerks, Senators Hicklin, Benson, and Beatty.

SENATE CONCURRENT RESOLUTION NO. 2

Senator Stoddard asked unanimous consent to consider the following resolution and moved its adoption:

Resolved by the Senate, the House concurring: That when adjournment is had on Thursday afternoon, January 15th, it be to reconvene on Tuesday afternoon, January 20th, at 2:00 p. m.

Senator MacDonald moved to amend by making the time Wednesday at 10 o'clock a. m.

The amendment was lost.

The resolution was adopted.

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

RESOLUTION FOR INAUGURAL COMMITTEE SENATE CONCURRENT RESOLUTION NO. 3

Senator Leonard offered the following resolution and moved its adoption:

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

The Resolution was adopted and the President appointed as such committee, Senators, Leonard, Clark of Cerro Gordo, Wilson, Hager, Hicklin, and Bissell.

COMMUNICATIONS FROM SECRETARY OF STATE

The following communications were received from the Secretary of State:

I, G. C. Greenwalt, Secretary of State of the State of Iowa, custodian of the election records,

Do hereby certify that the result on the question "shall there be a convention to revise the constitution and amend the same", voted on at the General Election held on the fourth day of November, 1930, was as follows:

For, 140,667.

Against, 195,356.

In testimony whereof I hereunto set my hand and affix my official seal this 10th day of January A. D. Nineteen Hundred and Thirty-one.

[Seal]

G. C. GREENWALT,
Secretary of State.

STATE OF IOWA
SECRETARY OF STATE

To the Honorable, the President of the Iowa Senate:

I, G. C. Greenwalt, Secretary of State for the State of Iowa, and keeper and custodian of the Acts and Resolutions of the General Assembly,

Do hereby certify that the attached is a true and correct copy of a proposed amendment to the Constitution of the State of Iowa, known as House Joint Resolution No. 6 adopted and approved by the Forty-third General Assembly, relating to the improvement of highways and making provision for the payment of the cost thereof, and that attached hereto is a true and correct list of two newspapers of general circulation, designated by the Secretary of State, in each Congressional District in the State of Iowa in which such proposed amendment to the Constitution was published for a period of three months prior to the general election held in the year 1930, as shown by the proofs of publication on file in my office and as required by the Constitution.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 9th day of January, A. D. 1931.

G. C. GREENWALT,
Secretary of State.

LIST OF NEWSPAPERS IN WHICH WAS PUBLISHED HOUSE
JOINT RESOLUTION NO. 6

Ida County Pioneer-Record, Ida Grove, Iowa.
Sioux City Tribune, Sioux City, Iowa.
The Rolfe Arrow, Rolfe, Iowa.
Messenger & Chronicle, Fort Dodge, Iowa.
Glenwood Opinion-Tribune, Glenwood, Iowa.
The Oakland Acorn, Oakland, Iowa.
Chariton Herald-Patriot, Chariton, Iowa.
Centerville Daily Iowegian & Citizen, Centerville, Iowa.
Winterset Madisionian, Winterset, Iowa.

Plain Talk, Des Moines, Iowa.
Newton Daily News, Newton, Iowa.
Ottumwa Daily Courier, Ottumwa, Iowa.
Cedar Valley Daily Times, Vinton, Iowa.
Anamosa Eureka, Anamosa, Iowa.
New Hampton Gazette, New Hampton, Iowa.
Charles City Daily Press & Evening Intelligencer, Charles City, Iowa.
Manchester Press, Manchester, Iowa.
Waterloo Daily Courier, Waterloo, Iowa.
The Muscatine Journal & News Tribune, Muscatine, Iowa.
The Daily Times, Davenport, Iowa.
Mt. Pleasant Daily News, Mt. Pleasant, Iowa.
The Burlington Hawk-Eye, Burlington, Iowa.

STATE OF IOWA
SECRETARY OF STATE

I, G. C. Greenwalt, Secretary of State of the State of Iowa, custodian of the Acts and Resolutions of the General Assembly,

Do hereby certify that the attached instrument is a true and correct copy of House Joint Resolution No. 6, passed by the Forty-third General Assembly, as the same appears on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 9th day of January, A. D. 1931.

G. C. GREENWALT,
Secretary of State.

HOUSE JOINT RESOLUTION NO. 6 BY COMMITTEE ON
HIGHWAYS

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to the improvement of highways and making provision for the payment of the cost thereof.

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

Section 1. That the following amendment to the Constitution of the State of Iowa is hereby proposed as Article XIII:

“ARTICLE XIII”

“Section I. Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa, the State may, by act of the General Assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) for the improvement of highways and for the payment or retirement of county primary road bonds and bonds issued to refund county primary road bonds; and for such purposes may issue bonds and provide ways and means for the payment of the same, and may pledge the credit of the state therefor. Such act shall pledge to the payment of such bonds and interest thereon such rates

or amounts of motor license fees and/or gasoline or other motor fuel license fees as may be determined by the General Assembly to be sufficient to meet both principal and interest as they mature and accrue; and shall provide for the levy, imposition, collection and pledge of such general property tax as may be required to supply the deficiency, if any, between the amount of principal and interest due on the bonds during any year or years and the funds produced by said pledged license fees during such year or years; and it shall be a sufficient statement of such tax that such act direct the Executive Council annually to compute such deficiency, if any, and fix the rate necessary to produce such amount. The provisions of such act pledging funds and levying taxes for the payment of principal and interest of bonds issued thereunder shall be irrevocable so long as any of such bonds are outstanding, unpaid and uncalled. Such bonds may be issued from time to time on such terms as the General Assembly shall by law provide; but each bond shall become due and payable not more than twenty years after its date.

"Sec. 2. After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease.

"Sec. 3. No funds derived from the sale of any of the bonds provided for in Section one (1) of this Article XIII shall be used in the improvement of any other highways until after the following highways shall have been improved in the following manner: (a) By grading, draining, bridging and paving:

Primary Road Number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on Primary Road Number 3 south of Keosauqua.

Primary Road Number 2, from a point on Primary Road Number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on Primary Road Number 71 south of Atlantic, and from a point on Primary Road Number 71 westerly to a point on Primary Road Number 32 near Lewis.

Primary Road Number 3, from a point on Primary Road Number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to Nebraska City.

Primary Road Number 4, from a point on the Missouri Line southeast of Hamburg, by way of Hamburg and Sidney, to a point on Primary Road Number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on Primary Road Number 20 west of Early.

Primary Road Number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to LeMars.

Primary Road Number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary Road Number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary Road Number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota Line north of Larchwood.

Primary Road Number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on Primary Road Number 75 west of Orange City.

Primary Road Number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary Road Number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on Primary Road Number 18 west of McGregor.

Primary Road Number 14, between Corydon and Chariton. Also from its intersection with Primary Road Number 58 through Grundy Center to its intersection with Primary Road Number 57.

Primary Road Number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary Road Number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with Primary Road Number 9.

Primary Road Number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with Primary Road Number 16.

Primary Road Number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer, and Sheldon, to a point on Primary Road Number 75 near Perkins.

Primary Road Number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary Road Number 21, from Primghar to a point on Primary Road Number 18 east of Sanborn. Also, from Ida Grove to a point on Primary Road Number 20 east of Holstein.

Primary Road Number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary Road Number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary Road Number 32, from Davenport, by way of Iowa City,

Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary Road Number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary Road Number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary Road Number 48, from Red Oak, through Essex, to Shenandoah.

Primary Road Number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota Line north of Burr Oak.

Primary Road Number 57, from its intersection on Primary Road Number 14, by way of Dike to Cedar Falls.

Primary Road Number 58, from Eldora to a point on Primary Road Number 134 west of Eldora. Also east of Eldora to a point on Primary Road Number 14.

Primary Road Number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on Primary Road Number 10 east of Waverly.

Primary Road Number 60, from a point on Primary Road Number 30 east of Boone, by way of Madrid, to Des Moines.

Primary Road Number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, Dewitt, and Maquoketa, to Dubuque.

Primary Road Number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri Line southwest of Bloomfield.

Primary Road Number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota Line north of Northwood.

Primary Road Number 69, from Leon, by way of Lamoni, to the Missouri Line south of Lamoni.

Primary Road Number 71, from the Missouri Line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota Line northeast of Spirit Lake.

Primary Road Number 74, from Tipton, by way of New Liberty, to Davenport.

Primary Road Number 75, from Missouri Valley, by way of Onawa,

Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on the Minnesota Line north of Rock Rapids.

Primary Road Number 90, from Grundy Center, by way of Reinbeck, to a point on Primary Road Number 59 south of Hudson.

Primary Road Number 99, from Davenport, by way of Princeton and Camanche, to a point on Primary Road Number 30 west of Clinton.

Primary Road Number 134, from a point on Primary Road Number 58 west of Eldora, to a point on Primary Road Number 65 north of Hubbard.

Primary Road Number 117, from Anamosa to Maquoketa.

Primary Road Number 136, from Clinton, by way of Charlotte and Delmar, to a point on Primary Road Number 61 west of Delmar.

Primary Road Number 141, from Denison, by way of Mapleton, to Sioux City.

Primary Road Number 149, from a point on Primary Road Number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to Primary Road Number 32 west of Homestead.

Primary Road Number 150, from a point on Primary Road Number 32 near Homestead, by way of Amana and Fairfax, to a point on Primary Road Number 30 west of Cedar Rapids.

Primary Road Number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson, to a point on Primary Road Number 61 southwest of Montrose.

Primary Road Number 218, from a point on Primary Road Number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota Line north of St. Ansgar.

(b) By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: all other primary roads.

Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

"Sec. 4. Any law adopted by the General Assembly authorizing the issuance of bonds under this Article XIII shall provide that the principal of all county primary road bonds and bonds issued to refund county primary road bonds, outstanding when said law becomes effective, shall be paid, as such bonds mature or become subject to call, from the proceeds of the state bonds. Upon the issuance of the first state bonds under such law the authority of the counties to issue county primary road bonds shall cease."

Section 2. Be it further resolved, that the foregoing proposed amend-

ment be and the same is hereby referred to the Legislature to be chosen at the next general election for members of the next General Assembly, and that the Secretary of State cause the same to be published for three (3) months previous to the date of said election as provided by law.

ELECTION OF PRESIDENT PRO TEM

Senator Clark of Cerro Gordo placed in nomination the name of Senator McLeland as president pro tem of the Senate.

Senator Frailey asked unanimous consent that Senator McLeland be excused from voting, which consent was granted.

Those voting for Senator McLeland were:

Ayes, 40.

Baird	Clark of Linn	Kent	Rigby
Bennett	Clark of Marion	Kimberly	Ritchie
Benson	Clearman	Klemme	Stanley
Bissell	Cole	Knudson	Stoddard
Blackford	Coykendall	Leonard	Topping
Booth	Doran	Lowe	Wenner
Carden	Frailey	MacDonald	White
Carroll	Gunderson	Moen	Wilson
Christophel	Hager	Myers	
Clark of	Hill	Patterson	
Cerro Gordo	Iekis	Quirk	

Nays, none.

Absent or not voting, 10.

Anderson	Cooney	Langfitt	Tabor
Beatty	Hicklin	McLeland	
Cochrane	Irwin	Stevens	

Senator McLeland having been elected President pro tem of the Senate, the President appointed Senator Kimberly to escort Senator McLeland to the chair.

Senator McLeland spoke as follows:

"MR. PRESIDENT, AND MEMBERS OF THE SENATE: I deeply appreciate the honor conferred upon me in my election as President pro tem of the Senate. I do not intend to take any time at this hour to make a speech. I expect to be fair and impartial in all my rulings."

Senator MacDonald moved that the Senate adjourn until 2 o'clock p. m. which motion prevailed.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

APPOINTMENT OF PAGES

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

Bob Green, page to the Lieutenant Governor.
Harold Miller.
John A. Woods.
Clyde Zaun.
Harry Yazman.
Ralph Nyren.
James Hronek.

ARCH W. MCFARLANE, *Lieutenant Governor.*

The foregoing pages appeared and were duly sworn in.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution No. 1, directing the Executive Council to procure suitable rooms for such State Departments as are now occupying legislative office rooms.

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

House Concurrent Resolution No. 2, providing for a joint convention of the two houses to be held on January 13, 1931, at 2:00 p. m., and extending an invitation to Governor Hammill to read his message, and to canvass the vote for Governor and Lieutenant Governor.

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

Senate Concurrent Resolution No. 1, relating to the endorsement and recommendation to the President of the United States of Hon. Ernest R. Moore as successor to Mr. Cunningham on the Federal Reserve Board.

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

House Concurrent Resolution No. 3, providing for a joint committee of six to nominate such additional employees as may be necessary for the work of this session, and the Speaker has appointed as such committee on the part of the House the following: Hanson of Winnebago, Nelson of Story and Hopkins of Guthrie.

SAM C. RAGAN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 3

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

Senator Bennett asked unanimous consent that the resolution be taken up at this time.

Consent was granted.

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

Ayes, 43.

Anderson	Clark of Maron	Kent	Ritchie
Baird	Clearman	Kimberly	Stanley
Bennett	Cole	Klemme	Stevens
Benson	Cooney	Knudson	Stoddard
Bissell	Coykendall	Leonard	Tabor
Blackford	Doran	Lowe	Topping
Booth	Frailey	MacDonald	Wenner
Carden	Hager	McLeland	Wilson
Carroll	Hicklin	Myers	
Christophel	Hill	Patterson	
Clark of	Ickis	Quirk	
Cerro Gordo	Irwin	Rigby	

Nays, none.

Absent or not voting, 7.

Beatty	Cochrane	Langfitt	White
Clark of Linn	Gunderson	Moer	

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

The President appointed as members of the committee on the part of the Senate Senators Bennett, Rigby, and Ickis.

HOUSE CONCURRENT RESOLUTION NO. 2

By unanimous consent on request of Senator Clark of Cerro Gordo the following House concurrent resolution No. 2 was considered:

Be It Resolved by the House, the Senate concurring: That a joint convention of the two houses of the Forty-fourth General Assembly be held on January 13, 1931, at 2:00 p. m.

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

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

The House concurrent resolution was adopted.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee on mileage begs leave to submit the following report:

Name	Miles	Amt.	Name	Miles	Amt.
Lt. Gov. McFarlane	106	\$10.60	Ickis	94	9.40
Anderson	72	7.20	Irwin	225	22.50
Baird	142	14.20	Kent	60	6.00
Beatty	87	8.70	Kimberly	175	17.50
Bennett	154	15.40	Klemme	278	27.80
Benson	320	32.00	Knudson	60	6.00
Bissell	40	4.00	Langfitt	112	11.20
Blackford	131	13.10	Leonard	117	11.70
Booth	115	11.50	Lowe	62	6.20
Carden	137	13.70	MacDonald	187	18.70
Carroll	110	11.00	McLeland	66	6.60
Christophel	133	13.30	Moen	230	23.00
Clark of Cerro Gordo	134	13.40	Myers	35	3.50
Clark of Linn	142	14.20	Patterson	129	12.90
Clark of Marion	30	3.00	Quirk	140	14.00
Clearman	110	11.00	Rigby	175	17.50
Cochrane	125	12.50	Ritchie	135	13.50
Cole	184	18.40	Stanley	62	6.20
Cooney	225	22.50	Stevens	91	9.10
Coykendall	175	17.50	Stoddard	214	21.40
Doran	42	4.20	Tabor	200	20.00
Frailey	217	21.70	Topping	168	16.80
Gunderson	155	15.50	Wenner	105	10.50
Hager	265	26.50	White	125	12.50
Hicklin	160	16.00	Wilson	5	.50
Hill	145	14.50			

GEO. CLEARMAN, *Chairman*

G. W. PATTERSON

C. H. TOPPING

On the question, "Shall the report be adopted?" the vote was:
Ayes, 43.

Anderson	Christophel	Coykendall	Kent
Baird	Clark of	Doran	Kimberly
Bennett	Cerro Gordo	Frailey	Knudson
Bissell	Clark of Linn	Hager	Leonard
Blackford	Clark of Marion	Hicklin	Lowe
Booth	Clearman	Hill	MacDonald
Carden	Cole	Ickis	McLeland
Carroll	Cooney	Irwin	Moen

Myers	Rigby	Stoddard	Wenner
Patterson	Ritchie	Tabor	White
Quirk	Stanley	Topping	Wilson

Nays, none.

Absent or not voting, 7.

Beatty	Cochrane	Klemme	Stevens
Benson	Gunderson	Langfitt	

The report was adopted.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

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

Lucile O'Hagan, Lieutenant Governor Arch W. McFarlane.

Kathreen Porter, Senator Anderson.

Bernice Maine, Senator Baird.

Tillie Hartley, Senator Beatty.

Dorothy Proctor, Senator Bennett.

Helen Hovde, Senator Benson.

Velma Nelson, Senator Bissell.

Ada Stanley, Senator Blackford.

Ione Lang, Senator Booth.

K. L. Blackford, Senator Carden.

W. H. Wisdom, Senator Carroll.

Lisette Methner, Senator Christophel.

Helen Hansen, Senator Clark of Cerro Gordo.

Adeline Havel, Senator Clark of Linn.

Bessie B. Boydston, Senator Clark of Marion.

Edythe P. Ditto, Senator Clearman.

Allene West, Senator Cole.

Ray R. Sheehan, Senator Cooney.

Maxine Seablom, Senator Coykendall.

Ruth Hauge, Senator Doran.

Emma Malm, Senator Frailey.

Gudrun Hoiness, Senator Gunderson.

Hannah Millard, Senator Hager.

Gladys Lewis, Senator Hicklin.

Irene Schroeder, Senator Hill.

Virginia Gripp, Senator Ickis.

Agnes Waller, Senator Irwin.

Ethel Beakler, Senator Kent.

Madeline Burrows, Senator Kimberly.

Gertrude Gesell, Senator Klemme.

Ercell Knott, Senator Langfitt.

Lucille Myers, Senator Leonard.

Helen Eddy, Senator Lowe.
 Louise Ely, Senator MacDonald.
 Mildred Zug, Senator McLeland.
 Sofus Gunderson, Senator Moen.
 Eleanor Bedwell, Senator Myers.
 Doris Cruisenberry, Senator Patterson.
 Elizabeth Huglin, Senator Quirk.
 Marion Longley, Senator Rigby.
 Carla Nelson, Senator Ritchie.
 W. F. Carden, Senator Stanley.
 Jean McMinn, Senator Stevens.
 Laura Schulze, Senator Stoddard.
 Oney Beaton, Senator Tabor.
 Gladys Dowell, Senator Topping.
 Della Harper, Senator Wenner.
 Frances DeBord, Senator White.
 Glenn Wilson, Senator Wilson.
 Lillian Browne, Walter H. Beam, Secretary.

EDWIN R. HICKLIN, *Chairman*
 FRANK M. BEATTY
 C. A. BENSON

The report was adopted and the clerks duly sworn.

INTRODUCTION OF BILLS

Senate File No. 1, by Senators Patterson, Clark of Linn, and Rigby, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-five (6865), to sixty-eight hundred ninety-six (6896), both inclusive, sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-nine hundred eighteen (6918), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924), seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen

(7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), seventy-one hundred sixty-one (7161), all of the code of Iowa 1927, and section fifty-seven a two (57 a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in section fifty-seven a four (57 a4) chapter twenty (20) Acts of the Forty-third General Assembly, section four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), fifteen hundred sixty-six (1566), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), section one (1) chapter one hundred sixty-two (162) Acts of the Forty-third General Assembly, fifty-six hundred sixty-four (5664), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-four (6864), sixty-nine hundred twenty-one (6921), sixty-nine hundred twenty-nine (6929), sixty-nine

hundred fifty-nine (6959), sixty-nine hundred seventy-three (6973), seventy hundred seven (7007), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), of the code of Iowa 1927, all relating to the listing and assessment of property for taxation.

Read first and second times and passed on file.

Senate File No. 2, by Senators Clark of Linn, Rigby, and Patterson, an Act providing for property tax relief by the levying, collecting and paying of taxes on incomes; providing for rules and regulations and prescribing penalties, and making an appropriation for carrying out this act.

Read first and second times and passed on file.

Senate File No. 3, by Senators Rigby, Patterson and Clark of Linn, a bill for an act to provide for the levy, imposition and collection of a privilege tax based upon intangible values against all corporations, joint stock associations, and limited partnerships organized and existing under the laws of this state or the laws of any other state of the United States, foreign country, territory, or the United States for profit, doing business in this state, as defined in the act, unless otherwise exempted by law, for the privilege of doing business in this state; to provide for the administration of said law; and to repeal sections seventy hundred eight (7008), seventy hundred nine (7009), seventy hundred ten (7010), seventy hundred eleven (7011), seventy hundred twelve (7012), and seventy hundred thirteen (7013), of the code of Iowa 1927.

Read first and second times and passed on file.

Senate File No. 4, by Senators Clark of Linn, Patterson, and Rigby, a bill for an act to amend the law as it appears in paragraphs one (1), six (6), and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the state board of assessment and review.

Read first and second times and passed on file.

Senate File No. 5, by Senators Patterson, Rigby, and Clark of Linn, a bill for an act to provide for a registration fee on mortgages on real property and to provide a method for the collection thereof.

Read first and second times and passed on file.

Senate File No. 6, by Senators Rigby, Clark of Linn, and Patterson, a bill for an act to amend the law as it appears in sections sixty-eight hundred sixty-five (6865), sixty-nine hundred forty-four (6944), sixty-nine hundred fifty-three (6953), sixty-nine hundred eighty-four (6984), sixty-nine hundred eighty-five (6985), sixty-nine hundred eighty-seven (6987), sixty-nine hundred eighty-eight (6988), of the code of Iowa 1927, and section twenty-three (23), chapter thirty (30), of the Acts of the Forty-third General Assembly, relating to the listing, assessment and taxation of monies and credits, other property and to the exemption of property.

Read first and second times and passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, JANUARY 13, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. A. Raymond Grant, pastor of the First M. E. Church of Vinton, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Stoddard, from Council of Parents and Teachers of Sioux City, Iowa, in regard to military training.

By Senator Stoddard, from Mayor and Council of Smithland, Iowa, opposed to any increase in gasoline tax.

By Senator Bennett, from committee of Crawford County Citizens, relating to repeal of fish and game law.

By Senator Bennett, from councilmen of the town of Schleswig, in regard to motor vehicle license laws.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gunderson for the day, on request of Senator Clark of Cerro Gordo; Senator Langfitt, indefinitely, on request of Senator Wilson.

INTRODUCTION OF BILLS

Senate File No. 7, by Senators Clark of Linn, Rigby and Paterson, a bill for an act to amend the law as it appears in sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the code of Iowa 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment

of the property of every individual, co-partnership, corporation or association operating for profit, water-works or gas works, electric light or power plant, railways operated by cable or electricity, and elevated street railways.

Read first and second times and passed on file.

Senate File No. 8, by Senator Clark of Linn, a bill for an act to provide for the licensing and regulating of gasoline filling stations by cities, towns, and townships, and amending chapter two hundred eighty-five (285) of the Code of Iowa 1927, and section fifty-seven hundred forty-three (5743) of the Code of Iowa 1927.

Read first and second times and passed on file.

Senate File No. 9, by Senators Christophel and Clark of Linn, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture.

Read first and second times and passed on file.

The Journal of January 12th was corrected and approved.

On motion of Senator Iekis the Senate adjourned until 1:45 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

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

The roll was called and those present were, 127:

Aiken	Drake of	Klemme	Rawlings
Allen	Muscatine	Kohler	Reed
Anderson	Durant	Langfitt	Reimers
Augustine	Felter	Laughlin	Rigby
Avery	Figgins	Leonard	Ritchie
Babcock	Finnern	Lepley	Roe
Bair	Garrett	Lichty	Ryder
Baird	Gilmore	Lowe	Rylander
Ballew	Gissell	McCaulley	Shields
Beath	Greaser	McCreery	Short
Beatty	Greene	McDermott	Snyder
Bennett	Hager	McDonald	Sours
Benson	Hansen of	McLain	Stanley
Berry	Audubon	McLeland	Stanzel
Blackford	Hanson of	Malone	Stevens
Bonnstetter	Winnebago	Mathews	Stiger
Booth	Hayes	Mayne	Stoddard
Brown	Helgason	Mead	Strachan
Carroll	Hesse	Millhone	Tabor
Clark of	Hicklin	Moen	Tamisiea
Cerro Gordo	Hill	Morton	TePaske
Clark of Linn	Hollingsworth	Myers	Thiessen
Clearman	Hollis	Nelson of	Thompson
Cole	Hook	Cherokee	Torgeson
Cooney	Hopkins	O'Donnell	Van Buren
Coykendall	Hunt	Orr	Van Wert
Craven	Hush	Osborn	Wamstad
Davis	Husted	Patterson	Watts
Dayton	Hutcheon	Pattison	Wearin
Ditto	Irwin	Peaco	Wenner
Donlon	Johnson of	Pendray	White
Doran	Marion	Quirk	Whiting
Drake of Keokuk	Kent	Randall	Mr. Speaker
	Kern	Randolph	
Those absent were, 29:			
Bissell	Ellsworth	Koch	Rutledge
Booth	Forsling	Lamb	Simmer
Byers	Frailey	Langland	Topping
Carden	Gunderson	Long	Wilson
Christophel	Hansen of Scott	Miller	Witt
Clark of Marion	Ickis	Nelson of Story	
Cochrane	Kimberly	Paisley	
Elliott	Knudson	Ratliff	

President McFarlane announced a quorum present and the joint convention duly organized.

Senator Clearman moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Governor that the convention was ready to receive him.

Motion prevailed and the President appointed Senator Clearman of Johnson on the part of the Senate, and Representatives TePaske of Sioux and Durant of Hancock, on the part of the House.

Senator Hager moved that a committee of two, consisting of one member from the Senate and one member from the House, be appointed to extend an invitation to the National Commander of the G. A. R., James E. Jewell of Colorado, and his official party to attend the Joint Convention.

Motion prevailed and the President appointed Senator Hager and Representative Hesse as such committee.

The Committee waited on Commander Jewell and his official party and escorted them to the hall of the House of Representatives.

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

President McFarlane then presented Governor John Hammill who delivered the following message :

GOVERNOR HAMMILL'S MESSAGE

To the Senate and House Members of the Forty-fourth General Assembly:

In accordance with the mandates of the Constitution of Iowa, I submit to you the following message:

The Constitution makes it my duty to present to you the conditions of the State. The reports of the various departments and officers of the State are now ready and will be placed on your desks. These reports will outline to you more in detail than it will be possible for me to do in this message without extending it beyond a reasonable length. A clearer understanding of what the State is doing can be obtained from a study of these reports and in no better way can you qualify yourself for an intelligent, satisfactory discharge of your duties.

There is no outstanding obligation against the State except the bonus indebtedness and on January 2, 1931, there remained in its treasury an unencumbered balance of \$7,440,661.07.

In pursuance of the responsibility reposed in me by the Legislature under the provisions of Code Section 334, I herewith transmit to the Senate and the House of the General Assembly the detailed report of the Budget Director concerning the cost of the State government including expenditures for the support of the various State institutions during the past two years, together with his recommendations for their continuance for the ensuing biennium. The same has received my careful attention and my approval as provided by statute.

The report and recommendations of the Budget Director are now available for your examination, and they command your careful study.

EFFICIENCY IN GOVERNMENT

Extravagance in expenditures of money received by the State has not been permitted.

The State government in all of its departments should be conducted in the same economical and efficient manner as obtains in the best conducted private enterprise.

I summon to this task every person in the public service and all other good citizens of the State.

In advocating economy I do not do so to the extent of hindering advancement and progress. In the business of government we must have economy but not at the expense of efficiency. We must continue to advance. We must have revenue to carry on the building programs of our public institutions. We are a growing state and if the people demand, and get, from their government more and more service, they must expect a greater cost for governmental functions and consequently higher taxes.

Iowa has advanced along the line of human endeavor. We face the future with confidence in our ability to keep abreast in the march of present day progress and civilization. To do so we must have a sound economical policy which will continue to bring new capital into the State and make Iowa a greater industrial center that will invite sound investment and will produce legitimate business that gives employment at good wages to honest labor.

ELIMINATING DUPLICATION

As an aid to reducing taxes, duplication in governmental offices should be abolished. The grouping of agencies devoted to similar major purposes would greatly reduce expenses.

Governmental affairs in like classes of business should be regrouped and centralized. This consolidation would mean a greater saving of public funds.

For example, the creation of the State Board of Assessment and Review necessitated employees for the listing of property and its assessment, who could also serve advantageously in the collection of the inheritance tax, and the duty of the collection of the inheritance tax should be transferred from the Treasurer's Department to the Board of Assessment and Review. This will result in a saving to the state as the same men charged with investigation and listing of property under the Board of Assessment and Review could likewise advantageously list the property which is necessary and essential in the collection of the inheritance tax.

Recommendation for this transfer is concurred in by R. E. Johnson, Treasurer of State, who regards the transfer in the interest of economy and service.

Another example: The power to purchase equipment and supplies of every sort paid for out of the State Treasury could be conferred on one agency. A board or commission for such a purpose could be created by the Legislature out of the offices already authorized without adding to the expense of government. Such a board could also salvage thousands of dollars worth of discarded or obsolete equipment, machinery and supplies. Purchases are now made independently by the various departments without consultation. Standard specifications and centralized purchasing would be at least a step toward the goal of lessening the expense of government.

In my Inaugural Address of 1927 I called attention to the fact that further consolidation in our various departments of government could be carried forward in the interest of efficiency and economy in the conduct of the State's business, and in that address, I stated:

"After a survey of the Division of Accounting under the direction of the Auditor of State as provided in Section 113, Code of 1924, pertaining to the examination of accounts of all counties of the State and of cities and towns within the State having a population of 300 or more, it is my belief that the examinations authorized by said section can be more efficiently and economically conducted if the accounting department, as designated in line 13, page 202, Acts of the 41st General Assembly, and the municipal department, as designated in line 14, page 202, be combined and the work done by one Chief Clerk of Accounting; the duties of the departments are similar and when combined are not of such volume as to require the services of two chief accountants."

I recommend their consolidation.

The office of Fire Marshal is charged with the investigation and enforcement of the law against incendiarism, and this work properly belongs under the direction of the Bureau of Investigation. It is not necessary to have a separate and distinct department. Investigators under the direction of the Chief of the Bureau of Investigation would be adequate and eliminate an unnecessary department. There is no reason why this department should not be consolidated under the department charged with the enforcement of law.

I recommend that this office be abolished and the duties transferred to the Bureau of Investigation.

I further called attention in my Biennial Message of 1929 to the fact that the office of School Treasurer in the various school districts should be abolished, and the County Treasurer should be authorized to pay all warrants out of the school funds. If this provision is not adopted, the law as to the audit of school treasurers should be extended so as to include rural districts. The abolishment, however, of the office of School Treasurer would be a saving to the taxpayers and would eliminate an unnecessary office.

My investigation of the hospital situation at Iowa City convinces me that it would be in the interest of economy and efficiency to combine the

psychopathic hospital with the general hospital, as it is difficult to administer what are essentially two independent hospitals. To accomplish this purpose, there should be a greater degree of integration between the two. To this end I would suggest minor alterations in the wording of the present law as follows:

(1) Section 3955 should be amended to read "It shall be known as the state psychopathic hospital, and shall be located at Iowa City, and *integrated* with the college of medicine and *hospital* of the state university."

(2) Section 3956 should be omitted, since the following section (3957) duplicates it.

(3) Sections 3972 and 3973 should be deleted altogether, for if the two hospitals are integrated there will be no difficulty in arranging transfers to and from all services.

(4) Section 3982 should be omitted, save for the final clause ("all moneys collected from said patients shall be used for the support of the said hospital") and this clause should form the final sentence of Section 3963. As it is now, the hospital feeds and houses private patients, supplying them also expert medical and nursing care, and must then deduct the cost of doing so from what is already a distressingly small sum allotted to the treatment of indigent mental cases.

TAXATION

During the entire period of my administration I have constantly urged the necessity of an improvement in our taxation system to bring about a more equitable assessment, and to relieve from real property some of the excessive share of the public burden it is bearing.

Despite the general trend everywhere toward increasing taxation, the state millage levy, which was fixed at eleven and one-half mills when I assumed office, is eleven mills as I leave it. In addition to a reduction in the millage levy, the assessed valuation of property has been reduced.

The progress made during my administration has resulted among other things, in the creation of a State Board of Assessment and Review, which has already added millions to the assessment roll and is now at work on the equalization of the tax burden on property subject to taxation. It can be said that sufficient progress has been made by this board, by its efforts since its creation, to justify the belief that without any material changes in existing tax laws justice will be worked out by the Board, which will result in a substantial reduction in our present tax levy.

The Board is functioning in a satisfactory manner, and has drafted a program for taxation reform in Iowa which will be presented for the consideration of this General Assembly.

The State has already adopted the policy of constructing its primary roads entirely without direct property tax. A competent committee of

your own members reporting unanimously in conjunction with the State Board, now lays before you recommendations dealing both with the elimination of existing assessment irregularities and with the possibility of reducing or eliminating entirely the present direct tax for state purposes. These recommendations, based as they are upon two years of research, are worthy of your most sincere consideration.

The student of governmental costs sees possibilities of reducing existing expenditures for government projects in many ways but he also sees that the sum total of these reductions will not to any appreciable extent stem the rising tide of expenditures and he finds no evidence to indicate any considerable permanent abandonment of the modern functions performed by government.

To give practical relief, taxation reform of necessity must, to meet the major problem, be directed toward discovery of sources of revenue, creating sources which are now avoiding their proper share of the tax burden, or the adoption of methods which will permit the fairest spread under all circumstances of the cost of government among the people and on property selected to carry it.

The use of the general property tax, applying alike to all real and personal property, has in practice resulted in only real estate being reached for the major part of the tax burden.

This tax, as more and more money has been expended, grows more burdensome in cases where all the property owned is real estate, and so far as the individual is concerned, is less burdensome where large amounts of personal property are owned but not fully taxed.

The time has come when real estate of certain classes is subjected to an almost confiscatory burden of taxation. The relief of this class of property is the immediate concern that prompts the attempt to reform the tax system.

The immediate problem is to relieve real estate and in individual communities the equal need of relieving the tax strain on the mechanical part of the industry, which represents about all the tangible personal property tax, other than motor vehicles and live stock, that the local assessors seem inclined to impose, prompts most investigating commissions to direct attention to the many forms of intangible wealth.

The taxing of intangible wealth through an income tax is generally looked upon as the only means of effectively reaching intangible personal property. Yet, it should be borne in mind that the Federal government raises the greater portion of its four billion annual expenditures from an income tax, and while it is desirable that relief should be given to the small property owner, we should remember that the Federal income taxpayer is now paying the small property owners' share of Federal taxation. A state income tax could easily be made so burdensome as to drive wealth from the State of Iowa.

Everyone realizes the importance of increasing industry in Iowa. Every addition of an industrial plant furnishes additional property, subject to taxation and an added market for Iowa farm products.

Every such addition automatically reduces taxation on other property. Great care should be taken that no legislation is passed which will drive out existing industry or raise a barrier against new.

If we are also to retain our existing tax upon moneys, credits and other intangibles the law should be made as workable as possible and rigidly enforced.

The tax problem cannot be settled by merely considering local conditions. Business being on a national scale and the thought of the people being nation-wide, the tax problems are influenced by the same nation-wide tendency. Iowa should not, and cannot, adopt taxation laws placing its residents on an unfair basis with those of other states.

No tax reform will be of value unless there is builded in connection therewith a good administrative practice.

So long as human nature manifests a desire to shift burdens of taxation and is not anxious to assume any new ones, there will be demands for tax changes and excursions will be quite common into fields of tax reform.

There is only one certain way to bring about tax reduction and that way is to reduce expenditures. There is only one way to reduce expenditures and that is to hold the budget of the local government within safe limits.

Our efforts should be bent toward increased efficiency rather than increased expenditure of public money. Instead of studying new methods of spending more money let us study new methods of spending less.

Indirect pressure from the Board of Assessment and Review might be helpful but it will not be decisive.

The fact is noncontroversial that high taxes are the result not altogether of the legitimate cost of government but to some extent to political waste and inefficiency.

In the State about ninety-one cents out of every dollar of taxes collected is controlled by county boards, school boards, village boards and town boards, whereas only nine cents out of every dollar of taxes collected is under the control of the legislature. You are closely associated with all of these people. If taxes are running rampant, talk to them and curtail your expenses.

Public spirited citizens protest against the waste of millions of dollars in the mismanagement of the school system. Similar waste is found in other important branches of the local government. The crippling taxes on real estate would be substantially reduced by simplified, economical and efficient administration of public affairs. Yet persons complaining

of excessive taxes as a rule do little if anything to bring about good local government. They are prone to leave the choice of public officials to the very spoils machines that plunder them.

A fit school board, a fit mayor supported by a fit council majority would order a thoroughgoing survey of all school and municipal service and would reorganize them on a basis of lessened cost and increased benefits. The resultant savings would be translated into tax reduction or needed improvements.

A friend of the taxpayer is the conservative official who provides a dollar's worth of public service for every dollar spent under his direction. Property owners who have learned to "keep their eye on the ball" know this.

Once the money has been appropriated, all that the assessors and reviewers together can do is to apportion the budget among the property owners. They cannot keep taxes down. That can be done only by the tax appropriating and tax spending officials.

All who have looked carefully and impartially into the tax situation are now agreed that unless appropriations for next year are held to the figures which the Budget Director has made, they will find themselves in a position wherein the tax levy will have to be increased.

The budget makers for local government must also realize their obligation in this matter. The great bulk of our taxes are levied by local authorities. Many of such governmental units are bonded almost to the constitutional limit. The members of the Legislature, the Budget Director for the State, and the various departments of government must realize the responsibility which rests upon them.

I hope that the members of the Legislature and the officials of the various departments of government will rise to their opportunity.

EQUALIZATION OF PUBLIC SCHOOL FACILITIES

Education must enable the individual to meet the real problems of actual experience as he finds them in daily life. It must definitely adjust him to his place as a citizen of the State and Nation and cause him to grow in it, accomplishing the most for himself and for society.

The betterment of the rural school is a vital problem. The rural school, too frequently, has not had adequate financial support. There is good reason for this in sections of the country where farm property has had a low valuation, where the land was sparsely settled, or covered by heavy mortgages. As these conditions have gradually disappeared, the school has shared to some degree in this prosperity; but not fully. An equalization fund for the support of the schools should be provided by state aid where other funds are not adequate. Again, the concentration of the wealth of our Nation has presented some very perplexing problems to school administrators in the matter of financing public education.

A tax levied on the property of the community was equitable when the wealth of our country was vested principally in real estate. But since this wealth has been shifted to other types of investment it has become necessary to make changes in the method of financing public education.

States having equalization funds are making an effort toward equalizing educational opportunities, and these funds as a whole are distributed to the different school units on the basis of their effort and need.

It may be added that State aid to schools has proven a wonderful incentive in local communities to become more liberal in their support of schools. I would suggest that the State school fund might be increased from a tax on cosmetics, tobacco, soft drinks, gum, and other articles considered as nonessentials. All are paying large dividends and a portion thereof could be well turned into the State school fund. We are of the opinion that an increase of taxes on farm lands should be avoided.

Expensive buildings are not essential in order to conduct all the various activities of the school. Many of the present rural school houses do need remodeling in order to make the rooms attractive, properly lighted and better heating and ventilation installed. We cannot help but feel that the erection of expensive one-teacher buildings in rural communities is a mistake. Our system of rural schools is undergoing a change. Perhaps the most progressive states in providing better school facilities in rural communities are Indiana and Ohio. The one-room school is fast disappearing in these states. Eventually, the movement is sure to spread to other states. The objection, which may have been well founded, that the transportation of pupils is difficult on account of bad road conditions is quite rapidly being overcome, especially in Iowa. This has been the chief objection advanced by many patrons against the establishment of central schools. Again does it not seem that the erection of expensive one-teacher schoolhouses on paved and graveled roads will become a troublesome problem and necessarily a waste of funds? Sentiment, prejudice, and penury must not be allowed to deprive the country boys and girls and those living in small towns of their right to secure the best possible education, including the high school, where the children may be at home while attending the public schools. Whatever the causes or opposition to consolidation may be, this opposition must cease before the rural school can fulfill its function and provide the rural child with educational opportunities approximating those given the children in well graded town schools. It is generally conceded that the consolidated school provides better educational advantages for children. It is an established fact that the enrollment as well as regularity of attendance are very much improved in these districts.

The school premises should be beautified and playground equipment provided. The school should be amply equipped with devices used in connection with modern methods of teaching. The school library should be made an important factor in every school where convenient access to public libraries is impossible.

The rural school building is the natural place for community activities for the benefit of all in the district. To successfully carry out these activities requires the finest kind of directorship to secure the interest and cooperation of all who should be concerned.

The efficiency of the rural school is seriously handicapped because of frequent change of teachers, and because of lack of experience of the rural teacher.

The rural schools should require especially trained teachers to the same extent that especially trained teachers are being required for the elementary grades and high schools in approved town, city and consolidated districts. The field is a broad one, covering the work of the first eight grades. Specialization to the extent that the grade teacher is a specialist may be impossible. However, the rural teacher must be prepared to select the better and approved methods of instruction for each of the eight grades in her school, not simply for one or two grades as organization may be carried out in the grade schools. Problems of classification and organization place additional responsibilities on the rural teacher. Necessarily there always has been and always will be too many classes in order to cover eight grades of work for one person to handle well. True, there may be classes with only one pupil, but such a class must necessarily be lacking in interest and enthusiasm. The provision by law for the closing of small schools having attendance of five or less pupils is well taken.

We believe the next step in advancement of teacher qualification requirements should be two years of normal training above a four-year high school course. Every other profession, including medicine, law, and the ministry require at least this amount of special preparation. The work of the teacher is fully as important as any of the professions. Should not the preparation of the teacher be made commensurate to the importance of the calling?

HIGHER EDUCATION IN IOWA

In common with all the states in the Union, Iowa has always considered the education of her people as of paramount importance. If the sacrifices made for education in Iowa when the State was well nigh destitute of taxable wealth could be celebrated in song, it would constitute one of the noblest epics ever written. We have kept the faith of our fathers and we have kept pace most wisely—not extravagantly—with the best educational thought of the nation and the world, alike as to secondary and higher education.

In this connection it might not be amiss to say a word about the plan which Iowa originated twenty-two years ago for the government of its higher institutions of learning. It is a system of unified control which at the beginning was looked upon askance in many quarters. But it has proven itself as worthy of the confidence of the people and is now being adopted by not a few of our sister states.

Not long ago, a man whose name would find a place among the very foremost authorities on educational matters, regardless of by whom the list was compiled, stated that the Iowa system of unified control of state-supported institutions of higher learning had come to be looked upon as ideal—due to two things: the structure of the State Board of Education and the fact that each succeeding chief executive of the State from the beginning had “in the matter of appointments taken the system wholly outside the realm of partisan politics and free from all personal considerations whatsoever.”

This Board has always taken its work seriously. This year it has been mindful of our economic situation and has exercised great restraint in its askings of the Legislature—showing a willingness to await a more convenient season before even so much as making a request for certain capital improvements the need for which is apparent to everyone.

The State Board of Education has frankly talked over all its problems with the Director of the Budget and myself. The details of its askings will be set forth in the several official reports which will be submitted for the consideration of the Legislature. Iowa cannot afford to take any backward steps in education and I am confident it has no desire to do so. The progress of our State institutions since 1909 justifies the high opinion in which our system of government of these institutions is held and argues well for the future.

VOCATIONAL EDUCATION

One of the essential factors in the future welfare of our country is the permanent and efficient employment of our people in gainful and worthy occupations. To provide food, shelter, clothing, and the other requirements of life is a problem that has been common to mankind during all ages from primitive time to the present day. In order that each individual may have the necessities and the finer things of life he must be capable of following successfully some worthy remunerative occupation.

That there is a growing need and demand for vocational training in Iowa is evidenced by the progress which has been made in the program during the past two years.

During the fiscal year closed June 30, 1930, there were 12,772 persons enrolled in Iowa vocational schools and classes organized under the provisions of the Smith-Hughes and George-Reed Acts. This number represents the largest enrollment in the history of vocational education in the State.

The enrollment for the year ended June 30, 1930, was approximately thirty per cent greater than the total enrollment for the previous fiscal year of 1928-29. The total enrollment for the past year was also double that for the year ended June 30, 1925.

Perhaps one of the most important features of the entire vocational program of the past year is that more than forty-seven per cent of the

total attendance consisted of men and women enrolled in evening industrial, agricultural and homemaking classes. Of the total enrollment of 12,772 persons, 6,044 attended adult evening classes as compared with 1,535 part time school students and 5,193 regular high school vocational pupils.

Although vocational education in Iowa has made marked progress during the past biennium, there is a great need for further expansion of the program. There are approximately 869 fully approved high schools in the state. During the past year vocational work, organized under the provisions of the national and state vocational education acts, was offered only in the following number of centers:

	Number of districts offering work in 1929-30	Approximate per cent of fully approved high schools
Agriculture	109	12.5
Homemaking	49	5.6
Trades and Industries.....	27	3.2

Many additional school districts need and desire to establish vocational departments but cannot do so because of lack of available funds.

During the fiscal year ended June 30, 1930, a total of \$173,097.57 of federal funds were expended for vocational education in Iowa. This amount includes an expenditure of 98 per cent of all available federal funds appropriated under the provisions of the national vocational education acts. During the last fiscal year Iowa ranked in 17th place among the various states in respect to the amount of federal aid received for vocational education. However, Iowa is one of the lowest ranking states in the union in regard to the amount of state support for vocational training. During the past fiscal year every bordering state appropriated from four to twenty-seven times as much state aid for vocational education as Iowa.

If the State of Iowa expects to meet the need and demand for vocational education it is imperative that state funds be appropriated for this important phase of our public school program.

Due to the development of science, invention, and the effect of the machine upon agriculture, commerce, industry and the home, our civilization is passing through a series of changes, the complexity of which is unparalleled in the history of the world. Occupations are constantly changing in their demands and opportunities. Likewise, new occupations are arising making new demands.

At the present time there are approximately 4,000,000 men in the United States who are unemployed. Without an opportunity to adjust themselves to these new conditions, to new demands of industry, calling for new skilled hands and new technical information, many individuals will fall by the wayside and become idle parasites living off the work of others, or dependents, criminals, and unnecessary victims of the "iron man." Therefore, the state and national governments should work out a

cooperative program which will help solve the pressing and momentous training problems incident to:

a. The continuous vocational re-training of wage earners, temporarily unemployed, unsteadily employed, or likely to be, because of increasing mechanization, progress in business and industrial efficiency and changing economic demands, into operators of the newer machines and processes or into new and expanding occupations, similar to the occupations in which they are experienced.

b. The continuous vocational improvement of wage earners, temporarily unemployed, unsteadily employed, or likely to be, because of their lack of the hand and technical efficiency increasingly demanded of the occupations in which they are attempting to earn a livelihood.

c. The vocational training of older tradesmen into the lighter and more skilled branches of their respective crafts in which their past experiences will be continuing assets and declining strength will be no bar.

d. The training of the nation's increasing number of apprentices in the skilled trades, and learners in other occupations, to a high degree of all-round hand and technical efficiency in their chosen occupations as insurance against future unemployment and loss of wages, and as assurance of an adequate supply of thoroughly skilled workers for the nation.

In the early times young workers acquired the skill and knowledge of a given vocation by watching, imitating and copying fathers, mothers and other elders. That is, they were trained by methods of "followership." For complicated and restricted vocations "followership" methods were in time superseded by "regularized apprenticeship" methods. At present the followership methods of vocational training are precarious, poorly led and in such cases as farming and homemaking, utterly inadequate to keep pace with the scientific developments in these fields. Likewise, the old type of apprenticeship training has become entirely or partly inadequate to meet the demands of today in certain industries. Consequently the demand has become insistent for vocational education programs to perform the service which is no longer secured under these old methods.

The United States Bureau of Education is responsible for the statement that of all the boys and girls who enter the fifth grade in the public schools, only 14 per cent finish high school and get their diplomas. Only 7 per cent enter college, and only 2 per cent graduate. The 98 per cent who quit or dropped out are scattered all along the journey of life from the fifth grade to the graduating exercises in college, but take no part in those exercises.

What becomes of the 98 per cent? Some of them no doubt enter some gainful occupation, but the great majority have been turned loose on the world inadequately prepared to meet life's problems. It is essential that our public school program be so organized that it will meet the needs of this group. Such a program must include adequate provisions for vocational training.

Hence vocational education has become legitimately a matter of public concern and is an activity which is just as important a public enterprise as are the building of roads, the erection of public buildings, or the building of battleships.

The rehabilitation division of the state board for vocational education is commended to the citizens of Iowa as a humanitarian and economic measure worthy of their investigation and support. Persons with physical defects or infirmities are disadvantaged in their efforts to earn a livelihood. Unless unusually endowed with fortitude and persistence, there is danger that they will become disheartened and give up the unequal struggle to maintain their self-respect. Not the least of the evils to follow is the economic loss to society, but to this must be added the unhappiness and desperation born of their despondency.

The efficiency demanded by present day employment conditions demands an equal efficiency on the part of the handicapped. These people do not fall into a class but represent a collection of individuals. Many of these can become unusually efficient in suitable employment. The rehabilitation service undertakes to help them as individuals to organize and direct their efforts toward suitable employment and assist them in their preparation for the job objective. Many times, after this sympathetic but scientific preparation, these persons, despite their physical handicaps, are in better position to meet modern competition than their more fortunate fellows.

The greatest obstacle in the employment of disabled persons is the prejudice of prospective employers. This often comes from judging one from another of similar appearance or considering them as a class. If the people generally could appreciate the social and economic advantages of their employment, their difficulties would be lessened. Their greatest desire is to prove that they can be successful if given an opportunity within their limitations.

No bureau or department of the state can accomplish the rehabilitation of our disabled citizens without the sympathy and support of the public. The public should be interested if for no other reason than that of self-interest. The enormous saving between the cost of maintaining a person in idleness and his earnings in employment is at once apparent. His contribution to the community as a self-supporting citizen for a single year often amounts to more than the entire cost of his rehabilitation. When this is multiplied by his probable usefulness of 20 to 30 years, it is evident that the economic value of a state rehabilitation service is worthy of consideration. To these considerations should be added the vast improvement in happiness, in living standards, and in useful citizenship.

COUNTY LIBRARIES

The Iowa Library Commission has recognized the importance of progress in connection with the activities of their Department.

Paved roads and easier means of communication, developed as they are in our state, the efficient library in the future will consist of a county library with one large collection of books centrally located, and branches scattered throughout the county. This system will mean every resident in the county can have available for use any book in the county.

It will also be a time-saver to the busy reader for the reason that a trained librarian will be stationed at the county library who will be in a position to readily find the material desired and thus place it in the hands of those desiring knowledge on a particular subject.

The idea of a county library is worthy of your earnest and serious consideration.

STATE DEPARTMENT OF HEALTH

President Hoover, in his address to the members called in conference on Child Health last month, said: The questions of child health and protection are a complicated problem requiring much learning and much action, and we need have great concern over this matter. Let no one believe that these are questions which should not stir a nation; that they are below the dignity of Statesmen or Governments.

"If we could have but one generation of properly born, trained, educated and healthy children, a thousand other problems of government would vanish. We would assure ourselves of healthier minds in more vigorous bodies to direct the energies of our nation to yet greater heights of achievement.

"Moreover, one good community nurse will save a dozen future policemen."

Since Iowa may be considered a rural State, our President's remarks pertaining to rural child life is pertinent. To quote:

"We have grave responsibilities to the rural child. Adequate, expert service should be as available to him (as to the city child) from maternity to maturity. Since science discovered the cause of communicable disease, protection from these diseases for the child of the farm is as much of an obligation to them as to the child of the city. We must find ways and means of extending these influences to the children of rural districts.

Iowa has the permissible County Health Unit law, and also an optional county public health nursing law. This carries forward the principle our President called to the attention of his conference members. Five Iowa counties have adopted the county health unit plan and several others are now contemplating its adoption. Two counties not in the county health unit have full time public health nursing service. The township or town as a unit for public health work has long since been relegated to oblivion by our progressing methods of transportation.

The State Department of Health, during my administration, has developed into a well functioning department of state which will prove of much

benefit to our people. Only a short time ago the State Department of Health consisted of a licensing and a recording division, consisting of a personnel of five or six full-time and a few part-time employees. Now the Department consists of the following Divisions: Administration, Licensure, Sanitary Engineering, Public Health Education, Public Health Nursing, Nursing Education, Vital Statistics, Preventable Diseases, Rural Sanitation, Laboratory, Barbering, Cosmetology and Law Enforcement, employing forty-three trained, full-time employees.

Finding some duplication of activities the Department of Health joined with the Dean of the Medical College and the late Commissioner of Health, Dr. Albert, in soliciting the Surgeon General of the United States Public Service, to detail a competent employee to make a complete survey of all health activities now being carried on in the State by official, semi-official and lay organizations. Dr. A. J. McLaughlin, who has had world-wide experience in public health work, was detailed for the work and after several weeks reported his findings, with recommendations.

Much information and many facts pertaining to plans and procedure toward the further development of state-wide public health activities may be found in his report.

No governmental funds will yield the percentage of return upon the investment as the money expended in public health.

Iowa, economically, spends hundreds of thousands of dollars annually for protection of live stock and rightfully so, but money for the improvement of human kind should be met with favor since science has given us facts sufficient to guide and direct our expenditure with profit.

Recent General Assemblies have seen fit to add to the usefulness of the State Department of Health.

The last session of the Legislature gave the Department a specialist in the science of control of preventable diseases.

Since the Department is charged with law enforcement as it pertains to the several professions, money was appropriated for a Division of Law Enforcement.

Most professions through their licensure pay all the expenses incidental to their being legalized by the State, but the laws governing the professions are made with the thought in mind of protecting the public and public welfare, so therefore illegal practice, or the law enforcement, is a matter in which the State as a whole should become interested.

The last session of the Legislature made it legal for the Department to accept outside financial aid.

The Rockefeller Foundation and the Rural Sanitation Division of the United States Public Health Service has made it possible to assist financially in the organization of County Health Units.

This financial aid is given for a period of years, to be withdrawn as soon as the organization is adjusted and the local authorities can take over the expenditure.

The United States Public Health Service has given personnel as well, in detailing one whose salary is paid by the Service, to assist in advising those interested in the organization and benefits of a county as the unit for all health activities. County surveys indicate that the monies now expended in strictly public health work in most counties is almost, if not fully, enough to finance a county-wide organization which is much more effective in service.

The policy of the Department of Health should be to avoid a great central, paternalistic Department, but to advise and assist local officials in giving their constituents service.

The control of communicable disease is best when scientifically and promptly handled by local officials.

All public health activities are handled more successfully if the administration is local and governed by sound public opinion.

Iowa, in the interest of humanity, could afford to adopt, in addition to the work already being carried forward by the Health Department, a division of maternity and child hygiene together with a Director of Public Health Nursing.

These measures tend to relieve suffering, prevent death, and insure a future generation healthier and better than the one preceding it.

I have not yet found any woman against these measures. Its chief opposition lies among professional men who feel their field is being invaded. The doctors have a great fear of what they call state medicine; that is, of government operated hospitals and clinics, but they need have no such fear in this case.

The maternity and child hygiene act should be passed and the division made a bureau in the Health Department. The actual administration would be wholly in the hands of the medical officer of the State. Our people are indebted to many non-official agencies which have been contributing factors in this great work.

Every child in the United States has the right to be well born; and every mother in the United States has the right to be safeguarded in bearing her child.

These activities as a part of the State's program, would not only be beneficial to the people of Iowa but to the nation generally, and would sustain the President in his well thought out program for rehabilitating the child, thus affording him a real opportunity in the race of life.

CONSERVATION

Iowa has made progress in conservation. Before we can effectively complete a conservation policy in keeping with our State we must have a definite program. This program must be based upon definite knowledge. To obtain this knowledge there should be a scientific survey of our parks, our rivers, our lakes, and our forests, to ascertain the effect the cutting of our forests, the draining of our lands, and the building of our highways, is having upon the water level.

The water level of Iowa soil needs watching. The practice of past decades in draining all of Iowa's lakes and sloughs which could possibly be drained has been unwise. Every lake, no matter how small or how shallow, plays an important part in the plant and animal life of this State, and should be preserved. Marginal lands should be planted to forests and trees should be placed along our highways; thus adding beauty and comfort.

The State's natural resources should be conserved, and such resources dedicated to the benefit of all the people of the State.

Reforestation is a necessity.

INSTITUTIONS UNDER THE BOARD OF CONTROL

The duties of the Board of Control have been increased materially during the biennium on account of the ever increasing population.

The total number of wards in State Institutions, June 30, 1928, was 12,325, and the average for two years ending June 30, 1928, was 12,039. The total number in residence December 1, 1930, was 13,375, an average of 12,592 for the period from June 30, 1928, to December 1, 1930. This increase of 721 inmates at an average cost of \$25.00 per month per patient amounts to \$18,025 per month or \$432,600 for the biennium.

For the year ending June 30, 1929, the gross expenditures for salaries, support and maintenance was:

	Expenditures	\$4,180,784.67	
	Less collections and refunds.....	274,801.90	
	Net cost support, 1929.....		\$3,905,982.77
Year 1930	Gross expenditures	\$4,235,515.82	
	Collections and refunds.....	266,456.99	
	Net cost support, 1930.....		\$3,969,058.93
	Total net support for biennium.....		\$7,875,041.70
	Special appropriations expenditures for betterment and improvements,		
	1929	\$ 159,039.70	
	1930	437,592.58	
	Total		\$ 596,632.28
	Total expenditures, support and specials.....		\$8,471,673.98

This does not include expenditures from the Industry Funds which includes cell house at State Reformatory, \$150,000; dairy barn and creamery at Clive State Farm, and cell house and water tank at State Penitentiary at Fort Madison. The improvements for which capital appropriation was made have all been completed or are in course of completion.

The industries maintained at the Penal Institutions are all in a prosperous condition and constant efforts are being made by the Board to increase the State use industries. During the two year period an average number of 1,313 inmates were employed in the nineteen industries at the Men's Reformatory and the State Penitentiary at Fort Madison. The total sales from these industries was \$2,119,111.85. The prisoners were paid in wages \$282,975.32. The net profit of the above industries to the institutions for the period was \$407,824.22.

Splendid herds of pure bred dairy cows are maintained at each institution supplying sufficient whole milk for the inmates at a very moderate cost of production. The dairy herds under this department are second to none in the United States and consist of many 1,000-lb. cows that are known to breeders throughout the nation.

In addition to the dairying industry, large acreages of splendid farm land are being operated, producing food for the herds as well as meat and garden products for the support of inmates.

The net profits to the State from the 12,348 acres of land owned by the State and 3,335 acres rented by the various institutions, including the profits from the dairy herds, was \$509,035.28.

TREATMENT OF CRIMINALS

Failure to provide suitable productive occupations for prisoners is today breaking down the morale of hundreds of men and women. From the practical business viewpoint, idleness means that these people are a net loss to the state, whereas the majority of them could be converted into productive workers.

The enforcement of the Hawes-Cooper Act in 1934 will in effect destroy the contract system under which prison labor was "let out" to private contractors. The Hawes-Cooper Act will close markets previously used under the private contract system. It is necessary, however, to transpose the work of men and women who were laboring under this contract system to other lines of work. The prison authorities must act quickly for the alternatives are riot or re-organization

The results of idleness do not all appear while the prisoner is under detention. It is a corrosive that destroys the will to work. It affords the opportunity for morbid introspection. It opens the doors to pernicious communion with other convicts. All these factors result in the breakdown of men and women whose criminal propensities might be wiped out and creative ones substituted if the prisoners were supplied with adequate industrial equipment.

Overcrowding, lack of classification, old prison buildings and idleness, it must be remembered, constitute the four great prison problems. Out of them can grow bloodshed, degradation and an appalling waste of human life and tax monies, or they can be handled in a clear, constructive manner so that the opposite results will be realized.

Receiving Bureaus in which prisoners are studied and analyzed should be established.

The mentality, physical condition, moral attitude and causes and nature of crimes committed by those sent to our penal institutions should be carefully analyzed and subsequently a proper classification into groups for service, treatment and character of confinement should be carried out.

The mental attitude of the prisoner is the most important single factor in his prison life and should not be overlooked. When prison officials can appreciate this fact and adjust the prisoner's life accordingly, disciplinary problems will be reduced in a marked degree and the morale of the entire institution maintained at a higher level.

This is not a plea on behalf of criminals. It is rather an indictment of conditions which continue to breed both inside and outside the prison. And it shall not improve until some saner and more intelligent method is pursued in the understanding and handling of some of these problems from the psychiatric standpoint.

Until then we can expect to see the same grotesque spectacle of men constantly being sentenced to serve terms in prison for the same offense and constantly growing more hardened, more bitter and more relentless in their hatred of society. We shall continue to see the germ of insanity grow and flourish, and we shall see the anti-social traits etched deeper and deeper into their character, without a single step to remedy it so long as we adhere blindly and stubbornly to old ideas.

There should be a close relationship between the courts and the Receiving Bureau. The Receiving Bureau, if functioning properly would lessen the number of prisoners who would finally be committed to prison.

Whatever the system adopted, prison management gets down to a question of character of the system. There is no fixed formula for dealing with prisoners. Those who work as wardens and deputies in our prisons have as difficult a task as there is in this world.

Fortunately, more and more men and women are going into institutional work, inspired with the belief that their vocation is a noble one of the same class as that of the great teaching force of the country. More and more people are realizing that our prisons are a part, and an essential part, of the administration of justice in the land. We are also beginning to realize that the highest jurisdiction is found in a deep and intelligent sympathy with erring and straying men.

Crime means suffering and ofttimes an injustice is visited upon the innocent when the bread winner is taken away from the children and their

support is thrown upon the mother and her wash tub, or some poor, faithful and loyal man, father of the convict.

Such convicts should be employed at wages which might and should be diverted to keep the family hearth warm. It appears to me that a vast reformatory influence would be exerted if the convict, by his labor, could support, partially at least, his family and return to a home that had been maintained by his efforts when he had served his sentence.

Ofttimes it is neither justice, economics or advantage to the state when this bread winner is taken from his family or his dependents, possibly an aged mother, and no return made to those dependents to keep them from the poor house, public charity, the wash tub, or, in some cases, from prostitution.

It is imperative from the standpoint of statesmanship in a Christian Nation and a Christian State that we who are thus perpetrating a serious injustice to the innocent through the power of the State should seek and find a remedy. There is no question of greater importance today than the study of the cause and treatment of crime.

The social status of the next generation of adults is the direct outgrowth of the training and environment of the present time.

We must become awakened to the fact that the extent of crime has become alarming. Let us remember that punishment has a two fold purpose: first, the punishment of the offender; second, the rehabilitating and re-establishing of the convict as a useful and self-sustaining citizen.

PARDONS, COMMUTATIONS, SUSPENSIONS AND REMISSIONS

I have endeavored to deal justly with the prisoner and the public in the matter of pardons, commutations, suspensions and remissions; each case presented has received my personal attention and reviewed with care and caution. A detailed report setting out each case fully is presented to the General Assembly in a separate report, as provided by law.

The Board of Parole has given me excellent cooperation in the investigation of all cases which have been submitted to the Board by me.

CRIME: CAUSES AND PREVENTION

I would suggest that a thorough study of the causes of crime and a follow-up with a systematic plan of public education is the most practical method of solving the crime problem. A study of causes and prevention of crime is the best method of combating crime.

1. The greed for gain by individuals, by business organizations and corporations develops an attitude of mind that is responsible for much of the crime tendency of the time. The inordinate desire to get business at the expense of human energy reflects the spirit of the day. In its worst form this greed for money is shown in bank robberies, kidnapping for ransom,

bootlegging, misrepresentation in quality of merchandise and the demands and deception of the laborer and labor organizations.

2. People have gone amusement mad. Waste and extravagance to satisfy a desire for pleasure at the expense of securing and maintaining reasonable needs of the home is in large measure responsible. Frequent attendance at movies, in some instances, two, three or more times a week; even to the extent of daily waste of time and expenditure of money, over use of the automobile at the expense of paying for homes, for clothing and for food are cases too prevalent.

3. A third factor is the neglected child. Every child's birthright is right example and training in the home. Club and society life occupy too much of parents' time. The home must ever remain as having the major attention of parents. Civilization will fail and decay without this. An examination of the lives of those who commit crime shows a lack of proper home conditions and surroundings. The divorce evil separates families and the child grows up without proper parental affection and guidance. Social ideals gradually become lax as the child develops into manhood and womanhood. Respect for order, respect for law and the rights of others suffer.

4. Improper parentage is a factor in criminality. Physical and mental deficiencies of parents is a tragedy that will destroy the virility, virtue and sense of honor of the family and ultimately of a nation or race of people.

5. The decline in regular attendance at church is partially responsible. Religious instruction is the highest type of ethical training. Devotion to the Sunday newspaper, automobile trips, catching up the left-over details of office work interfere with attendance at church.

6. Abandonment of discipline in the home and the school is productive of lawlessness and disrespect for authority. Discipline to the extent of crushing individual initiative is not to be commended, but discipline that promotes orderly activity and that insists on proper conduct is essential in the making of a law abiding citizenship.

7. The responsibility for law enforcement rests upon both State and Federal authorities. It is likewise the duty of each citizen to observe the law and to assist and encourage the observance of law by others. It is as important that the elective and appointive officers charged with the enforcement of the State and Federal laws, who are selected within the State, be just as courageous, fearless and honest in the performance of their duties, as it is that the officers charged with the wider authority in enforcing the Federal law, possess those qualifications. Public officials appointed for the purpose of enforcing the law must themselves be law abiding citizens and must have respect for all laws and be personally in favor of their enforcement, if we are to have a discharge of duty that meets the standards which law abiding citizens have the right to expect. Iowa with her boast of the greatest per cent of literacy of any State and a code of laws of the highest type, should be an example to other states in the matter of law observance and law enforcement.

8. I denounce all propaganda against the Eighteenth Amendment as vicious. Evils of every sort were never remedied by compromise. Return to State control of the liquor problem would simply be a return to a system that makes control of the liquor traffic impossible. It must be obvious to every one who stands for temperance and sobriety that no state can remain dry when surrounding states are wet. The ineffectiveness of State control was demonstrated beyond dispute prior to the enactment of the Eighteenth Amendment.

Henry Ford is right, "An industrial order that has discarded the reins, dashboards and a team-that-knows-the-way-home can't afford to line its highways with 'regulated liquor shops'—not with a forty horsepower motor under the toe of a drinking citizen."

Let us have observance and enforcement of the law—not repeal.

SOCIETY'S OBLIGATION TO PROTECT ITSELF

The Forty-third General Assembly passed a law providing for the sterilization of defectives. The law remains idle on the books. It has no appropriation clause and without an appropriation the intention of the legislators in the framing of the measure cannot be carried out.

The Iowa sterilization law offers the operation to inmates of State institutions who have been singled out by the Board of Eugenics consisting of the superintendents of these institutions. Among those who will be recommended for operations will be advanced syphilitics, feebleminded, epileptics, and chronic sexual perverts. The law exists in nineteen states at present.

This State owes it to itself to protect future generations. Without eugenic perspective, we are in danger of raising a race of idiots.

Justice Holmes of the United States Supreme Court in holding the sterilization law constitutional, said: "We have seen more than once that the public welfare may call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetence. It is better for all the world, if instead of waiting to execute degenerate offspring for crime or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the fallopian tubes. Three generations of imbeciles are enough."

An ineffective law is equal to no law.

NO GOVERNMENTAL COMPETITION

There is a tendency in recent years for governments to engage in certain lines of business in competition with its citizens. Such competition is unfair, tends to socialism, and makes more and higher taxes. Some of the institutions of the State are continuously reaching out and engaging

in business. This aggrandizement should be avoided for it is the duty of government to see that every citizen has equal opportunity to engage in any lawful enterprise without the handicap of governmental competition. We should have the right to the rivalry of life on a footing of equality of opportunity, for of such has been the upbuilding and glorifying of America. The door of opportunity must stand ajar so that all who wish may enter, rich or poor, native or foreign born. There will be no office-holding oligarchy in Iowa.

President Hoover in a recent public address well said:

“Every expansion of government in business means that government * * * is driven irresistibly without pause to greater and greater control of the Nation’s press and platform. Free speech does not live many hours after free industry and free commerce die. * * * Every step in bureaucratizing the business of our country poisons the very roots of liberalism—that is, political equality, free speech, free assembly, free press, and equality of opportunity.”

STATE FISH AND GAME DEPARTMENT

During the past years the Fish and Game Department has been placed upon a sound business basis. Rapid strides have been made by the department in its activities of the past biennium. At the close of the two year period, June 30, 1930, the balance in the Fish and Game protection fund was \$132,045.23.

The demand made upon fish, game and fur bearing animals is increasing each year. More people are seeking out of door recreation and employment. As the demand increases so must the supply increase. To this end the department has increased the number of nursery ponds where game fishes are held until they attain a size of from four to twelve inches before being distributed. During the biennium new nurseries have been established at Diamond, Welch and Clear Lake. The feasibility of this plan is readily seen as there is practically no loss when fishes of this size are distributed.

One hundred and thirty-five acres of land have been purchased adjoining Wall Lake in Sac County for fish nursery and game refuge purposes. Bass hatchery ponds have been built in the Palisades State Park near Cedar Rapids. New trout ponds are now in use in Dalton Lake which has been turned over to the State. This lake is near Preston.

Brood bass have been supplied to sportsmen organizations wherever they were found to have suitable waters for their propagation. The capacities of the various fish hatcheries have been very materially increased. More fishes have been rescued from land locked ponds and distributed than ever before. The total of all fishes distributed during the biennium was 130,177,709.

Two State game farms are now maintained at Clive and Lansing, Iowa. Distributions of ringneck pheasants for the biennium were 7,231 birds and 19,052 eggs.

Due largely to protective measures enforced by this department, the fur industry in Iowa brought trappers during the last season more than \$780,000.00 for furs of animals trapped by them.

The department has received better support from sportsmen's organizations throughout the State than ever before. Many men have given of their time and labor gratuitously to assist in emergency cases where fish were stranded.

The present system of assistant game wardens should be discontinued and a field force established of scientifically trained men in addition to the present fish culturist whose duties it shall be to make a complete scientific, biological survey of the lakes and streams of Iowa, including the effect of algae in Iowa lakes upon fish and provide for its treatment and control, in addition to the duties now carried forward by the deputy game wardens. The field force should also be granted power as police officers.

STREAM POLLUTION

The causes of pollution are many and virtually all of them can be removed. Many Iowa towns are dumping the refuse from their sewage disposal plants into their nearest lake or stream. No purification plant has ever been made which will totally eliminate impurities in water—these plants simply reduce the impurities.

After nearly six years of experience with the Iowa law in attempting to remedy Iowa's pollution problem in the lakes and rivers of the state, the only conclusion possible is that further material progress cannot be expected until a broader and more intelligent view of the whole problem is adopted.

The development and maintenance of the sewage system is dependent upon securing adequate funds in competition with more popular undertakings, such as schools, developments of parks, highways, police and fire departments and welfare work.

As few are concerned with what becomes of sewage as long as it is removed from the individual's premises, the sewerage system is provided for only after the wants of all others are met, with the result that it is neglected and always lagging in its development many years behind the general development of the community.

Our experience in Iowa indicates that unless this question of disposal of sewage is looked upon as an essential public utility, just as is the supply of pure and wholesome water, no improvement in the present unfortunate situation can be expected.

On the other hand, if we admit that the supplying of pure water and the removal of that water after it has been converted into sewage by the householder is one continuous operation, and that each part of this operation is as important as the other, then it would be logical to admit that each step in the operation should be financed in the same manner.

A proper conception of the whole subject would be to provide that the householder should pay for sewage removal in exactly the same way as he does for the water supplied him, and on the same basis; that is, by a rate so fixed that it will bear the cost of the service so rendered.

Other causes of pollution are live stock wading in the waters stirring up mud and destroying vegetation; low waters which expose vegetation and mud bottoms; breaking the soil and clearing woods, resulting in silt running out into the waters; oil-discharging motor boats; refuse left by tourists and picnickers; and industrial refuse which is worse in streams than in lakes.

Much investigation has been made as to the most scientific plan to stop the present pollution of streams and lakes, and to prevent the further destruction of same by natural and artificial pollution.

Our statutes charge the Department of Health with the work incidental to stream and lake pollution. We find other Departments of State vitally interested; viz., the Fish and Game Department and the Department of Conservation.

In fact, the lake and stream pollution as a direct public health problem is of minor importance, but indirectly is of public health significance, and also has a direct significance to the Fish and Game and Conservation Departments.

The work of lake and stream pollution is of such a nature that it necessitates the employment of Sanitary Engineers. With the efficient corps of engineers now employed by the Health Department, they should and can be employed to do the engineering necessary to the project, thereby avoiding the necessary expense of employing another corps of engineers.

The Fish and Game Department, the Board of Conservation and the Department of Health have agreed upon a bill to be presented to the Session, co-ordinating and correlating all activities pertaining to stream and lake pollution to be directed by the heads of the aforementioned departments.

All State Departments whose endeavors bring them into association with the same problems, might well follow the example of these three departments in dealing with the monster problems of lake and stream pollution, that whatever their problem, it may be handled efficiently and economically.

THE CONTROL OF BLUE GREEN ALGAE

The presence of blue green algae in a body of water is evidence that the waters of the lake are polluted, for this type of algae feeds upon the impurities of the water.

There should be a scientific study to determine the source of the pollution upon which algae feeds, coupled with measures to control it until its

causes are determined, and the natural conditions restored as much as possible which formerly controlled this type of plant life.

Copper sulphate has been used for four seasons at Storm Lake. There can be no doubt that the physical characteristics of the lake have been improved by this treatment. Likewise it has been demonstrated that copper sulphate, properly handled, can be applied without poisoning the fish or destroying the plant life to the extent of endangering fish life.

All agree that copper sulphate at best is a palliative treatment and does not remove the cause of the trouble, and this should be kept in mind. On the other hand, since physical benefits have been derived at Storm Lake, and since the effect of the copper sulphate treatments on plant and animal life is only a negligible quantity, the use of copper sulphate could well be recommended in the control of blue green algae.

If it should be found that the removal of the blue green algae in the lakes be economically unfeasible, then palliative measures which prolong the usefulness of the lakes for recreational purposes should be carried forward.

If palliative measures, such as copper sulphate treatment, are definitely found to be injurious to fish propagation (as some contend) it may then be necessary to make a choice between fishing lakes or lakes free from objectionable concentration of algae.

Some lake should be selected for this treatment for the purpose of further study and comparison with untreated lakes and in order that this might be accomplished, I recommend that there be appropriated by the Legislature the sum of \$10,000.00 annually to carry forward this program, to be expended under the direction of the Board of Conservation.

AGRICULTURE

During the past six or eight years, farm relief has been a much discussed subject throughout the country and in legislative halls. This period has witnessed attempts on the part of politicians of every shade of belief to climb upon the farm relief legislative band wagon. Others have been working more or less quietly, but nevertheless effectively, for the benefit of agriculture.

I came into office about the time the Iowa farmer was feeling most keenly the result of the general post-war economic depression. I realized that legislative action was necessary, but instead of rushing into vague promises and impossible farm relief programs, I surrounded myself with a group of engineers, economists and farm organizations, and with this group, after a study of the farmers' ills, actually laid the foundation for many of the legislative benefits that have come to the farmers within this period.

It was the Iowa Industrial and Agricultural Commission created by me in these early days of farm relief agitation which made an expert study

of the farmers' difficulties and pointed to tariff inequality, to improper marketing conditions and to transportation handicaps which are today recognized by the National administration as the greatest obstacles to be overcome before the condition of the farmers can be rectified.

This Iowa Commission which has heretofore received very little public acclaim, produced economic data which convinced Eastern interests and business leaders of the country that more legislative assistance was necessary for the farmer. This groundwork was one of the initial tasks before farm relief advocates, and only until this was accomplished was it possible to center attention upon the condition of agriculture to the extent that the farmers' cause received consideration in Congress.

Information gathered by this Industrial and Agricultural Commission constituted the evidence which finally led to a revision of trading regulations on the Chicago grain market, to adoption of rules protecting grain shippers from improper grading practices, and to the ousting of certain commission firms which had abused their Board of Trade privileges.

In the second year of my administration, I personally went to Washington and played a part in the Federal Tariff Commission's consideration of higher tariffs on certain farm commodities. Through these efforts an increase of the tariff on butter from 8 cents to 12 cents a pound was secured, thus achieving a prohibitive duty for the protection of the Iowa dairy industry.

Through work with this Commission we were able to lay before the Tariff Commission the most valuable data that body obtained during its consideration of the corn tariff. At that time, I was requesting a corn tariff of 25c to 30c per bushel. My position is borne out by the fact that the present tariff bill raises the duty on corn from 15c to 25c.

Back as far as 1924, I was working along another line for the relief of farmers. I realized that there were two phases of the movement to be dealt with;—one, the producing of facts for the guidance of legislative bodies, and the other the task of arousing public sentiment in behalf of the farmer. For this latter purpose, the idea was conceived, which later was known as the "Committee of Twenty-two," including the governors of eleven states, farm leaders, legislators, eminent professors and others familiar with the farm situation. This organization functioned throughout the period that farm relief legislation was before Congress, arousing the legislative support and public sentiment in behalf of various farm relief projects.

Throughout this whole agitation, I have been content to study the problem and to work quietly, but none the less effectively.

Two years ago the people of Iowa, proud of their native son, and confident of his ability to fill the high office of president, turned to Herbert Hoover with a record vote.

I am today a sincere supporter of President Hoover's farm relief program. I am cooperating in every way possible with the Federal Farm

Board and other agencies devoted to farm welfare. The facts are, however, that up to date the efforts to bring about a substantial improvement of agricultural conditions by legislation, either state or nation, have been of little avail.

It is, in my opinion, necessary to face the fact that there must be a more substantial guaranty of reasonable prices to the farmer for what he produces than has yet been afforded. Certainly if we are to accept the theory that the state owes an obligation to its employees, which we admit, it also owes a like obligation to see that its farmers are assured fair compensation for their labors.

The state or nation cannot, of course, protect agriculture from over-production, but it can, by proper tariff regulations and better marketing machinery, insure to the American farmer the right to enjoy a profitable market.

Agriculture is not yet on a basis of equality with other major industries of the nation.

An economic inequality between agriculture and industry exists. Back of this inequality is the tariff. The question never will be finally settled until adjusted on the basis of fairness and equality, upon which depends the happiness and prosperity of the people engaged in these major pursuits.

It is fundamental that something be done to revive a fair relationship between farm prices and the prices of industry and labor. This in my opinion constitutes the crux of the matter. There can be no satisfactory settlement of the question by misrepresentation and masking of the situation in tariff revision.

As long as American business men, workers, and farmers go on submitting to the inequalities of our present tariff legislation, there will be no permanent relief for the depressed cycle.

COAL INDUSTRY

Although Iowa ranks 16th in population and 23rd in area of land, she ranks first in the production of corn, oats, horses, hogs and poultry, also first in the total value of farm products, and first in the percentage of farm land improved.

According to the 1925 state census, the Iowa Manufacturers Association and the Department of United States Commerce find that the factories in Iowa have an annual output of over \$800,000,000.00 and have over \$450,000,000.00 invested in plants and machinery, yet there are many who fail to recognize that the coal industry is second only in importance to agriculture.

In 1917 the peak of the production of Iowa coal was 9,049,806 tons and there were employed in the production of the same 15,464 miners. In 1910 there were actually engaged in the producing of Iowa coal, 18,005

men, although the tonnage for that year fell short somewhat of the tonnage in 1917, with approximately 2,500 less men working.

There are 201 coal mines in Iowa, according to information received from the State Mining Inspector's Office, and in 1929 there was produced 4,337,013 tons of Iowa coal, valued at \$11,938,000.00. It is estimated that approximately 70 per cent of this value went to labor alone, or approximately \$8,000,000.00.

The estimated annual fuel requirements for Iowa is approximately 16,000,000 tons, therefore it can be seen that only about 25 per cent of this amount was Iowa coal for 1929, yet it is encouraging to note that the production in 1929 over that of 1928 was increased approximately 600,000 tons and over 900 more men were engaged in producing coal in 1929 over that of 1928.

According to the Iowa Geological Survey, Iowa coal ranks high in heat units, and computed on a dry basis, the average Iowa coal ranks 12,045 B. T. U.'s while only a few of the far eastern coals even approach 15,000 B. T. U.'s, the maximum heat content of the very best coals. It has been determined therefore, that Iowa coal is the most economical and that a saving can be made of from 20 per cent to 50 per cent by using this home product.

Those connected with the Iowa coal industry and in particular with the Iowa Coal Institute, see no reason why the coal industry in our state should not be placed on a plane with the various bureaus in the State Department of Agriculture. The Institute therefore made application through the State Mining Inspector's Office, for the nominal sum of \$6,250.00 to be devoted for promoting and encouraging the use of Iowa coal by Iowa citizens. The State Budget Director and myself have approved this application. If this recommendation is approved by the Legislature and an appropriation so made, it will enable the Institute to carry on its educational campaign to acquaint the citizens of our state with the true merits of Iowa coal, and directly benefit the industrial situation.

A definite sum should be set aside in the appropriation to be allotted the research departments of the two state schools, namely Iowa State College and the State University of Iowa, which sum could be used entirely in the chemical engineering departments to determine the various means and methods whereby Iowa coal can be used in the manufacture of various commodities produced or manufactured in our state. The Department of Ceramic Engineering of Iowa State College, under the direction of Paul E. Cox, has suggested that a fellowship would cost about \$900.00. This Department is working along the lines of research work, studying clay products, and is trying to design kilns to burn Iowa coal. This Department has not forced itself to the attention of Iowa coal, but is willing to cooperate if sufficient means are provided for further research. Dr. O. R. Sweeney of Iowa State College is very anxious to have a definite sum set aside to his department for technical study of the Iowa coal industry and states that under the present plan their funds are so limited that very

little constructive work can be done on account of the lack of funds, or lack of a certain stipulated amount that will assure them of carrying on their work, there being so many departments that cut in on the same.

The present unemployment situation in Iowa could be largely met if Iowans would burn Iowa coal, for it would mean that if we could even get our tonnage back to 9,000,000 tons, as it was in 1917, that over \$16,000,000.00 would be added to labor alone. Money kept in Iowa enables the coal miners and others connected with the industry to buy Iowa products produced on the farm or in the factory.

The Iowa Preference Law should be strengthened to the point that a penalty would make it mandatory for all Iowa public officers to buy and use only those products that are produced or manufactured in our own state, for buildings under their supervision. In other words, the so-called Iowa Preference Law should have "teeth" inserted in this statute. In fact, if all public buildings in our state, including state institutions, county and municipal buildings and schools, were to use Iowa coal exclusively, the mines would be required to devote their entire time to producing coal for this demand. Yet over \$55,000,000.00 is sent out of the state annually for foreign fuels.

Cement, brick and other materials that go into the construction of public buildings and highways should be prepared with Iowa coal.

The present difficulties in the bituminous coal industry are general over the nation. Iowa alone is not the only state in which this industry is suffering; however we are having more than our share of competition for other states have a very favorable freight rate, particularly from Western Kentucky, Indiana, West Virginia and Illinois, that enables coal to be hauled at several times a greater distance, for even a lower freight rate than coal can be shipped to various points in Iowa from Iowa mines. For a concrete example: coal can be shipped from Illinois and Western Kentucky to Davenport for 78c per ton less than from the Appanoose county field to Davenport, although the differential is only about one-third in distance. Actually, consumers in Sioux City can procure coal from Colorado, Arkansas or Missouri, for a considerable amount less on freight rates, although the differential in miles is twice to three times as great as compared to the distance from Iowa mines. The Interstate Commerce Commission should equalize the rates granted coal companies in foreign states, or the Iowa Distance Tariff should be revised.

The demand for coal has been reduced due to the development of electrical water power, of natural gas and oil, and of improvements in consumption, which have operated to slow down the annual demand for coal, leaving a most excessive production capacity.

Our competitive system should not be permitted to produce a competition which destroys stability in an industry and reduces to poverty all of those within it. The ideal is rather to maintain that degree of competition which will tend to induce progress and protect the consumer. Regulatory laws should be enacted or revised to the extent that this ideal may

be reached. Proportionate taxation upon those interests that have tended to compete with the coal industry should be enacted, thereby placing the responsibility upon competitors to pay their just share of the tax burden. I refer to natural gas and oil pipe lines which are being installed by companies, and which should be properly regulated and supervised so as to co-ordinate with our existing industrial system.

There should be a revision of our tax laws as to utilities so that all of our utilities, including railroads, telegraph, telephone, express companies, transmission lines, electric, gas and water companies, be assessed by the State Board of Assessment and Review with proper provision in the law so that local communities may have the benefit of the tax on local property owned by these companies. This legislation could properly include the natural gas and oil pipe lines.

Railroads operating within our state borders should be impressed with the importance of burning and using Iowa coal on their various lines, operating and depending upon the people of our state. These companies should recognize that they cannot be prosperous unless industry and agricultural interests are likewise granted reciprocity, namely by burning Iowa coal and using Iowa products in so far as they possibly can.

Summary of suggestions presented under this caption:

1. Preference law with penalty.
2. Relief to unemployment by using Iowa coal.
3. Support of Iowa industries by all state institutions.
4. Regulatory laws to protect encroachment of electrical power and natural gas.
5. Importance of the coal industry.
6. Sound economy.
7. Provision of Interstate Commerce Commission on freight rates.
8. Appropriation for further definite research upon coal and its qualities.
9. Appropriation to enable Iowa Coal Institute to be placed on a plane with other industries.

BANKING

In my previous messages to the legislature I have at various times outlined certain fundamental principles necessary and essential to the strengthening and modernizing of the banking code of our State. At the last session of the legislature many of these provisions were written into our code and without question constituted the most comprehensive re-codification of the banking laws that Iowa has ever undertaken since banking was set up in this State. That re-codification of banking laws has served

to point the way for other states that have taken under consideration the re-vamping of their banking statutes.

Under the provisions of this act the banking situation has shown steady improvement during the past biennium. The better banking practices which have been put into effect by the State Banking Department during the past five years have produced good results in building better and safer banks in Iowa.

The economic administration of the closed banks under the Banking Department has been an outstanding achievement in the handling of trusts of this kind in the United States. It has been commended by well known authorities in many states.

The judges in our District Courts handle these receivership cases every ninety days. A complete report of all funds received and paid out is filed and a public hearing held on each report in their respective counties. A continuous check is thus had on the accounts in every receivership. In the case of bank receiverships the Banking Superintendent, as receiver of closed banks, should be required to publish a list of all debtors and the amounts owed by each in the county newspaper within a reasonable period of time but not to exceed three months from the date that said banking institution goes into receivership, and at the end of each three months thereafter until such receivership is finally liquidated, in order that the public may be informed as to the assets of the institution.

Many of our smaller communities, in which banks have closed, being unable to support a regular bank, are asking for some kind of banking accommodations. The feasibility should be considered of permitting state incorporated banks to open up offices (not branches, for the Iowa law already prohibits branch banking) in those communities that do not have any banking facilities. If such a policy is adopted, no office should be opened in any town having a bank, and if a bank is organized in a town where an office might have been established, the office should then be discontinued. The State Banking Department and the State Banking Board should administer and prescribe rules and regulations under which such offices might be opened and conducted,—the operations thereof to be confined to the work of accepting deposits, paying checks, and any other necessary clerical work. All loans should be made at the parent bank and the office should be restricted to the county in which the parent bank is located.

AERONAUTICS

In general, the Iowa laws enacted in 1929 are very satisfactory. Any general altering of them is needless and would necessarily make them less satisfactory. They are simple. They provide for uniformity with other states and the Federal government. They involve the State in no large expense and the aeronautic industry in no red tape.

Would suggest, however, as possible improvements of our aeronautic laws, the following:

1. *The regulatory statute.*

The licensing provisions of this law are wholly sound. That part of the law which quotes the Federal air traffic rules as they were in operation in the spring of 1929 and makes them Iowa laws, could well be amended to bring it up to date. The purpose of this part of the law of course is to establish uniformity of air traffic rules.

2. *The airport enabling act.*

This act gives cities and towns adequate powers. It should be amended to give the state government or some appropriate branch of it similar power to establish airports. It might also be well to extend the power to counties and to allow two or more cities or towns, or a city and county, jointly to acquire and develop airports. Development of airports by the State itself on any large scale is unlikely in the near future. There is at least the possibility that usable ports could be established in existing State parks, on land already owned.

3. *Zoning.*

Cities should be given power of regional zoning over territory contiguous to municipal airports, though those airports be, as they usually are, outside the cities' corporate limits. This power of regional zoning should extend to territory within two miles of the airport in every direction.

There is need for the granting of this power.

4. *Gasoline tax.*

The revenue from this source would not be great at present. It seems only fair that Iowa cities and towns should have available for partial support of their airports and airport facilities such sums as could be produced by a reasonable tax on aviation gasoline sold at such air ports. This could be provided by amendment of the gasoline tax law. A tax on aviation gasoline in the same amount per gallon as that now levied on automobile gasoline would not be unduly burdensome. Regularly established air transport and air mail lines operating across Iowa could be exempt from this tax, which would seem to be a real encouragement in the development of such lines.

INSURANCE

Iowa owes much to its insurance institutions and the value of the protection they provide for the individual citizen.

Personally I am a great believer in insurance. In the light of the numerous business failures—during the past six years, many have changed their views on insurance. There are people who have lost everything and all that remains between their families and the necessities of life are their policies of insurance. It is sound business and no man can

afford to be without it in order that his family may be provided for and saved the hardships incident to being left without the sustaining influence of a husband or father. I am more and more satisfied that insurance should be an essential element and a part of the assets of the head of every family.

It is the obligation of the State to see that our insurance laws remain adequate and that they are safely and properly administered.

WORKMEN'S COMPENSATION

One of the important developments of modern times for the general good of the whole community has been the adoption of the principle of workmen's compensation for industrial accidents in lieu of the old principle of employer's liability for injuries due to the negligence of the employer. The idea of workmen's compensation was wholly foreign to our country before the twentieth century. The doubtful means of recovery based on proof of negligence, which existed prior to the twentieth century, has gradually been replaced in the vast majority of states by the right to relief based on the fact of employment. Workmen's compensation aims to alleviate the financial distress of the injured workman or his dependents by making good to a considerable extent the wage loss which results from his disability or death. Moreover, it promotes industrial safety by giving employers a pecuniary incentive to reduce accidents and to restore the earning capacity as far as possible of injured workmen.

The modern idea of industrial accidents is not that the employer is to be made to pay damages, nor that the employee is to carry the burden of accident to his person, rather such accidents and their recompense are considered as part of the costs of production. This represents an advance upon the practice of earlier days, when employees sought to hold employers responsible and sometimes collected very heavy damages and when, on the other hand, the employer sought to escape ruinous liability.

There is a tendency and properly so, to liberalize the compensation law. Liberalization of benefits received the sanction of more than twenty states during the past two years. Employers and employees generally are greatly concerned about the continual legislative tinkering with the workmen's compensation acts. It makes uncertainty and what they desire is stability.

Much can be done to bring about a measure of stability by employers and employees taking an active interest individually in the trend of legislative amendments and rulings that affect compensation benefits and costs.

This department is being ably administered and the policies of the administration have the approval both of employees and employers.

LABOR DEPARTMENT

Iowa is in need of a boiler inspection law carrying an adequate appropriation to make the same effective, establishing requirements similar to

those of the A. S. M. E. Code so as to prevent parties owning second hand or faultily constructed boilers which are unsalable in other states from shipping them to Iowa and disposing of them within the State.

The present employment agency law is highly discriminating. The fee limitation section should be rewritten with a much higher limit than the present and if exceptions are retained they should be very greatly reduced in number.

The Supreme Court has practically nullified the child labor law as it applies to theatrical appearances. This law should be rewritten.

Modern sanitary science regards the common towel and the common drinking cup as a means of spreading contagion. The Department of Labor should be given authority to abolish these in favor of devices which will prevent the spread of infectious disease.

There is reason to believe that Congress will pass the Wagner Bill with reference to State Federal Employment Agencies and provision should be made by this Legislature to permit the Labor Department to meet Federal requirements.

THE NATIONAL GUARD

The National Guard is composed of many of the finest men in the State. The officers in command are professionally qualified, many of whom have attended one of the many service schools of the Regular Army.

The Iowa National Guard is most fortunate in having one of the very finest training camps in the entire United States.

There are no state-owned armories in Iowa. Each unit of the Guard must provide its own armory, for which the State pays an annual rental. In the larger cities, the State should construct suitable armories on account of the fact that over long periods it would be much more economical.

The reports show that the attendance at Armory drill continues to increase.

During the past two years the Militia Bureau has permitted the organization of two additional units of Artillery, viz., a Headquarters Battery, and a Service Battery and Band.

Inspections of all National Guard Units are made each year by officers of the Regular Army.

The Iowa National Guard is an educational institution in that it teaches civic pride, respect for law and order, and the respect for the property and lives of others. It builds character and teaches the members how to care for themselves physically.

The National Guard stands ready at all times to aid with both men and equipment during a catastrophe such as a tornado, fire or flood, and the

greater the efficiency of the officers and men the greater the service performed.

The excellence of the Iowa National Guard is due to the untiring and unselfish efforts of the officers and enlisted personnel, and I desire at this time to take the opportunity to express to the officers and enlisted men my sincere thanks for their hearty cooperation and support. It is gratifying in the extreme to observe the progress made from year to year, and the entire Guard personnel is to be both congratulated and complimented.

IOWA'S RECORD IN THE WORLD WAR AND ON THE MEXICAN BORDER

By provisions of the General Assembly, it is designed that a permanent and accurate record of Iowa's part in the World War and on the Mexican Border shall be prepared and published by the State. The records show 114,218 persons were called for service in the World War and 5,500 were sent to the Mexican Border. A work of this sort to be valuable requires the utmost care and diligent research in the preparation and collection of material. Its value depends upon accuracy and completeness of the assembled data.

Volume 1, consisting of brief historical sketches, is completed and awaiting an appropriation for its publication. It is important that this volume be published at an early date and placed in all libraries; public, school and patriotic orders. A copy should be filed in the office of each County Auditor and each County Superintendent of schools. It is estimated that 5,500 copies will be sufficient to meet this need and all individual requests for copies.

The task in connection with the preparation of the roster is limitless. Many corrections have been found necessary in the service records as first prepared and obtained from the departments at Washington. Congestion of work and correspondence exists in the office of the Adjutant General connected with the War Department. Some of the states have employed competent help to work under the direction of the Adjutant General to expedite securing corrections and supplying of omitted data. If cooperation can be carried out in this way the work should be completed not later than 1932. The necessity for a record as contemplated must be apparent to all.

No greater sacrifice in behalf of country can be shown than that given in time of war when the flower of our manhood is called in defense of country.

HIGHWAYS

Our highways are divided into two general classes—primary roads and secondary roads. The primary roads are under the jurisdiction of the state. The secondary roads are under the jurisdiction of the counties. The secondary roads are subdivided into two classes, "County Trunk

Roads" and "County Local Roads." In relation to both the primary and secondary road systems, Iowa has taken an enviable position among the states of the Union.

Secondary Roads:

Our secondary roads were formerly known as "County Roads" and "Township Roads." The county roads were under the jurisdiction of the county board of supervisors. The township roads were under the jurisdiction of the township boards of trustees. Since we have ninety-nine counties with an average of four supervisors per county, and sixteen hundred fifty townships with three trustees per township, our secondary roads were under the control of an army of about 5,500 local officials. Naturally there was inefficiency and lack of system. This was perhaps not so bad as long as the funds expended from year to year were small. But when the secondary road expenditures increased to nearly \$22,000,000 per year as they did in 1927, there arose an insistent demand for more tangible results from the funds expended.

The Forty-second General Assembly in special session in the spring of 1928 took action providing for the creation of a secondary road commission to study this problem. The report of this commission was submitted to the Forty-third General Assembly and that body enacted a measure, commonly known as the "Bergman Bill" or "The Secondary Road Law," completely revising our secondary road administrative code. The essential features of this Act were,

1. The township was eliminated as a road administration unit. The control of all township roads was transferred to the counties.

2. The number of secondary road administrative officials was reduced from fifty-five hundred to about four hundred.

3. Responsibility for all secondary roads was fixed in a few easily accessible units instead of being dissipated over a multitude of units.

4. Secondary road funds were consolidated. The use of these funds and the accounting therefor were simplified. Whereas formerly each county had four secondary road funds and each township had three road funds, there are now only two secondary road funds—a construction fund and a maintenance fund.

5. Secondary road officials must, in advance, budget their funds and lay out comprehensive construction and maintenance programs for the expenditure thereof.

6. A larger responsibility was placed on the county engineer for secondary road construction and maintenance, thus bringing his technical knowledge and experience more fully to bear on the problem.

7. The purchase of unnecessary and little-used road machinery and equipment was eliminated.

8. Haphazard and slipshod road construction and maintenance methods were done away with.

This Act has attracted nation-wide attention. The Federal Government and other states are looking to it as a model. Iowa is leading the way.

The Secondary Road Law has been in effect only a year, but already the results are most gratifying. System has taken the place of confusion. Efficiency has displayed inefficiency. Connected improvements are crowding out patchwork. Better work is being done. Hundreds of miles of secondary roads have been graded and surfaced with gravel. Great credit is due the county boards of supervisors and engineers for the tact and skill they have shown in putting this measure into effect.

Doubtless this law is not perfect. No piece of legislation is perfect. It would be a miracle if a great measure such as this were not found deficient in some respects. There will be amendments suggested. These amendments should be viewed in the light of strengthening the law, harmonizing it with other statutes, and smoothing out the rough spots. There should be no backward step.

Primary Roads:

Iowa has come into her own. After years of patient preparation in legislating, locating, grading, draining and bridging, during which we were known as the "Mud Roads State of the Union," Iowa has suddenly stepped out as one of the "best road states of the Union." This transformation could not have been effected without the patient preliminary work. We have planned wisely, built well, and realized the fruits of our efforts. Only five states have more pavement than we. Only one state ever built more pavement in a single year. Our quality is second to none.

It will help us appraise the present if we briefly review the past. Six years ago we had less than six hundred miles of pavement, and twenty-five hundred miles of gravel. Less than 47 per cent of the primary system had a surface of any kind. Now we have 3,340 miles of pavement and 2,470 miles of gravel. Forty-nine per cent of the original system is paved. Eighty-six per cent is surfaced with gravel or better. Six years ago 28 per cent of the system was unimproved. Now only 3 per cent of the original system remains unimproved.

Six years ago our primary road laws were in a chaotic condition. We were in danger of losing our allotments of Federal road aid because we had not complied with Federal statutes. We were dissipating our primary road funds by allotting them to the ninety-nine counties. In some cases we were using these funds on secondary roads. We were assessing one-eighth of the cost of paving against farm lands. Interest on bonds had to be paid out of local tax levies. We had no gasoline tax.

There were two steering wheels on our primary road car. They were interlocking. Neither could work without the other. The Highway Commission had hold of one wheel and the county boards of supervisors had hold of the other. Often they tried to go in different directions. Con-

struction projects were initiated by the county boards subject to the approval of the Highway Commission. Contracts were let by the county boards of supervisors subject to the approval of the Highway Commission. Plans were prepared by the Highway Commission subject to the approval of the boards of supervisors. Primary roads were maintained by the county boards and bills sent to the Commission for payment. Sometimes one of our chauffeurs was looking backward and the other looking forward. We were unable to dodge the mud holes. All we could do was puddle through. We were hopelessly entangled.

This chaos has given way to order. The laws have been revised. The counties were divorced from the primary roads. The state took control. Allotment of primary roads among counties and the use of those funds on secondary roads, was done away with. Special assessments were repealed. Assessments that had been levied were refunded. Interest on bonds is being paid out of motor license fees and gas tax instead of tax levies. Refunds have been made to the counties for expenditures by them for bridges, culverts and right-of-way on primary roads. A gasoline tax of two cents per gallon was levied. This was later increased to three cents per gallon. The gas tax funds are split, five-ninths to the primary roads and four-ninths to the secondary roads. A definite plan and program has been adopted for improving our primary road system. This plan calls for 5,000 miles of pavement and the grading, bridging, and graveling of the remainder of the system. This work will be completed in 1933.

Our highway administration laws are now adequate for our needs. They comply fully with the Federal Aid road law. They are second to none.

During the past two years we have paved 1,766 miles, graveled 670 miles and graded and bridged 770 miles. In the season of 1930 we paved 1,027 miles. Only one state, Illinois, has ever exceeded this record. The present condition of those roads which were in the primary road system at the beginning of this year, is as follows:

Paved	3,340 miles
Graveled	2,470 miles
Graded	760 miles
Not Improved	216 miles
	<hr/>
Total	6,786 miles

All of this vast improvement has been carried out without increasing the tax levies. In fact, the tax on real and personal property for primary roads, has been removed. The burden has been shifted from property owner to the road user. The entire bill is being borne by the gasoline tax and motor license fees, except that a small percentage comes from Federal aid. The property owner pays nothing.

But one thing remains to complete this plan and program. We should adopt the State bond issue. County bonds have been used as a temporary financing medium until such time as State bonds might be available.

Eighty-three of the ninety-nine counties have voted primary road bonds. At the present time there are \$86,257,000 of such county bonds outstanding, and \$12,933,000 more bonds voted and available for issue. These county bonds were voted largely on the assumption and understanding that they would be taken over and paid by the State through a State bond issue.

There is now pending and will be submitted to you for ratification, a proposed amendment to the State Constitution, authorizing the issuance of \$100,000,000 of State primary road bonds. This amendment was passed by the Forty-third General Assembly and now awaits your action. It is recommended that you act promptly in order that the amendment may be voted upon by the people early in March. It would thus be possible, if the people approved the amendment, for this General Assembly before it adjourns, to pass a bill authorizing the issuance of such bonds.

I wish to make it clear that this State bond issue is not in addition to, but in lieu of, the county primary road bonds. If these State bonds should be authorized, the funds derived from the sale thereof will be used to call in and pay off the county primary road bonds as the county bonds become due or subject to call.

There are many reasons why this amendment should be adopted and these State bonds authorized. I will mention only two.

First: We should keep faith with the counties that have voted primary road bonds with the understanding that such county bonds will be called in and paid off by the state with state bond money.

Second: We should place a definite limit on primary road indebtedness. This proposed constitutional amendment does both of these things.

That the people of the State want this State road bond issue, there can be no doubt. The Forty-second General Assembly, in special session, passed a proposed State bond act similar to the proposition now before you. That act was approved by the people of the State at the November election, 1928, by an overwhelming vote. This is the only time the people of the State as a whole have had an opportunity to express themselves on this subject. The Forty-third General Assembly, which was in session at the time the Supreme Court declared the State bond act invalid, immediately adopted this amendment to the Constitution and referred it to the present General Assembly for approval and submission to the people.

Without a definite, comprehensive program of highway improvement such as was outlined in connection with the State bond plan, we could not have made the progress we have in the improvement of our primary highways. Now that the present program is nearing completion, it is hoped that this General Assembly will formulate and adopt a comprehensive plan for the extension and further improvement of our highway system, as current funds are available.

TOLL BRIDGES

We have no toll bridges located within the State of Iowa. There are, however, some fourteen toll bridges spanning boundary streams on our main highway connections with states to the east and to the west of us. We have spent many millions of dollars for the building of toll-free highways. We have done nothing toward the elimination of toll bridges that separate us from other states.

The toll bridges should go. Iowa, in cooperation with her neighboring states, should provide free highway bridges across these boundary streams. Naturally, the principal problem is one of finance. There are three general methods in which Iowa could finance her portion of the cost of these structures:

(a) By the issuance of revenue bonds for each bridge, and levying tolls on the traffic crossing such bridges until such time as the tolls collected shall have retired the bonds. The bridge should then be made a free bridge.

(b) By authorizing the State Highway Commission to set aside each year a small percentage of the primary road fund (say three or four per cent) to constitute an interstate bridge fund.

(c) By combining the above two methods; that is, by authorizing the setting aside of a small percentage of the primary road fund from which the cost of such bridges can be paid, tolls being collected on the traffic crossing each bridge, until such time as the tolls so collected shall have reimbursed the primary road fund for the expenditure made, on account of such bridge.

It is recommended that you take steps at this session of the General Assembly to solve this problem.

You will note that three methods of financing are suggested. Personally I would prefer the method outlined under (b); that is, pay for the bridges out of the primary road fund.

SPECIAL LEGAL HELP ON HIGHWAY CASES

Pursuant to Chapter 236 of the laws of the 43d General Assembly, a special assistant attorney general has been assigned to handle the legal work of the State Highway Commission. The large highway program under way necessarily involves a vast amount of legal work. Many court actions arise out of right-of-way matters. These cases frequently involve large sums of money. It would be physically impossible for one attorney to handle all of these cases. In each of these cases it is necessary to have a local attorney, who knows local people and local conditions, to assist the special assistant attorney general.

Employment of such special attorney is by law subject to approval by the Executive Council. The cost thereof is paid out of the general revenue of the state. During the fiscal year ending June 30, 1930, a total of

\$6,637.95 was spent out of the general revenue of the state for this purpose. It is recommended that the law be amended so that in the future such special legal help on highway matters will be paid out of the state highway commission's support fund created by Section 4755-b31 of the Code.

HIGHWAY TRAFFIC PATROL

Traffic on the primary roads has increased many fold in the last few years. Ten years ago we had only about one-half as many motor vehicles as we have today. The annual mileage traveled by the average motor vehicle today is probably twice what it was ten years ago. Heavy busses and trucks are appearing on our highways in ever-increasing numbers. Highway accidents have increased at an alarming rate. We have spent many millions of dollars to build a modern road system, and will spend many more millions within the next few years. Thus far we have done nothing to supervise traffic on these roads. We have passed laws to regulate this traffic but have made no efforts to enforce these laws. We have taken no steps to safeguard the lives and property of the people who travel our roads or to protect the highways themselves from destruction under the wheels of the illegal vehicle.

Largely speaking, our traffic laws are reasonably adequate. Undoubtedly some additions thereto and some changes therein should be made, but our real need is for the enforcement of the traffic laws we now have. This can be done in a proper manner only by a state motor traffic police organization. Such organization should be under the state highway commission. The same body that builds and maintains our state roads should be vested with the authority, the responsibility and the means for supervising the traffic on those highways.

Such a state motor traffic police organization need not necessarily be large. An efficient, well-trained force of about thirty men should be able to handle the problem at this time. It is not necessary that a traffic officer cover each piece of primary road at frequent intervals. The mere fact that the state had such a force, and that a traffic officer might appear on any primary road at any time, would be a most powerful and beneficial influence.

The duties of these officers should be confined solely to the control of primary road traffic and the enforcement of traffic laws and regulations with respect to such roads. These men should not be used as general peace officers. They should be responsible for the enforcement of no laws except traffic laws.

Since the highway user would be the principal beneficiary of such a traffic patrol force, he should bear the cost thereof. Payments should not be made out of general state revenue.

STATE POLICE FORCE

Suggestions have been made to the effect that we should have a state police force or constabulary. I do not favor this suggestion. I do not believe that our circumstances demand a state police force. Such organization, to be effective, must be large. The expense would be great. Payments should be made from general state revenue and funds are not available therefor, unless new taxes or increased taxes are levied.

It has been proposed that state police officers could be used to patrol the primary road traffic when their services were not needed in chasing criminals. This proposal may sound good in theory, but in my opinion it is not practical. Neither duty would be handled efficiently. The men would be out on highway patrol duty when they were most urgently needed as peace officers, and when they were acting as peace officers, the highway work would go undone. The two lines of work are different, requiring different training, different equipment, different personalities, and a different attitude toward the people with whom they deal.

CONCLUSION

Many difficult problems have confronted us during the past six years. In each of these problems, it has been my pleasure to work shoulder to shoulder with the citizens of our state who have Iowa's progress at heart; people who are ready to make personal sacrifice without stint to better conditions under which we live. I am frank to say that whatever success we have had in readjusting matters of government, social welfare, financial or commercial progress, the hearty cooperation of every Iowan upon whom I have called has been a source of strength and encouragement.

Some Iowa achievements are enumerated as follows, in which I am proud to have played my humble part:

Six years ago, the finger of scorn was pointed at Iowa because of the condition of our highways. We then had only about 500 miles of paved road. Today, we have 3,840 miles of paving. Other states of the Union admire our progress. Some of them are adopting our methods. Within another year or two, Iowa can boast of the most complete, the most useful hard road system of any of the states. We will have achieved that goal without a property tax. This is progress.

Before giving my approval of an extensive plan of road improvement, I did consistently insist on provision for the payment thereof by other methods than direct taxation on real estate, which was already bearing a heavy burden of taxation. We believe the method adopted in Iowa is just and generally so acknowledged today, viz.; aside from the Federal Aid, the people pay for good roads in proportion to which they use them.

The fame of Iowa's educational institutions has spread throughout the world. It has long been our boast that we led the nation in literacy. We can go beyond that. We can claim educational institutions which are the equal of those of any state and we need not take a second place to any

state in the movement for equalization of educational opportunity, either for the youth of the farm or the city. All departments of your state government have cooperated with local educational boards to broaden opportunity for the youth of Iowa.

Recent years have brought Iowa to a turn also, in economic development. We have passed the period where we could be called a strictly agricultural state. We have come to the point where our growth as a state depends in large measure upon the upbuilding of our industries. Agriculture will flourish at its best when we have cities filled with prosperous, industrious factory workers; when our farm products are consumed in larger measure by our own people; when the income from our manufacturing plants is turned back in larger measure to the people of our farms. A wave of de-centralization of industry is sweeping the country and Iowa has not been ignoring her opportunity. Our factories have been multiplying at a rapid pace. Factory pay rolls have been steadily climbing. The industrial income of the state is nearing a balance with the agricultural income.

And the reason for this?—simply the fact that Iowa's governmental agencies have at every opportunity, played a helpful part in interesting new industries and in promoting the welfare of those already established. We have no laws that throttle industry. We have no political trends that seriously threaten the future of industry. We have an abundance of raw materials. We have an abundance of industrious workmen. We have, at our door, a market for manufactured and processed commodities which is equal to that of any other state. We are well on our way to economic balance. We can look to the future with assurance.

This constructive attitude has been reflected not only in legislation we have adopted. It is found, too, in legislative proposals we have rejected. The post-war unsettlement created a financial disturbance in Iowa, as well as in other states. Some of our neighboring commonwealths plunged headlong into untried legislative fields. Iowa's conservatism saved her from the mistake which has been partially rectified in Nebraska only recently, by the repeal of bank guaranty legislation. There has been no trifling in Iowa, with economic laws. We have not attempted to overturn any of the fundamental foundations of our commercial system. We have, on the contrary, worked tirelessly to avoid mere panaceas; to remove the disturbing element, rather than to trifle with temporary relief measures of doubtful merit.

The ever-increasing complexities of our social and business life have greatly increased the problems facing our state government. New demands are made for governmental service. New problems must be met by our law enforcing agencies. Our penal and hospitalization institutions have had to be placed upon a new basis of operation. Yet with all these new demands upon the government, we find today that each department is functioning smoothly. The cost of state government has not mounted in proportion to the increased demands for service. It is conceded that at no time in the past has any branch of our government rendered more

efficient service at a smaller public cost. This means that our governmental progress has kept pace with our growth as a state. Reduced to figures, for the benefit of the taxpayer, it means that out of the \$140,000,000 expended annually in Iowa by state and local governmental bodies, the state itself requires only about ten million dollars to be raised by direct taxation.

Our state health department has reduced disease by 40 per cent. Our institutions for the care of state wards are, aside from expansion costs, largely self-sustaining. Our law enforcement agencies are functioning in a high state of efficiency, our conservation agencies are building up recreational facilities all over the state and protecting the great natural resources we possess. Our social welfare departments are acting on a broader scale than ever before. Our labor is well employed. Our commerce is thriving. Our great industry, agriculture, is looking with confidence to the future.

We rightly associate our state progress with the type of state government we enjoy. Our state government touches our daily life in many ways. It is, therefore, our sacred duty to interest ourselves in public affairs and to participate, not only in choosing our officials, but in guiding their official actions.

I am glad that I live in the greatest agricultural state in the Union and that I live among a people where standards of literacy and intelligence are unexcelled and where we are maintaining schools and churches second to none. I believe in the opportunity for rightful employment for every worker at a good wage. I believe in a nation of home owners as one of the greatest blessings to the family. I believe in public improvements to the extent of the ability of the people to pay for them.

I believe in clean politics. As Governor I have endeavored to give the people an honest, economical, and businesslike administration. My ambition has been to do right at all times and under all circumstances, and honestly and impartially, to the best of my ability, to serve all who are entitled to the protection of a righteous government.

Faith and courage should endure to the end. We should have an ideal and love for the work in which we are engaged, rather than simply a desire for the pay we receive. The foundation of free government consists in holding that public office is a public trust for the good of the state and not for the benefit of the individual holding the office.

We must have faith in Iowa, faith in our government, and faith in ourselves. I call on the citizenship everywhere to come to the aid of the officers they have chosen for the next biennial period and help them make Iowa the best in the galaxy of all the states in the Union. Let us put spirit into this task for such makes for excellence. Let us help raise humanity to greater heights of well being.

Let us all strive to advance the ideals of good will, and of law, and of peace.

Respectfully submitted,

JOHN HAMMILL,

Governor.

Senator Doran of Boone referred to the presence of the National Commander of G. A. R., James H. Jewell; and former National Commander James W. Willett and moved that comrades O. W. Lowry and Oley Nelson be appointed as a committee of two to escort James H. Jewell and James W. Willett to the Speaker's rostrum.

Motion prevailed and James W. Willett presented James H. Jewell, who briefly addressed the joint convention.

CANVASS OF VOTES

The President announced that the time has arrived for the canvass of the votes cast for the offices of Governor and Lieutenant-Governor at the general election held on November 4, 1930, and announced as teller on the part of the Senate, Cole of Delaware, and as assistant tellers, Senators Clark of Cerro Gordo, and Irwin of Clinton.

Speaker Johnson announced as teller on the part of the House, Van Buren of Jones, and as assistant tellers, Representatives Lichty of Black Hawk, and Durant of Hancock.

The President further announced that, in accordance with statute, Tellers Cole of Delaware and Van Buren of Jones, would constitute the judges of said canvass.

Speaker Johnson in the chair.

The Speaker then opened the returns in the presence of the Joint Convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant-Governor of the State of Iowa cast at the general election held on November 4, 1930.

Van Buren of Jones moved that the Joint Convention now recess until 1:45 p. m. Thursday.

Motion prevailed.

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

On motion of Senator Baird the Senate adjourned until 11:00 o'clock a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 14, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. A. E. Griffith, retired M. E. minister of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Quirk, from the town council of Wall Lake, in regard to fees collected on motor vehicles.

By Senator Hager, from the town council of Hawkeye, in regard to fees collected on motor vehicles.

By Senator Doran, from Francis Steele Post No. 817, Boone, relating to military training in land grant schools.

By Senator Doran, from the council of the city of Nevada, in regard to fees collected on motor vehicles.

By Senator Cole, from the council of Independence, in regard to distribution of tax funds.

By Senator Quirk, from the sportsmen of Sac county, concerning fish and game laws.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senators Cooney, Cochrane and MacDonald for the day, on request of Senator Stoddard.

INTRODUCTION OF BILLS

Senate File No. 10, by Senator Stoddard, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appro-

priate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

Read first and second times and referred to committee on appropriations.

Senate File No. 11, by Senator Clark of Linn, a bill for an act conferring jurisdiction and control upon the Board of Railroad Commissioners over the location, construction, maintenance and operation, service and rates of telephone companies.

Read first and second times and passed on file.

Senate File No. 12, by Senator Clark of Linn, a bill for an act to amend section forty-seven fifty-five b-thirty-eight (4755-b38) relating to the distribution of gasoline license fees and providing that part of said gasoline license fees shall be paid to the secondary road construction or maintenance fund and providing for the repeal of section fifteen a-one (15-a1) of chapter twenty (20) of the Acts of the Forty-third General Assembly relating to general property tax levies for road purposes.

Read first and second times and passed on file.

Senate File No. 13, by Senator Stoddard, a bill for an act to repeal the law as it appears in Chapter one (1) Acts of the Forty-third General Assembly relating to the payment of the expenses of members of the General Assembly.

Read first and second times and passed on file.

Senate File No. 14, by Senator Doran, a bill for an act to repeal sections forty-nine hundred forty-three (4943) to forty-nine hundred sixty (4960), inclusive, Code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide for the revocation and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999) relating to

the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), Code, 1927.

Read first and second times and passed on file.

Senate File No. 15, by Senators Clearman and White, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of chapter two hundred forty-two (242) either of the Code of Iowa, 1924 or 1927, and to provide for the payment of the principal and interest thereon.

Read first and second times and passed on file.

Senate File No. 16, by Senators Clearman and White, a bill for an act to amend section eleven (11) of chapter twenty (20) of the laws of the Forty-third General Assembly relating to the use of secondary road construction fund.

Read first and second times and 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 adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 2, providing when adjournment is had on Thursday afternoon, January 15th, it be to reconvene on Tuesday afternoon, January 20, at 2:00 p. m.

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

Senate Concurrent Resolution No. 3, providing for a joint inaugural committee and the Speaker of the House has appointed as such committee on the part of the House the following: Representatives Beath, Kern of Polk, McCaulley, Byers of Linn, Wamstad and Simmer.

SAM C. RAGAN, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON EXTRA HELP

Senator Bennett offered the following report and moved its adoption:

To the Honorable President of the Senate, and Speaker of the House of Representatives:

Your joint committee, appointed to consider applications and to nominate the extra help of the Forty-fourth General Assembly, begs leave to submit the following report and recommendations:

That the positions following be filled by the persons whose names appear herein at the compensation respectively set forth, beginning January 12, 1931:

Assistant Law Research—D. D. Staples, \$8.00 per day.

Assistant Research—General—Fern Gray, \$5.00 per day.

Stenographer and typist for Librarian—Gertrude Walsh, \$4.00 per day.

Page to Librarian and his office—James McGuire, \$4.00 per day.

Stenographer for Economics and Sociology Division of Library—Katherine McCurdy, \$4.00 per day.

Senate Telephone Messenger—Cedric S. Foster, \$2.50 per day.

Assistant Matron—Bertha Gaines, \$4.00 per day.

Elevator Tender—Clara Bauder, \$4.00 per day.

Elevator Tender—Thomas Brooks, \$4.00 per day.

Electrician—Frank Shaffer, \$4.00 per day.

Assistant Electrician—S. R. Geyer, \$4.00 per day.

Messenger to Sergeant-at-Arms—Stuart Ross, \$2.50 per day.

Messenger and Mail Carrier—Wm. Jones, \$4.00 per day.

Assistant Messenger—B. J. Wolcott, \$4.00 per day.

Porter—W. J. Sulser, \$4.00 per day.

Porter—Jack Anderson, \$4.00 per day.

Janitor—Thomas A. Allen, \$4.00 per day.

Janitor—J. E. Grove, \$4.00 per day.

Janitor—Carl Kurchinsky, \$4.00 per day.

Janitor—Pearl B. Stuart, \$4.00 per day.

Janitor—G. A. Cline—\$4.00 per day.

Janitor—O. T. Rice, \$4.00 per day.

Janitor—R. T. Mitchell, \$4.00 per day.

Janitor—A. C. Sayler, \$4.00 per day.

Janitor—H. C. Gater, \$4.00 per day.

Janitor—Peter Burt, \$4.00 per day.

Janitor—G. W. McConnell, \$4.00 per day.

Respectfully submitted,

O. P. BENNETT

CHAS. L. RIGBY

FRANK D. ICKIS

On the part of the Senate.

H. N. HANSON

FRED W. NELSON

GEO. M. HOPKINS

On the part of the House.

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

Ayes, 34.

Anderson	Clark of	Hager	McLeland
Baird	Cerro Gordo	Hicklin	Myers
Bennett	Clark of	Hill	Quirk
Benson	Marion	Ickis	Ritchie
Bissell	Clearman	Irwin	Stevens
Blackford	Cole	Kent	Stoddard
Booth	Coykendall	Klemme	Tabor
Carroll	Doran	Leonard	Topping
Christophel	Gunderson	Lowe	Wilson

Nays, none.

Absent or not voting, 16.

Beatty	Cooney	Langfitt	Rigby
Carden	Frailey	MacDonald	Stanley
Clark of Linn	Kimberly	Moen	Wenner
Cochrane	Knudson	Patterson	White

The report was adopted.

The Journal of January 13th was corrected and approved.

On motion of Senator Booth the Senate adjourned until 11:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 15, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. H. E. Rasmussen, of the Central Lutheran Church, of Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petition was presented:

By Senator Quirk, from the former members of the military and naval services of Sac county, in regard to military training.

INTRODUCTION OF BILLS

Senate File No. 17, by Senator Doran, a bill for an act to amend chapters two hundred forty-four (244) and two hundred forty-six (246) of the Code relating to weeds, noxious weeds and the destruction thereof.

Read first and second times and referred to committee on agriculture.

Senate File No. 18, by Senator Doran, a bill for an act to amend section fourteen hundred two (1402), Code 1927, relating to beneficiaries of deceased employees coming within the provisions of the Workmen's Compensation Act.

Read first and second times and referred to committee on insurance.

Senate File No. 19, by Senator Clark of Linn, a bill for an act to amend chapter one hundred sixty-five (165) Acts of the Forty-third General Assembly relating to swimming pools.

Read first and second times and referred to committee on cities and towns.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator Bennett; Senator Leonard for the day, on request of Senator Gunderson; Senator Anderson for the day, on request of Senator Carroll.

The Journal of January 14th was corrected and approved.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem Wm. E. McLeland, presiding.

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

JANUARY 15, 1931.

The Joint Convention convened, Hon. Wm. E. McLeland, President pro tempore of the Senate, presiding.

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

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 15, 1931.

MR. PRESIDENT AND MEMBERS OF THE JOINT CONVENTION: Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and

Lieutenant-Governor at the election held November 4, 1930, beg leave to make the following report of the total vote cast for Governor:

Dan W. Turner.....	414,536
Fred P. Hagemann.....	184,721
William Patten	1,195
John M. Smith.....	2,494

And the total vote cast for Lieutenant-Governor at the election held November 4, 1930.

Arch W. McFarlane.....	322,498
T. R. Osborne.....	182,077
Albert Gerling	1,222
Henry W. Nuhring.....	2,245

All of which is most respectfully submitted.

C. G. COLE,
G. J. VAN BUREN

Judges.

E. W. CLARK,
H. L. IRWIN,
E. M. LICHTY,
S. B. DURANT,

Tellers.

On motion of Senator Cole of Delaware the report was adopted.

President pro tempore of the Joint Convention announced that Dan W. Turner having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified, and that Arch W. McFarlane was duly elected to the office of Lieutenant-Governor for the ensuing term or until his successor is duly elected and qualified.

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

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 15, 1931.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-fourth General Assembly of the State of Iowa, of all the votes cast at the general election held November 4, 1930, for the office of Governor of the State of Iowa, it appeared that Dan W. Turner received the highest number of all votes cast for any candidate at said

election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 15th day of January, A. D. 1931.

W. E. MCLELAND,
*President of the Senate and
President of the Joint Convention.*

FRANCIS JOHNSON,
Speaker of the House.

C. G. COLE,
Teller of the Senate.

G. J. VAN BUREN,
Teller of the House.

SAM C. RAGAN,
*Clerk of the House and
Clerk of the Joint Convention.*

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 15, 1931.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-fourth General Assembly of the State of Iowa of all votes cast at the general election held November 4, 1930, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Arch W. McFarlane received the highest number of all votes cast for any candidate at said election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 15th day of January, A. D. 1931.

W. E. MCLELAND,
*President of the Senate and
President of the Joint Convention.*

FRANCIS JOHNSON,
Speaker of the House.

C. G. COLE,
Teller of the Senate.

G. J. VAN BUREN,
Teller of the House.

SAM C. RAGAN,
*Clerk of the House and
Clerk of the Joint Convention.*

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

Senator Leonard of Taylor moved that a committee of five be appointed to notify Governor-elect Dan W. Turner and Lieutenant-Governor Arch W. McFarlane of the official result of the canvass of the votes.

Motion prevailed and the President pro tempore named as such committee, Senators Leonard of Taylor and Wenner of Black Hawk, and Representatives Beath of Adams, Lichty of Black Hawk and Hush of Montgomery.

Senator Leonard of Taylor, chairman of the joint committee appointed to notify Hon. Dan W. Turner and Hon. Arch W. McFarlane of their election to the offices of Governor and Lieutenant-Governor, respectively, submitted the following report and moved its adoption.

MR. PRESIDENT: As a committee appointed at the joint convention to inform the Honorable Dan W. Turner and Honorable Arch W. McFarlane of their election to the offices of Governor and Lieutenant-Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of his office.

ARTHUR LEONARD,
EDWARD J. WENNER,
F. H. BEATH,
E. M. LICHTY,
HOMER HUSH.

Motion prevailed and the report was adopted.

The sergeant-at-arms announced the arrival of Governor-elect Dan W. Turner and Lieutenant-Governor-elect Arch W. McFarlane, accompanied by the Governor's staff.

Governor-elect Turner and Lieutenant-Governor-elect McFarlane were escorted to the Speaker's station.

Invocation was delivered by the Rev. Norman E. Lambly.

The oath of office was administered to Lieutenant-Governor-elect Arch W. McFarlane by the Hon. Frederick F. Faville, Chief Justice of the Supreme Court of Iowa.

Lieutenant-Governor Arch W. McFarlane, President of the Joint Convention, presiding.

The oath of office was administered to Governor-elect Dan W. Turner by the Hon. Frederick F. Faville, Chief Justice of the Supreme Court of Iowa.

Lieutenant-Governor McFarlane then presented Governor Turner, who delivered the following address:

GOVERNOR'S INAUGURAL ADDRESS

Members of the General Assembly and Citizens of Iowa:

By the will of its electorate, our beloved Commonwealth of the State of Iowa has conferred upon me the highest honor in its power to bestow.

One has to experience the weight of this obligation to feel the full impact of its significance. To you, who listen to my voice, it is but the witnessing of the inauguration of another Governor. To me it is the assumption of a grave responsibility. And yet, this inauguration concerns every citizen of Iowa. Realizing, that in the conscientious fulfillment of the functions of my office is involved, to some degree, the prosperity and happiness of our people, I am resolved in all my deliberations and in all my executive acts, your welfare will be the primary consideration. In virtue of my induction, I no longer belong to myself. I belong to you. Every Iowa home, and the interest of every individual Iowan, irrespective of station, color or creed, becomes my personal concern.

This day is significant to you, as to me, because it solicits your loyal participation. It serves the high purpose of impressing us with the fact that every task is an exalted one if it contributes to the common good. It brings its recurrent conviction that whilst I, as your Chief Executive, continually devote myself to your well-being, it is only as each of us performs his daily work in the true spirit of industry, patriotism, and loyal citizenship, that we shall reach the commonly coveted goal, and share a mutual benefit.

The high esteem in which I hold the people of my native state, the deep sense of a helpful comradeship in a common cause, the conviction that you worthily merit the best in leadership, increases my determined devotion to this task. The hope that the full measure of our expectations may be realized is inspired by the assurance of your valued assistance. I realize the magnitude of the official obligations with which I am commissioned. With a deep sense of humility, I am conscious of the limitations of individual human endeavor. I would be destitute of feeling if I were not deeply affected by the abundant evidence which my fellow citizens have given me of their confidence by entrusting me with this high office, the functions of which I now assume with a gratitude I profoundly feel but cannot adequately express.

To the task of guiding our favored Commonwealth in its continued growth, in the prosperity of its farms, cities and industries, and in the development of a contented people, I have been called. I shall not have fully realized the high ideals that now inspire me, nor completely achieve the ambitions that now actuate me, should I look back over my term of office with a single regret that I have, at any time, or to any person, been delinquent to the trust you have so generously reposed in me.

ECONOMY

The business of government is the concern of the people. It becomes more involved as the country grows older. As the demand for laws increase, the machinery of government becomes more complicated.

To meet the natural needs of organized society and not overburden the statute books with unnecessary legislation is your problem.

It is not my purpose on this occasion to deal in detail with the many questions that shall be considered in this session. I desire, however, to comment briefly on those problems that are imminent and of grave importance.

The cost of government has steadily mounted since the pre-war period. Taxes have increased in ratio. In many taxing districts of the state taxes are twenty per cent higher this year over last year. In fifteen years the cost of government in Iowa has more than doubled. During the years of this century taxes have more than quintupled in our state. The day of retrenchment is at hand.

Not a dollar should be appropriated out of the State Treasury unless deemed by you indispensable in carrying on the state's business. Every demand on the State Treasury should be rejected unless backed by reasons based on necessity. We cannot and will not neglect the wards of the state, but there is room for economy in many directions. You have the power to curtail expenditures. It is your stern duty to exercise it.

Consider the importance of reducing cost of government. If taxes can be reduced and the tax burden spread out equitably among the people, we are justified in the belief that the load will be lightened on real and other visible property.

County, municipal and school governments have equal responsibility with you in this effort toward economy and retrenchment.

The Budget Department, inaugurated to induce economy, has valuable features but its recommendations are purely advisory, carrying neither legal nor moral weight.

I would recommend that this Department be abolished and the power of the Budget Director be invested in the State Board of Assessment and Review. The principle of the budget is a sound principle and if consistently adhered to will have a vital influence in holding down governmental expense, not only in recommendations of appropriations necessary to be

made, but in aiding us to arrive at the hoped for goal of receiving one hundred cents value in the expenditure of each dollar of the taxpayer's money. Whatever else we do, let us have economy.

TAXATION

Before entering into a discussion of possible and proposed remedies that will be brought to your attention in the effort to relieve visible property of part of the unjust burden it now bears I had thought it would not be inappropriate to set forth here some of the reasons that have prevailed with the people in the demand for tax revision.

Ninety-six per cent of all direct taxes are derived from the general property tax. Intangible property, representing approximately one-half the wealth of the state, shoulders less than four per cent of the tax burden. Out of each one hundred dollars of the farmer's income the sum of twenty-eight dollars is required to pay taxes. Tangible property, real and personal, including the farms and homes, buildings, merchandise, live stock and machinery, property the assessor can see, bears nearly ninety-seven per cent of the tax burden, invisible wealth, less than four per cent, while earnings and incomes have no share in the cost of government. Under our ancient system of taxation the citizens who enjoy incomes not derived from ownership of property are in a special privileged class, immune from taxation altogether. Let the rule of justice obtain. Favoritism for any group should be abandoned.

The total income of the people of Iowa in normal years is approximately one and a half billion dollars annually. The income from real estate is less than twenty-six per cent of this amount. This property, yielding only one-fourth of the state's income, under the present tax system, pays nearly ninety per cent of all state and local taxes. Debate is unnecessary to prove the contention that the tax laws must be revised. The tax burden should be distributed more justly among our citizens. The income tax is based on the sound principle that taxes should be paid according to the ability to pay. Provision for state income tax should be written into the laws of Iowa. The law when written should exempt wages and earnings needed to provide families with necessities, to enable them to educate their children and live in some degree of comfort. Rates ought to be high enough in the upper brackets to permit the citizens of substantial incomes to contribute their share toward the cost of government.

It is essential that you incorporate in this law a mandatory provision guaranteeing a reduction in the state millage tax, corresponding in amount to the total raised through the income tax. It must be a replacement tax.

CORPORATION TAX

Corporations should be included in such income tax.

To tax the individual and allow the corporations to go free would work

a palpable injustice on the former. Such evasion of our duty cannot be justified in any effort made for genuine tax revision. I think you should earnestly consider the wisdom and fairness of a tax on the income of corporations. The corporation with small earnings will welcome this form of taxation and new industries will be encouraged to locate in our state having the knowledge that when earnings are moderate the tax is light.

The larger industries enjoying greater earning power are amply able to pay a tax that will be their just contribution to the Commonwealth, which fosters and protects them and furnishes a large share of their patronage.

Iowa is one of only six states in the Union failing to provide for some form of corporation tax. Any effort made for genuine tax revision will include such a tax.

I am confident a careful survey will convince you that earnest thought should be given to the inadequate methods now in use in the assessment and taxation of Power Corporations, Public Utilities and Telephone and Telegraph Companies.

Under the Constitution of this state Public Utilities cannot be released from the general property tax. This fact must necessarily be kept in mind in considering a tax on the gross profits of these companies, or an income tax on net income, or whatever plan in your estimation seems best.

INHERITANCE TAX

The principal purpose of an inheritance tax is to supplement the general taxes and relieve to some extent the tax burden borne by the great mass of people of the state. The fact that it is so designed, and furthermore that it is an instrument of revealing considerable property which has been concealed from ordinary taxation, has naturally caused opposition from those whom it affects.

The present Inheritance Tax Act produces an annual revenue of approximately \$1,200,000.00, which is about one mill in the general tax levy. The statute as it now stands covers both direct and collateral heirs although the exemptions permitted to the direct heirs are so great that the returns from that class of beneficiaries are not commensurate with the property passing.

I recommend that these exemptions be reduced, and that the rate of tax upon the collateral beneficiaries be increased so that the more distant relatives and those who are strangers to the blood would pay a higher rate of tax. A reclassification of collateral heirs would permit this without any injustice to those who are closer related to the decedent.

The changes recommended, which include some other changes of a more administrative nature, would, according to the estimates made by the Inheritance Tax Department of the State Treasurer's office, increase the annual revenue to approximately \$2,250,000.00.

The inheritance tax is eminently a just tax, so recognized by practically all authorities on taxation and should be made more thoroughly a principal source of revenue rather than a supplementary tax.

ASSESSMENTS

The laws relating to the assessment of property should be revised. Brindley's survey shows that property is assessed all the way from ten per cent to one hundred and ten per cent of its actual valuation. The law now prescribes that property shall be assessed at its actual value. In point of fact, custom has neutralized and failed to follow this rule. In the majority of the counties the attempt is made to assess property at fifty to sixty per cent of its value. As a result, glaring inequalities exist in practically every taxing district of the state. A yard-stick of measurement should be provided—some certain standard established and adhered to. I hope it will be clearly set forth in the revised law that intangible value or earning power shall enter into assessment valuation of property.

The Board of Assessment and Review created in the last General Assembly has taken initial steps to establish a standard of measurement in assessments. The powers of this Board should be amplified rather than curtailed.

The county assessment system is strongly urged by many business men, farmers and students of the tax question. It is now in operation in thirty-three states. The claim made for it is that it minimizes the likelihood of favoritism in the assessment of property and links up the units together into one uniform system. This subject deserves your earnest thought and investigation.

JOINT LEGISLATIVE TAX COMMITTEE AND BOARD OF ASSESSMENT AND REVIEW

On this whole subject of tax revision, I commend to your attention for serious study and thought the report to this General Assembly of the Joint Legislative Tax Committee and the State Board of Assessment and Review.

This Legislative Committee, working in conjunction with the Board, has been engaged over a period of eighteen months in painstaking and studious investigation of the whole tax problem.

They have devoted much time in digging to the bottom in their examination of this important subject. The result of their work is embodied in the report which will be laid upon your desks. This document represents labor—consistent, thorough and constructive.

The facts therein set forth are incontrovertible and while opinions may vary as to certain conclusions reached, particularly regarding rates and exemptions, there can be no difference in judgment regarding the sub-

stantial value brought to the discussion of the tax problem, through the efforts of your colleagues and the State Board.

REVISION THAT REVISES

I leave the subject of revision of our revenue laws with this closing thought. In the face of the present exigency, thorough and genuine tax revision is demanded. It is a "condition and not a theory" confronting us. If I am any judge of the temper of the people nothing less than a thorough revision of the entire tax system will meet with their approval. To fail them now would be plain evasion of our duty. Half-hearted revision is little better than no revision. Let us be sure when we have finished in this session with this great undertaking that wealth and income now escaping are required to make their fair contribution to the cost of government.

PUBLIC UTILITIES

In order that the public interests may best be served, public utilities, including transmission lines and telephone and telegraph companies, must be made subject to regulation and supervision by the state. Iowa is one of the few states which have permitted the public service corporations to operate without adequate law regulating and controlling their activities. Recent Federal hearings have disclosed that in many instances the utilities which furnish electric service to the public have established rates which have been based upon inflated values. No company should be permitted to fix a rate based upon a fictitious value.

In this state rates vary in the different communities, determined by contracts made with the municipalities. On account of the utilities' elaborate and intricate financial set-up and their involved corporate structure it is obviously impossible, under our present system, to secure fair and uniform rates. A survey and study of the various rates in force in the municipalities of the state discloses the fact that there is no relation between the cost of production (plus a reasonable profit) and the rate charged. This is grossly unfair.

Public utilities are rapidly extending their services to the country-side and our rural population is required to pay for such service the price asked by the utility which is serving them. The consumers are without protection against extortionate rates, nor do they have the requisite knowledge to determine whether the rate charged is reasonable and fair. We cannot permit this system to continue longer in our state. We must see to it that the public is guaranteed a fair and reasonable rate for the services rendered.

This question ought to be given serious consideration at this session and a law enacted which shall provide for state regulation of all public utility companies so that the public shall be guaranteed just rates measured by cost of production. An adequate method should be provided for

arriving at and determining the value of the properties of public utilities located within the state. This will assist in the matter of rate making and will be of benefit in connection with the taxation of these companies.

At the present time certain securities of the public utility companies are exempt from taxation and may also be offered and sold to the public without any supervision whatsoever. These are special privileges and cannot be justified, and I recommend that the law exempting them from taxation be repealed and that all securities of public utility companies be made subject to the Blue-Sky Law.

Municipal ownership of utilities should not be discouraged. Improved machinery for generating electric current on either a large or small scale, and at a low cost, make it practicable in some instances to erect municipal plants, to be paid for out of the earnings thereof. However, this cannot now be done because there is no statutory provision therefor.

A statute should be enacted in this session granting authority to cities and towns to contract for municipal utility plants to be paid for from earnings of said plants.

TELEPHONE AND TELEGRAPH

There is no provision in law giving either the state or municipalities within the state authority to stand between the people and the large telephone and telegraph companies now operating within the state, in the vital question of establishing fair rates for service. Eight years ago the governor of the state in his biennial message called attention to the monopoly enjoyed by these large telephone utilities and the necessity of protection for the people, but his sound advice went unheeded. The situation is even more acute now.

These quasi-public, franchise privileged corporations should be subjected to regulations in law that will insure the consumers of the service furnished, fair rates based on an intelligent survey of operation costs and capital invested.

In any instance wherein individuals or corporations hold control of public necessities it is the imperative duty of the state to establish regulation thereof. No method other than state control has been devised giving assurance of protection against exorbitant rates levied by unfettered monopoly.

PIPE LINE TRANSPORTATION

A new factor is about to enter our economic and industrial situation. Large organizations are engaged in constructing lines of pipe for the conveyance of natural gas and petroleum products from distant fields for consumption and distribution in this state. Their advent will materially affect our existing systems of transportation and other domestic industries. If legislation is sought by these organizations for the purpose

of obtaining corporation and franchise privileges within the state it will be the duty of the legislature to adequately protect citizens whose property rights may be affected.

No franchise rights should be granted unless proper regulatory laws are enacted to safeguard the rights of the citizens of this state and means should be devised of exacting from these new properties such taxes as will constitute their just share of the tax burden.

ROADS

Iowa has taken a leading place among the states of the Union in the important work of designing and constructing a state-wide system of good roads. This road building program has been determined by our people and can now be considered a settled policy of the state. We should continue with that work in as expeditious a manner as is consistent with good business and sound financing.

We have adopted the plan of paying the cost of our primary roads from funds contributed by the people who use them. We must steadfastly hold to this plan. It was on this solemn promise the various counties furnished the funds to make possible the great achievement in highway improvement. By this token we shall vigorously oppose any effort made to divert primary road funds from the purposes now defined in the law. It is our absolute duty to use every safeguard insuring property owners that the cost of these improved highways shall never result in a tax on property.

In continuing with our road building program, we must ever keep in mind that the benefits to our people, for whom roads are established and maintained, must be properly apportioned. The construction cost of the main arteries of travel is necessarily high. It will be found to be impractical and financially impossible to carry that class of construction beyond the main channels of travel and down to every community entitled to improved roads. Therefore, some less expensive plan of surfacing must be employed on many of the roads in order that a more complete system of serviceable, all-season roads may be built. The value of good roads, universally acknowledged, will be more apparent when a system of all-weather highways connect farms with markets, and communities with those centers of trade and the main arteries of travel, to which they desire access.

REDISTRICTING

You will be confronted with the duty of redistricting our state into fewer Congressional districts. There is still a justifiable hope that in the Congressional reapportionment Iowa may be represented by ten members in the House of Representatives. But should Congress persist in granting aliens representation, the delegates in that body from Iowa would be reduced to nine members.

In either event there must be a reduction from the present number which will require a new districting for Congressional representation from Iowa.

In the creation of the new districts an arbitrary arrangement of the political divisions of the state, in disregard of the natural or proper boundaries as indicated by geographical position, should not be made.

Districts should be geographically compact and uniform in population to the degree of practicability.

CONSOLIDATION OF DEPARTMENTS

In the interest of economy there should be consolidation of some of the departments of state government. This can be accomplished without impairing efficiency. Early in the session I will call to your attention several possible departmental consolidations that should, in my opinion, be effected. I earnestly hope you will give careful thought, followed by action, to this matter of consolidation, involving increased efficiency and decreased cost of government.

INDUSTRIAL CONDITIONS AND UNEMPLOYMENT

Industrial stagnation with resulting unemployment is a world condition, in which our own nation is the least sufferer, with less unemployment in Iowa than in other states. This does not mean that there is no problem confronting us and that the most serious consideration should not be given to adjustment, so that every citizen, willing and capable, should have the opportunity of a well ordered and well conditioned means of livelihood. An idle man is not an asset to a community, and of small value to its business interests. His labor power is a total loss in the creation of the material things necessary to a happy and progressive commonwealth. Continued idleness breaks personal morale, and means either state or voluntary charitable support in the end. This must be averted insofar as possible. To say that we are better off in our unemployment than other states or nations during a time of great general distress is poor consolation to people out of work.

The causes leading up to our present industrial situation and consequent problems of unemployment can be largely attributed to the mechanization and development of industry, which kept in mind the matter of production only and almost entirely disregarded distribution. New methods and means of conducting all our industries have produced economies in man power further reducing employment.

These displaced workers should be given aid in the seeking of new employment. This aid should be given without cost to either the person seeking employment or the employer. As a means to this end an extension should be made of the present State-Federal Free Employment Service so as to make possible the best attainable disposition of the willing but idle person into the employment opening fitted to his capacity.

In the meantime our great natural resources, and our industrial opportunities should be fully developed so that great employment will follow, and that our people may not only be producers but consumers and assets in a distributive market.

PRISON LABOR

Prison labor is one of our most pressing problems at this time. There is universal agreement that the prisoner should be kept busy at some productive work. Modern enlightened thought is that the work should not only be productive but that it should give a training that will fit the prisoner for employment by which he can earn a livelihood upon release.

There is no disagreement in this regard. There is, however, difference of opinion as to the method of disposal of the product and the beneficiary thereof. In this lies our major problem at this time. Contracts for the employment of approximately 1,000 prisoners are in effect. These contracts run to private persons or corporations. The Congress of the United States passed an Act to become effective during the early part of 1934, which makes impractical the shipment between states of prison made goods. This will render difficult the disposal of such goods by a private contractor, and therefore, unless provision is made for employment of the prisoners now engaged in contract work, our state will face a serious condition of idleness in prison institutions. This constitutes an urgent problem and one of immediate necessity.

VOCATIONAL EDUCATION

Ample facilities are provided for those of our people who can afford to take advantage of higher educational privileges. It is equally important that full opportunity be provided for the efficient training of those who are to perform the manual tasks of the world. The problems of the farm are daily becoming more intensive, and more adequate training in all the elements for successful farming should be encouraged. The experiments, investigations, farm economies and sciences must, of necessity, be the task of the higher institutions, but the results thus obtained must be brought through vocational instruction to the boys and girls who do the active farm work.

The rapid changes in industry have displaced hundreds of workers who must be given an opportunity to earn a livelihood in new lines of work in which they have no experience or training. For these there must come a fundamental training along general industrial lines that will make possible a readier adaptation to other lines of work, and for the person who expects to follow more highly skilled vocations, there should be given an opportunity of training for fitness in his chosen field.

There is also the adult who had no opportunity of definite education, or who perhaps now realizes neglected opportunities, and who has sufficient energy and ambition to become a more valuable person to society. He should have his chance.

Vocational education aims to cover these fields, and has made good progress during the decade of its existence. Encouragement should be given so that its program can spread to every locality and to each person seeking its advantages.

EDUCATION

Iowa is the peer of any state in the Union in the opportunities offered our young people to obtain higher education. The many fine colleges of the state, together with the state's own renowned institutions of higher learning, afford scholastic opportunities to our sons and daughters, not exceeded by any state and equalled by few.

While we have a justifiable pride in our colleges and universities, we should not forget that the common schools deserve our utmost concern and devotion. Not only because they are the foundation of our Commonwealth, but also for the reason that the great majority of our citizens receive their only educational advantages in the common schools.

It is entirely probable that many localities have set up a more elaborate educational program than their financial abilities justify. All school officials or governing boards should conscientiously scrutinize their school costs to the end that all possible economies may be effected and that expenditures shall, wherever possible, be reduced to the minimum, without impairing the quality of instruction.

The report of the Superintendent of Public Instruction shows that during the last year 65,476 pupils were enrolled in the first grade of our public schools, while 35,925 graduated from the eighth grade and 21,011 received high school diplomas. Nearly four times as many children were enrolled in the grades as in the high school. Let no one interpret these facts as minimizing the value of high school and college training, but we must emphasize the necessity of first providing the essentials of a common school education and of making them equally available to all.

AGRICULTURE

Farming is our greatest industry. Among all the states of the Union Iowa stands first in value of farm lands, farm equipment and farm products. Our state, bounded on either side by the great rivers of the continent, comprises a valley characterized by dark loam soil, unequalled in fertility by any area of land of equal size in the world. Having been blessed by Providence with fruitful acres and propitious climate, it only remains for us to apply our energy and best intelligence to the task of working out economic justice for the farm. First, in standing back of our Congressmen in every effort to stabilize on a fair price level the products of the farm. Second, in providing an impartial tax and assessment system which should reduce the taxes upon the farm and here, this Forty-fourth General Assembly, has unquestioned authority and opportunity to render to agriculture a distinct service. In no other way can the farm be ac-

corded equality and opportunity with business and industry. Moreover, in degree and as a direct result, when agriculture prospers all business in Iowa, manufacturing, wholesale, and retail, is stimulated and encouraged. It is a truism so trite that it needs no repetition here—that when the farmers are doing well, the beneficial result is immediately reflected in better business conditions throughout our state.

The great farm organizations under virile and sagacious leadership are rendering invaluable service to the state, through unremitting efforts, intelligently directed in behalf of our state's greatest industry. They are entitled to our cooperation, that agriculture may come into its own in the greatest agricultural state in the Union.

MANUFACTURES

Iowa has many manufacturing industries, some of them the greatest of their kind in the world. These industries add in material degree to the sum total of the state's resources. They employ our labor and purchase large quantities of Iowa products in raw material.

James A. Garfield said fifty years ago: "Place the factory beside the farm and both will prosper."

A practical way to encourage these industries and what will constitute a drawing power to influence new manufacturing industries to locate in Iowa would be for Iowans to buy whenever possible Iowa manufactured and processed products. This rule holds goods in all the fabric of business, linking up the manufacturer, the wholesaler, and the retailer with the ultimate consumer. Our economic problems are not all dependent on legislative enactments for solution. The effort to keep the Iowa dollar in Iowa depends on our realization of the value of cooperation in retaining in our state the wealth created here.

IOWA COAL

Over eight thousand Iowa citizens, the majority of them heads of families, depend upon the mining of coal for a livelihood. We should encourage this industry. We ought to strive to bring our mining population back to the 1910 basis when eighteen thousand men were mining coal in Iowa.

By tests made on a basis of thirty-six representative samples of coal from different Iowa mines, it was found that Iowa coal furnishes more heat units per cost than other coal.

Let us use every means to encourage Iowa consumption of Iowa products. The more Iowa coal used the more men employed—these miners in turn buy Iowa farm and manufactured products. They patronize the retailers, who are the customers of the wholesalers. Thus, we see forcibly illustrated the value of patronizing our own industries. A more striking example in this respect could not be given.

CHAIN SYSTEMS IN BUSINESS

The growth in recent years of chain business presents a new economic problem and one that is regarded with deep anxiety by many of our citizens.

The laws governing interstate commerce make it difficult for the state, through legislation, to deal with some classes of these large chain organizations. However, where laws do not apply, public opinion often decides issues. The individual citizen will seriously ponder the apparent lack of cooperation in community enterprises on the part of any chain system not locally controlled. These systems should not be permitted to escape their share of community responsibility. Methods of taxation should be devised also to compel them to carry their fair share of the tax burden.

CHAIN BANKING

Chain banking presents problems of a different kind. This state has been developed through extension of credit to citizens intent on home ownership and community enterprise. Any system that curtails credit to the frugal, industrious citizens who are ambitious to till the land, own their homes, or engage in business, will have a depressing effect on the development of our state. In the last analysis credit must be determined by the financial interests in the community where a bank is located and not be determined by persons outside the state.

CHAIN FARMING

Chain farming is now in its incipiency in Iowa. The time may come when it will be our chief concern. I do not believe chain farming can take root in this state when conditions are such that our people are encouraged to live on the land—conditions that hold out substantial hope of a fair price for their products, and taxes that are not oppressive. I doubt the validity of the claims made of lower cost of production through corporation farming methods. But, granting chain farms will produce crops, it is an assured fact that they will not produce yeomen citizenry. The individual farmer is interested in schools, churches, and community building. The whole question of the standard of our citizenship is involved in the system that shall obtain in the business of farming. I hold to the family unit system—it has proved excellent in the production of both citizens and crops.

CONSERVATION

No state can hope to retain a devoted and happy populace which does not in due measure provide for the preservation of health and beauty in its surroundings.

The people of Iowa have a right to expect that out of nature's bountiful endowment of rivers, lakes, and wooded hills, sufficient areas may be pre-

served for their recreation and enjoyment. Thoughtless encroachments of commerce and private ownership have polluted many of our streams, drained our lakes and cut off our approach to those natural playgrounds of our people. Our scattered efforts toward conservation need coordination under an expertly devised state-wide and continuing program immune to the favoritism of changing political forces.

To this end, I call the attention of the Legislature to the need of a budgeted program, extending over a term of years, made by competent experts, to provide the state of Iowa with parks, game refuges, bird havens, fish hatcheries, and recreation areas, based on a complete and extensive survey of the entire state. We are in need of a program toward which all the conservation forces of the state may bend their energies and resources in a coordinated effort. Too much money is being wasted in haphazard efforts which benefit a few instead of the whole state.

Without increasing expenditures, but by coordinating and directing the funds now provided, toward a definite state-wide plan we will attain a more efficient and orderly progress toward a common goal.

The establishment of such a program is in accordance with the most successful methods employed in progressive state management.

Linked up with this subject of a definite program, we should consider that many students of conservation believe a more efficient and economical administration of the state fish and game department could be had through a Commission.

This plan has to recommend it the fact that in the states where it is in operation it has proved successful. The conservationists backing the Commission plan are animated by unselfish motives and a keen desire to improve our methods in propagation of fish and game, protection of bird life, and in preventing pollution of the lakes and streams.

Our streams are rapidly degenerating into open sewers, receiving the waste drainage of private industry and the sewage of municipalities. I trust the Legislature will make sure there is ample legislation to enable the administrative branch of government to terminate this practice of stream pollution.

Without entering into a more thorough discussion of the subject at this time, I commend it to you as deserving your careful study and thoughtful investigation.

EXPENSE ACCOUNT

Chapter One, Acts of the Forty-third General Assembly, grants each member of the General Assembly the right to file a statement of expenses to the maximum amount of five hundred dollars, the amount so listed to be paid out of the state treasury. This law should be repealed. There is a principle involved here that will be apparent when careful analysis is made of this statute. Without going thoroughly into the matter I will

call attention to a contingency that might easily arise in connection with this law that I believe should cause grave concern regarding it. Any succeeding Legislature, by changing two words in the law, could raise the amount designated as a maximum to any figure desired. You can easily imagine a time when the expense money might exceed the salary. It does not measure up to our conception of what constitutes sound public policy. If I were you I would repeal it.

This law was supported, as I agree, by many honorable men with none but honest motives, the fact remains, this type of law is unsound in principle and may in future be subject to abuse.

CHILD WELFARE

The influence of women in government has been greatly widened and strengthened during the decade just drawing to a close. Their presence at the polls in equal numbers with men, proves a sincere interest in governmental affairs and attests a true perception of the obligations of citizenship. The record of their competency in many offices of public trust is undisputed. They are keenly interested in all the economic questions pressing for solution. To the problems that center about the home, that deal with child health and protection, they bring exceptional understanding and the value of experience. The character of our civilization can be faithfully gauged by the interest we evince in all questions pertaining to the junior citizens of the state and the insistent and varied problems included in child welfare work.

To promote conditions that will safeguard the health of the children and insure them opportunities of education and surround them with influences that will aid in their spiritual development, is a duty so close to the hearts of our people that it resolves itself into a sacred privilege.

I grant you that the chief responsibility is with parents, and that home influence will ever be the strongest factor in raising children to be worthy citizens of the Republic. Nevertheless the community must share this obligation by providing them with clean, wholesome environment and facilities that encourage moral and mental development.

In this connection we will give special thought to the deficient, backward and delinquent children, and wherever possible set their feet on the path toward happy, normal and useful lives.

PROFESSIONAL LOBBYISTS

The right of the people to be heard on any measure under consideration here, is unquestioned. We represent an intelligent and patriotic constituency and we should welcome their counsel and invite their opinion. The citizen, the corporation, the organized group, should each be accorded a fair hearing and equal consideration. But the professional lobbyist, prostituting his talent for hire, should be ejected from the presence of honest men with the same contumely we are prone to visit on other

enemies of the commonwealth. His methods are nauseous. He has no principles. He is the paid creature of any and every mercenary interest venal enough to hire him. He is insidious enough to devise ways and means to impose himself upon every right-minded organization in his lust for gold. He is ever the agent of special privilege seeking through underground methods to stifle good measures and promote bad ones. The professional lobbyist is affable and genial, but the smooth exterior is a cloak for sinister purposes. When he approaches you he under-estimates both your intelligence and your character. He is not interested in the well being of the people whom we represent.

Our constituents for the most part will not be seen here. They are home attending to their work. We constitute their only representation during the deliberations of the General Assembly. They trust us, their representatives, to go about the business of looking after their interests, uninfluenced by the crafty inducements of the professional lobbyist.

LAW ENFORCEMENT

I feel constrained on this occasion to take up the subject of law observance, coupled with the problem of law enforcement.

When all those citizens, generally denominated good citizens, render strict observance of all laws the vexing problem of law enforcement will be well on the road to solution.

To obtain general law enforcement it is necessary in the premise to have the great body of public opinion awake to the necessity of unwaivering observance of each and every law. This accomplished we can deal with complete self-respect, with the vital question of law enforcement. Without going into the intricate subject of causes for the marked increase in crime, we acknowledge the fact, firmly resolved to meet it with all the forces at our command. If, in any respect, the laws are inadequate, strengthen them. If, in any locality, law enforcement officers are derelict in their duties they should be removed. The law provides machinery to obtain such commendable results. The automobile and hard surfaced roads have undoubtedly aggravated the problem. All the more necessary it is that every citizen accord moral, and, if need be, physical support to those agents of the law whose sworn duty imposes upon them the obligation to meet the crime situation with grim resolve and unwaivering courage. We are greatly encouraged by the resolute efficiency of our law enforcement machinery during the testing time of the last few months. Twenty-five bank robbers have been apprehended and in nearly all instances our officers have proved competent and courageous in the discharge of their duties. The press of the state can render a signal service in the vital matter of crime prevention by giving prominent space when criminals are apprehended equal to space devoted to the story of the commission of the crime.

The marked increase in loss of life and injury due to accidents on our highways, warrant you in taking steps to strengthen the laws regulating traffic.

PROHIBITION

The Prohibition Law is the subject of much discussion. Many pronounce it a failure whose memories do not go back to the days when legalized sale of liquor by common consent was held directly responsible for broken homes, poverty and crime. It is unnecessary for me to enter into a defense of prohibition in the presence of representatives sworn to support the Constitution of the United States, and the State of Iowa, representatives in a Commonwealth where dry sentiment has been in the ascendency for over fifty years. I wish, however, briefly to analyze propaganda set forth that can have no effect except to encourage lawlessness and breed crime. Prohibition was placed in the Constitution of the United States by an amendment that was ratified by forty-six of the forty-eight states of the Union. It is a fundamental law of the land. Neither Congress nor a state legislature can legalize the manufacture, sale or transportation of intoxicating liquors for beverage purposes. A law contemplating nullification would be declared by the courts as unconstitutional and void. Moreover what Iowans should keenly realize is the fact that Iowa's prohibition laws are stronger than the Volstead Act, therefore, it is beside the question in this state to complain of prohibition. No matter how much the Volstead Law might be weakened, the situation in our state would be no different. We would still be operating under our state laws. Let us, therefore, loyally maintain our own state ideals and laws by personal observance, and render unqualified support to our officials in the fulfillment of the duties of their office.

The talk of a referendum in this connection is futile and misleading. There is now no provision in law, either Federal or state, for a referendum and no vote of the people under existing laws would bind the legislature of the state, its law enforcing officers, or its citizens.

LENGTH OF SESSION

It is my earnest hope that the work of the session will get immediately under way. Several days in time can be saved if we can eliminate the red tape which generally consumes time the first month and proceed as expeditiously as possible with the work of the Assembly.

If we wish to prevent inevitable congestion in the closing days of the session and if we hope to avoid a plethora of ill-digested legislation it behooves us to start immediately on the work of the session and in the consideration of the multiplied problems facing us.

IOWA

An address of this nature must of necessity deal with problems and emphasize responsibilities. Such a statement, however, does not alarm but rather calls us to the heroic task of determined progress. Certain injustices exist that, happily, can be remedied. We will be strengthened and heartened in this undertaking if we consider the many advantages peculiar to our Commonwealth. Our innumerable material resources, our

diversified interests, both agricultural and industrial, our ability to supply the demands of other areas; all should contribute to a rapid return to stabilized prosperity.

More important than any material resource is the character of our citizenry. Sound in judgment, resourceful in action, resolute in conviction, honest in purpose, generously cooperative in every righteous cause, sternly insistent on justice where their rights are concerned, these are the characteristics of our people—the sturdy citizens of a great Commonwealth. Can we, then, doubt either the genius or ability of such a citizenry to meet and solve the problems, economic or moral, as they may arise.

I believe it is entirely appropriate here to pay tribute to the veterans of the Civil War. We honor them for their unselfish devotion to duty during the great crisis of the sixties. The youngest of them now are about 85 years of age, but the weight of years has not dimmed their love for their country. Theirs is not only a record of valor “in times that tried men’s souls,” but of nearly three quarters of a century of faithful citizenship in a united nation, so peculiarly the product of their loyalty.

Following in their footsteps of allegiance to the highest ideals of the Republic are the veterans of the Spanish War, and our younger comrades of the great World Conflict. We can but realize that the priceless possession of freedom has been won for us at an incalculable cost.

We revere the traditions of the past, the noble records written upon Iowa’s historic pages, and from them we draw the inspiration that insures the achievements of the future. The pioneers of the last century with courageous hearts, laid the abiding foundations of our state. In national crises, our soldiers defended our liberties and possessions. Forming the stable substance of our Commonwealth is that vast democracy called the people, whose collective patriotism, loyalty and industry permeates the whole social and economic structure and secures its permanency.

Members of the General Assembly, epochs of history are measured not in years, but in momentous events. We are the recipients of a clear mandate from a noble constituency, which, if faithfully carried out, will mark this an epochal session in achievement.

Grave responsibility we are impelled to shoulder, it is true, but with the obligation comes the opportunity of a great work for the common good.

In this high office, into which I am this day inducted, and in the administration of the executive functions with which I am invested, I will seek the valued counsel of my colleagues in office. I will be gratefully attentive to the voice of citizens in all walks of life, for I would understand their problems and share their ambitions. But, above all, I recognize that Divine Wisdom without which nations crumble into the dust of a forgotten past. With a humble and contrite heart, I reverently supplicate the God and Father of us all to be my Guide and Counsellor.

You, the people, are the sovereign state, and I your servant. To you, to my state, to my country, and to my God, I, this day, make my solemn dedication.

The minutes of the Joint Convention were read and approved.

Senator Booth of Shelby moved that the Joint Convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President pro tem Wm. E. McLeland presiding.

By unanimous consent on request of Senator Benson order of business was returned to introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 1, by Senator Benson, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the Payment of the Cost Thereof.

Read first and second times and referred to committee on judiciary No. 1.

The resignation of Doris Cruisenberry, committee clerk for Senator Patterson, to take effect January 15th, was accepted.

Senator Iekis moved that a committee of three be appointed to escort Lieutenant Governor Arch W. McFarlane to his desk.

The motion carried and the President pro tem appointed as such committee, Senators Iekis, Cole and Clark of Marion.

Lieutenant Governor Arch W. McFarlane addressed the Senate briefly.

On motion of Senator Wenner the Senate adjourned, to reconvene after the recess, January 20th at 2 p. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 20, 1931.

The Senate met in regular session, President Arch W. McFarlane, presiding.

Prayer was offered by Rev. J. E. Pritchard, pastor of Methodist Church of Chapin, Iowa.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Clark of Cerro Gordo, from the city council of Mason City, asking for a more equitable distribution of gas tax and license fees. Highways.

By Senator Stoddard, from the assessors of Woodbury county, opposing enactment of a county assessor law. Tax revision.

By Senator Clearman, from the citizens of Johnson county, favoring a change in the secondary road bill. Highways.

Senator Benson moved that a committee of one be appointed to look after the placing of the flags belonging in the Senate Chamber.

The motion prevailed and the President appointed as such committee Senator Benson.

INTRODUCTION OF BILLS

Senate File No. 20, by Senator Baird, a bill for an act to amend section one (1) of chapter one hundred twenty-one (121) of the laws of the Fortieth General Assembly relating to tax levy for park purposes, for the improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and

changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes.

Read first and second times and referred to committee on conservation.

Senate File No. 21, by Senator Baird, a bill for an act to amend section one (1) of chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly relating to a tax levy for park improvement purposes for the sole purpose of grading, beautifying and otherwise improving certain lands acquired for park purposes and improving the driveways or boulevards connecting one park with another.

Read first and second times and referred to committee on conservation.

Senate File No. 22, by Senator Clark of Cerro Gordo, a bill for an act to legalize the corporate acts and proceedings of the Pleasant Hill Telephone Company of Mason City, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Pleasant Hill Telephone Company.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 23, by Senator Anderson, a bill for an act to amend section three (3) of chapter fifty-eight (58), Acts of the Forty-third (43) General Assembly, relating to fur bearing animals.

Read first and second times and referred to committee on fish and game.

Senate File No. 24, by Senator Anderson, a bill for an act to amend section four thousand nine hundred thirteen (4913), chapter two hundred fifty-one (251) of the Code of 1927, relating to motor vehicles and law of the road.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 25, by Senator Anderson, a bill for an act to amend section four thousand two hundred thirty-one (4231) of chapter two hundred thirteen (213) Code of 1927, relating to powers and duties of school directors.

Read first and second times and referred to committee on schools.

Senate File No. 26, by Senator Anderson, a bill for an act to amend section one (1) of chapter one hundred twenty-nine (129), Acts of the Forty-third (43) General Assembly, relating to the regulation of motor trucks.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 27, by Senator Stoddard, a bill for an act to repeal chapter one (1), Acts of the Forty-third (43rd) General Assembly, relating to the expenses of the members of the General Assembly and of the Lieutenant-Governor while in attendance at a session of the Legislature, and to effect such repeal from and after the publication of this act as provided by law; also to amend sections fourteen (14) and fifteen (15), Code, 1927, and to provide that such amendments shall not take effect until the second Monday in January, nineteen hundred thirty-five (1935), said amendments relating to the compensation of members of the General Assembly.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 28, by Senator Stoddard, a bill for an act to amend section forty hundred thirty-six (4036) of the Code, 1927, relating to the State Apiarist.

Read first and second times and referred to committee on agriculture.

Senate File No. 29, by Senator Klemme, a bill for an act to legalize the proceedings relating to an election held in the Independent School District of Decorah, in the County of Winneshiek, State of Iowa, on the proposition of issuing \$130,000 School Building bonds, and the subsequent proceedings pursuant thereto had by the Board of Directors of said School District and validating said School Building Bonds.

Read first and second times and referred to committee on judiciary No. 2.

SENATE FILES REFERRED

The following bills previously introduced were referred to the committee on tax revision:

Senate File No. 1 County assessor.

Senate File No. 2 Income tax.

Senate File No. 3 Business tax.

Senate File No. 4 Board of assessment and review.

Senate File No. 5 Registration tax on mortgages.

Senate File No. 6 Assessment of monies and credits.

Senate File No. 7 Taxation of public utilities.

Senate File No. 9 Oleomargarine tax.

RESOLUTION

Senator Gunderson offered the following resolution:

Whereas, House Joint Resolution No. 6 was adopted by the Forty-third General Assembly and by it referred for the consideration of both Houses of this the Forty-fourth General Assembly and

Whereas, Said joint resolution proposes an amendment to the Constitution of this state authorizing the issuance of state road bonds in the sum of One Hundred Million Dollars (\$100,000,000.00); and

Whereas, It is necessary that said joint resolution be again adopted by both Houses of this the Forty-fourth General Assembly, and if adopted, by it submitted to the voters of Iowa for their approval; and

Whereas, The submission of said proposed amendment to the voters for their approval will necessarily entail the expenditure of a large amount of money; and

Whereas, Many questions have arisen as to the legal effect of said proposed amendment and many members of the Senate of the Forty-fourth General Assembly, before again voting on the said resolution, desire to be informed and advised as to the legal sufficiency of said proposed amendment as it is contained in House Joint Resolution No. 6;

Be It Therefore Resolved, That the Attorney General be requested to render an opinion to the Senate advising it as to the legal effect and validity of the said proposed constitutional amendment as it is contained in said House Joint Resolution No. 6.

The resolution was laid over under rule 44.

SENATE COMMITTEES

Senator Moen from the committee on committees submitted the following report and moved its adoption:

AERONAUTICS

Knudson— Chairman Clark, E. W.	Baird Clark, C. F. Clark, W. A.	Clearman Cooney	Kimberly
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AGRICULTURE

Moen,— Chairman Patterson Benson Bennett Gunderson Quirk	Ritchie Anderson Christophel Clark, W. A. Booth Clearman Bissell	Coykendall Ickis Kent Hager Langfitt Lowe	McLeland Rigby Leonard Tabor Stoddard
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APPROPRIATIONS

Stoddard— Chairman Carroll Cole Clearman Cochrane	Doran Bissell Clark, E. W. Frailey Ickis Clark, W. A.	Booth Anderson Knudson Hager Klemme MacDonald	Leonard White Quirk
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BANKS AND BANKING

Rigby— Chairman Gunderson Benson	Bennett Blackford Baird Bissell	Carden Clark, E. W. Clark, C. F. Cole	Cochrane Hager Lowe
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BOARD OF CONTROL

Kimberly— Chairman Booth Bissell	Frailey Hager Ickis Myers	Moen MacDonald Klemme Ritchie	Rigby
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BOUNDARY BRIDGES

Cooney— Chairman	Baird Hager	Frailey Kimberly	Topping Stoddard
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BUILDING AND LOAN

Kent— Chairman Benson	Carroll Clark, E. W.	Anderson Hill	Stevens Wenner
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CHARITABLE AND CORRECTIONAL INSTITUTIONS

Myers— Chairman	Leonard Lowe	Patterson Klemme	Hill Ickis
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CITIES AND TOWNS

Wilson— Chairman	Clark, E. W. Doran	Myers Rigby	Topping Wenner
Frailey	Cooney	Stevens	
Baird	Hicklin	Stanley	
Clark, C. F.	Kimberly	Stoddard	

CODE REVISION

Wenner— Chairman	Beatty Bennett	Hicklin Irwin	Wilson White
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CLAIMS

Clearman— Chairman Bissell	Beatty Carroll Leonard	Kent Myers	Booth
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COMMERCE AND TRADE

Ritchie— Chairman	Blackford Hill	Kimberly Klemme	Langfitt Tabor
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COUNTY AND TOWNSHIP AFFAIRS

Lowe— Chairman Quirk	McLeland Christophel Clark, W. A.	Coykendall Ickis	Irwin Tabor
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COMMITTEE ON COMMITTEES

Moen— Chairman	Doran Baird	Patterson Rigby	Stoddard
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COMPENSATION OF PUBLIC OFFICERS

Gunderson— Chairman Leonard	Anderson Bissell	Irwin Tabor	White Carden
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CONSERVATION

Hager— Chairman MacDonald	Carden Coykendall Hicklin	Moen Patterson	Rigby Cole
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CONSTITUTIONAL AMENDMENTS

Stevens— Chairman Clark, W. A.	Beatty Knudson	Hill McLeland	Patterson Clearman
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CORPORATIONS

Blackford— Chairman	Cochrane Benson	Booth Carroll	Myers
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CRIME AND SUPPRESSION OF INTEMPERANCE

Anderson— Chairman Bennett Carden	Christophel Cochrane Coykendall	Ickis Moen Hill	Stanley Quirk McLeland
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DAIRY AND FOOD

Christophel— Chairman Kent	Benson Hill	Langfitt Lowe	Leonard Ritchie
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DEPARTMENTAL AFFAIRS

White— Chairman	Knudson Cole	Tabor Wenner	Kent Carden
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DRAINAGE

Quirk— Chairman	Ritchie Bennett	Gunderson Hicklin	Knudson Langfitt
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EDUCATIONAL INSTITUTIONS

Carroll— Chairman Doran	Baird Blackford	Cochrane Clark, C. F.	Patterson Stanley
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ELECTIONS

Leonard— Chairman MacDonald	Blackford Clark, W. A.	Klemme Topping	Wilson Quirk
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ENROLLED BILLS

Hicklin— Chairman	Cooney	MacDonald	Irwin
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FISH AND GAME

Ickis— Chairman Hager Anderson	Benson Booth Christophel Cochrane	Gunderson Kent Knudson Ritchie	Stevens Stoddard Topping Patterson
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HIGHWAYS

Benson— Chairman Blackford Clark, W. A. Clark, C. F. Cochrane Carroll	Beatty Booth Bissell Coykendall Frailey Kent	Irwin Langfitt McLeland Moen Carden Rigby	Stevens Stanley Stoddard Topping White Hicklin
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HORTICULTURE AND FORESTRY

Coykendall— Chairman	Christophel Kent	Leonard	Myers
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INSURANCE

Bennett— Chairman Clark, E. W. Clark, C. F.	Carden Cochrane Cole Gunderson	Frailey Kimberly Lowe Knudson	Wenner Topping Wilson
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JUDICIARY NO. 1

Frailey— Chairman Doran	Bennett Baird Clark, C. F.	Carroll Cooney Rigby	Booth Wenner
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JUDICIARY NO. 2

Beatty— Chairman MacDonald	Hicklin Irwin Myers	Wilson White McLeland	Gunderson Benson
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LABOR

MacDonald— Chairman Beatty Stevens Clark, W. A. Christophel	Clearman Cole Carroll Cochrane Bissell	Ickis Irwin Knudson Langfitt Patterson	Booth Moen Doran White Anderson
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LAND TITLES

Bissell— Chairman	Wenner Myers	Irwin	Clark, E. W.
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MANUFACTURES

Cochrane— Chairman	Kimberly Myers	Wenner	Klemme
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MILITARY AFFAIRS

Irwin— Chairman Cole	Bennett Clark, E. W.	Frailey Lowe	Quirk Hager
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MINES AND MINING

Clark, W. A.— Chairman	Stanley Stevens	Carroll Kent	Knudson Wilson
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MOTOR VEHICLES

Booth— Chairman	Blackford	Cooney	Stoddard
Benson	Bissell	Doran	Wilson
Anderson	Christophel	Knudson	Wenner
	Cole	Stanley	

PHARMACY

Carden — Chairman	Blackford	Lowe	Stanley
	Topping	Leonard	

POLICE REGULATIONS

Hill— Chairman	White	Anderson	Klemme
Wilson	Clark, C. F.	Coykendall	
	Beatty	Ickis	

POLITICAL AND JUDICIAL DISTRICTS

Doran— Chairman	Beatty	Leonard	Wilson
Hager	Cole	Kimberly	Quirk
Bennett	Carroll	Rigby	Moen
Baird	Gunderson	Hicklin	Frailey

PUBLIC BUILDINGS AND LANDS

Klemme— Chairman	Clearman	Tabor	MacDonald
	Stevens	McLeland	

PUBLIC HEALTH AND CHILD WELFARE

Patterson— Chairman	Doran	Lowe	Stanley
Carden	MacDonald	Kent	McLeland
Clearman	Moen	Ickis	Gunderson
	Hill	Quirk	Hicklin

PUBLIC LIBRARIES

Langfitt— Chairman	Benson	Stanley	Quirk
	Lowe	Tabor	Coykendall

PUBLIC SCHOOLS

Stanley— Chairman	Christophel	Blackford	White
Carroll	Coykendall	Hager	Stoddard
Clearman	Clark, C. F.	MacDonald	Irwin
	Baird	Ritchie	

PRINTING

Tabor— Chairman	Hill	Kent	McLeland
	Cochrane		

PUBLIC UTILITIES

Cole— Chairman Wilson	Clark, W. A. Cooney Clark, E. W.	Bennett Frailey Kimberly	Stevens
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RAILROADS

Topping— Chairman MacDonald Bennett	Clark, W. A. Baird Doran	Cooney Kimberly Rigby	Stevens Stoddard White
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RULES

McLeland— Chairman	Gunderson Blackford	Clark, E. W. Hill	Frailey Myers
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TAX REVISION

Clark, C. F.— Chairman Moen Rigby Patterson	Stoddard Gunderson MacDonald Doran	Baird Cochrane Hill Ritchie	White Wenner Frailey Hager
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TELEGRAPH AND TELEPHONE

Clark, E. W.— Chairman Topping	Cole Beatty Hicklin	Ickis Irwin Knudson	Klemme Ritchie
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WAYS AND MEANS

Baird— Chairman Bennett Blackford Benson Beatty	Clark, C. F. Coykendall Carden Cooney Hicklin Langfitt	Kimberly Moen Rigby McLeland Patterson	Tabor Stoddard Topping Wilson Stevens
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RETRENCHMENT AND REFORM

Stoddard Baird	Frailey	White	Stevens
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SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR ANDERSON

Crime and suppression of intemperance— Chairman Agriculture	Appropriations Building and loan Compensation of public officers	Fish and game Labor Motor vehicles Police regulations
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SENATOR BAIRD

Ways and means— Chairman	Committee on committees	Public schools
Aeronautics	Educational institutions	Railroads
Banks and banking	Judiciary No. 1	Tax revision
Boundary bridges	Political and judicial districts	Retrenchment and reform
Cities and towns		

SENATOR BEATTY

Judiciary No. 2— Chairman	Constitutional amendments	Political and judicial districts
Claims	Highways	Telegraph and telephone
Code revision	Labor	Ways and means
	Police regulations	

SENATOR BENNETT

Insurance—Chairman	Drainage	Public utilities
Banks and banking	Judiciary No. 1	Railroads
Code revision	Military affairs	Ways and means
Crime and suppression of intemperance	Political and judicial districts	Agriculture

SENATOR BENSON

Highways—Chairman	Corporations	Motor vehicles
Agriculture	Dairy and food	Public libraries
Banks and banking	Fish and game	Ways and means
Building and loan	Judiciary No. 2	

SENATOR BISSELL

Land titles— Chairman	Board of control	Highways
Agriculture	Claims	Labor
Appropriations	Compensation of public officers	Motor vehicles
Banks and banking		

SENATOR BLACKFORD

Corporations— Chairman	Educational institutions	Pharmacy
Banks and banking	Elections	Public schools
Commerce and trade	Highways	Rules
	Motor vehicles	Ways and means

SENATOR BOOTH

Motor vehicles— Chairman	Board of control	Highways
Agriculture	Claims	Judiciary No. 1
Appropriations	Corporations	Labor
	Fish and game	

SENATOR CARDEN

Pharmacy—Chairman	Crime and suppression of intemperance	Insurance
Banks and banking	Departmental affairs	Public health and child welfare
Compensation of public officers	Highways	Ways and means
Conservation		

SENATOR CARROLL

Educational institutions—Chairman	Corporations	Mines and mining
Appropriations	Highways	Political and judicial districts
Building and loan	Judiciary No. 1	Public schools
Claims	Labor	

SENATOR CHRISTOPHEL

Dairy and food—Chairman	Crime and suppression of intemperance	Labor
Agriculture	Fish and game	Motor vehicles
County and township affairs	Horticulture and forestry	Public schools

SENATOR CLARK, C. F.

Tax revision—Chairman	Highways	Judiciary No. 1
Aeronautics	Educational institutions	Police regulations
Banks and banking	Insurance	Public schools
Cities and towns		Ways and means

SENATOR CLARK, E. W.

Telegraph and telephone—Chairman	Banks and banking	Land titles
Aeronautics	Building and loan	Military affairs
Appropriations	Cities and towns	Public utilities
	Insurance	Rules

SENATOR CLARK, W. A.

Mines and mining—Chairman	Constitutional amendments	Elections
Agriculture	County and township affairs	Highways
Appropriations		Labor
Aeronautics		Public utilities
		Railroads

SENATOR CLEARMAN

Claims—Chairman	Constitutional amendments	Public health and child welfare
Aeronautics	Labor	Public schools
Agriculture	Public buildings and lands	
Appropriations		

SENATOR COCHRANE

Manufactures—Chairman	Crime and suppression of intemperance	Highways
Appropriations	Educational institutions	Insurance
Banks and banking	Fish and game	Labor
Corporations		Printing
		Tax revision

SENATOR COLE

Public utilities— Chairman	Departmental affairs	Political and judicial districts
Appropriations	Insurance	Telegraph and tele- phone
Banks and banking	Labor	
Conservation	Military affairs	
	Motor vehicles	

SENATOR COONEY

Boundary bridges— Chairman	Enrolled bills	Public utilities
Aeronautics	Judiciary No. 1	Railroads
Cities and towns	Motor vehicles	Ways and means

SENATOR COYKENDALL

Horticulture and forestry—Chairman	County and township affairs	Highways
Agriculture	Crime and suppression of intemperance	Police regulations
Conservation		Public libraries
		Public schools
		Ways and means

SENATOR DORAN

Political and judicial districts—Chairman	Committee on com- mittees	Motor vehicles
Appropriations	Educational institutions	Public health and child welfare
Cities and towns	Judiciary No. 1	Railroads
	Labor	Tax revision

SENATOR FRAILEY

Judiciary No. 1— Chairman	Highways	Political and judicial districts
Appropriations	Insurance	Retrenchment and reform
Board of control	Military affairs	
Boundary bridges	Public utilities	
Cities and towns	Rules	
	Tax revision	

SENATOR GUNDERSON

Compensation of public officers—Chairman	Fish and game	Public health and child welfare
Agriculture	Insurance	Rules
Banks and banking	Judiciary No. 2	Tax revision
Drainage	Political and judicial districts	

SENATOR HAGER

Conservation— Chairman	Board of control	Political and judicial districts
Agriculture	Boundary bridges	Public schools
Appropriations	Fish and game	Tax revision
Banks and banking	Military affairs	

SENATOR HICKLIN

Enrolled bills— Chairman	Judiciary No. 2	Telegraph and tele- phone
Cities and towns	Political and judicial districts	Ways and means
Code revision	Public health and child welfare	Highways
Conservation		
Drainage		

SENATOR HILL

Police regulations— Chairman	Commerce and trade Constitutional amend- ments	Public health and child welfare
Building and loan	Dairy and food	Rules
Charitable and correc- tional institutions	Printing	Tax revision
		Crime and suppression of intemperance

SENATOR ICKIS

Fish and game— Chairman	Charitable and correc- tional institutions	Labor
Agriculture	County and township affairs	Police regulations
Appropriations	Crime and suppression of intemperance	Public health and child welfare
Board of control		Telegraph and tele- phone

SENATOR IRWIN

Military affairs— Chairman	Enrolled bills	Public schools
Code revision	Highways	Telegraph and tele- phone
Compensation of public officers	Judiciary No. 2	County and township affairs
	Labor	
	Land titles	

SENATOR KENT

Building and loan— Chairman	Departmental affairs	Mines and mining
Agriculture	Fish and game	Printing
Claims	Highways	Public health and child welfare
Dairy and food	Horticulture and forestry	

SENATOR KIMBERLY

Board of control— Chairman	Cities and towns	Political and judicial districts
Aeronautics	Commerce and trade	Public utilities
Boundary bridges	Insurance	Railroads
	Manufactures	Ways and means

SENATOR KLEMME

Public buildings and lands—Chairman	Charitable and correc- tional institutions	Manufactures
Appropriations	Commerce and trade	Police regulations
Board of control	Elections	Telegraph and tele- phone

SENATOR KNUDSON

Aeronautics— Chairman	Departmental affairs	Labor
Constitutional amend- ments	Drainage	Motor vehicles
Appropriations	Fish and game	Telegraph and tele- phone
	Insurance	
	Mines and mining	

SENATOR LANGFITT

Public libraries— Chairman	Commerce and trade	Highways
Agriculture	Dairy and food	Labor
	Drainage	Ways and means

SENATOR LEONARD

Elections—Chairman	Claims	Horticulture and
Agriculture	Compensation of public	forestry
Appropriations	officers	Pharmacy
Charitable and correc- tional institutions	Dairy and food	Political and judicial districts

SENATOR LOWE

County and township affairs—Chairman	Charitable and correc- tional institutions	Military affairs
Agriculture	Dairy and food	Pharmacy
Banks and banking	Insurance	Public health and child welfare
		Public libraries

SENATOR MACDONALD

Labor— Chairman	Elections	Public schools
Appropriations	Enrolled bills	Railroads
Board of control	Judiciary No. 2	Tax revision
Conservation	Public health and child welfare	Public buildings and lands

SENATOR MCLELAND

Rules—Chairman	Highways	Public health and child welfare
Agriculture	Judiciary No. 2	Ways and means
Constitutional amend- ments	Printing	Crime and suppression of intemperance
County and township affairs	Public buildings and lands	

SENATOR MOEN

Agriculture— Chairman	Crime and suppression of intemperance	Public health and child welfare
Board of control	Highways	Tax revision
Committee on com- mittees	Labor	Ways and means
Conservation	Political and judicial districts	

SENATOR MYERS

Charitable and correc- tional institutions— Chairman	Claims	Land titles
Board of control	Corporations	Manufactures
Cities and towns	Horticulture and for- estry	Rules
	Judiciary No. 2	

SENATOR PATTERSON

Public health and child welfare—Chairman	Committee on committees	Educational institutions
Agriculture	Conservation	Fish and game
Charitable and correctional institutions	Constitutional amendments	Labor
		Tax revision
		Ways and means

SENATOR QUIRK

Drainage—Chairman	Crime and suppression of intemperance	Political and judicial districts
Agriculture	Elections	Public health and child welfare
Appropriations	Military affairs	Public libraries
County and township affairs		

SENATOR RIGBY

Banks and banking—Chairman	Committee on committees	Political and judicial districts
Agriculture	Conservation	Railroads
Board of control	Highways	Tax revision
Cities and towns	Judiciary No. 1	Ways and means

SENATOR RITCHIE

Commerce and trade—Chairman	Dairy and food	Tax revision
Agriculture	Drainage	Telegraph and telephone
Board of control	Fish and game	
	Public schools	

SENATOR STANLEY

Public schools—Chairman	Educational institutions	Pharmacy
Cities and towns	Highways	Public health and child welfare
Crime and suppression of intemperance	Mines and mining	Public libraries
	Motor vehicles	

SENATOR STEVENS

Constitutional amendments—Chairman	Highways	Public utilities
Building and loan	Labor	Railroads
Cities and towns	Mines and mining	Ways and means
Fish and game	Public buildings and lands	Retrenchment and reform

SENATOR STODDARD

Appropriations—Chairman	Committee on committees	Public schools
Agriculture	Fish and game	Railroads
Boundary bridges	Highways	Tax revision
Cities and towns	Motor vehicles	Ways and means
		Retrenchment and reform

SENATOR TABOR

Printing— Chairman	Compensation of public officers	Departmental affairs
Agriculture	County and township affairs	Public buildings and lands
Commerce and trade		Public libraries
		Ways and means

SENATOR TOPPING

Railroads— Chairman	Fish and game	Telegraph and tele- phone
Boundary bridges	Highways	Ways and means
Cities and towns	Insurance	
Elections	Pharmacy	

SENATOR WENNER

Code Revision — Chairman	Departmental affairs	Manufactures
Building and loan	Insurance	Motor vehicles
Cities and towns	Judiciary No. 1	Tax revision
	Land titles	

SENATOR WHITE

Departmental affairs— Chairman	Highways	Railroads
Appropriations	Judiciary No. 2	Tax revision
Code revision	Police regulations	Retrenchment and reform
Compensation of public officers	Public schools	
	Labor	

SENATOR WILSON

Cities and towns— Chairman	Judiciary No. 2	Political and judicial districts
Code revision	Mines and mining	Public utilities
Elections	Motor vehicles	Ways and means
Insurance	Police regulations	

T. E. MOEN, *Chairman*.

W. S. BAIRD.

L. H. DORAN.

G. W. PATTERSON.

C. F. RIGBY.

B. M. STODDARD.

The report was adopted.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 29, a proposed bill to legalize the proceedings of the independent school district of Decorah.

WALTER H. BEAM, *Secretary*.

On motion of Senator Kimberly the Senate adjourned until 10:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 21, 1931.

The Senate met in regular session, President Arch W. McFarlane, presiding.

Prayer was offered by Rev. S. A. Fulton, pastor of the First Presbyterian Church of Des Moines.

SENATE FILES REFERRED

The following bills previously introduced were referred to the designated committees:

Senate File No. 8, Gasoline filling stations. Agriculture.

Senate File No. 11, Rates of telephone companies. Telegraph and telephone.

Senate File No. 12, Gasoline license fees. Highways.

Senate File No. 13, Expenses of members of General Assembly. Compensation of public officers.

Senate File No. 14, Motor vehicles. Motor vehicles.

Senate File No. 15, County road bonds. Highways.

Senate File No. 16, Secondary road construction. Highways.

INTRODUCTION OF BILLS

Senate File No. 30, by Senator Topping, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 31, by Senator Clark of Cerro Gordo, a bill for an act to amend the law as it appears in section fifty-two hundred sixty-one (5261) and section fifty-two hundred sixty-three (5263) of the Code of 1927, relating to the submission to the voters of a county the question of borrowing money for the purpose of erecting and equipping public buildings so as to extend said provisions so as to authorize the borrowing of money for the purpose of building additions or extensions to, or the remodeling or the reconstruction of any such public buildings.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 32, by Senator Benson, a bill for an act to reorganize the State Highway Commission and to fix the compensation of the members thereof.

Read first and second times and referred to committee on highways.

Senate File No. 33, by Senator Hill, a bill for an act to provide for the refund from the primary road fund of taxes levied by counties for primary road improvement under the provisions of Chapter 237, Laws of the Thirty-eighth General Assembly.

Read first and second times and referred to committee on highways.

Senate File No. 34, by Senators Clearman and White, a bill for an act to amend sections forty-seven hundred fifty-six (4756), forty-seven hundred sixty-one (4761), forty-seven hundred sixty-five (4765), and forty-seven hundred sixty-nine (4769), of the Code of Iowa, 1927, relating to the improvement of county and primary roads and to the financing of said improvements by the issuance of primary and county road bonds; to provide for the pledging of secondary road construction fund to the payment of county road bonds; and to fix a limitation on the amount of indebtedness contracted for said purpose; and to repeal section forty-seven hundred sixty-seven (4767), and forty-seven hundred seventy-two (4772), of the Code of Iowa, 1927.

Read first and second times and referred to committee on highways.

Senate File No. 35, by Senator Kimberly, a bill for an act to make chapter one hundred ninety-five (195) of the laws of the Forty-third General Assembly, conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter.

Read first and second times and referred to committee on cities and towns.

Senate File No. 36, by Senator Stoddard, a bill for an act to repeal sections thirty-nine (39) to forty-six (46), inclusive, Code, 1927, relating to the committee on retrenchment and reform.

Read first and second times and referred to committee on judiciary No. 1.

J. H. MILLS MEMORIAL

Senator Bissell moved that a committee of three be appointed to draw up a resolution in memory of John H. Mills, deceased doorkeeper, and that a short memorial service be held at 2 p. m. this afternoon, the hour of his funeral.

The motion prevailed and the President appointed as such committee Senators Bissell, Doran and Lowe.

Senator Shane, former member of the legislature, being present in the Senate Chamber, the President appointed Senator MacDonold as a committee of one to escort Senator Shane to the chair and he spoke briefly to the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution No. 4, providing for the purchase of uniforms for the pages of the General Assembly.

SAM C. RAGAN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 4

By unanimous consent on motion of Senator McLeland, the following concurrent resolution was considered:

Resolved by the House, the Senate concurring, That the pages of the Senate and House be required to wear a jacket during the session hours, the pages of the respective houses to be distinguished by different colors and be it further resolved that the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House be instructed to procure such uniforms for the pages at a cost not to exceed \$5.00 each.

The resolution was adopted.

The journal of January 20th was corrected and approved.

Senator Benson reported that the committee to see about the placing of the flags belonging in the Senate Chamber had discharged its duty and that the flags themselves were the visible evidence of that fact. The report was received and the committee discharged.

On motion of Senator Bissell the Senate adjourned until 2 p. m. this afternoon.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane, presiding.

MEMORIAL

By unanimous consent on motion of Senator Bissell, the following resolution was considered:

MR. PRESIDENT: Your committee named to draft resolutions commemorating the life, character and service of the late John H. Mills, doorkeeper of the Senate, begs leave to submit the following:

Whereas, John H. Mills, a member of the Grand Army of the Republic and one of its past department commanders for the State of Iowa, and one of the doorkeepers of the Senate in the Forty-first, Forty-second, Forty-third and Forty-fourth General Assemblies, departed this life on the 18th day of January, 1931, and

Whereas, The life of the said John H. Mills has been one of service and devotion to his country during the Civil War with the Union Army, and

Whereas, The said John H. Mills rendered to his community, state and nation unselfish service in his activities with the Grand Army of the Republic and as a citizen of this Commonwealth, and

Whereas, The funeral services of the said John H. Mills are to be held at the hour of two o'clock on this 21st day of January, 1931, at his home in Redfield, Iowa,

Therefore, Be It Resolved, That the Senate pause in its deliberation at the hour of two o'clock on this date in memory and respect for our departed citizen.

And Be It Further Resolved, That Senator Joe Frailey of Fort Madison, Iowa, be asked to address the Senate upon the life and character of John H. Mills.

And Be It Further Resolved, That a copy of this resolution be spread upon the journal of the Senate as an expression of the life and worth of the deceased, and that a copy thereof be transmitted to his surviving children.

FRANK BISSELL,
L. H. DORAN,
WESLEY C. LOWE,
Committee.

The resolution was adopted by a rising vote.

Senator Frailey spoke as follows:

"MR. PRESIDENT AND MEMBERS OF THE SENATE: Papers Sunday said that John H. Mills was dead. He died at the ripe old age of eighty-three, mellowed with his companionship and fellowship with God.

"John H. Mills was one of the types of man who made the State of Iowa. He went with Sherman to the sea; he was at Shiloh, Vicksburg, and Gettysburg, and after the war was over he came to Iowa in the days of its pioneer infancy. Emerson Hough, the noted author and fellow Iowan of ours, wrote a book once, called "The Son of the Middle Border." John H. Mills was one of the sons of the middle border, and helped make this State of ours. Perhaps his name is not known to fame, but nevertheless it is men like Mills who make our State.

"I have talked to him many and many a time, and he did not believe in the league of nations, wasn't very crazy about world courts or internationalism. He had ideas that when the country was in peril, we did not need tango dancers, but soldiers, and he demonstrated that in his life in helping make this state what it is today. No man needs a better epitaph. He was a loyal soldier, a loyal citizen and a loyal friend. Peace be to his ashes."

On motion of Senator McLeland, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

By unanimous consent on request of Senator Gunderson, his resolution as printed on page 108 of the Senate Journal was withdrawn.

By unanimous consent on request of Senator Ickis, order of business was returned to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 37, by Senator Ickis, a bill for an act to amend Section Four (4), Chapter fifty-eight (58), Acts of the 43rd General Assembly, relating to Fur Dealers Licenses and fixing date of expiration therefor, and penalty for violation.

Read first and second times and referred to committee on fish and game.

Senate File No. 38, by Senator Cooney, a bill for an act amending section fifty-six hundred ninety-four (5694) of the Code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan.

Read first and second times and referred to committee on cities and towns.

Senate Joint Resolution No. 2, by Senator Moen, a resolution proposing an amendment to article three (3) of the Constitution of the State of Iowa by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor.

Read first and second times and referred to committee on constitutional amendments.

On motion of Senator Hicklin, the Senate adjourned until 10:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. R. L. L. Barnstable, pastor of Asbury M. E. Church, of Des Moines.

INTRODUCTION OF BILLS

Senate File No. 39, by Senator Blackford, a bill for an act to repeal section forty-three hundred forty-one (4341), Code, 1927, and to enact a substitute therefor, relating to the minimum wages paid to public school teachers.

Read first and second times and referred to committee on public schools.

Senate File No. 40, by Senator Hicklin, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof.

Read first and second times and referred to committee on public utilities.

Senate File No. 41, by Senator Stoddard, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the Code, 1927, relating to municipal bands to provide for municipal appropriation of funds.

Read first and second times and referred to committee on cities and towns.

Senate File No. 42, by Senator Wilson, a bill for an act to provide for the method of execution of stock certificates, and regulating the use of facsimile signatures thereon.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 43, by Senator Wilson, a bill for an act to amend the law as it appears in sections nine (9) and ten (10) of Chapter 194 of the Laws of the Forty-Third General Assembly relating to interest on special assessments and to advertising for bids for street improvements.

Read first and second times and referred to committee on cities and towns.

SENATE CONCURRENT RESOLUTION NO. 4

By unanimous consent on motion of Senator Clark of Cerro Gordo the following concurrent resolution was considered:

Be It Resolved by the Senate, the House concurring, That, Whereas, February 12, 1931, will be the anniversary of the birth of Abraham Lincoln, one of the country's most illustrious presidents, and

Whereas, It is appropriate that the day be commemorated by suitable patriotic exercises, and

Whereas, The Honorable A. L. Rule, a former Senator of this State, has a worthwhile message on the life of Abraham Lincoln,

Now, Therefore, Be It Resolved, That a joint session of the Forty-fourth General Assembly be held in the Chamber of the House of Representatives on Lincoln's Birthday, February 12, 1931, at 11 o'clock a. m. and that Honorable A. L. Rule be invited to address the General Assembly at that time upon the subject of "Abraham Lincoln."

Be It Further Resolved, That the Governor and other executive and administrative officers of the state, and the Chief Justice and Associate Justices of the Supreme Court of Iowa be invited to participate in the said exercises, and that this invitation be communicated to said officers and justices by the Secretary of the Senate and Chief Clerk of the House of Representatives.

The resolution was adopted.

REPORT OF COMMITTEE

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 1, to which was referred Senate Joint Resolution No. 1, a joint resolution, agreeing to, enacting, and adopting a proposed amendment to the constitution of the

State of Iowa, relating to the improvement of highways and making provision for the payment of the cost thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

The Journal of January 21st was corrected and approved.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

Senator Stanley submitted the following report and moved its adoption:

January 21, 1931.

MR. PRESIDENT: Your committee on assignment of committee rooms begs leave to submit the following:

- Aeronautics—Press Gallery (any time).
- Agriculture—Lieutenant Governor's Room; Mon. 4 p. m.; Thurs. 4 p. m.
- Appropriations—Lieutenant Governor's Room; Tues. 3 p. m.; Thurs. 2 p. m.
- Banks and Banking—Room 23; Mon. 4 p. m.; Wed. 3 p. m.
- Board of Control—Room 28; Mon. 3 p. m.
- Boundary Bridges—Room 28; Fri. 1 p. m.
- Building and Loan—Press Gallery; Mon. 3 p. m.
- Charitable and Correctional Institutions—Room 23; Tues. 4 p. m.; Fri. 4 p. m.
- Cities and Towns—Lieutenant Governor's Room; Mon. 2:30 p. m.; Wed. 4 p. m.
- Code Revision—Room 24; Fri. 3:30 p. m.
- Claims—Room 28; Wed. 4 p. m.; Fri. 1:30 p. m.
- Commerce and Trade—Room 28; Mon. 4 p. m.
- County and Township Affairs—Room 28; Mon. 1:30 p. m.
- Compensation of Public Officers—Room 28; Wed. 3 p. m.
- Conservation—Room 28; Fri. 3 p. m.
- Constitutional Amendments—Room 23; Mon. 3 p. m.
- Corporations—Room 28; Tues. 4 p. m.
- Crime and Suppression of Intemperance—Press Gallery; Tues. 1:30 p. m.; Thurs. 4 p. m.
- Dairy and Food—Room 22; Fri. 4 p. m.
- Departmental Affairs—Room 28; Wed. 1:30 p. m.
- Drainage—Room 22; Wed. 3 p. m.
- Educational Institutions—Room 23; Tues. 4 p. m.; Fri. 4 p. m.
- Elections—Room 22; Mon. 1:30 p. m.
- Enrolled Bills—Room 26.
- Fish and Game—Room 22; Mon. 2 p. m.; Wed. 2 p. m.
- Highways—Lieutenant Governor's Room; Wed. 3 p. m.; Fri. 3 p. m.
- Horticulture and Forestry—Room 28; Tues. 2 p. m.
- Insurance—Room 22; Mon. 3 p. m.; Thurs. 3 p. m.

Judiciary No. 1—Lieutenant Governor's Room; Mon. 1 p. m.; Fri. 1 p. m.

Judiciary No. 2—Room 23; Mon. 1 p. m.; Wed. 1 p. m.; Fri. 1 p. m.

Labor—Room 22; Tues. 2 p. m.

Land Titles—Room 22; Thurs. 2 p. m.

Manufactures—Room 23; Tues. 2 p. m.; Fri. 2 p. m.

Military Affairs—Room 22; Wed. 4 p. m.

Mines and Mining—Room 22; Tues. 4 p. m.; Fri. 2 p. m.

Motor Vehicles—Lieutenant Governor's Room; Tues. 1:30 p. m.; Thurs. 3 p. m.

Pharmacy—Room 28; Thurs. 1:30 p. m.

Police Regulations—Room 28; Mon. 2:30 p. m.; Thurs. 4 p. m.

Political and Judicial Districts—Room 22; Tues. 3 p. m.; Fri. 3 p. m.

Public Buildings and Lands—Room 23; Tues. 2:30 p. m.; Thurs. 2:30 p. m.

Public Health and Child Welfare—Room 22; Mon. 3:30 p. m.; Thurs. 3:30 p. m.

Public Libraries—Room 28; Wed. 2:30 p. m.

Public Schools—Room 23; Mon. 1:30 p. m.; Wed. 1:30 p. m.

Printing—Room 28; Fri. 4 p. m.

Public Utilities—Room 23; Wed. 3:30 p. m.; Thurs. 3:30 p. m.

Railroads—Room 28; Tues. 3 p. m.; Thurs. 3 p. m.

Rules—Press Gallery (any time).

Tax Revision—Lieutenant Governor's Room; Mon. 2 p. m.; Wed. 2 p. m.

Telegraph and Telephone—Room 28; Wed. 2 p. m.; Fri. 2 p. m.

Ways and Means—Lieutenant Governor's Room; Mon. 3 p. m.; Thurs. 1:00 p. m.

Retrenchment and Reform—Room 23 (any time).

F. C. STANLEY, *Chairman,*

H. B. CARROLL,

EDW. J. WENNER.

The report was adopted.

SUB-COMMITTEES ON SENATE FILE 10

By unanimous consent, on request of Senator Stoddard, chairman of the committee on appropriations, the list of sub-committee assignments on Senate File No. 10, the budget bill, was ordered printed in the Journal.

SUB-COMMITTEES

No. 1. Carroll—Booth—MacDonald

Assessment and Review, Board of, Sec. 4.

Control, Board of, Secs. 10, 49.

Parole, Board of, Sec. 32.

No. 2. Clearman—White—Doran

Blind, Commissioner for, Sec. 7.

- Education, Board of, Secs. 13, 50.
- No. 3. Hager—Cochrane—Knudson
- Audit, Board of, Sec. 5.
 - Auditor of State, Secs. 6, 68.
 - Budget, Director of, Sec. 8.
 - Custodian, Sec. 11.
 - Executive Council, Sec. 14.
 - Governor, Sec. 19.
 - Justice, Department of, Sec. 26.
 - Printing Board, Secs. 36, 37.
 - Superintendent of Public Instruction, Secs. 38, 39.
 - Secretary of State, Sec. 42.
 - Treasurer of State, Sec. 46.
 - Vocational Education, Board of, Sec. 48.
 - General Contingent Fund, Secs. 51, 66.
 - County and Municipal Examiners, Sec. 53.
 - Fish and Game, Sec. 54.
 - Treasurer of State, Sec. 55.
 - Banking, Sec. 56.
 - Educational Examiners, Sec. 59.
 - Motor Vehicle Department, Sec. 60.
- No. 4. Clark, W. A.—Bissell—Leonard
- Agriculture, Department of, Sec. 3.
 - Conservation, Board of, Sec. 9.
 - State Fair Board, Sec. 15.
 - Agricultural Societies, Sec. 16.
 - Geological Survey, Sec. 18.
- No. 5. Cole—Frailey—Anderson—Ickis
- District Court Judges, Sec. 12.
 - Fire Marshal, Sec. 17.
 - Health, Department of, Sec. 21.
 - Industrial Commission, Secs. 24, 69.
 - Insurance, Secs. 25, 52.
 - Bureau of Labor, Sec. 27.
 - Mine Examiners, Board of, and Inspection, Secs. 30, 31.
 - Pharmacy Examiners, Sec. 33.
 - Railroad Commission, Secs. 41, 58.
 - Clerk of Supreme Court, Sec. 43.
 - Supreme Court, Sec. 44.
 - Reporter of Supreme Court (and Code Editor), Sec. 45.
 - Primary Road Fund, Sec. 70.
- No. 6. Clark, E. W.—Quirk—Klemme
- Adjutant General, Sec. 2.
 - G. A. R., Sec. 20.
 - Historical Department, Sec. 22.
 - Historical Society, Sec. 23.
 - Library Commission, Sec. 28.
 - State Library, Sec. 29.
 - Pioneer Law Makers, Sec. 34.
 - Presidential Electors, Sec. 35.

Relief, Sec. 40.

Uniform Laws, Commission on, Sec. 47.

Engineering Examiners, Board of, Sec. 57.

General Provisions, Secs. 61 to 65 inc., 67, 71.

Biennial State Levy, Sec. 72.

On motion of Senator McLeland the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call, the Senate confirmed the appointment of Dr. D. C. Steelsmith of Sibley, Osceola county, to the office of Commissioner of Health for the remainder of the unexpired term of Dr. Henry Albert, deceased, which ends June 30, 1933.

On motion and roll call, the Senate confirmed the appointment of Hon. E. W. Clark of Mason City, Cerro Gordo county, to the office of Commissioner of Insurance for the term of four years ending June 30, 1935.

The Senate arose from executive session and resumed regular session.

On motion of Senator Benson, the Senate adjourned until 10:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. C. H. Van Metre, minister of the Methodist Episcopal Church of Mapleton.

INTRODUCTION OF BILLS

Senate File No. 44, by Senator Clearman, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital".

Read first and second times and referred to committee on public health.

Senate File No. 45, by Senator Rigby, a bill for an act to create a court of claims, to prescribe its jurisdiction, and to provide a method for the selection of judges thereof, and to prescribe the procedure in said court.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 46, by Senator Doran, a bill for an act to amend section fifty-seven hundred thirty-five (5735) of the Code, 1927, relating to procedure of trial and appeal of actions in mayors' courts.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 47, by Senator Anderson, a bill for an act to amend section thirteen thousand fifteen (13015) chapter five hundred seventy-seven (577) of the Code of 1927, relating to larceny of domestic animals.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 48, by Senator Wilson, a bill for an act to amend section ten thousand eight hundred nine (10809), section ten thousand eight hundred ten (10810), section ten thousand eight hundred twelve (10812) and section ten thousand eight hundred thirteen (10813) of the Code, 1927, relating to compensation of shorthand reporters of the district courts, and taxation of costs for shorthand reporting.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 49, by Senator Stoddard, a bill for an act to amend the law as it appears in chapter one hundred twenty-four b2 (124-b2) of the Code of 1927 relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license.

Read first and second times and referred to committee on public health.

Senate File No. 50, by Senator Doran, a bill for an act to repeal section fifty-one hundred twenty-five (5125) of the Code, 1927, and to enact a substitute therefor, relating to and providing for compensation to be paid to members of the board of supervisors.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 51, by Senators Doran and Ickis, a bill for an act to amend the law as it appears in section five hundred twenty-two (522), chapter thirty-five (35) of the Code of 1927, relating to the limitation on the number of members of county boards of supervisors and the number of such members to be elected from the same township; and to amend the law as it appears in section fifty-one hundred six (5106), chapter two hundred fifty-three (253), of the Code of 1927, pertaining to the number of members to be elected to the county board of supervisors and limiting the membership to three (3) and providing for the reduction in those counties now having more than three (3) members on the board of supervisors; and to repeal the law as it appears in sections fifty-one hundred seven (5107), fifty-one hundred eight

(5108), fifty-one hundred nine (5109), fifty-one hundred ten (5110), fifty-one hundred eleven (5111), fifty-one hundred twelve (5112), fifty-one hundred thirteen (5113), and fifty-one hundred fourteen (5114), of said code, all of which said sections relate to the matter of increasing and reducing of the number of members of the board of supervisors, providing of board of supervisors' districts and how formed, and the redistricting of the county in board of supervisors' districts.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 52, by Senator Doran, a bill for an act to amend section ninety-four hundred twenty (9420) of the Code, 1927, providing for the interest rate to be charged on chattel loans.

Read first and second times and referred to committee on building and loan.

SENATE RESOLUTION

By unanimous consent on motion of Senator Clark of Linn, the following resolution by Senators Clark of Linn, Rigby and Wenner was considered:

Be It Resolved, That the Committee on Committees be, and it is hereby, authorized and directed to appoint an additional standing committee for this session whose duty it shall be:

To make a careful study of all public expenditures, especially those of a local nature;

To determine the degree of efficiency which is being attained by public administration;

And to recommend and report measures that will result:

- (1) In eliminating waste and extravagance;
- (2) In controlling and reducing the levying of taxes by all tax spending bodies;
- (3) And in limiting expenditures of public funds to the actual needs of the community.

The resolution was adopted.

By unanimous consent on request of Senator Stoddard the report of committee on retrenchment and reform was ordered printed in the Journal.

STATEMENT OF RETRENCHMENT AND REFORM CONTINGENT FUND

Of the Forty-second General Assembly, January 1, 1929 to July 1, 1929,

Orders made by Members of Forty-third General Assembly.

Balance carried forward from report made to Forty-third General Assembly Jan. 1, 1929.....\$36,811.75

Order No.	Amount Authorized	
1. Fixing salary Blue Sky Dept.....	0,000.00	
2. Operation Blue Sky Dept.....	\$2,000.00	
Members per diem and expense.....	314.75	
Credit by Blue Sky Dept.....		2,000.00
	<u>\$2,314.75</u>	<u>\$38,811.75</u>
		2,314.75
Reverted to State General Revenue July, 1929.....		<u>\$36,497.00</u>

STATEMENT OF RETRENCHMENT AND REFORM CONTINGENT FUND

Of the Forty-third General Assembly, July 1, 1929 to December 31, 1930.

Orders made by Members of Forty-third General Assembly.

Appropriation\$40,000.00

Order No.		
3. Operation of Real Estate Dept.....	\$ 4,000.00	
4. Operation of Eugenics Board.....	2,500.00	
5. Dist. Court, Judges' Trav. Exp.....	10,000.00	
6. Fixing salary T. B. Inspectors.....	000.00	
7. Legislative Tax Committee.....	1,000.00	
Members per diem and expenses.....	1,628.34	
Credit by Real Estate Dept.....		4,000.00
	<u>\$19,128.34</u>	<u>\$44,000.00</u>
		19,128.34
Unexpended balance December 31, 1930.....		<u>\$24,871.66</u>
8. Legislative Tax Committee.....	300.00	
Members per diem and expenses.....	35.63	
		<u>335.63</u>
Unexpended balance January 14, 1931.....		<u>\$24,536.03</u>
Members per diem and expenses.....		17.95
Unexpended balance January 22, 1931.....		<u>\$24,518.08</u>

B. M. STODDARD,
W. S. BAIRD,
GEO. W. TABOR,

On the part of the Senate.

JOHN RYDER,
JOHN T. HANSEN,
GEO. E. MILLER,

On the part of the House.

No. of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 1 May 27, '29	Authorizing the employment of two examiners at a salary of \$2,700 per annum and two stenographers at a salary of \$1,200 and not to exceed \$1,500 per annum at the discretion of the Secretary of State for the Blue Sky Department.	
No. 2 May 27, '29	Authorizing the transfer of \$2,000 to the fund of the Secretary of State for the purpose of creating the Blue Sky Department beginning June 1, 1929, to July 4, 1929. Said amount to be returned from revenue of the department. Chapter 275, laws of 42nd G. A.	
No. 3 Aug. 28, '29	Authorizing the transfer of \$4,000 to the fund of the Secretary of State for the purpose of creating the Real Estate Department. Said amount to be returned from revenue of the department. Chapter 215, laws of 43rd G. A.	
No. 4 Nov. 14, '29	Authorizing the transfer of \$2,500 to the fund of the Department of Health for the operation of the Eugenics Board to take effect on this date and terminate Jan. 1, 1931, as provided in Chapter 66 of the 43rd G. A.	
No. 5 Mar. 24, '30	Authorizing the transfer of \$10,000 to cover deficiency of funds of District Court for traveling expense to take effect on this date.	
No. 6 Mar. 24, '30	Authorizing the payment of veterinary inspectors for purpose of tuberculosis eradication as provided in Chapter 129, Code of 1927, at salary from \$1,800 to \$2,600 per annum and including necessary traveling expense.	
No. 7 Aug. 28, '30	Authorizing the transfer of \$1,000 to the fund of Legislative Committee on Taxation as provided by H. J. R. No. 9.	
No. 8 Jan. 10, '31	Authorizing the transfer of \$300 to the fund of Legislative Committee on Taxation as provided by H. J. R. No. 9.	

The Journal of January 23d was 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 joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 3, fixing the compensation of the officers of the Forty-fourth General Assembly.

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

House Concurrent Resolution No. 5, relating to furnishing codes and session laws for the committee rooms and members of the press.

SAM C. RAGAN, *Chief Clerk.*

THIRD READING OF BILLS

By unanimous consent, on motion of Senator Bennett, House Joint Resolution No. 3, a joint resolution fixing the compensation of the officers and employees of the Forty-fourth General Assembly, was taken up and considered.

Senator Bennett offered the following amendment and moved its adoption:

Amend House Joint Resolution No. 3 by changing the period at the end of line 20 to a comma, and adding the words "and the enrolled bills clerk of the Senate."

The amendment was adopted.

Senator Wilson moved that the rules be suspended by which no bill may be read the second and third times the same day, which motion prevailed.

The bill was read for information.

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

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

Ayes, 46.

Anderson
Baird
Beatty

Bennett
Benson
Bissell

Blackford
Booth
Carden

Carroll
Christophel

Clark of	Gunderson	Lowe	Stevens
Cerro Gordo	Hager	MacDonald	Stoddard
Clark of Linn	Hicklin	McLeland	Tabor
Clark of	Hill	Moen	Topping
Marion	Ickis	Myers	Wenner
Clearman	Irwin	Patterson	White
Cooney	Kent	Quirk	Wilson
Coykendall	Kimberly	Rigby	
Doran	Klemme	Ritchie	
Frailey	Leonard	Stanley	

Nays, none.

Absent or not voting, 4.

Cochrane Cole Knudson Langfitt

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

HOUSE CONCURRENT RESOLUTION NO. 5

By unanimous consent on motion of Senator Carroll the following House Concurrent Resolution was considered:

Be It Resolved by the House, the Senate Concurring, That the state printing board be requested to furnish copies of the Code of 1927 and Acts of the Forty-third General Assembly as follows: One copy for each of the various committee rooms of the House and the Senate; three copies each for the Chief Clerk of the House and the Secretary of the Senate for the use of said officers and their assistants; such number of copies for the press galleries of the House and the Senate as necessary, to be determined by the Chief Clerk of the House and the Secretary of the Senate.

Senator Wilson offered the following amendment and moved its adoption:

Amend by inserting the words " , Book of Annotations" after the figures 1927 in line 3.

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by inserting in line 3 before the word "and" the following: " , House and Senate journals of 1929,".

The amendment was adopted.

The House Concurrent Resolution was adopted.

On motion of Senator Wilson, the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. Thomas Way, of Des Moines, Polk county, as a member of the highway commission for the term of four years, ending June 30, 1935.

The Senate arose from executive session and resumed regular session.

Senator Baird moved that when adjournment is made on Saturday, it be to reconvene at 2 p. m. on Monday.

The motion carried.

By unanimous consent on request of Senator Hicklin, order of business was returned to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 53, by Senator Leonard, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

Read first and second times and referred to committee on appropriations.

Senate File No. 54, by Senator Hicklin, a bill for an act to amend section seventy-seven seventy-one (7771), of the Code of 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom.

Read first and second times and referred to committee on conservation.

Senate File No. 55, by Senator White, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning.

Read first and second times and referred to committee on appropriations.

Senate File No. 56, by Senator Wenner, a bill for an act to amend the law as it appears in sections twenty-three hundred

twenty-one (2321), twenty-three hundred twenty-two (2322), fifty-two hundred eighteen (5218), fifty-two hundred thirty-seven (5237) and fifty-two hundred thirty-eight (5238), all relating to the office of coroner, specifying added duties for the coroner, fixing his compensation to be paid out of the county treasury, requiring the undertaker to promptly notify the coroner as to certain suspicious deaths, and authorizing the appointment of a deputy coroner.

Read first and second times and referred to committee on county and township affairs.

On motion of Senator Ritchie, the Senate adjourned until 10:30 a. m., Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. Chas. Neff, pastor of the Church of Christ of Weldon.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Bennett, from council of Ute, concerning gasoline tax and license fees. **Tax revision.**

By Senator Wilson, from council of Des Moines, concerning gasoline tax and license fees. **Tax revision.**

By Senator Wilson, from the seventh district of the Society of 40 and 8, favoring conservation of natural resources. **Fish and game.**

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator Myers; Senator Clark of Cerro Gordo for the day, on request of Senator Gunderson; Senator Clearman for the day, on request of Senator Ickis; Senator Quirk for the day, on request of Senator Bennett; Senator Stevens for the day, on request of Senator Irwin.

By unanimous consent on request of Senator Benson, all absent Senators were excused for the day.

Senator Hicklin announced the appointment of Florence E. Tidrick as Clerk of Enrolled Bills, to have charge of proof reading, such appointment taking effect as of January 21st.

COMMUNICATION FROM THE GOVERNOR

Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:

There have been brought before the Legislative and Executive branches of the State Government, and a considerable proportion of our citizenship, a series of charges against the administration of the University of Iowa. They are grave charges, alleging irregularities too serious to be tolerated, if they are true. We must know, and quickly, whether they are true.

Charges such as have been laid before the Legislature and myself cannot be ignored, if the state is to protect its good name. Recognizing that the Assembly already faces heavy responsibilities, I nevertheless feel that I should invite your early consideration of the matter herein officially laid before you. There must be a vigorous, impartial and courageous investigation of these charges, as fair to the accused as to the accusers, but first of all indisputably fair to the citizenry of Iowa.

In justice to the situation I recommend to both branches of this General Assembly that a Legislative Joint Committee be appointed without delay to thoroughly investigate the conditions of the management of the State University. The Board of Education, which is the governing board of the institution, should welcome such an investigation. If the charges are unfounded in fact those accused will be vindicated by the investigation, and if the charges are true we should be swiftly apprised so that steps may be taken to remedy any wrongful condition.

Respectfully submitted,

Jan. 24, 1931.

DAN W. TURNER, *Governor.*

INTRODUCTION OF BILLS

Senate File No. 57, by Senator White, a bill for an act to amend the law as it appears in section eleven hundred seventy-one b1 (1171-b1) of the Code of 1927 relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one b3 (1171-b3) of the Code of 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements and to provide a penalty for violation.

Read first and second times and referred to committee on labor.

Senate File No. 58, by Senator Myers, a bill for an act to amend the law as it appears in section ninety-four hundred twenty (9420)

of the Code of Iowa, 1927, relating to chattel loans and rate of interest thereon.

Read first and second times and referred to committee on building and loan.

Senate File No. 59, by Senator Wilson, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982) of the Code, 1927, relating to connections under water works trustees.

Read first and second times and referred to committee on cities and towns.

Senate File No. 60, by Senator Wilson, a bill for an act to provide for uniting certain school districts.

Read first and second times and referred to committee on public schools.

Senate File No. 61, by Senator Wilson, a bill for an act to amend section fifty-nine hundred fifty (5950), of the Code, 1927, relating to removing snow, ice or accumulations from abutting property from sidewalk, and the assessment of the costs thereof.

Read first and second times and referred to committee on cities and towns.

Senate File No. 62, by Senator Wilson, a bill for an act to amend the law as it appears in section fifty-nine hundred sixty-nine (5969) of the Code, 1927, relating to the repair and cleaning of sidewalks.

Read first and second times and referred to committee on cities and towns.

Senate File No. 63, by Senator Wilson, a bill for an act to amend section sixty-two hundred eight (6208) of the Code, 1927, relating to taxation for road dragging purposes.

Read first and second times and referred to committee on cities and towns.

Senate File No. 64, by Senator Patterson, a bill for an act to amend paragraph three (3), section twenty-nine hundred seventy-

nine (2979), Code of Iowa, 1927, relating to the definition of "animal or animals" and to provide for the inclusion of "poultry".

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 65, by Senators MacDonald, Patterson and Clark of Linn, a bill for an act to repeal the law as it appears in sections seventy-three hundred fourteen (7314), seventy-three hundred sixteen (7316), and seventy-three hundred forty (7340) of the Code of Iowa, 1927, and to amend the law as it appears in sections seventy-three hundred seven (7307), seventy-three hundred eight (7308), seventy-three hundred thirteen (7313), seventy-three hundred thirty-one (7331), and seventy-three hundred sixty-one (7361) of the Code of Iowa 1927, relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith.

Read first and second times and referred to committee on tax revision.

Senate File No. 66, by Senator Gunderson, a bill for an act to provide for the collection of an additional one (1) cent gasoline license fee on gasoline sold in the State of Iowa, and to provide for the distribution of the same to the counties and cities and towns of the state, for road and street improvement purposes.

Read first and second times and referred to committee on highways.

Senate File No. 67, by Senator Gunderson, a bill for an act to require physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art, to report any cases treated or taken care of by them wherein there has been an injury of violence, for the purpose of permitting law enforcing officers to apprehend any person who may have committed a crime and has been injured either in the perpetration thereof or in escaping arrest, and providing penalty for failure to report.

Read first and second times and referred to committee on public health.

REPORTS OF COMMITTEES

Senator Beatty submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2, to which was referred Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary No. 2, to which was referred Senate File No. 29, a bill for an act to legalize the proceedings relating to an election held in the Independent School District of Decorah, in the County of Winneshiek, State of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

The Journal of January 23d was 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 concurred in the Senate amendment in which the concurrence of the House was asked:

Amendment to House Concurrent Resolution No. 5, providing codes for the committee rooms and press galleries.

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

Senate Concurrent Resolution No. 4, providing for a joint session of the General Assembly on February 12, 1931, in observance of Abraham Lincoln's birthday.

Also: That the House has amended and concurred in Senate amendment to House Joint Resolution No. 3, fixing the compensation of the officers of the Forty-fourth General Assembly.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Bennett called up for consideration House Joint Reso-

lution No. 3, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate amendment to House Joint Resolution No. 3 by adding at the end thereof, immediately preceding the period, the words "and of the House".

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

Ayes, 31.

Anderson	Clark of	Hill	Myers
Bennett	Linn	Ickis	Patterson
Benson	Clark of	Irwin	Rigby
Bissell	Marion	Kent	Ritchie
Blackford	Cole	Klemme	Tabor
Booth	Cooney	Leonard	Wilson
Carden	Coykendall	Lowe	
Carroll	Gundersen	McLeland	
Christophel	Hager	Moen	

Nays, none.

Absent or not voting, 19.

Baird	Cochrane	Knudson	Stevens
Beatty	Doran	Langfitt	Stoddard
Clark of	Frailey	MacDonald	Topping
Cerro Gordo	Hicklin	Quirk	Wenner
Clearman	Kimberly	Stanley	White

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

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 19 by inserting after Section 1 the following:

"Sec. 1a. The provisions of this act shall in no manner apply to cities or municipalities which have already voted bonds for the purpose of construction of swimming pools."

L. H. DORAN.

The following employees were duly sworn:

Mary Flanagan, Senator Patterson; Kathryn Cochrane, Senator Cochrane; Florence E. Tidrick, Senator Hicklin.

On motion of Senator Hager the Senate adjourned until 2:00 p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Dr. Clarence W. Greene, President of Parsons College, of Fairfield.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Kimberly, from the city council of Davenport, concerning gasoline tax and license fees. Highways.

By Senator Wilson, from Lincoln Post No. 126, American Legion, favoring military training, veterans' relief, child welfare, and park developments. Educational institutions, military affairs, child welfare, and conservation.

By Senator Quirk, from the citizens of Carroll county, favoring a change in the open season for fishing. Fish and game.

By Senator Benson, from board of supervisors of Clayton county, opposing a diversion of the primary road funds. Highways.

INTRODUCTION OF BILLS

Senate File No. 68, by Senator Kimberly, a bill for an act to amend sections thirty-six hundred forty-nine (3649) and thirty-seven hundred twelve (3712), Code, 1927, relating to the commitment and discharge of neglected, dependent, and delinquent children.

Read first and second times and referred to committee on board of control.

Senate File No. 69, by Senator Kimberly, a bill for an act to amend section thirty-four hundred five (3405), Code, 1927, relating to the release of inmates of the institution for feeble-minded at Glenwood.

Read first and second times and referred to committee on board of control.

Senate File No. 70, by Senator Doran, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition thereof.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 71, by Senator Kent, a bill for an act to amend section one (1), chapter one hundred two (102), Acts of the Forty-third General Assembly, relating to attaching and detaching territory to and from adjoining corporations.

Read first and second times and referred to committee on schools

Senate Joint Resolution No. 3, by Senator Wilson, a joint resolution proposing an amendment to the constitution of the State of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, relocation and improvement of waterways, and reservations in and about and along and leading to any or all of the same; with the right after establishment laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof.

Read first and second times and referred to committee on constitutional amendments.

Senate File No. 72, by Senator Tabor, a bill for an act to repeal section two hundred thirty-seven (237) of the Code and to enact a substitute therefor, relating to the distribution of early laws.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 73, by Senator Frailey, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 74, by Senator Hager, a bill for an act to amend section 1748, Code 1927, relating to licenses for the use of seines or nets in the Mississippi river.

Read first and second times and referred to committee on fish and game.

Senate File No. 75, by Senator Doran, a bill for an act to repeal section ten thousand nine hundred five (10905) of the Code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists.

Read first and second times and referred to committee on judiciary No. 2.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Joint Resolution No. 3.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

SENATE FILE NO. 63 WITHDRAWN

By unanimous consent on request of Senator Wilson Senate File No. 63, regarding dragging of streets in cities and towns, was withdrawn.

The Journal of January 24th was corrected and approved.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Joint Resolution No. 3.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 2, as follows:

Repeal all of Section 12 and substitute the following:

Section 12. Exemptions. There shall be deducted from the tax, after the same shall have been computed as set forth in this act, any direct property tax paid by the taxpayer during the year upon real or personal property situated and contained within the state of Iowa.

A. V. BLACKFORD.

On motion of Senator Hill, the Senate adjourned until 10:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 27, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. John A. Kettle, pastor of the Methodist Episcopal Church of Correctionville.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator Kimberly.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 4, by Senator Bennett, a resolution relating to the selection of additional employees of the Forty-fourth General Assembly, fixing their compensation and defining their duties.

Read first and second times and passed on file.

Senate File No. 76, by Senator Benson, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of 2,500 or more, where the houses or business houses average less than two hundred feet apart.

Read first and second times and referred to committee on highways.

Senate File No. 77, by Senator Booth, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs.

Read first and second times and referred to committee on highways.

Senate File No. 78, by Senator Cole, a bill for an act to amend sections eighty-nine hundred thirty-nine (8939) and eighty-nine hundred forty (8940) as amended by chapters two hundred thirty (230) and two hundred thirty-one (231) of the Acts of the Forty-third General Assembly, and section eighty-nine hundred forty-one (8941) of the Code of 1927, relating to insurance other than life, and to authorize the insuring of titles to real estate.

Read first and second times and referred to committee on insurance.

Senate File No. 79, by Senator Hicklin, a bill for an act to amend the law as it appears in section five thousand three hundred eighty-five (5385) of the Code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one mill instead of one-half mill as now authorized.

Read first and second times and referred to committee on military affairs.

Senate File No. 80, by Senator Gunderson, a bill for an act to amend section eight hundred forty (840) of the Code, 1927, in relation to the canvass of election returns by judges of election.

Read first and second times and referred to committee on elections.

Senate File No. 81, by Senator Hicklin, a bill for an act to amend chapter two hundred ninety-three (293) of the Code, 1927, relating to park commissioners by empowering the board of park commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to certify to the city council an additional tax anticipating the collection thereof and issuing anticipatory warrants for the purpose of erecting club-houses in public parks.

Read first and second times and referred to committee on cities and towns.

Senate File No. 82, by Senator Benson, a bill for an act to provide for the vacation of roads, parts thereof, and railroad crossings which have been a part of the primary roads.

Read first and second times and referred to committee on highways.

SENATE JOINT RESOLUTION NO. 4

By Bennett

Joint Resolution relating to the selection of additional employees of the Forty-fourth General Assembly, fixing their compensation and defining their duties.

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

Section 1. The action of the joint committee under authority conferred upon it by concurrent resolution of this Assembly previously adopted, in nominating and recommending the following as extra help required by the work of this session is hereby approved; and the auditor of state is, upon pay roll duly approved, authorized and instructed to pay them at the given rates and for such services actually rendered from the date of the convening of the session and continuing during the session:

Under the Custodian:

Eleven janitors at a compensation of \$4.00 per day.

One messenger and mail carrier and one assistant messenger at \$4.00 per day.

Two porters at \$4.00 per day.

Two elevator tenders at \$4.00 per day.

One assistant matron at \$4.00 per day.

One electrician and one assistant electrician at \$4.00 per day.

Each of said employees shall be subject to removal by the committee or by the custodian upon the approval of the committee.

Under the Law Librarian:

Assistant general research clerk at \$5.00 per day.

Assistant law research clerk at \$8.00 per day.

Stenographer and typist for librarian at \$4.00 per day.

Page for librarian and his office at \$4.00 per day.

Stenographer for Economics and Sociology Division of Library at \$4.00 per day.

Each of said employees shall be subject to removal by the committee or by the law librarian upon the approval of the committee.

In the Senate:

Telephone messenger in the Senate at \$2.50 per day.

Messenger to Sergeant-at-Arms of the Senate at \$2.50 per day.

Each of said employees shall be subject to removal by the committee.

Sec. 2. This act being deemed of immediate importance shall take effect from and after its publication in Plain Talk and the Des Moines Daily Record, newspapers printed in Des Moines, Iowa.

THIRD READING OF BILLS

By unanimous consent on motion of Senator Bennett Senate Joint Resolution No. 4, a joint resolution relating to the selection of additional employees of the Forty-fourth General Assembly, fixing their compensation and defining their duties, was taken up and considered.

The bill was read for information.

Senator Bennett moved that the rule by which a bill may not be read a second and third time the same day, be suspended, which motion prevailed.

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

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

Ayes, 43.

Beatty	Clark of Linn	Hill	Myers
Bennett	Clark of Marion	Ickis	Patterson
Benson	Clearman	Kent	Quirk
Bissell	Cochrane	Kimberly	Rigby
Blackford	Cole	Klemme	Ritchie
Booth	Coykendall	Knudson	Stanley
Carden	Doran	Langfitt	Stevens
Carroll	Frailey	Leonard	Stoddard
Christophel	Gunderson	Lowe	Topping
Clark of	Hager	McLeland	Wenner
Cerro Gordo	Hicklin	Moen	Wilson

Nays, 2.

Tabor White

Absent or not voting, 5.

Anderson	Cooney	Irwin	MacDonald
Baird			

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

REPORT OF COMMITTEE ON RULES

Senator McLeland submitted the following report:

MR. PRESIDENT: Your committee on rules begs leave to report as follows:

That the rules of the Senate of the Forty-third General Assembly be amended and when so amended be adopted as the rules of the Senate of the Forty-fourth General Assembly.

No. 1. Amend Rule 2 as follows: By striking the sentence beginning with "He shall" in line nine (9) and insert in lieu thereof the following:

"He shall appoint all committees except standing committees and the sifting committee."

No. 2. Amend Rule 3 by striking the period at the end of said rule, substituting a comma and adding the following words:

"but such appointment shall not extend beyond an adjournment."

No. 3. Amend Rule 35 by striking the words and figures "twenty-five (25)" wherever they appear and inserting in lieu thereof the word and figures "fifteen 15".

No. 4. Amend Rule 37 by adding thereto the following:

"All votes taken in reporting out any bill by a committee shall be by ayes and nays and the clerk shall keep a record thereof."

No. 5. Amend Rule 40 as follows: By striking all of said rule and substituting the following in lieu thereof:

"Committee on Committees

At the beginning of the session the Senate shall elect a committee on committees consisting of six (6) members that shall appoint all standing committees and the sifting committee. The sifting committee shall consist of seven (7) members.

The Senate may at any time by a vote of a constitutional majority of its members remove a bill from the sifting committee and place it upon the calendar."

No. 6. Amend Rule 49 as follows: By striking all of said rule and substituting the following in lieu thereof:

"In all executive sessions the voting on confirmation of appointments shall be as follows: The presiding officer shall appoint two senators who

shall assist in canvassing the vote. The secretary of the Senate shall call the roll, furnish each senator with a ballot which after being marked shall be deposited in a ballot box. When the voting is concluded, the committee shall count the votes and the presiding officer shall announce whether the appointee being considered is confirmed or otherwise. The secretary shall preserve the ballots in a sealed envelope until the close of the legislative session."

WM. E. MCLELAND, *Chairman.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution No. 7, providing for a joint convention on February 10th to hear the St. Olaf Choir sing.

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

House Concurrent Resolution No. 6, providing for a joint committee of the Senate and House members to ascertain needs of State Board of Education and Board of Control.

SAM C. RAGAN, *Chief Clerk.*

By unanimous consent on motion of Senator Gunderson House Concurrent Resolution No. 7 was taken up and considered:

Be It Resolved by the House of Representatives, the Senate concurring, That, *Whereas*, on the evening of February 10th, 1931, the St. Olaf Choir of St. Olaf College, Northfield, Minnesota, will appear in concert at the Shrine Temple of Des Moines, Iowa; and

Whereas, The internationally known Choir director, Dr. F. Melius Christianson, and the Choir, if invited, will favor the General Assembly with a few selections of song; and

Whereas, The General Assembly of Iowa did enjoy the singing of the said Choir so well on a similar occasion four years ago;

Therefore, Be It Resolved, That Dr. F. Melius Christianson and his, the St. Olaf Choir, be invited to sing to the General Assembly on February 10th, 1931, at 11 o'clock a. m. and that the General Assembly adjourn at said hour to give an opportunity to the members to hear said Choir.

The resolution was adopted.

By unanimous consent on motion of Senator Stoddard House

Concurrent Resolution No. 6 was taken up and considered :

Be It Resolved by the House, the Senate concurring, That two (2) joint committees consisting of six (6) members each, three (3) from the House Appropriations Committee and three (3) from the Senate Appropriations Committee, be appointed by and from the membership of the respective Appropriations Committees of the House and Senate, to investigate and ascertain the needs and askings of the institutions under the direction of the Board of Control and the Board of Education; and whose necessary expenses shall be paid from funds not otherwise appropriated.

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

Ayes, 35.

Bennett	Clark of Marion	Hill	Myers
Benson	Clearman	Ickis	Patterson
Blackford	Cochrane	Irwin	Rigby
Booth	Cole	Kent	Stevens
Carden	Coykendall	Klemme	Stoddard
Carroll	Doran	Knudson	Tabor
Christophel	Frailey	Langfitt	Topping
Clark of	Hager	Leonard	Wenner
Cerro Gordo	Hicklin	Lowe	Wilson

Nays, 6.

Bissell	McLeland	Stanley	White
Kimberly	Quirk		

Absent or not voting, 9.

Anderson	Clark of Linn	Gunderson	Moen
Baird	Cooney	MacDonald	Ritchie
Beatty			

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Topping Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa, with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

By unanimous consent on request of Senator Topping the word "not" was inserted after the word "organized" in line 3 of the preamble.

The bill was read for information.

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

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

Ayes, 43.

Anderson	Clearman	Kent	Quirk
Baird	Cochrane	Kimberly	Rigby
Beatty	Cole	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Frailey	Langfitt	Stevens
Blackford	Gunderson	Leonard	Stoddard
Booth	Hager	Lowe	Tabor
Christophel	Hicklin	McLeland	Topping
Clark of	Hill	Moen	Wenner
Cerro Gordo	Ickis	Myers	White
Clark of Marion	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 7.

Bennett	Carroll	Cooney	MacDonald
Carden	Clark of Linn	Doran	

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

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

On motion of Senator Klemme Senate File No. 29, a bill for an act to legalize the proceedings relating to an election held in the Independent School District of Decorah, in the County of Winneshiek, State of Iowa, on the proposition of issuing \$130,000 school building bonds, and the subsequent proceedings pursuant thereto had by the board of directors of said school district and validating said school building bonds, with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 44.

Anderson	Clark of Linn	Ickis	Myers
Baird	Clark of Marion	Irwin	Patterson
Beatty	Clearman	Kent	Quirk
Bennett	Cochrane	Kimberly	Rigby
Benson	Cole	Klemme	Stanley
Bissell	Coykendall	Knudson	Stevens
Blackford	Frailey	Langfitt	Stoddard
Booth	Gunderson	Leonard	Tabor
Carden	Hager	Lowe	Topping
Christophel	Hicklin	McLeland	White
Clark of Cerro Gordo	Hill	Moen	Wilson

Nays, none.

Absent or not voting, 5.

Carroll	Doran	MacDonald	Ritchie
Cooney			

Voting present, 1.

Wenner

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

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

SENATE JOINT RESOLUTION NO. 1

A Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the Payment of the Cost Thereof.

Whereas, By House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution was approved April eleventh (11th) Nineteen Hundred Twenty-nine (1929) an amendment to the Constitution of the State of Iowa was proposed, and

Whereas, Said resolution proposed to amend the Constitution of the State of Iowa by adding thereto an "Article XIII" relating to the improvement of highways and the issuance of bonds therefor; and

Whereas, The said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Eleven Hundred Four (1104) to Eleven Hundred Eight (1108) both inclusive, with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Thirteen Hundred Twenty-five (1325) to Thirteen Hundred

Twenty-nine (1329) both inclusive, with the yeas and nays taken thereon; and

Whereas, The said resolution and proposed amendment have been published as provided by law and have been referred to this, the Forty-fourth (44th) General Assembly for action thereon, therefore

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

Section 1. That the proposed amendment to the Constitution of the State of Iowa as contained in and proposed by the said House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution proposed that the following be added to the Constitution of the State of Iowa as Article XIII, to-wit:

“ARTICLE XIII”

“Section 1. Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa, the State may, by act of the General Assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) for the improvement of highways and for the payment or retirement of county primary road bonds and bonds issued to refund county primary road bonds; and for such purposes may issue bonds and provide ways and means for the payment of the same, and may pledge the credit of the state therefor. Such act shall pledge to the payment of such bonds and interest thereon such rates or amounts of motor license fees and/or gasoline or other motor fuel license fees as may be determined by the General Assembly to be sufficient to meet both principal and interest as they mature and accrue; and shall provide for the levy, imposition, collection and pledge of such general property tax as may be required to supply the deficiency, if any, between the amount of principal and interest due on the bonds during any year or years and the funds produced by said pledged license fees during such year or years; and it shall be a sufficient statement of such tax that such act direct the Executive Council annually to compute such deficiency, if any, and fix the rate necessary to produce such amount. The provisions of such act pledging funds and levying taxes for the payment of principal and interest of bonds issued thereunder shall be irrevocable so long as any of such bonds are outstanding, unpaid and uncalled. Such bonds may be issued from time to time on such terms as the General Assembly shall by law provide; but each bond shall become due and payable not more than twenty years after its date.

“Sec. 2. After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease.

“Sec. 3. No funds derived from the sale of any of the bonds provided for in Section one (1) of this Article XIII shall be used in the improvement of any other highways until after the following highways shall

have been improved in the following manner: (a) By grading, draining, bridging and paving:

Primary Road Number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on Primary Road Number 3 south of Keosauqua.

Primary Road Number 2, from a point on Primary Road Number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on Primary Road Number 71 south of Atlantic, and from a point on Primary Road Number 71 westerly to a point on Primary Road Number 32 near Lewis.

Primary Road Number 3, from a point on Primary Road Number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to Nebraska City.

Primary Road Number 4, from a point on the Missouri Line southeast of Hamburg, by way of Hamburg and Sidney, to a point on Primary Road Number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odeboldt, to a point on Primary Road Number 20 west of Early.

Primary Road Number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to LeMars.

Primary Road Number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary Road Number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary Road Number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota Line north of Larchwood.

Primary Road Number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on Primary Road Number 75 west of Orange City.

Primary Road Number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary Road Number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on Primary Road Number 18 west of McGregor.

Primary Road Number 14, between Corydon and Chariton. Also from its intersection with Primary Road Number 58 through Grundy Center to its intersection with Primary Road Number 57.

Primary Road Number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary Road Number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with Primary Road Number 9.

Primary Road Number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with Primary Road Number 16.

Primary Road Number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer, and Sheldon, to a point on Primary Road Number 75 near Perkins.

Primary Road Number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary Road Number 21, from Primghar to a point on Primary Road Number 18 east of Sanborn. Also, from Ida Grove to a point on Primary Road Number 20 east of Holstein.

Primary Road Number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary Road Number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary Road Number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary Road Number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary Road Number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary Road Number 48, from Red Oak, through Essex, to Shenandoah.

Primary Road Number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota Line north of Burr Oak.

Primary Road Number 57, from its intersection on Primary Road Number 14, by way of Dike to Cedar Falls.

Primary Road Number 58, from Eldora to a point on Primary Road Number 134 west of Eldora. Also east of Eldora to a point on Primary Road Number 14.

Primary Road Number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on Primary Road Number 10 east of Waverly.

Primary Road Number 60, from a point on Primary Road Number 30 east of Boone, by way of Madrid, to Des Moines.

Primary Road Number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, Dewitt, and Maquoketa, to Dubuque.

Primary Road Number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri Line southwest of Bloomfield.

Primary Road Number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota Line north of Northwood.

Primary Road Number 69, from Leon, by way of Lamoni, to the Missouri Line south of Lamoni.

Primary Road Number 71, from the Missouri Line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota Line northeast of Spirit Lake.

Primary Road Number 74, from Tipton, by way of New Liberty, to Davenport.

Primary Road Number 75, from Missouri Valley, by way of Onawa, Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on the Minnesota Line north of Rock Rapids.

Primary Road Number 90, from Grundy Center, by way of Reinbeck, to a point on Primary Road Number 59 south of Hudson.

Primary Road Number 99, from Davenport, by way of Princeton and Camanche, to a point on Primary Road Number 30 west of Clinton.

Primary Road Number 134, from a point on Primary Road Number 58 west of Eldora, to a point on Primary Road Number 65 north of Hubbard.

Primary Road Number 117, from Anamosa to Maquoketa.

Primary Road Number 136, from Clinton, by way of Charlotte and Delmar, to a point on Primary Road Number 61 west of Delmar.

Primary Road Number 141, from Denison, by way of Mapleton, to Sioux City.

Primary Road Number 149, from a point on Primary Road Number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to Primary Road Number 32 west of Homestead.

Primary Road Number 150, from a point on Primary Road Number 32 near Homestead, by way of Amana and Fairfax, to a point on Primary Road Number 30 west of Cedar Rapids.

Primary Road Number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson, to a point on Primary Road Number 61 southwest of Montrose.

Primary Road Number 218, from a point on Primary Road Number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota Line north of St. Ansgar.

(b) By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: all other primary roads.

Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

"Sec. 4. Any law adopted by the General Assembly authorizing the issuance of bonds under this Article XIII shall provide that the principal of all county primary road bonds and bonds issued to refund county primary road bonds, outstanding when said law becomes effective, shall be paid, as such bonds mature or become subject to call, from the proceeds of the state bonds. Upon the issuance of the first state bonds under such law the authority of the counties to issue county primary road bonds shall cease."

be and the same is hereby agreed to, enacted, and adopted by the Forty-fourth (44th) General Assembly.

THIRD READING OF BILLS

On motion of Senator Benson Senate Joint Resolution No. 1, a joint resolution agreeing to, enacting, and adopting a proposed amendment to the Constitution of the State of Iowa, relating to the improvement of highways and making provision for the payment of the cost thereof, with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

Senator Gunderson moved to make Senate Joint Resolution No. 1 a special order for 10:30 a. m. Thursday.

Senator Benson raised the point of order that it takes a two-thirds majority vote to make a special order after consent was granted to take the resolution up at this time.

The President held that it takes a majority vote to postpone to a certain time.

Senator Gunderson asked for a roll call.

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

Ayes, 21.

Anderson	Doran	Lowe	Quirk
Bissell	Gunderson	McLeland	Ritchie
Carroll	Hill	Moen	Stanley
Clark of	Irwin	Myers	Tabor
Cerro Gordo	Knudson	Patterson	White
Coykendall	Leonard		

Nays, 26.

Baird	Christophel	Hicklin	Rigby
Beatty	Clark of Marion	Ickis	Stevens
Bennett	Clearman	Kent	Stoddard
Benson	Cochrane	Kimberly	Topping
Blackford	Cole	Klemme	Wenner
Booth	Frailey	Langfitt	Wilson
Carden	Hager		

Absent or not voting, 3.

Clark of Linn	Cooney	MacDonald
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The motion was lost.

The resolution was read for information.

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

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 37.

Baird	Clark of	Hager	Myers
Beatty	Cerro Gordo	Hicklin	Rigby
Bennett	Clark of Marion	Hill	Stanley
Benson	Clearman	Ickis	Stevens
Blackford	Cochrane	Irwin	Stoddard
Booth	Cole	Kent	Tabor
Carden	Coykendall	Kimberly	Topping
Carroll	Doran	Knudson	Wenner
Christophel	Frailey	Langfitt	White
		McLeland	Wilson

Nays, 10.

Anderson	Klemme	Moen	Quirk
Bissell	Leonard	Patterson	Ritchie
Gunderson	Lowe		
Absent or not voting, 3.			
Clark of Linn	Cooney	MacDonald	

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

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

The Journal of January 26th was corrected and approved.

REPORT OF COMMITTEE

Senator Beatty submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2, to which was referred Senate File No. 22, a bill for an act legalizing the Pleasant Hill Telephone Company, Mason City, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK M. BEATTY, *Chairman.*

Ordered passed on file.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 28, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. C. E. Burdine, pastor of First Presbyterian Church of Wapello.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Clearman, from the board of supervisors of Johnson county, opposing a diversion of the primary road funds. Highways.

By Senator Hager, from the council of Oelwein, favoring a diversion of the primary road funds. Highways.

REPORT OF COMMITTEE ON COMMITTEES

MR. PRESIDENT: The committee on committees announce the following appointment on the committee, "Reduction of Expenditures":

Rigby
Patterson
Clark, C. F.
Baird
Beatty
Benson

Bissell
Blackford
Ickis
MacDonald
Stoddard
White

T. E. MOEN, *Chairman*,
B. M. STODDARD,
L. H. DORAN,
W. S. BAIRD,
C. L. RIGBY,
G. W. PATTERSON.

The report was adopted.

INTRODUCTION OF BILLS

Senate File No. 83, by Senator Benson, a bill for an act to provide for the paving of connections from the business district of cities and towns to paved primary roads or extensions of such primary roads within cities and towns.

Read first and second times and referred to committee on highways.

Senate File No. 84, by Senator Benson, a bill for an act to amend, revise, and codify chapter two hundred forty-two (242), Code, 1927, relating to county secondary road bonds.

Read first and second times and referred to committee on highways.

Senate File No. 85, by Senator Benson, a bill for an act to amend section forty-seven hundred fifty-five b thirty-six (4755-b36) of the Code, relating to the transfer of powers and duties of the Board of Supervisors with respect to primary roads, to the State Highway Commission.

Read first and second times and referred to committee on highways.

Senate File No. 86, by Senator Benson, a bill for an act to amend the provisions of Section four thousand seven hundred fifty-five b. eight (4755-b8) Code of 1927, relating to the improvement of the primary road system.

Read first and second times and referred to committee on highways.

Senate File No. 87, by Senator Benson, a bill for an act to amend, revise, and codify sections forty-seven hundred forty-five (4745), forty-seven hundred forty-five-a one (4745-a1), forty-seven hundred forty-six (4746) to forty-seven hundred fifty-three (4753), inclusive, and forty-seven hundred fifty-three-a one (4753-a1) to forty-seven hundred fifty-three-a nine (4753-a9), inclusive, all of the Code, 1927, relating to special assessments for the improvement of secondary roads.

Read first and second times and referred to committee on highways.

Senate File No. 88, by Senator Stanley, a bill for an act to provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 89, by Senator Stanley, a bill for an act to amend and supplement the law as it appears in chapter sixty-nine (69), Acts of the Forty-third General Assembly of Iowa, relating to the regulation of the practice of embalming, the licensing of its practitioners, and providing for the revoking or suspending of the license of one against whom a criminal charge has been filed.

Read first and second times and referred to committee on public health.

Senate File No. 90, by Senator Benson, a bill for an act to amend the provisions of Chapter twenty-one (21) Acts of the Forty-Third (43) General Assembly relating to the improvement, maintenance, relocation or establishment of primary roads and the purchase or condemnation of right of way therefor.

Read first and second times and referred to committee on highways.

Senate File No. 91, by Senator Myers, a bill for an act to amend section ten thousand one hundred and nine (10109) of the Code of 1924, relating to indexes kept by the county recorder, and to provide for the keeping of a numerical, section or tract index.

Read first and second times and referred to committee on land titles.

Senate File No. 92, by Senator Stevens, a bill for an act to provide the method and process of service of notice upon a

motor vehicle owner or driver who is a non-resident of the State of Iowa.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 93, by Senator Benson, a bill for an act to authorize the State Highway Commission to employ persons to enforce the law relating to traffic on primary roads, to designate such persons as peace officers, and to provide for the payment of the compensation and expense of such persons.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 94, by Senator Hill, a bill for an act to regulate outdoor advertising and to tax outdoor advertising, and to tax outdoor advertisers, and to require and provide for the issuing of licenses and permits to persons, firms, and corporations for the construction, maintenance and use of billboards and other structures for outdoor advertising, to license, tax and regulate all manner of outdoor advertisements and advertisers, and to provide for the administration and collection of the tax by the State Board of Assessment and Review and the city or town councils; and to repeal paragraph 5, section 5743 the Code, 1927, relating to billboards in cities and towns.

Read first and second times and referred to committee on tax revision.

Senate File No. 95, by Senator Clark of Marion, a bill for an act to provide legal help in court actions to which the State Highway Commission is a party, to authorize payment of attorneys' compensation and court costs in connection with legal work of the State Highway Commission from the primary road fund, and to relieve the general revenue of the state therefrom.

Read first and second times and referred to committee on highways.

Senate File No. 96, by Senator Bennett, a bill for an act providing for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 97, by Senator Bennett, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 98, by Senator Bennett, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file articles of incorporation or other instrument of similar import with the Secretary of State or otherwise to comply with the law relating to the organization of corporations, and/or to renew its corporate existence within the period limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 99, by Senator Bennett, a bill for an act providing for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided by law.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 100, by Senator Bennett, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk and Hamilton Bridge Com-

pany and fixing the date of expiration of its renewed corporate existence.

Read first and second times and referred to committee on judiciary No. 1.

MESSAGE FROM THE HOUSE

The following message was received from the House :

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

Senate Joint Resolution No. 4, relating to selection of additional employees.

SAM C. RAGAN, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator Moen, from the committee on agriculture, submitted the following report :

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File No. 28, a bill for an act to amend section forty hundred thirty-six (4036) of the Code, 1927, relating to the State Apiarist, begs leave to report it has had the same under consideration and recommends the same do pass.

T. E. MOEN, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 53, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, begs leave to report that it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass :

Amend section two (2) by striking from lines three (3), four (4) and five (5) the words "Des Moines Capital, and Des Moines Register, newspapers published in Des Moines, Iowa" and inserting in lieu thereof the words, "Knoxville Journal, a newspaper published in Knoxville, Iowa, and the Creston News-Advertiser, a newspaper published in Creston, Iowa".

B. M. STODDARD, *Chairman.*

THIRD READING OF BILLS

On motion of Senator Leonard Senate File No. 53, a bill for an act making appropriation to defray the expense of the inaugural ceremonies with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend section two (2) by striking from lines three (3), four (4) and five (5) the words "Des Moines Capital, and Des Moines Register, newspapers published in Des Moines, Iowa" and inserting in lieu thereof the words, "Knoxville Journal, a newspaper published in Knoxville, Iowa, and the Creston News-Advertiser, a newspaper published in Creston, Iowa".

The bill was read for information.

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

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

Ayes, 43.

Anderson	Clark of Marion	Kent	Quirk
Baird	Clearman	Kimberly	Rigby
Beatty	Cochrane	Klemme	Ritchie
Bennett	Cole	Knudson	Stanley
Benson	Coykendall	Langfitt	Stoddard
Bissell	Doran	Leonard	Tabor
Blackford	Gunderson	Lowe	Topping
Booth	Hager	McLeland	Wenner
Carden	Hill	Moen	White
Christophel	Ickis	Myers	Wilson
Clark of	Irwin	Patterson	
Cerro Gordo			

Nays, none.

Absent or not voting, 7.

Carroll	Cooney	Hicklin	Stevens
Clark of Linn	Frailey	MacDonald	

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

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

On motion of Senator Stoddard Senate File No. 28, a bill for an act to amend section forty hundred thirty-six (4036) of the Code,

1927, relating to the State Apiarist, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 43.

Anderson	Clark of Marion	Kent	Rigby
Baird	Clearman	Kimberly	Ritchie
Beatty	Cochrane	Klemme	Stanley
Bennett	Cole	Knudson	Stevens
Benson	Coykendall	Langfitt	Stoddard
Bissell	Doran	Leonard	Tabor
Blackford	Gunderson	Low	Topping
Booth	Hager	McLeland	Wenner
Carden	Hicklin	Moen	White
Christophel	Hill	Myers	Wilson
Clark of Cerro Gordo	Ickis	Quirk	

Nays, none.

Absent or not voting, 7.

Carroll	Cooney	Irwin	Patterson
Clark of Linn	Frailey	MacDonald	

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

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

On motion of Senator Clark of Cerro Gordo Senate File No. 22, a bill for an act to legalize the corporate acts and proceedings of the Pleasant Hill Telephone Company of Mason City, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Pleasant Hill Telephone Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Clark of Marion	Irwin	Quirk
Baird	Clearman	Kent	Rigby
Beatty	Cochrane	Kimberly	Ritchie
Bennett	Cole	Klemme	Stanley
Benson	Coykendall	Knudson	Stevens
Bissell	Doran	Langfitt	Stoddard
Blackford	Frailey	Lowe	Tabor
Booth	Hager	McLeland	Topping
Carden	Hicklin	Moen	Wenner
Christophel	Hill	Myers	White
Clark of	Ickis	Patterson	Wilson
Cerro Gordo			

Nays, none.

Absent or not voting, 6.

Carroll	Cooney	Leonard	MacDonald
Clark of Linn	Gunderson		

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

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

SENATE CONCURRENT RESOLUTION NO. 5

By unanimous consent on motion of Senator Wilson the following concurrent resolution was considered:

Whereas, The Senate is advised of a meeting of the Pioneer Lawmakers Association of Iowa to be held in the Historical Building, Des Moines, on February 18, 1931, and of their custom of calling formally on the General Assembly, therefore:

Be It Resolved by the Senate, the House concurring, That the General Assembly meet in joint session in the House Chamber on Wednesday, February 18, 1931, at 2 p. m. and that the Pioneer Lawmakers be invited to present a formal address at that time.

The resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Joint Resolution No. 4.

E. R. HICKLIN,
Chairman Senate Committee.

ED. RAWLINGS,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution No. 4.

BILLS SENT TO THE GOVERNOR

Senator Hicklin from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 28th day of January, 1931, sent to the governor for his approval, Senate Joint Resolution No. 4, relating to the selection of additional employees of the Forty-fourth General Assembly, fixing their compensation and defining their duties.

E. R. HICKLIN, *Chairman.*

Passed on file.

AMENDMENTS FILED

I move to amend Senate File No. 1 by inserting immediately after section seventy-nine (79) of said Senate file the following sections, to wit:

"Sec. 79-a1. Sections sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five

(7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly are each amended by striking therefrom the word "auditor" or "auditor's" as the same may be wherever the same appears in said sections, and by inserting in lieu of said stricken words the word "assessor" or "assessor's" as the case may be.

Sec. 79-a2. Wherever in the code reference is made to the transfer books in the office of the county auditor, the reference shall be deemed to mean the transfer books in the office of the county assessor, and the editor of the code is directed to make such correction.

Sec. 79-a3. Section seventy-one hundred forty-eight (7148), Code, 1927, is amended, revised and codified to read as follows:

"7148. Aggregate valuations certified. At the time of delivering the list to the treasurer, the assessor shall furnish to the county auditor a certified statement showing separately the aggregate full and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list; also to the state board of assessment and review a certified statement of the aggregate of each state tax in his county for the ensuing year.

Sec. 79-a4. Section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third (43rd) General Assembly is amended by adding thereto a new paragraph as follows:

"16. To certify to the auditor of state on January first of each year the aggregate of each state tax for each county for said year."

Sec. 79-a5. Section thirty-four (34), chapter two hundred five (205), Acts of the Forty-third (43rd) General Assembly, is amended by inserting in line fourteen (14) after the word "act", the following words, to wit:

"except as provided in paragraph three (3) of section one hundred two (102), Code, 1927".

I move to amend section nine (9) of Senate File No. 1 by inserting immediately after the word "books" in line three (3) the words, "including transfer books, index books, and plat books".

I move to amend section ten (10) of Senate File No. 1 by adding to said section immediately after paragraph ten (10) the following:

"11. Keep the transfer books, index books, and plat books as provided by law."

WESLEY C. LOWE.

MR. PRESIDENT: I move to amend Senate File No. 17 as follows:

(1) By striking from the title thereof the following: "chapter two hundred forty-four (244) and", and substituting in lieu thereof the following: "chapter".

(2) Strike Sections 1 and 2.

(3) By striking the first three lines of Section 3 and inserting in lieu thereof the following:

"Section 1. That sub-section two (2) of Section four thousand eight hundred nineteen (4819) of the Code, 1927, as amended by Section three (3), Chapter one hundred sixteen (116), Acts of the Forty-third General Assembly, is repealed, and the following enacted in lieu thereof:"

(4) By striking the figure "4" in line one (1) of Section 4, and inserting in lieu thereof the figure "2".

(5) By striking the period (.) and quotation marks (") in line seven (7) of Section 4, and inserting in lieu thereof the following: ", and to pay the costs thereof out of the maintenance fund under their control."

L. H. DORAN.

The Journal of January 27th was corrected and approved.

On motion of Senator Anderson the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by L. A. Stangle, D.D., United Brethren Church of Chariton.

PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Blackford, from board of supervisors of Van Buren county, opposing a diversion of the primary road funds. Highways.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on January 28, 1931, approved the following bill:

Senate Joint Resolution No. 4, relating to the compensation of additional employees of the Forty-fourth General Assembly.

INTRODUCTION OF BILLS

Senate File No. 101, by Senator Klemme, a bill for an act to amend sections five hundred twenty (520), and four thousand ninety-seven (4097), and to repeal sections four thousand ninety-six (4096), and four thousand ninety-eight (4098) to four thousand one hundred four (4104), inclusive, all of the Code, 1927, and relating to the county superintendent of schools and to the appointment of said superintendent, and to provide for the election of such superintendent at the general election in November of each even-numbered year; also to repeal section four thousand

one hundred nineteen, (4119), Code 1927, and to enact a substitute therefor and thereby coordinate the law relative to the appointment of members of the county board of education.

Read first and second times and referred to committee on public schools.

Senate File No. 102, by Senator Hill, a bill for an act to provide for and establish a state custodial farm at Clive, Iowa, to provide for the erection and construction of suitable buildings and equipment thereat, to provide for the commitment to said institution, and the detention, treatment, and employment of certain persons convicted of crime, to provide for the control and management thereof, to authorize the transfer of prisoners from the state penitentiary and from the state reformatory to said farm, to provide compensation for the transfer and commitment of all persons to said institution and to authorize the collection from the several counties their proportionate amount according to commitments and expenses incurred and to provide funds for the maintenance of said institution.

Read first and second times and referred to committee on board of control.

Senate File No. 103, by Senator Myers, a bill for an act to amend section twelve thousand five hundred ninety-five (12595), of the Code of Iowa, 1927, relating to proceedings in guardianships and the filing and trial of claims therein.

Read first and second times and referred to committee on judiciary No. 2.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

MR. PRESIDENT: Your committee on assignment of committee rooms begs leave to submit the following supplemental report to the report of January 21:

Code Revision—changed from Friday at 3:30 p. m. to Tuesday at 2:30 p. m., to be held in room No. 24.

F. C. STANLEY, *Chairman.*
H. B. CARROLL.
EDW. J. WENNER.

The report was adopted.

The Journal of January 28th was corrected and approved.

By unanimous consent on request of Senator Stanley, Mr. R. C. Williams, state statistician, appointed by the committee on public schools, was given permission to report to the Senate at 11 a. m. Friday, on the result of his investigation regarding public schools.

AMENDMENT FILED

MR. PRESIDENT: I move to amend the proposed substitute for rule 40 by adding in line two after the word "members" the following: "of which the minority party shall have representation"; and also by adding in line 4 of said substitute after the word "committee" the following: ", on which the minority party shall be represented,".

H. C. WHITE.

On motion of Senator Tabor the Senate adjourned until 10 a. m. Friday

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 30, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Harry Secor, pastor of the Baptist Church of Chariton.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Langfitt for the day, on request of Senator Benson; Senator Cooney for the day, on request of Senator Kimberly; Senator Christophel for the day, on request of Senator Gunderson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hager, from the Ministerial Association of Allamakee county, favoring optional military training. Educational institutions.

By Senator Stanley, from the Northwest Iowa Conference of the Methodist Episcopal Church, favoring optional military training. Educational institutions.

By Senator Clark of Cerro Gordo, from council of Mason City, favoring a diversion of primary road funds. Highways.

By Senator Doran, from citizens of Madrid, favoring unemployment insurance, minimum wage and old age pension law. Public welfare.

By Senator Wenner, from council of Waterloo, favoring a diversion of primary road funds. Highways.

By Senator Wenner, from council of Cedar Falls, favoring a diversion of primary road funds. Highways.

By Senator Wenner, from council of Hudson, favoring a diversion of primary road funds. Highways.

By Senator MacDonald, from council of Cherokee, favoring contracts with the state board of control for fire protection. Board of control.

By Senator MacDonald, from Ida county association of American Legion Posts, opposing elimination of compulsory military training. Educational institutions.

By Senator MacDonald, from Cherokee county American Legion, opposing elimination of compulsory military training. Educational institutions.

INTRODUCTION OF BILLS

Senate File No. 104, by Senators Benson and Baird, a bill for an act to provide a means whereby any taxpayer may challenge the legality, validity, or constitutionality of any proposed constitutional amendment.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 105, by Senator Blackford, a bill for an act to repeal section eight thousand four hundred fifty-seven (8457), Code, 1927, relating to corporations.

Read first and second times and referred to committee on corporations.

Senate File No. 106, by Senator Lowe, a bill for an act to amend section twenty (20) of chapter thirty (30), acts of the forty-third (43rd) general assembly relating to the issuance by trust companies of debentures or bonds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 107, by Senator Benson, a bill for an act to amend the law as it appears in chapter two hundred fifty-one a one (251-a1) and section forty-seven hundred fifty-five b thirty-eight (4755-b38) of the code of Iowa 1927 by striking the word "gasoline" wherever it appears and substituting the words "mo-

tor vehicle fuel", and defining the words "motor vehicle fuel".

Read first and second times and referred to committee on motor vehicles.

Senate File No. 108, by Senator Clark of Cerro Gordo, a bill for an act to amend the law as it appears in chapter three hundred seventy-three (373) of the code of 1927 by inserting following section eighty hundred sixty-nine (8069) another section to be known as section eighty hundred sixty-nine a one (8069-a1), so as to provide that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route for said shipment.

Read first and second times and referred to committee on railroads.

Senate File No. 109, by Senator Wilson, a bill for an act to amend sections eighty-three hundred (8300) and eighty-three hundred three (8303) of chapter three hundred eighty-two (382), Code, 1927, relating to telegraph and telephone lines and companies, and to provide for pipe lines.

Read first and second times and referred to committee on public utilities.

Senate File No. 110, by Senator Ickis, a bill for an act to amend the law as it appears in sections twenty-five hundred forty-nine (2549) and twenty-five hundred fifty-three (2553) of the Code, 1927, and to repeal the law as it appears in section twenty-five hundred fifty-four (2554) of the Code, 1927, and to enact a substitute therefor, all relating to the regulation and practice of osteopathy and surgery.

Read first and second times and referred to committee on public health.

SENATE CONCURRENT RESOLUTION NO. 6

By unanimous consent on motion of Senator Moen, the following concurrent resolution was considered:

Memorializing the President of the United States, and the Tariff Commission of the United States, to increase the tariff on corn to the limit of the elastic provisions of the tariff law.

Whereas, The price of corn in the United States is not remunerative to the American farmer at the present time, and

Whereas, The present unsatisfactory price is seriously threatened by importations of corn into this country from foreign lands to further depress the price of this product to the American producer, and

Whereas, The American farmer is entitled to, and should receive the full benefits of our protective system, particularly in this time of price depression: Now therefore

Be It Resolved by the Senate, the House concurring, That the General Assembly of Iowa respectfully requests and earnestly urges that the Tariff Commission immediately recommend to the President of the United States that he, exercising the authority and power granted to him under the provisions of the flexible tariff bill, increase by fifty per cent the duty on corn imported into this country, to the end that the corn growers in the United States may be given just protection against unfair competition in the American markets by the corn growers of foreign countries, which now seriously threatens to depress still further the price of this important product of the American farms;

Be It Further Resolved, That the Secretary of State of Iowa, be instructed to send a copy of this resolution to the President of the United States, the Secretary of Agriculture, and the chairman of the Tariff Commission of the United States and to each member in Congress from the State of Iowa.

The resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. 7

By unanimous consent on motion of Senator Carden the following resolution was considered:

Resolved by the Senate, the House concurring, That when adjournment is had on Friday, February 27, it be to reconvene on Monday afternoon, March 9, at 2:00 p. m.

The resolution was adopted.

REPORT OF COMMITTEE

Senator Iekis submitted the following report:

Jan. 29, 1931.

MR. PRESIDENT: Your committee on fish and game, to which was referred Senate File No. 37, a bill for an act to amend Section four (4), Chapter fifty-eight (58), Acts of the Forty-third General Assembly, relating to fur dealers licenses and fixing date of expiration therefore, and

penalty for violation, begs leave to report that it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend line three (3) of the title by striking the word "therefore" and substituting in lieu thereof the word "therefor".

Also, amend sec. 3, lines nine (9) and ten (10), by striking the words "Des Moines Register published at Des Moines, Iowa," and substituting in lieu thereof the words "Dayton Review, a newspaper published at Dayton, Iowa,".

F. D. ICKIS, *Chairman*.

Ordered passed on file.

REPORT OF COMMITTEE ON RULES CONSIDERED

Senator McLeland called up for consideration the report of the committee on rules and moved its adoption:

No. 1. Amend Rule 2 as follows: By striking the sentence beginning with "He shall" in line nine (9) and insert in lieu thereof the following:

"He shall appoint all committees except standing committees and the sifting committee."

Amendment No. 1 was adopted.

No. 2. Amend Rule 3 by striking the period at the end of said rule, substituting a comma and adding the following words:

"but such appointment shall not extend beyond an adjournment."

Senator Benson moved to amend the amendment by striking the period after the word "adjournment" and inserting in lieu thereof a comma and adding the following: "except when both the president and president pro tem are absent.".

Amendment No. 2 was adopted.

No. 3. Amend Rule 35 by striking the words and figures "twenty-five (25)" wherever they appear and inserting in lieu thereof the word and figures "fifteen 15".

Amendment No. 3 was adopted.

No. 4. Amend Rule 37 by adding thereto the following:

"All votes taken in reporting out any bill by a committee shall be by ayes and nays and the clerk shall keep a record thereof."

Senator Wilson asked for roll call.

Senator Stoddard invoked rule 8.

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

Ayes, 22.

Anderson	Coykendall	Leonard	Patterson
Bissell	Doran	Low	Quirk
Carroll	Gunderson	MacDonald	Ritchie
Clark of	Hill	McLeland	Stanley
Cerro Gordo	Kent	Moen	White
Clark of Linn	Knudson	Myers	

Nays, 24.

Baird	Carden	Hicklin	Stevens
Beatty	Clark of	Ickis	Stoddard
Bennett	Marion	Irwin	Tabor
Benson	Clearman	Kimberly	Topping
Blackford	Cochrane	Klemme	Wenner
Booth	Cole	Rigby	Wilson
	Hager		

Absent or not voting, 4.

Christophel	Cooney	Frailey	Langfitt
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Amendment No. 4 was lost.

No. 5. Amend Rule 40 as follows: By striking all of said rule and substituting the following in lieu thereof:

"Committee on Committees

At the beginning of the session the Senate shall elect a committee on committees consisting of six (6) members that shall appoint all standing committees and the sifting committee. The sifting committee shall consist of seven (7) members.

The Senate may at any time by a vote of a constitutional majority of its members remove a bill from the sifting committee and place it upon the calendar."

By unanimous consent on request of Senator White his amendment to the amendment as found on page 183 of Senate Journal was withdrawn.

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

Amend line 4 by striking the word and figure "seven (7)" and by inserting in lieu thereof the word and figure "nine (9)".

The amendment to the amendment was adopted.

Amendment No. 5 was adopted.

No. 6. Amend Rule 49 as follows: By striking all of said rule and substituting the following in lieu thereof:

"In all executive sessions the voting on confirmation of appointments shall be as follows: The presiding officer shall appoint two senators who shall assist in canvassing the vote. The secretary of the Senate shall call the roll, furnish each senator with a ballot which after being marked shall be deposited in a ballot box. When the voting is concluded, the committee shall count the votes and the presiding officer shall announce whether the appointee being considered is confirmed or otherwise. The secretary shall preserve the ballots in a sealed envelope until the close of the legislative session."

Amendment No. 6 was adopted.

Senator McLeland moved that the rules of the 43d General Assembly as amended, be adopted as the rules governing the 44th General Assembly.

Senator Wilson asked unanimous consent to postpone action on this report until further consideration of rule 40 could be had.

Senator Benson moved that further consideration of rule 40 be postponed until an amendment could be prepared.

Senator Stanley moved that action be deferred until after the report scheduled for this hour, by Mr. R. C. Williams, state statistician, which motion prevailed.

Senator Stanley moved that the report of the committee on public schools be printed in the Journal, which motion prevailed.

RECONSIDERATION OF REPORT OF COMMITTEE ON RULES

Senator Benson offered the following amendment and moved its adoption:

Amend the proposed Senate rules by inserting the following as Rule 41:

A Sifting Committee shall be appointed by the Committee on Committees at such time during the progress of the session as the committee in its discretion may see fit. The chairman of the Committee on Committees before the appointment of such committee and at such time as in its opinion such an appointment is deemed necessary, shall propound to the Senate the following question:

"Shall a Sifting Committee at this time be appointed?"

The Committee on Committees shall then at once appoint the said committee. No resolutions from the floor of the Senate by any member

thereof shall be considered by the Senate for the appointment of said committee; and that the remaining rules be renumbered to correspond.

By unanimous consent on request of Senator Benson, the following amendment to the amendment was adopted:

Amend by inserting after the word "appointed?" the words "and after taking a vote by yeas and nays, if a majority of said votes shall be in favor of the appointment of said committee,".

By unanimous consent on request of Senator Doran the word "constitutional" was inserted before the word "majority".

Rule No. 41 was adopted.

The motion to adopt the rules as amended 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 House was asked:

Senate Concurrent Resolution No. 5, providing for a Joint Session of the Forty-fourth General Assembly, February 18, in connection with the meeting of the Pioneer Lawmakers of Iowa.

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

House Concurrent Resolution No. 8, relating to the appointment of a committee to investigate the charges made against the administration of the State University of Iowa.

SAM C. RAGAN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 8

Providing for the appointment of an investigating committee, whose duty it shall be to fully investigate the management and affairs of the State University of Iowa and its various officers and employees and providing that said Committee shall report its findings and recommendations thereon to the General Assembly and to the Attorney General of the State of Iowa, and to provide an appropriation sufficient to pay the expense of said committee.

Whereas, During the past few years, many complaints and charges have been made which seriously reflect on the manner in which the business and affairs have been conducted and handled by those responsible for the management of the State University of Iowa, and

Whereas, Among charges that recently have been made and given wide publicity are the following:

1. That it has been openly admitted in the records appearing in the minutes of the Iowa Board of Education, and in proceedings prior and subsequent to the preparation of those minutes, that Walter A. Jessup, president of the University of Iowa, W. R. Boyd, chairman of the finance committee of the Iowa Board of Education, and W. J. McChesney, treasurer of the University of Iowa, have connived with the bank of which W. J. McChesney is president, to illegally prefer and favor that bank, and to permit it to have large sums of money on deposit for long periods of time without paying interest thereon as required by the rules of the Board of Education, and as required by the law of Iowa.

2. That Walter A. Jessup, as president of the University of Iowa, W. R. Boyd as chairman of the finance committee of the Iowa Board of Education, and W. J. McChesney, treasurer of the University of Iowa, have connived so as to permit the said treasurer to keep an average balance of State funds, donated by the Rockefeller Foundation and the General Education Board, in the hands of the said treasurer for approximately five years, without requiring the said treasurer to pay the usual two and one-half (2½) per cent interest thereon, as provided by the rules of the Board of Education, and as provided by the laws of Iowa. (See paragraph 8, section 3921 of Iowa Code, and minutes of the Board of Education.)

3. That the bank of which W. J. McChesney is president, or W. J. McChesney as treasurer of the University of Iowa, has failed to account for the sum of \$28,762.00, being the interest on the said average balance referred to above.

4. That the Board of Education on two different occasions has acquiesced in and approved the action of the said officers of the board and the University in permitting the said bank, or W. J. McChesney as treasurer, to retain the sum of twenty-eight thousand seven hundred sixty-two dollars (\$28,762.00) interest on the said funds; that this interest was illegally withheld; that the alleged reasons offered by the Board of Education in explanation of its illegal waiver of this interest are in violent conflict, one with the other; and that the second explanation, which is different in toto from the first explanation, was not recorded in the minutes of the Iowa Board of Education until after the attention of the Board had been called to the complete falsity, inadequacy and illegality of the first explanation.

5. The present administration of the University of Iowa has permitted publicly owned building materials and other property, consigned to or purchased by the University of Iowa, for its own use only, to be used by certain executives and employees of the University in the construction of privately owned buildings, said executives and employees being the owners.

6. That the present administration of the University of Iowa has repeatedly permitted the use of university labor in the construction and repairing of privately owned buildings, said buildings being owned by executives and employees of the University; and that University labor has, in other ways, been used to the personal advantage of certain executives and employees of the University.

7. That the president of the University of Iowa, Walter A. Jessup, chairman of the Iowa Board of Education's finance committee, W. R. Boyd, and Charles M. Dutcher, attorney for the university and likewise that University's active political lobbyist, and others have over a period of years, built up and perfected a political machine in this state by means of which they have been able to affect appointments to the Iowa Board of Education. In this way they have been able, as servants of the University and of the State, to select and dictate to their own employers.

8. That all the boards and agencies and departments of the State of Iowa except the Board of Education under the law are subject to the supervision and check of the State Board of Audit; that this political machine or lobby presided over by representatives of the Iowa Board of Education and the State University has succeeded in preventing the enactment of legislation intended to make the accounts of the Board of Education subject to the State Auditor or the State Board of Audit; that millions of dollars disbursed by the various state educational institutions and belonging to the people of Iowa are subject only to the accounting of an auditor who is selected by those whose accounts he audits, and who then select a firm of auditors from outside the State of Iowa to merely check the accounts of the auditor who is accountable to them only.

9. That the auditor of the University of Iowa, W. H. Cobb, under the influence and at the direction of those who are his superiors at the University of Iowa, has failed to properly audit the accounts of the University and has permitted funds to be used for wrongful purposes.

10. That the Secretary of the University of Iowa, W. H. Bates, has participated in the distribution of University funds for purposes contrary to University agreements and to methods of accurate and creditable accountancy.

11. That the laws of Iowa provide that the Attorney General and his assistants shall attend to the legal business of the State and its various boards and agencies and departments, and, that contrary to these laws, the administration of the University of Iowa has disregarded the office of the Attorney General and has employed over a period of years attorneys of its own selection, at a cost to the taxpayers of Iowa of many thousands of dollars. The Attorney General never has been requested by the Board of Education or the University of Iowa for authority to appoint special attorneys, nor has the Executive Council of Iowa ever approved or authorized such employment. The paying of these fees is in direct violation of Section 152 of the Iowa Code.

12. That because of the lack of competent or alert business administration, executives of the University of Iowa charged with the duty of purchasing supplies have purchased quantities of such supplies at a cost higher in many instances than that at which supplies of similar grade, quality and specifications could be, and were being, purchased by private individuals on the open market, to the detriment and waste of the taxpayers' money.

13. That the executives of the University charged with the duty of purchasing its supplies have by unethical and unfair methods and practices prevented firms and individuals from selling supplies to the University on an open, honest, market, and have shown marked favoritism in the letting of certain contracts to certain seemingly preferred persons and corporations.

14. That W. R. Boyd, chairman of the Board of Education finance committee, is now holding and for many years has held his office contrary to the laws of Iowa, particularly Section 3933 of the code, which provides "The members of the finance committee shall devote their entire time to the work of said institutions;" that Mr. Boyd draws a salary as chief executive of the largest building and loan association in Iowa, and has generally advertised himself as being in the securities business.

15. That the law of Iowa, see code, Section 3922, provides that "no member of the board or finance committee, nor any officers of any institution shall be directly or indirectly interested in such purchase or sale," this section referring to the purchase or sale of real estate by the board for the institutions under its control; and that this law has been violated in the purchase of certain properties by the University of Iowa from officers thereof.

16. That John M. Fisk, superintendent of grounds and buildings for the University of Iowa, has supervised the expenditure of many millions of dollars provided by the taxpayers; that he has exercised this supervision with astounding incompetency at frequent and glaring intervals, and by his methods and practices has cost the taxpayers of Iowa huge sums of money; that by these same methods and practices said Fisk has succeeded in driving out of competition for the structural projects of the Board of Education a great number of the large contractors whose participation in the bidding for such work would be of economic benefit to the taxpayers in the state, as well as to its state educational institutions.

17. That some of these said methods and practices of Fisk have been known to the officers of the Board of Education, to chairman W. R. Boyd of the finance committee, and to Walter A. Jessup, president of the University of Iowa, by reason of repeated charges against said Fisk, and of affidavits substantiating several of these charges, submitted eight years ago.

18. That Walter A. Jessup, president of the University of Iowa, was largely and officially responsible for the disgrace that overtook not only

the University but the whole state when, in May, 1929, the Universities of many of the neighboring states refused to longer maintain athletic relations with the University of Iowa, because of direct and flagrant breaches of good faith and common honesty by the University of Iowa, with the knowledge and consent and, at times, at the direction of president Jessup, that much of the disgrace that accrued to the University of Iowa and this state by reason of this drastic action against our University could have been avoided had president Jessup been willing to candidly admit to his accusers his share of the guilt for the breaches of good faith and honesty that caused University of Iowa's punishment.

19. That the president of the University of Iowa, Walter A. Jessup, and certain other officials there, all subservient to the orders and dictates of the president, were responsible for the disqualification of more than twenty students at the University, who were deprived of their amateur standing as athletes, and made to appear as disgraced by charges of professionalism, when as a matter of fact, these students were led by University officials, acting with the knowledge of the president, to innocently violate rules of amateurism; that these students were sacrificed and in several instances their prospective careers as athletic directors, coaches, etc., ruined in order that the part played by President Jessup in the violations might be concealed.

20. That the president of the University of Iowa, Walter A. Jessup, by his arbitrary, dogmatic, stubborn and czar-like attitude as chief executive, and his methods of administration, has driven from the University numerous of the foremost faculty members, especially those formerly connected with the University College of Medicine; that thereby these numerous eminent members of the medical and other faculties, whose reputations were nationwide and who by reason of their reputations had been one of the principal factors in inducing the Rockefeller Foundation and the General Education Board to donate the sum of \$2,250,000 to be used for a new University Hospital and Medical College, were lost to the University before the said hospital and Medical College could be completed; and

Whereas, It appears that such charges and the conduct of those responsible for the management of the State University of Iowa, and other institutions under the management and control of the State Board of Education should be thoroughly investigated.

Therefore, Be It Resolved by the House, the Senate concurring:

"Section 1. That a joint committee of the members of the House of Representatives and Senate of the Forty-fourth General Assembly, consisting of six (6) members, one (1) of whom shall be the chairman of the committee on Educational Institutions of the Senate and two (2) of whom shall be appointed from the membership of said Senate committee by its chairman, also, one (1) of whom shall be the chairman of the committee on State Educational Institutions of the House and two (2) of whom shall be appointed from the membership of said House Committee

by its chairman. One of the latter shall be a member of the minority party. It shall be the duty of said joint committee to investigate charges hereinbefore set forth and also other matters in connection therewith as they may arise and in connection with the administration of the State Board of Education and the institutions under its control and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa.”.

Sec. 2. That said joint committee is directed to call on the Attorney General for such services as may be deemed necessary and said committee is hereby authorized to employ such attorneys, auditors, expert investigators and employees as may be by it deemed necessary to a thorough, complete and independent investigation of such charges and such matters in connection therewith as may come to its attention, and the general administration of the Board of Education and the institutions under its control.

Sec. 3. That the State Board of Education, the finance committee thereof, all officers and employees of said Board and all officers and employees of the State University of Iowa, are hereby directed and ordered to deliver to said joint committee and to the employees thereof, all books, records and papers as may be deemed necessary by said committee in the making of such investigation.

Sec. 4. That said joint committee is hereby directed to conduct such investigation in an impartial manner without interference from any person, board, officer or employee, who is in any way connected with the management and conduct of affairs of said University.

Sec. 5. That said joint committee is hereby authorized and empowered to summon and subpoena witnesses from any place within the State of Iowa and to compel the attendance of witnesses at any place within the State of Iowa where said committee may deem it advisable to hold hearings; that it may take testimony under oath; that it may take the testimony of witnesses outside of the state; that any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner as provided by the laws of Iowa.

Sec. 6. That said joint committee is hereby directed to make a written report and recommendations to this General Assembly of such matters.

Sec. 7. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated such sum or sums as may be necessary to pay the expenses of the committee provided for in Section 1 hereof in making the investigation and preparing the Report or Reports required herein.

Senator Lowe moved to adjourn until 10 a. m. Saturday.

Senator Benson moved to amend the motion by making the time 1:30 p. m. today.

The amendment was adopted.

The motion prevailed, and the Senate adjourned until 1:30 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

INTRODUCTION OF BILLS

Senate File No. 111, by Senator Doran, a bill for an act to repeal sections forty-nine hundred forty-three (4943) to forty-nine hundred sixty (4960), inclusive, Code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide for the revocation and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999), relating to the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), Code, 1927.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 112, by Senator Knudson, a bill for an act regulating the sale of school textbooks in the public schools of the State of Iowa.

Read first and second times and referred to committee on public schools.

The Journal of January 29th was corrected and approved.

On motion of Senator McLeland the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

Senator Rigby moved that when adjournment is had on Saturday, it be to reconvene on Monday at 2 p. m.

The motion prevailed.

On motion of Senator Carroll House Concurrent Resolution No. 8, relative to investigation of the affairs at the University of Iowa, was referred to the committee on educational institutions.

AMENDMENT FILED

I move to amend Senate File No. 1 by inserting immediately after section eighty-two (82) of said Senate File, the following new section, to wit:

"82-a1. Section seventy-two hundred nineteen (7219), Code, 1927, is repealed and the following is enacted in lieu thereof, to wit:

7219. Enforcement of lien. If said property is being or is about to be removed from the county, the assessor shall certify said fact to the county treasurer with a full description of the property as the same appears on the assessor's books, giving assessment district, where located, and the amount of said assessment, and the county treasurer shall thereupon proceed by distress to restrain the removal of said property and secure the lien of the tax due or to become due.

WESLEY C. LOWE.

By unanimous consent on their own requests, Senators Clark of Marion, Wenner, Topping, Ritchie and Hicklin were excused for tomorrow.

On motion of Senator Cochrane the Senate adjourned until 11 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. E. W. Curtis, pastor of the United Brethren Church of Des Moines.

PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Blackford, from chamber of commerce of Farmington, opposed to a levy of special tax on outdoor advertising. Tax revision.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Carden for the day, on request of Senator White; Senators Rigby and Booth for the day, on request of Senator Blackford; Senators Christophel and Clark of Cerro Gordo for the day, on request of Senator Gunderson.

INTRODUCTION OF BILLS

Senate File No. 113, by Senator Bennett, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations of said city.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 114, by Senator Myers, a bill for an act to repeal section three hundred ninety-seven (397), of the Code of Iowa, 1927, and to enact a substitute therefor, relating to the duty of the State Board of Audit in connection with the institutions under the government of the State Board of Education and State Board of Control.

Read first and second times and referred to committee on educational institutions.

Senate File No. 115, by Senators Clark of Linn, Doran and Wenner, a bill for an act imposing a tax and penalties upon admission fees to public amusements conducted for pecuniary profit; providing means, methods, and regulations for the collection thereof and the accounting therefor, and providing for the apportionment of the taxes so collected among the school districts of the state, and providing penalties for violation of the terms thereof.

Read first and second times and referred to committee on tax revision.

Senate File No. 116, by Senator Knudson, a bill for an act to amend the law as it appears in section four (4) of chapter ten (10) of the acts of the forty-third general assembly so as to remove from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and public service utilities corporations.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 117, by Senator Knudson, a bill for an act to amend the law as it appears in section sixty-nine hundred forty-four (6944) of the code of 1927 relative to exemptions from taxation of the shares of capital stock of telegraph and telephone companies, freight line and equipment companies, transmission line companies as defined in section 7089, and express companies.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 118, by Senator Gunderson, a bill for an act providing for general supervision by the board of railroad com-

missioners over warning devices and for the placing of additional safeguards, and the installation, furnishing, and placing of approach warning signs at the crossing at grade of a highway with a railroad; the providing for failure to stop a vehicle before traversing a grade crossing when warning is given; and providing a penalty for violation.

Read first and second times and referred to committee on railroads.

Senate File No. 119, by Senator Gunderson, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275), code, 1927, and to repeal chapter one hundred six (106) acts forty-third general assembly relating to high school tuition.

Read first and second times and referred to committee on public schools.

REPORT OF COMMITTEE

Senator Lowe submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 31, a bill for an act to amend the law relating to the submission to the voters of a county the question of borrowing money to erect public buildings, begs leave to report it has had the same under consideration and recommends the same do pass.

Ordered passed on file.

WESLEY C. LOWE, *Chairman.*

SENATE FILE NO. 14 WITHDRAWN

By unanimous consent on request of Senator Doran Senate File No. 14 was withdrawn.

By unanimous consent, on request of Senator Blackford, the opinion of the Attorney General and the counter-opinion of seven attorneys of the state, with reference to the constitutionality of Senate Joint Resolution No. 1, relating to road bonds, were ordered printed in today's Journal.

The Journal of January 30th was corrected and approved.

OPINION FROM THE ATTORNEY GENERAL

January 28, 1931.

To the Honorable Francis Johnson, Speaker of the House of Representatives, and to the Honorable Members of the House of Representatives of the Forty-fourth General Assembly:

Gentlemen:

On the 21st day of January, 1931, the following Resolution was adopted by your Honorable Body, to-wit:

“* * * *Be It Therefore Resolved*, That the Attorney General be requested to render an opinion to this House, not later than January 28, 1931, advising it as to the validity of the said proposed constitutional amendment as it is contained in said House Joint Resolution No. 6.”

A copy of said resolution was officially transmitted to the Attorney General on the same date and, in conformity with that resolution, I am submitting herewith my opinion on the subject matter of the Resolution.

OPINION

At the outset it must be understood that it is not the function of the Judicial or Legal Departments of the state government to deal with the wisdom or policy of proposed legislation. In these respects, the responsibility rests solely with the Legislative branch of government. The same rule is true where, as in this case, the legislature is acting as a governmental agency in proposing an amendment to the Constitution. Therefore, in complying with your request for an opinion as to the validity of House Joint Resolution No. 6 of the Forty-third General Assembly, and the proposed Senate and House Joint Resolution No. 1 now pending in the Forty-fourth General Assembly, we deal only with the question of whether the proposed amendment, if regularly passed by this General Assembly and adopted by a vote of the people, would constitute a valid, legal amendment to the Constitution of the state.

While it may be a commonly accepted motion among the laity that the electorate of a state alone can say what their Constitution shall contain, yet contrary to that notion, the authorities are without dispute on the proposition that in the final analysis, under our form of government, it is the province of the courts to determine whether an offered amendment is valid, not only in the procedure employed in its adoption, but in its substantive provisions as well.

In passing upon the validity of a proposed constitutional amendment, we must necessarily first have in mind the nature of a constitution, its purposes, and what fundamental principles are involved in constitution making. The courts, and many writers on constitutional questions, have defined constitutions. We cite the following definitions of a constitution:

“A ‘constitution’ is a Magna Charta of the people’s rights, the fundamental law of the land, intended, not for short periods of time, but for all time.”

Henry v. State, 39 South. 856, 893, 88 Miss. 843.

"The 'Constitution' is supreme law of state, embodying principles on which government is founded, regulating division of sovereign powers, and directing to what persons each of these powers is to be confided and manner in which it is to be exercised."

Browne v. City of New York, 211 N. Y. S. 306, 311. 213 App. Div. 206.

"A 'Constitution' is in fact a fundamental law or basis of government. It is a rule as contradistinguished from a temporary or sudden order; permanent, uniform, and universal."

Story on the Constitution, Volume No. 1, Section 339;

State v. Roach, 130 S. W. 689 at 694.

"The very term 'Constitution' implies an instrument of a permanent and abiding nature, and the provisions contained therein for its revision indicate the will of the people that the underlying principles upon which it rests, as well as the substantial entirety of the instrument, shall be of a like permanent and abiding nature."

Livermore v. Waite, 102 Cal. 118, 25 L. R. A. 312 at 316.

"This Constitution shall be the supreme law of the State, and any law inconsistent therewith, shall be void. * * *" Article XII, Section 1, Constitution of Iowa.

In attempting to amend the Constitution we must, therefore, keep in mind these fundamental principles, and any amendment proposed which violates these principles of constitution making will be held invalid by the courts.

The proposed amendment, at its beginning, reads as follows:

"Notwithstanding the provisions of article VII or any other provision of the constitution of Iowa, the state may, by act of the general assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) * * *".

It will be observed that this language does not repeal any provision of the existing constitution. The proposed amendment, if adopted, would constitute a direct exception to, or suspension of, the provision of Article VII for a particular purpose and it would constitute an inferential exception to, or suspension of, every other provision of the now existing constitution insofar as any provision of the existing constitution might be affected by its operation.

What parts of the constitution other than the provisions of article VII are suspended by the adoption of this proposed amendment must be left to the conjecture of the electorate in passing upon the proposed amendment. If adopted by the people those parts which are inferentially suspended must still be left to the conjecture of the legislative, executive or judicial branches of government, or to the conjecture of any citizen who seeks to function under its provision. Those parts of the constitution which are thus swept aside by this blanket suspension can only be determined, if at all, when a test comes and a legislative, judicial or ministerial attempt is made at interpretation.

It must also be kept in mind in considering this phase of the proposed amendment that it does not seek to displace and suspend only those parts of the constitution that are inconsistent with its substantive purposes but it provides for its operation regardless of the interference of other substantive provisions and regardless of any provisions in procedure that

might affect its enforcement. The sweeping aside of every constitutional restriction that might stand in the way of its operation affects even the procedure under which the legislature might seek to carry out the mandate of its provisions, and it leaves to the legislature alone, without the approval of the executive branch of government, the right to perform the purposes of the amendment. It sweeps aside every existing provision of the constitution which might, in any way, be construed by the courts as interfering with its operation. It is, therefore, rendered incapable of interpretation by the court, thus dispensing for its purposes with the services of the judicial branch of government.

A Republican form of government cannot thus be done away with. The Constitution of the United States guarantees to the people in each state of the Union a Republican form of government.

Constitution of the United States, Article IV, Sec. 4;

Eckerson v. City of Des Moines, 137 Iowa 452, 461;

Cooley on Constitutional Limitations, 628.

Cooley on Constitutional Limitations, *supra*, speaking of this provision of the Federal Constitution, states:

“The purpose of this guaranty was to protect a Union founded upon republican principles against aristocratic and monarchical invasions, that is, to prevent the people of a State from abolishing a republican form of government.”

In *Eckerson v. City of Des Moines*, referred to above, the court, in speaking of the guaranty of the Federal Constitution, said:

“The purpose of the Federal Constitution was to provide a form of government, republican in character, for the State as a united whole. * * * and whatever may be the form of words employed by the lexicographers—and they are more or less varied—to define what is meant by the expression ‘a republican form of government’, it is clear that it was understood by the fathers to mean a government by the people, through representatives appointed by them to the various departments—executive, legislative, and judicial.” * * *

The proposed amendment clearly suspends, not only article VII of the Constitution, but, all other articles of the Constitution that in any way impinges upon its precepts and thus suspends the authority of the judicial and executive branches of our government in violation of the guaranty of the Federal Constitution.

Article X of the Constitution, provides the method by which our state Constitution may be amended. Section 2 of that Article provides that:

“If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.”

It is apparent by a casual reading of the proposed amendment that it contains more than one subject and more than one substantive amendment.

First: it repeals temporarily the general debt provision of the Constitution;

Second: it provides for the contracting of an indebtedness for improving certain highways;

Third: it provides for the creation of a state indebtedness to retire the

obligations of the several counties of the state that have been incurred for road making purposes;

Fourth: it fixes and establishes certain described highways of the state as its primary roads;

Fifth: it prescribes the manner in which roads shall be improved;

Sixth: it seeks to delegate power to some unnamed authority to determine what roads other than those now constituting the primary road system shall become a part of that system;

Seventh: it repeals unnamed provisions of the Constitution affecting the creation of an indebtedness;

Eighth: it repeals unnamed provisions of the Constitution affecting the improvements of highways;

Ninth: it prohibits the issuance of bonds by the several counties of the state for primary road purposes.

The very terms of the provision itself separates it into different parts and subjects. It provides that:

"After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease."

Upon the happening of this contingency the power to create indebtedness and to enact laws for the creation of an indebtedness terminates but the provision with reference to the expenditure of the funds for the construction and maintenance of the roads designated in the provision remain as a separate and distinct part of the Constitution, and for all time until amended by the people.

The subject of creating an indebtedness is clearly one subject, and the subject of improving particular roads either from funds derived through the indebtedness authorized or from other funds is clearly another subject. This is made plain by the provisions of our existing Constitution. The subject of laying out and improving highways is treated in our Constitution under article III, and all the restrictions on road making are contained therein, while the subject of contracting indebtedness is treated as a separate subject under article VII of the Constitution. If these were considered separate subjects in the making of our original, permanent Constitution can we now say by adopting an amendment throwing these subjects together that they are only one? We do not believe courts will so hold.

It cannot be seriously claimed by anyone that a provision in the Constitution prohibiting the issuance of bonds by a county for a specific purpose is germane to the subject of creating an indebtedness by the state. The one is a restriction upon the powers of a municipality of the state government; the other is a grant of power from the people to the legislature of the state.

We will not prolong this opinion by pointing out the differences between the different matters which we set out in the nine points enumerated above. We believe that a mere naming of the subjects is sufficient argument that the proposed amendment contains more than one question.

The purpose of the provisions of Section 2 of Article X of the Constitution is tersely stated in the case of *Jones v. McClaghry*, 169 Iowa, at 297, as follows:

"Its purpose is to exact the submission of each amendment upon its merits alone and thereby secure the free and independent expression of the will of the people thereon. Incongruous matter and that having no connection with the main subject is excluded and the evil of loading a meritorious proposition with another of doubtful propriety obviated. *The elector in approving or rejecting cannot be put in a position where he may be compelled, in order to aid in carrying a proposition, to vote also for another which, if separately submitted, he would reject.*"

The Supreme Court of Idaho, in considering a similar provision to the Constitution of that state with respect to amendment, says:

"This provision of the Constitution is a wise one, and is intended to prevent several inconsistent and conflicting propositions from being submitted to the voters in the same amendment, and forcing the voter to approve or reject such amendment as a whole. In other words, it prevents burdening a meritorious proposition with a vicious one, and alike prevents a vicious proposition from having the support of a meritorious one, and gives to the voter the right to have each separate proposition submitted to him in order that he may express his will for or against each separately without being compelled to accept a provision to which he is opposed in order to have adopted a provision which meets his favor."

Again, the Idaho court in applying the general principles, said:

"Looking, then, at the amendment submitted and under consideration, we find that the joint resolution proposed that two sections of the Constitution be repealed and that five other sections of the Constitution be amended, and the joint resolution in its terms submitted to the electors, as we read the submission, five different propositions: First, to abolish the probate court and extend the jurisdiction of the district court to all matters of probate; second, to provide for the election and appointment of judges; third, to provide for the salaries of judges; fourth, to provide for the terms of said courts; and, fifth, a system of districts.

"It thus appears that the Legislature, in providing for the submission of the proposed changes in the Constitution, recognized and considered that the questions covered thereby involved several distinct and independent propositions, and so stated in the resolution submitting such questions. In this conclusion the Legislature was certainly correct, as the particular matter covered by the proposed changes involved distinct and independent propositions; *yet, notwithstanding that fact, the Legislature made no provision and gave the voter no opportunity to vote upon each of these propositions separately. The entire matter was submitted to the electors in a lump, and they were compelled to accept or reject all of the propositions—all of the proposed changes. They had no choice.*"

The subject under discussion by the Idaho court was a provision relating solely to the judicial branch of government, abolishing the probate court, extending the jurisdiction of the district court, providing for the elections of judges, fixing their salaries, and providing for terms of court, and a system of districts. It might be said that they pertained to one subject—the judicial branch of government, but the court held otherwise and held that each was a separate and distinct proposition to be submitted to the voters separately.

In passing upon the proposed constitutional amendment here under consideration the electorate, in voting upon the measure, might desire to vote for the creation of an indebtedness for the purpose of road building without desiring to have it expended upon the particular roads named in the provision, while others of the electorate might desire to vote to create an indebtedness for the purpose of improving the roads designated in the amendment and would be opposed to the expenditure of money from the bond fund upon roads not designated in the amendment, but which by its provisions might be brought in by some unnamed authority to the primary road system.

Part of the electorate might desire to vote an indebtedness upon the state to build highways but they might not want to vote an indebtedness to discharge the obligations of the counties of the state. Part of the electorate again, might desire to vote for any provision in the measure with the exception of that part denying to the counties the right to incur indebtedness for the improving of the primary roads. Some of the electorate might desire to vote an exception to the debt provision of Article VII of the Constitution, yet they might not want to vote for the repeal or suspension of some other section of the constitution unnamed.

Under the proposed amendment they must vote for all these things or vote against them all. They do not have the choice of determining which, if any, of the proposals shall become a part of the Constitution. Or, their desire to create an indebtedness to build roads might induce them to vote for every other provision, whether they believe it should be adopted or not. In other words, it precludes the electorate from expressing their free choice in passing upon the different subjects in the proposed amendment. Because of this duplicity of subjects involved in one proposal the instrument, if adopted, would, in the judgment of this department, be declared void.

After reciting the primary roads that are to be improved under the provisions of this amendment, stating through what cities and towns each road shall pass, the proposed amendment contains the following provision:

"Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein."

While this paragraph would, on its face, indicate that changes of locations might be made in any primary road between cities and towns, yet it is entirely silent, and the entire act is silent, upon the question of what authority has been designated by the provision should it become a part of the constitution to bring about such a change in location. The paragraph does not provide that roads may be changed by act of the legislature, by act of the body having charge of the primary road system of the state, or by any other authority. When a provision of the constitution provides for the performance of a duty it must determine who shall perform that duty. If it does not do so the provision is void because of ambiguity. If there is no power delegated to anyone to change the location of one of the primary roads then the act holds out to the public a void inducement for the purpose of soliciting its approval. When one section of a statute or constitutional amendment is void, and others valid,

yet if it appears that the void section is a compensation or inducement for the other provisions and the connection between them is such as to warrant the belief that the valid part would not have been passed alone were it not that it was accompanied by the invalid part, then the whole enactment is void.

State v. Executive Council, 207 Iowa 923, 935.

This clause is, in the opinion of this department, void and inoperative for want of definiteness, because it is not capable of fulfillment and is an inducing clause. Being void it would nullify the act.

We have pointed out matters which we believe are legal impediments to the validity of the proposed amendment. You as Members of the General Assembly are the Judges of both the law and the facts insofar as your deliberations are concerned, and the responsibility of legislation rests alone upon your branch of government.

Respectfully submitted,

JOHN FLETCHER, *Attorney General.*

OPINION OF SEVERAL ATTORNEYS

The undersigned members of the Bar of Iowa, have been requested by various members of the Legislature, by Mr. Haynes, Secretary of the Iowa Good Roads Association, and by various other citizens of Iowa, to examine the legal questions involved, and express an opinion upon the constitutionality of the proposed amendment to the Constitution authorizing the creation of an indebtedness of one hundred million dollars for the purpose of improving the primary road system.

With due deference to the high office of Attorney General of this State, and to the professional standing of its present occupant, we have, upon a careful investigation of the questions involved, reached a conclusion not in harmony with the Attorney General's opinion, and it is our opinion that, as a matter of law, the said proposed amendment violates no principles of constitutional amendments and that if it is adopted by the people, in the manner provided by law, it will become part of the Constitution of the State.

We beg leave to submit the following reasons for our opinion:

The opinion of the Attorney General makes three objections to the validity of the proposed amendment. They are as follows:

1. The provisions of the Constitution which are changed are not specifically referred to in the amendment;
2. The amendment violates the principles of a Republican form of Government;
3. The amendment violates section 2, Article X of the Constitution in that it is in reality more than one amendment.

We agree with the preliminary suggestions of the Attorney General that the Constitution of the State is the fundamental and more or less permanent foundation of our Government, but we respectfully suggest that this Constitution provides a method for its own amendment, and if that method is followed, there can be no question of the validity of such

amendment, unless it shall be contended that it is prohibited by some part of the Constitution of the United States.

In the Bill of Rights included in the Constitution of Iowa, the people have reserved to themselves Article I, section 2, which is as follows:

"All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right, at all times, to alter or reform the same, whenever the public good may require it."

Article X of the Constitution of Iowa, points out the method to be pursued in amending it, and is in the following language:

"How Proposed—Submission. Section 1. Any amendment or amendments to this Constitution may be proposed in either House of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two Houses, such proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published as provided by law for three months previous to the time of making such choice; and if, in the General Assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to, by a majority of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner, and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of the Constitution of this State.

"More Than One Amendment. Sec. 2. If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately."

If an amendment to the Constitution is adopted in the method pointed out in Article X, and it is not in conflict with any provision of the Federal Constitution, it becomes a part of the Constitution.

We shall now consider the three objections made by the Attorney General in the order hereinbefore set out:

1. *The provisions of the Constitution which are changed are not specifically referred to in the amendment.*

The proposed amendment is a direct grant of power relating to the improvement of highways and making provision for the payment of the cost thereof.

The opinion of the Attorney General calls attention to the fact that the amendment begins as follows: "Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa." We respectfully submit that if said introductory clause were entirely omitted from the Act, the meaning and effect of the amendment would not be changed, for the reason that when, by the adoption of this amendment to the Constitution, the people confer a power which is inconsistent with existing

provisions of the Constitution, the effect is to repeal all pre-existing inconsistent provisions.

The position taken in the Attorney General's opinion is that in order to repeal or modify existing provisions of the Constitution, each specific provision modified must be specifically referred to in the amendment. No authority is cited to sustain that position. That is not the law as to Constitutional amendments. The following amendments to the Constitution are similar to the one now proposed in that they are direct, affirmative provisions without making any reference to any of the provisions of the existing Constitution which were repealed or modified thereby, to wit:

The amendment pertaining to judicial districts for district court purposes; the amendment amending the provisions of the Constitution regarding indictment by a grand jury; the biennial election amendment to the Constitution.

All of these amendments have been held valid by our Supreme Court.

As was said by the Supreme Court in the case of *Lobaugh v. Cook*, 127 Iowa, 181:

"The amendments contemplated are those to the Constitution and not necessarily to any particular Article or section thereof. The change proposed may affect many parts and yet constitutes but a single amendment."

A most common form of amendments to Constitutions, both State and Federal, is merely to enact certain affirmative provisions without in any way referring to the specific parts of the Constitution which will be repealed or modified thereby.

2. *The amendment violates the principles of a Republican form of Government.*

Does the amendment violate the principles of a Republican form of Government?

The contention that the power to create an indebtedness of one hundred million dollars for the purpose of improving the highways of the State, being conferred by this amendment, upon the General Assembly, takes away from the Governor of the State, the power to veto an Act passed pursuant to the proposed amendment and takes away from the courts, the power to declare such Act unconstitutional or to interpret the same, is not only unsupported by any authorities, but is in direct conflict with the almost uniform procedure in adopting amendments, not only to the Constitution of the State of Iowa, but to the Constitution of the United States.

The language used in this respect in the proposed amendment has been very commonly used in Constitutional amendments, both State and Federal. It is true of the amendment to the Constitution providing for drainage districts, to the biennial election amendment, and to the amendment fixing the ratio of representation in the Legislature. So far as our examination has gone, it is true of all amendments which are not self-executing in character to both State and Federal Constitutions, since only the Legislative branch of the Government can enact measures necessary to give effect to the provisions thereof. The present proposed amendment takes away no power of the executive or judicial branches of the Gov-

ernment. Those powers are not in issue. The division of powers between the executive, the legislative and judicial branches is left undisturbed. The exercise in the future, of all powers now possessed by the executive and judicial branches, is unchanged.

3. *The amendment violates Section 2, Article X of the Constitution in that it is in reality more than one amendment.*

Is the proposed amendment more than one amendment?

Section 2 of Article X of the Constitution provides:

"More Than One Amendment. Sec. 2. If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately."

The law on this point is as follows:

An amendment is a single or separate amendment within the meaning of Constitutional provisions requiring each amendment to be submitted separately, so long as it has one object, and the oneness of the amendment is not destroyed by the fact that it makes more than one change in the Constitution, or changes more than one section of the Constitution.

Gabbert v. Chicago, etc. Rd. Co. (Mo.) 70 S. W. 891.

The fact that an amendment can be separated into two or more propositions, concerning the value of which diversity of opinion may exist, is not alone decisive. If, in the light of common sense, the propositions have to do with different subjects, if they are so essentially unrelated that their association is artificial, they are not one; but if they may be logically viewed as parts or aspects of a single plan, then the Constitutional requirement is met in their submission as one amendment.

State v. Alderson, (Mont.) 142 Pac. 210.

In Volume 12 Corpus Juris on page 691, are cited a large number of cases to the same effect.

The opinion of the Attorney General quotes from the case of Jones v. McClaughry, 169 Iowa, 281, at page 297 the following language:

"Its purpose is to exact the submission of each amendment upon its merits alone and thereby secure the free and independent expression of the will of the people thereon. Incongruous matter and that having no connection with the main subject is excluded and the evil of loading a meritorious proposition with another of doubtful propriety obviated. The elector in approving or rejecting cannot be put in a position where he may be compelled, in order to aid in carrying a proposition, to vote also for another which, if separately submitted, he would reject."

But it did not quote the language immediately following the foregoing, which is as follows:

"But this does not mean that every proposed change shall necessarily be analyzed into its minutest component parts and these separately submitted. All intended is that but one subject be dealt with in a single amendment. 'If,' as said in Lobaugh v. Cook, 'the amendment has but one object and purpose, and all else included therein is incidental thereto, and reasonably necessary to effect the object and purpose contemplated, it is not inimical to the charge of containing more than one amendment.'

"In State v. Timme, 54 Wis. 318, 11 N. W. 785, in speaking on this

subject, the court said: 'We think amendments to the Constitution, which the section above quoted requires shall be submitted separately, must be construed to mean amendments which have different subjects and purposes in view. In order to constitute more than one amendment, the proposition submitted must relate to more than one subject and have at least two distinct and separate purposes not dependent upon or connected with each other. . . . The direction in the Constitution requiring separate amendments to be submitted separately has no efficacy in determining what constituted two or more amendments; and as the word 'amendment' is clearly susceptible of a construction which would make it cover several propositions all tending to effect and carry out one general object or purpose and all connected with one object, as well as the construction that every proposition which effects a change in the Constitution or adds to or takes from it is an amendment, the construction which has been uniformly adopted by all the departments of government for a series of years is entitled to great weight in settling by judicial decision what construction should be placed on it.'

"The authorities are collected in *Lobaugh v. Cook* and to these may be added *McBee v. Brady*, 15 Idaho, 761, 100 Pac. 97.

"As observed in *Gabbert v. Ry.*, 171 Mo., 84, 70 S. W. 891 'One principle running through these cases, and common to them all, is that the mere fact that an amendment makes more than one change in the Constitution does not make it more than one amendment.'"

In that case, the court had before it, the amendment to the Constitution which sought to accomplish two things: first, confer power on the Legislature to reduce the number of members of the grand jury; second, to confer power upon the Legislature to provide for holding persons to answer for any criminal offense without indictment.

It was contended in that case that two different objects were included in this amendment and that the object should have been attained by the submission of two amendments rather than one, but the Supreme Court of Iowa approved this amendment to the Constitution on the theory that the general subject was the mode of accusation of those charged with a criminal public offense, and that the manner in which it should be done was a matter of detail.

In the case of *Lobaugh v. Cook*, 127 Iowa, 181, the Supreme Court of Iowa had under consideration the amendment to the Constitution providing for biennial elections in Iowa, and in that case, to which the Attorney General makes no reference in his opinion, the whole subject of what constitutes an amendment, is fully discussed. In the Constitutional amendment under review in that case, the General Assembly of Iowa provided in one proposed amendment to the Constitution for the following changes:

1. The time for holding general elections in Iowa was changed;
2. The general elections in Iowa were changed from annual elections to biennial elections;
3. The time for the election of Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General and two Judges of the Supreme Court, was changed;

4. The time for election of the successors of the Judges of the District Court whose term of office expired on December 31, 1906, and of some of the senators and members of the House of Representatives was changed;

5. The terms of a part of the Judges of the Supreme Court, of all elective, State, County, and Township officers, whose terms of office would otherwise expire in January, 1906, and the members of the General Assembly whose successors would otherwise be chosen in the year 1905, were extended for one year;

6. The terms of certain Senators was extended for one year;

7. The Legislature was authorized to make such change in the law governing the time of election and term of office of all other elective officers so far as necessary to make their terms of office conform to the amendment;

8. Authorized the General Assembly to provide which Judge of the Supreme Court shall serve as Chief Justice;

9. Fixing the time when the General Assembly should meet in regular session in the years 1906 and 1907, and provide for biennial meetings thereafter.

The question involved in that case was whether this proposed amendment to the Constitution failed to comply with the above provision of the Constitution that each amendment should be submitted separately. It was contended on the one hand, that the proposed Constitutional amendment contained distinct and independent amendments to the Constitution, and that each distinct and independent amendment to the Constitution should be separately submitted. In discussing this question, the Supreme Court of Iowa says:

"The amendments contemplated are those in the Constitution, and not necessarily to any particular article or section thereof. The change proposed may affect many parts, and yet constitute but a single amendment, or there may be several independent amendments to a single article. Some difficulty has been experienced elsewhere in determining what shall be included and must be excluded to avoid any infraction of the rule requiring a separate submission. Modifications such as are merely incidental to the main purpose and object sought to be attained are to be included, as essential to the preservation of the symmetry and harmony of the Constitution as a whole. Otherwise great confusion would be possible, from the adoption of some and rejection of other incidental changes necessary to accomplish the purpose proposed. It follows that, while an amendment can have but one main object, it should include such additional provisions as are essential, upon its ratification by the people, to render it consistent with other portions of the Constitution. Under the guise of accomplishing this, however, it cannot be loaded with matters not related to or necessarily connected therewith. The right reserved by the people of voting on amendments separately would be violated by such a course. In considering a like provision in the Constitution of Wisconsin, the Supreme Court of that State said:

"This provision can have but two constructions: First, it may be construed as is contended by the learned counsel, who contends that the amendment under controversy was not properly submitted; that every proposition in the shape of an amendment to the Constitution which,

standing alone, changes or abolishes any of its present provisions, or adds any new provision thereto, shall be so drawn that it can be submitted separately, and must be so submitted. Such a construction would, we think, be so narrow as to render it practically impossible to amend the Constitution, or, if not practically impossible, it would compel the submission of an amendment which, although having but one object in view might consist of considerable detail, and each separate provision, though all promotive of the same object and necessary to the perfection and practical usefulness thereof, if adopted as a whole, in such form that a defeat of one of its important matters of detail might destroy the usefulness of all the other provisions when adopted. Take the case as presented by the amendment under consideration. The learned counsel admits that the proposition to change from annual to biennial sessions so intimately connected with the proposition to change the tenure of office of members of the Assembly from one year to two years that the propriety of the two changes taking place, or that neither should take place, is so apparent that to provide otherwise would be absurd. And yet it is insisted that the two changes are two separate amendments, within the meaning of the constitutional provision above quoted, and must be submitted separately. If they must be submitted separately, why must they? Certainly they should either both be defeated, or both adopted. Why then should the people be permitted or compelled to vote upon each separately? Certainly no good could result from a separate submission which is not equally as well and better accomplished by submitted them together as one amendment, and the separate submission might result in the absurdity of the ratification of the one, and the rejection of the other. This illustration is, to my mind, almost conclusive that no such intention was entertained either by the framers of the Constitution, or by the people who adopted it. We think amendments to the Constitution, which the section above quoted requires shall be submitted separately, must be construed to mean amendments which have different objects and purposes in view. In order to constitute more than one amendment, the propositions submitted must relate to more than one subject, and have at least two distinct and separate purposes, not dependent upon or connected with each other.'

"State v. Timme, 54 Wisc. 318 (11 N. W. Rep. 785). The Supreme Court of Mississippi, in State v. Powell, 27 South Rep. 927, perspicuously stated the test:

"Whether an amendment is one or many clearly must depend upon the nature of the subject matter covered by the amendment. If the propositions are separate, one in no manner dependent on the other, so that a voter may intelligently vote for one and against the other—one being able to stand alone, disconnected wholly from the others—then such amendments are many, and not one; are severable, and not a unit; are complete each in itself, and not each a part of an interdependent scheme.'

"See to the same effect, Gabbert v. C. R. I. & P. R. R. Co., 171 Mo. 84 (70 S. W. Rep. 891); State ex rel. Morris v. Secretary of State, 43 La. Ann. 590, 659 (9 South. Rep. 776); State v. Herried, 10 S. D. 109, 118 (72 N. W. Rep. 93). As observed in State v. County Judge, 2 Iowa, 280, with reference to the provision requiring but one subject to be included in an act

of the Legislature, 'the unity of object is to be looked for in the ultimate end, and not in the detail or steps leading to the end.' If the amendment has but one object and purpose, and all else included therein is incidental thereto, and reasonably necessary to effect the object and purpose contemplated, it is not inimical to the charge of containing more than one amendment. We do not understand counsel for appellant to question the rule as stated, save in insisting that the mending of the broken places in other parts of the Constitution shall be limited within the narrowest bounds of strict necessity, or, in their language, 'that an amendment may contain, in addition to the main proposition, such additional provisions as are absolutely necessary to mend any place broken by reason of the adoption of the main proposition, but that the power to mend the broken places would not authorize the reconstruction of such section, or the ingrafting upon it of any provision that should have the effect to do more than cure the ambiguity or inconsistency occasioned by it.' That the necessity of the incidental change must exist, in order to justify its inclusion with the main proposition we entertain no doubt; but, in determining the character of such change, some discretion is, of necessity, allowed the General Assembly. Thus if the effect of the change proposed is to render inoperative some particular part of the Constitution, and this may be obviated or remedied in any one of several ways, the General Assembly may include any one reasonably adapted for that purpose, and not out of harmony with other portions of the fundamental law. In other words, the Legislature, in providing the correction of a consequential defect, should not be limited to any specific mode, but may exercise its sound discretion in selecting that which seems best, providing no more is included than is reasonably essential to effect the purpose intended. This much is involved in the power granted to propose amendments. In the words of the Wisconsin case: 'The Legislature, under the Constitution, has a discretion, within the limits of the rule that the propositions submitted must relate to one subject, of determining what shall be submitted as a single amendment, and they are not compelled to submit as separate amendments the separate propositions necessary to accomplish a single purpose.'"

The Supreme Court upheld the validity of the biennial election amendment although it covered the terms outlined in the preceding analysis.

In 1920 the people of Minnesota adopted an amendment to their Constitution very similar to the proposed amendment in Iowa. It describes in detail the routes of seventy highways and provides that they are created and established as a trunk highway system. It provides that the intermediate location of such highways may be changed in such manner as may be prescribed by law; that the legislature may add additional highways to the system; the legislature is authorized to tax motor vehicles on a more onerous basis than other personal property, and that tax is put into a fund for the payment of bonds which the amendment authorizes to be issued. It also provides that if the motor license fees are not sufficient to pay the bonds, the legislature may levy a tax on all taxable property in the state in an amount sufficient to meet the deficiency.

Section 5 of the amendment is as follows:

"Any and all provisions of the constitution of the state of Minnesota inconsistent with the provisions of this article, are hereby repealed, so far, but only so far, as the same prohibit or limit the power of the legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized."

The amendment was passed on by the Supreme Court of Minnesota in the case of *State v. Babcock*, 220 Northwestern 408, decided in 1928. The opinion of the court states that the validity of the amendment as to its violation of the Federal Constitution is not attacked and the court does not consider that question but assumes that it is valid under the State Constitution.

In 1928 the people of Missouri amended their Constitution. That amendment provided that for the purpose of establishing and improving hard surfaced highways in each county of the state and for the purpose of acquiring materials therefor and for constructing bridges thereon, the General Assembly shall have power to incur an indebtedness in the amount of one hundred thirty-five million dollars; that the proceeds of said bonds shall be used to improve the state primary and secondary highway system, to reimburse the counties for money expended by them on roads in said system or thereafter taken into said system, to widen the highways in the congested traffic areas around St. Louis and Kansas City; that the gas tax and automobile license fees shall be used to pay said bonds; also providing for a direct annual tax on all property in the state to pay said bonds if the license fees and gas tax are insufficient for that purpose; to improve supplementary state highways to be acquired in the future. The proceeds of said bonds are also to be used to acquire materials and for such other purposes and contingencies relating to the state highway system as the state highway commission deems proper. The constitutional amendment also appropriates "without legislative action" state auto license fees and gas taxes to said state road fund to be expended under the supervision of the State Highway Commission for said purpose. It provides that for a period of ten years after the adoption of the amendment, the General Assembly shall have no power to increase the auto license fees or gas taxes except in the event that the existing rates are insufficient to pay the bonds and maintain the roads. It provides that the State Highway Commission shall decide as to the issuance of said bonds.

The validity of that amendment was assailed in the case of *State v. Thompson*, 19 S. W. (2d S.) 642, decided in 1929. The amendment was attacked on the ground that it contained more than one subject and it, therefore, should have been split up into several amendments; also on the ground that it was legislative in character, and was attacked on various procedural grounds. The Supreme Court sustained the validity of the amendment.

The opinion contends that the proposed amendment is unconstitutional because it is really more than one amendment, for the following reasons:

First: it repeals temporarily the general debt provision of the Constitution:

Second: it provides for the contracting of an indebtedness for improving certain highways;

Third: it provides for the creation of a state indebtedness to retire the obligations of several counties of the state that have been incurred for road making purposes;

Fourth: it fixes and establishes certain described highways of the state as its primary roads;

Fifth: it prescribes the manner in which roads shall be improved;

Sixth: it seeks to delegate power to some unnamed authority to determine what roads other than those now constituting the primary road system shall become a part of that system;

Seventh: it repeals unnamed provisions of the Constitution affecting the creation of an indebtedness;

Eighth: it repeals unnamed provisions of the Constitution affecting the improvements of highways;

Ninth: it prohibits the issuance of bonds by the several counties of the state for primary road purposes.

As to the first, second and third specifications the amendment is a grant of power to incur indebtedness for the purpose of improving the State road system. The State, through the Legislature some years ago, adopted a state road system and so certified to the Federal Government in order to obtain Federal aid in improving that system. The method thus far followed by the State in paying the cost of improving that system, has been through the issuance of bonds by individual counties. In this amendment to the Constitution, the State proposes, by the issuance of State Bonds, to pay the cost of improving its state road system and provides that the county bonds shall be paid out of the proceeds of this State bond issue, and that upon the issuance of the first State bonds, no more county bonds shall be issued for this purpose.

As to the fourth specification, we respectfully submit that the amendment does not fix or establish certain highways of the State as the State's primary roads. That has already been done by Act of the Legislature. This amendment nowhere creates the primary road system.

As to the fifth specification, since the purpose of the amendment is the improvement of the state road system, it is certainly germane to that purpose to provide that they shall be improved by grading, draining, bridging and surfacing.

As to the sixth specification, the provision of the proposed amendment therein referred to, is as follows:

"Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein."

We respectfully submit that there is no delegation of power to anyone in that provision of the amendment. If under the law, as it is now, some official or body has power to change the location of primary road between cities and towns, they will have the same power after this amendment is adopted. The amendment specifically states that it makes no changes from the present law in that regard.

As to the seventh and eighth specifications, that the proposed amend-

ment does not refer specifically to the various provisions of the Constitution, which will be amended by it, that is Division 1 of this opinion and is considered therein.

As to the Ninth specification under this amendment, the State proposes, by issuing its own bonds to finance the improvement of its State system of highways and to discontinue the financing of those improvements by the issuance of county bonds. This amendment which provides for the financing of the improvement of the State system of roads, out of the proceeds of a state bond issue, very properly provides that no more of the county bonds shall be issued for the financing of the State road system. In changing from the old method of finance to the new, the Act provides that the old method shall be discontinued.

The opinion says:

"The subject of creating an indebtedness is clearly one subject, and the subject of improving particular roads either from funds derived through the indebtedness authorized or from other funds is clearly another subject."

If we correctly understand the opinion, it would be impossible to submit an amendment to the Constitution which would provide for the creating of an indebtedness and at the same time provide for the expenditure of the proceeds for a definite purpose by one amendment to the Constitution. We respectfully submit that, under the authorities, that is not the law.

In asserting that the proposed amendment is plural in fact the opinion says:

"This is made plain by the provisions of our existing Constitution. The subject of laying out and improving highways is treated in our Constitution under Article III, and all the restrictions on road making are contained therein, while the subject of contracting indebtedness is treated as a separate subject under Article VII of the Constitution. If these were considered separate subjects in the making of our original, permanent Constitution can we now say by adopting an amendment throwing these subjects together that they are only one? We do not believe the courts will so hold."

If we correctly understand the opinion, it contends that because the subject of creating and contracting indebtedness is treated in Article VII and the subject of laying out and improving highways is treated in Article III, that no amendment to the Constitution which dealt with these two subjects could be submitted in one amendment to the Constitution, because they are dealt with in different articles.

We call attention to the biennial election amendment. It was submitted in one amendment to the Constitution. See *Lobaugh v. Cook* (ibid). This amendment as we have before pointed out in this opinion, provided for the time of holding general elections and for the election of Governor, Lieutenant Governor, Treasurer of State, Attorney General, Judges of the Supreme Court, State Senators, and members of the House of Representatives. These subjects are dealt with in Article XII of the Constitution of Iowa. It also provided for the terms of offices of the Judges of the Supreme Court, and members of the General Assembly. The term

of office of the Judges of the Supreme Court is a subject dealt with in Article V of the Constitution, while the term of office of the members of the General Assembly is a subject dealt with in Article III of the Constitution. The Biennial amendment dealt with the determination of which of the Judges of the Supreme Court will serve as Chief Justice, which is a subject dealt with in Article V. It also dealt with the term of office of the Governor, Lieutenant Governor, and the Secretary, Auditor and Treasurer of State, while this subject matter is dealt with in Article IV of the Constitution. Here was an amendment to the Constitution, which dealt with subjects that were dealt with in Articles III, IV, V and XII of the Constitution, and our Supreme Court held it to be only one amendment.

The proposed amendment is a grant of power relating to the improvement of highways and making provision for the payment of the cost thereof. It authorizes an indebtedness of one hundred million dollars, it provides that this indebtedness shall be for the purpose of improvement of highways, the payment or retirement of county primary road bonds, and bonds issued to refund county primary road bonds. It provides that said indebtedness shall be evidenced by bonds, and pledges certain revenues to their payment. It limits the highways to be improved out of the proceeds of this issue of bonds.

The improvement is to be by grading, draining, bridging and surfacing. It provides that outstanding primary road bonds shall be paid from the proceeds of the said bonds as fast as such county bonds mature or become subject to call and that upon the issuance of the first state bond no more county bonds may be issued for the purpose of improving the state road system.

Our Supreme Court has said:

"Unity of object is to be looked for in the ultimate end and not in the detail or steps leading to the end. If the amendment has but one object and purpose and all else included therein is incidental thereto and reasonably necessary to effect the object and purpose contemplated, it is not inimical to the charge of containing more than one amendment."

It is our opinion that the said amendment has only one purpose, i. e. the improvement of the state highway system, and that all of the provisions of said amendment pertain to that purpose, and that it meets the requirements of the Constitution in that it is only one amendment thereto.

Respectfully submitted,

W. L. BLISS, Mason City,
LA MONTE COWLES, Burlington,
CHAS. M. DUTCHER, Iowa City,
W. A. SMITH, Dubuque,
H. H. STIPP, Des Moines,
EMMET TINLEY, Council Bluffs,
DANA WATERMAN, Davenport.

PROGRESS OF THE SCHOOL SURVEYS

(An address by R. C. Williams, director of research in the department

of public instruction, before the Senate of the Forty-fourth General Assembly, on January 30, 1931.)

GENTLEMEN OF THE SENATE: It is not my intention to impose upon your time any longer than you desire, and in saying that I will be glad to answer any questions, wish to add that I will not guarantee to answer all of them. Senator Stanley has referred to the inauguration of this school survey work. At the first meeting of the advisory committee it was decided that it really involved two surveys instead of one; one was to be a survey of the handicapped children of the state, and the other a survey of school costs. Your enactment also provided that these should be fact-finding, and we have limited our reports to that nature. The data on handicapped children were gathered from over the state by reports collected from school districts and the data on school costs largely came from the financial records on file in the department of public instruction. Up to the present time the census of handicapped children has been completed. We found it rather conflicting to conduct the two at the same time, however, we felt the information on handicapped children could be first completed. I believe each of you has received a copy of that census, consequently I will not review it in detail. We have started on the survey of school costs and are conducting it as rapidly as possible. Up to the present time six bulletins have been issued, and if any of you are concerned with those bulletins and wish further copies, I shall be glad to furnish you with as many as you desire.

Eleven thousand eighty-three handicapped children were reported to us from the state of Iowa. From evidence which we had this did not represent the actual number by any means, and we have estimated there are over forty thousand. This includes both mentally or physically handicapped in one form or another. We found a considerable number of them are not in school at the present time. We also found that there are a large number of children handicapped in some form or another who could not profit by regular classroom instruction; for example, a large number with defective speech, a large number crippled in some form or other, and a large number who are not deaf or blind, but who are hard of hearing or have lost part of their sight, as well as a great number who are mentally retarded.

On the matter of school costs we have issued two bulletins, our largest one being called a preliminary report. I call your attention to a few of the things which appear to be significant. For the sake of tracing the development of our school system since 1900 the following items are of interest: The number of people of school age (5 to 21) has slightly decreased since 1900, although the population of the state has increased since that time; attendance at school has increased one-fourth in the same period of time; the number of different teachers employed is practically the same as in 1900; the number graduating from high schools has increased about seven hundred per cent; school expenditures were nearly four million dollars less than in 1926, and over three million dollars less than in 1922. This reduction is doubtless due to a decrease in the amount invested in new school buildings.

The average enrollment in our one-teacher schools is fifteen pupils. The per cent of attendance in these schools is lower than in other types

of schools. Town and city schools have a longer school year than rural schools. Nine of every ten high schools in the state offer four years of work above the eighth grade. We found about three-fourths of all school corporations in the state are rural independent and school townships which primarily maintain a one-teacher rural school, and they have about one-third of the enrollment of the public schools of the state.

Regarding school support, approximately ninety-five per cent of our expenditures for schools comes from direct taxation, and ninety-two per cent from taxes levied by the local school district, the other three per cent being raised from taxes levied by the state as a unit or by the county as a unit. We have a semi-annual apportionment made up from the interest of the permanent school fund, the temporary school fund made up of fines and forfeitures, and a one to three mill tax assessed on a county-wide basis. A levy of one mill contributes approximately two per cent of the annual cost of schools. Of the total amount of all taxes forty-five per cent are levied by school boards. I might mention a number of other matters regarding school support as to the source of funds, etc., but you are more or less familiar with these sources.

Some of the things we could not overlook were the great variations and inequalities in education offered, not only from a financial point of view, but in the study of handicapped children. Some districts are providing a program of that sort while a large number are doing nothing. There is a great difference in the amount of assessed property per pupil, varying from \$815 to \$223,000. The average millage levy is lowest in rural independent and school township districts, about 23 or 24 mills. There are some districts which make no levy whatever for school purposes, while others levy two hundred mills or more. The average amount levied per pupil for operating expenses in rural and consolidated districts is one-half higher than in second class cities. There is a great variation in the value of buildings. Town, city, and consolidated districts have about three times as much invested in school buildings per pupil as the one-teacher country schools. The per pupil operating cost is the largest in the one-teacher and consolidated schools. The cheapest schools, based on per pupil cost, are found in the small towns, and the most expensive are also found in small towns. In attempting to get at the relative cost of the eight elementary grades and the high school we estimated that the annual per pupil cost is nearly twice as great for the high school as for the eight elementary grades for the same length of time. One-fifth of the expense of consolidated schools goes for transportation of children, and about one-fourth of the expenditures of the rural districts maintaining one-teacher schools goes for the payment of tuition of its children to other districts. Apparently the type of district organization has some relation to the cost of the school and the variation in costs. There are some school districts which are maintaining but an eight-year school, while others provide fifteen years, including kindergarten, elementary, high school, and junior college. Relatively few of the rural independent and school township districts have a bonded debt, while three-fourths or more of the other types have bonded indebtedness at the present time.

During the progress of our survey we had an opportunity to observe

the experience of three other states, Wisconsin, Michigan, and Ohio. Particularly interesting is their use of equalization funds, and also state-wide aid for handicapped children. The experience of these states should prove very helpful to Iowa in the solution of her school problem.

You may be interested to know the particular things we are working on now. We are investigating the per acre cost of consolidated schools and expect to summarize that for your convenience at an early date. We are summarizing data relative to what our school districts in Iowa are doing for handicapped children. A study is being made of the relation, if any, between the balance a school district has on hand and the amount of money it levies in taxes. There seems to be a great variation on that point. Our present studies include what the cost is per teacher in different types of schools, and how many teachers are employed for schools of certain size. The things which contribute to high millage levies for schools are being analyzed.

Some of our proposed studies include the ratio between the levy a district makes and the legal limit prescribed for that study, the size of the school and the size of the classes, size of the school and how much it costs per pupil in small schools, and in large schools. We hope to study the location and availability of high schools. We would like to study the scope of the program of studies offered in high schools, that is, what subjects are being taught in high schools of different sizes and different localities. We hope to investigate the comparative efficiency of the one-teacher schools with the graded schools. We would like to compare the cost of maintaining a small school or of closing that school and paying tuition and transportation of the children so that they may be taken care of in a nearby school. We should know more about the transportation of pupils at public expense, the facilities offered, the efficiency, and the possibilities for reorganization. We expect to study the present method of distributing state aid to schools, whether or not that aid is getting to the schools that need it, and the effect upon such schools.

We have had a number of inquiries from school boards asking for help in organizing a program of financial efficiency in their district. We have had to write them we have not the facilities for doing that, but will assist them if we have an opportunity later on. School boards are becoming interested in analyzing the costs of their schools.

We have additional copies of many of the reports that have been prepared, and you may have them by calling for them. I assure you that, if at any time I can be of assistance to any of you in your work, I shall be glad to do so. If you have any questions I will be glad to answer them, otherwise I shall close.

On motion of Senator Clearman, the Senate adjourned until 2 p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 2, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. I. G. Randels, pastor of the Christian Church of Truro.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Leonard for the day, on request of Senator Doran.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard, from the Columbia club of Sioux City, opposed to any income tax. Tax revision.

By Senator Quirk, from Northwest Iowa Conference of the Methodist Episcopal church, opposed to compulsory military training. Educational institutions.

By Senator MacDonald, from Women's Christian Temperance Union of Merrill, opposed to compulsory military training. Educational institutions.

By Senator Carden, from legislative committee of Henry County Farmers' Union, opposed to primary road bond issue, compulsory military training, and county assessor plan; and favoring taxation of property on its earning value, transportation companies using state roads, also tax on oleomargarine and other butter substitutes, bill boards, and luxury tax, replacement income tax, taxation of all state property, reduction of all public salaries, abolishment of the office of county boards of supervisors, repeal of law supporting

county agents, and the compulsory tuberculin test law. Highways, educational institutions, tax revision, compensation of public officers, county and township affairs and agriculture.

By Senator Baird, from Council Bluffs chamber of commerce, favoring state aid to municipal fire departments in cities wherein are located state institutions. Cities and towns.

By Senator Irwin, from Clinton chamber of commerce, opposed to tax on bill boards. Tax revision.

By Senator Irwin, from council of Clinton, favoring a diversion of primary road funds. Highways.

RESIGNATION OF COMMITTEE CLERK

MR. PRESIDENT: I herewith resign as committee clerk of the Senate to take effect immediately.

HELEN HOVDE.

The resignation was accepted.

Norma Mathis was sworn in as committee clerk for Senator Benson, succeeding Helen Hovde.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 71, a proposed bill to legalize the proceedings of the Board of Supervisors of Decatur county, Iowa.

WALTER H. BEAM, *Secretary.*

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 63, a proposed bill to legalize the proceedings of the Board of the Consolidated Independent School District of Lloyd township, Dickinson county, Iowa.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File No. 120, by Senator Blackford, a bill for an act to restore, increase and promote public confidence in banks and to assure better banking conditions by providing for the issuance of depositor's tax debentures to depositors of insolvent banks, and to provide for the redemption of the same by the exemption of taxes.

Read first and second times and referred to committee on banks and banking.

Senate File No. 121, by Senator Anderson, a bill for an act to amend section nine thousand four hundred twenty (9420) of the code, 1927, relating to Chattel Mortgages in Iowa.

Read first and second times and referred to committee on building and loan.

Senate File No. 122, by Senator Booth, a bill for an act to amend section five thousand twenty-one (5021), Code, 1927, relating to vehicles turning to the right when overtaken, and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway.

Read first and second times and referred to committee on highways.

Senate File No. 123, by Senator Gunderson, a bill for an act to legalize a certain contract entered into by the town of Lake Mills, Iowa, for the construction of a municipal electric plant and distribution system.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 124, by Senator Kent, a bill for an act to amend sections five thousand forty-five (5045), five thousand fifty-five b-one (5055-b1), five thousand fifty-five b-two (5055-b2) and five thousand fifty-five b-three (5055-b3) of the Code, 1927, relating to tail lights.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 125, by Senator White, a bill for an act to amend section four thousand eight hundred sixty-seven (4867) of the Code, 1927, relating to general exemptions of motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 126, by Senator Stevens, a bill for an act to amend Chapter Two (2), Acts Regular Session Forty-Third Gen-

eral Assembly of the State of Iowa, relating to the reduction of the salaries of state officers; Chapter Two Hundred Thirty-Six (236) of said Act relating to the reduction of the salary of highway commission attorney; Chapter Two Hundred Fifty-Two (252) of said Act relating to the reduction of salaries of district judges.

Read first and second times and referred to committee on compensation of public officers.

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. 63, a bill for an act to legalize sale of real estate by the Consolidated Independent School District of Lloyd Township, Dickinson County, Iowa.

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

House Concurrent Resolution No. 9, relating to the manufacture and sale of oleomargarine and restricting the use of palm oil in the manufacture thereof.

SAM C. RAGAN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 9

Memorializing Congress to enact that certain bill now pending known as H. R. 15934, relating to the manufacture and sale of oleomargarine and restricting the use of palm oil in the manufacture thereof."

"Whereas, There is now pending before the Congress of the United States a certain bill known as H. R. 15934, the purpose and intent of which is to prohibit the use of palm oil in the manufacture of oleomargarine and its products; and whereas the enactment of such bill by Congress will be of great benefit to the dairying interests of the state of Iowa.

"Now, Therefore, Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring herein, That we do hereby respectfully petition and urge Congress to pass and enact said H. R. 15934.

"And Be It Further Resolved, That the chief clerk be instructed to forward a copy hereof to each of the Senators and Representatives of the state of Iowa in said Congress of the United States."

Laid over under the rules.

HOUSE MESSAGE CONSIDERED

House File No. 63, a bill for an act to legalize the sale of real estate by the consolidated independent school district of Lloyd township, Dickinson county, Iowa.

Read first and second times and passed on file.

THIRD READING OF BILLS

By unanimous consent, on request of Senator Patterson, House File No. 63, a bill for an act to legalize the sale of real estate by the consolidated independent school district of Lloyd township, Dickinson county, Iowa, was taken up and considered.

Senator Patterson moved that the rules by which no bill may be read the second and third times the same day, be suspended, which motion prevailed.

The bill was read for information.

Senator Patterson offered the following amendment and moved its adoption:

Amend section two (2) by striking out lines three (3), four (4), five (5), and six (6) and inserting in lieu thereof the following "after its publication in the Milford Mail, a newspaper published at Milford, Iowa, and the Terril Record, a newspaper published at Terril, Iowa,".

The amendment was adopted.

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

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

Ayes, 42.

Anderson	Clark of	Hager	McLeland
Baird	Cerro Gordo	Hicklin	Moen
Beatty	Clark of	Hill	Myers
Bennett	Marion	Ickis	Patterson
Benson	Clearman	Irwin	Quirk
Bissell	Cochrane	Kent	Stanley
Blackford	Cole	Kimberly	Stevens
Booth	Cooney	Klemme	Stoddard
Carden	Coykendall	Knudson	Topping
Carroll	Doran	Lowe	White
Christophel	Gunderson	MacDonald	Wilson

Nays, none.

Absent or not voting, 8.

Clark of Linn
Frailey

Langfitt
Leonard

Rigby
Ritchie

Tabor
Wenner

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

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

SENATE FILE NO. 103 WITHDRAWN

By unanimous consent on request of Senator Myers, Senate File No. 103, relating to proceedings in guardianships and filing, and trial of claims therein, was withdrawn.

The Journal of January 31st was corrected and approved.

REPORT OF COMMITTEE

MR. PRESIDENT: Your committee on Highways to which was referred Senate File No. 77, a Bill for an Act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs, begs leave to report that it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

On motion of Senator McLeland, the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call, the Senate confirmed the appointment of Dr. J. W. Reynolds of Creston, Union county, Iowa, as a member of the state board of assessment and review for the term of six years, beginning the last Monday in February, 1931.

The Senate arose from executive session and resumed regular session.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 2 as follows:

1. By inserting immediately after section nine (9), a new section as follows:

"Sec. 9-a1. General deductions. There shall be deducted from the gross income of an individual taxpayer, in addition to other deductions herein authorized, the following:

1. \$1,250 if the taxpayer was, during the tax year, or during the major part thereof, an unmarried person.

2. \$2,500 if the taxpayer was, during the tax year, or during the major part thereof, the head of a family; and in addition \$250 for each minor dependent under 18 years of age.

The term "head of a family" means an individual who maintained, during the tax year or during the major part thereof, a household and supported therein himself and one or more persons who were dependent upon him for support."

2. By striking out section twelve (12) of said Senate File.

3. By striking from lines seventy (70) and seventy-one (71) of section three (3) the word "exemptions" and by inserting in lieu thereof the word "deductions".

4. By striking from line seventy-one (71) of section three (3) the word "twelve" and by inserting in lieu thereof, the following: "nine-a-one (9-a1)".

L. H. DORAN.

On motion of Senator Carden, the Senate adjourned until 10:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 3, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. E. Carnell Wilson, pastor of the Congregational Church of Forest City.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Leonard for the day, on request of Senator Doran; Senator Langfitt for the day, on request of Senator Benson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard, from the Edward E. Monahan Post No. 64, the American Legion, Sioux City, favoring Senate File No. 41. Cities and towns.

By Senator Wenner, from Cedar Falls Chamber of Commerce, opposing the passage of a bill levying a special tax on outdoor advertising. Tax revision.

By Senator MacDonald, from Farmer Union, local No. 1056, of Plymouth county, opposed to the county assessor bill. Tax revision.

By Senator Clark of Cerro Gordo, from the council of Clear Lake, favoring a diversion of primary road funds. Highways.

By Senator Blackford, from Farm Bureau members of Jefferson county, favoring an income tax as a replacement tax only and opposing a sales tax except on luxuries and gasoline. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 127, by Senator Clark of Cerro Gordo, a bill for an act to repeal the law as it appears in section eleven thousand three hundred fifty-nine (11359) of the code, 1927, relating to the taking of depositions, and to enact a substitute therefor.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 128, by Senator Coykendall, a bill for an act to amend section two (2), chapter fifty-eight (58), acts of the forty-third General Assembly, relating to the open season for killing, trapping or ensnaring furbearing animals; to provide for an open season on red fox.

Read first and second times and referred to committee on fish and game.

Senate File No. 129, by Senator Baird, a bill for an act to amend chapters one hundred sixty-seven (167) and one hundred ninety-five (195) of the Code, 1927, relating to the powers of the state board of education and the board of control of state institutions to make contracts with municipal corporations for fire protection.

Read first and second times and referred to committee on cities and towns.

Senate File No. 130, by Senator Carden, a bill for an act to amend the law as it appears in paragraph twenty-eight (28) of Section Ten thousand eight hundred thirty-seven (10837) of the Code of 1927, pertaining to the fee for the issuance of marriage licenses, and creating a fund to be used by the Vital Statistics Division of the State Department of Health from said marriage license fees.

Read first and second times and referred to committee on public health.

Senate File No. 131, by Senator Benson, a bill for an act to authorize the Executive Council of Iowa to sell land the title of which is in the name of the state, providing for the appraisal thereof, and authorizing the Governor and Secretary of State to execute conveyances for the same.

Read first and second times and referred to committee on judiciary No. 2.

REPORT OF COMMITTEE

Senator Bennett submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File No. 18, a bill for an act to amend section fourteen hundred two (1402), Code 1927, relating to beneficiaries of deceased employees coming within the provisions of the Workmen's Compensation Act, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. P. BENNETT, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Booth Senate File No. 77, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Booth offered the following amendment and moved its adoption:

Amend by adding a publication clause as follows:

"Sec. 8. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Shelby News*, a newspaper published in Shelby, Iowa, and the *Treynor Record*, a newspaper published in Treynor, Iowa."

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 45.

Anderson
Baird
Beatty
Bennett

Benson
Bissell
Blackford
Booth

Carden
Carroll
Christophel

Clark of
Cerro Gordo
Clark of Marion
Clearman

Cochrane	Hicklin	Lowe	Stanley
Cole	Hill	MacDonald	Stevens
Cooney	Ickis	McLeland	Stoddard
Coykendall	Irwin	Moen	Tabor
Doran	Kent	Myers	Topping
Frailey	Kimberly	Patterson	Wenner
Gunderson	Klemme	Quirk	White
Hager	Knudson	Ritchie	

Nays, none.

Absent or not voting, 5.

Clark of Linn	Leonard	Rigby	Wilson
Langfitt			

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

On motion of Senator Ickis Senate File No. 37, a bill for an act to amend Section Four (4), Chapter fifty-eight (58), Acts of the 43rd General Assembly, relating to Fur Dealers Licenses and fixing date of expiration therefor, and penalty for violation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend line three (3) of the title by striking the word "therefore" and substituting in lieu thereof the word "therefor".

Also, amend sec. 3, lines nine (9) and ten (10), by striking the words "Des Moines Register published at Des Moines, Iowa," and substituting in lieu thereof the words "Dayton Review, a newspaper published at Dayton, Iowa,".

By unanimous consent on request of Senator Ickis, the second paragraph of Sec. 3 was numbered "Sec. 4."

The bill was read for information.

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

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

Ayes, 47.

Anderson	Bissell	Christophel	Clearman
Baird	Blackford	Clark of	Cochrane
Beatty	Booth	Cerro Gordo	Cole
Bennett	Carden	Clark of Linn	Cooney
Benson	Carroll	Clark of Marion	Coykendall

Doran	Irwin	McLeland	Stevens
Frailey	Kent	Moen	Stoddard
Gunderson	Kimberly	Myers	Tabor
Hager	Klemme	Patterson	Topping
Hicklin	Knudson	Quirk	Wenner
Hill	Lowe	Ritchie	White
Ickis	MacDonald	Stanley	Wilson

Nays, none.

Absent or not voting, 3.

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

On motion of Senator Clark of Cerro Gordo Senate File No. 31, a bill for an act to amend the law as it appears in section fifty-two hundred sixty-one (5261) and section fifty-two hundred sixty-three (5263) of the Code of 1927, relating to the submission to the voters of a county the question of borrowing money for the purpose of erecting and equipping public buildings so as to extend said provisions so as to authorize the borrowing of money for the purpose of building additions or extensions to, or the remodeling or the reconstruction of any such public buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 46.

Anderson	Clark of Linn	Hill	Patterson
Baird	Clark of Marion	Ickis	Quirk
Beatty	Clearman	Irwin	Ritchie
Bennett	Cochrane	Kent	Stanley
Benson	Cole	Kimberly	Stevens
Blackford	Cooney	Klemme	Stoddard
Booth	Coykendall	Knudson	Tabor
Carden	Doran	Lowe	Topping
Carroll	Frailey	MacDonald	Wenner
Christophel	Gunderson	McLeland	White
Clark of Cerro Gordo	Hager	Moen	Wilson
	Hicklin	Myers	

Nays, none.

Absent or not voting, 4.

Bissell

Langfitt

Leonard

Rigby

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

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

On motion of Senator McLeland the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. J. H. Henderson of Indianola, Warren county, as commerce counsel for the term of four years, beginning July 1, 1931.

The Senate arose from executive session and resumed regular session.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following joint resolution:

Senate Joint Resolution No. 1, proposing an amendment to the Constitution of the State of Iowa relating to the improvement of highways and making provisions for the payment of the cost thereof.

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

House Concurrent Resolution No. 10, asking congressional legislation providing for aid and co-operation of the Federal Government in coping with law breaking and crime encouraged by the improvement of Highways designated as Federal Highways and Rural Post Roads.

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

Senate Concurrent Resolution No. 6, memorializing the President of the United States, and the Tariff Commission of the United States, to increase the tariff on corn.

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

Senate Concurrent Resolution No. 7, relating to adjournment on Friday, February 27th.

Also: That the House has concurred in Senate amendment to House File No. 63, a bill for an act legalizing the sale of real estate by the Consolidated Independent School District of Lloyd Township, Dickinson County, Ia.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION NO. 1

Amend by inserting a period (.) after the words and figures "Article XIII", as it appears just preceding section one so that when amended the words and figures will read "Article XIII."

Amend by striking in line twenty-four (24) of section three (3) the second letter "d" in the word "Odebolt".

HOUSE CONCURRENT RESOLUTION NO. 10

Whereas, The State of Iowa has through the acts of its General Assembly from time to time complied with the conditions of the "Federal Road Aid Act" and has in conformity thereto designated portions of the Primary Road System as Federal Highways, and

Whereas, The State of Iowa has similarly and from time to time provided for the improvement of both primary roads and secondary roads for the use of rural postal service and has provided for the designation of such roads as "Rural Post Roads" and

Whereas, The improvement of such roads and highways has aided law breaking and encouraged crime to an extent that a serious emergency exists and State and local law enforcement organizations are unable to cope with the situation and

Whereas, It is the policy and the duty of the Federal government to co-operate in the control and prevention of violence and crime in an emergency, and it already has efficiently organized facilities for doing so, therefore

Be It Resolved by the House, the Senate concurring: That in this serious emergency created by organized crime, the States should have the aid and co-operation of the Federal government and the Federal law enforcement agencies already existing, and we ask congressional legislation that will bring early relief in this extremity, and

Be It Further Resolved, That this resolution be transmitted to the United States Senators and the members of Congress from Iowa.

COMMUNICATION FROM EX-SENATOR MILLS

The following communication was read:

Mr. Walter Beam,
Des Moines, Iowa.
My dear Walter:

I wish to thank you for your kind letter of sympathy relative to the death of my dear father.

I also wish you would convey to the members of the Iowa Senate, their presiding officer, the committee on resolutions, and the memorial speaker, Hon. Joseph R. Frailey, the sincere thanks of the entire Mills family for the expression of sympathy conveyed by resolution. This expression by the Senate body will always be a bright spot in my life because of the tribute paid to my father, by a body of which I at one time was a member.

With kindest personal regards, I am

Yours truly,

February 2, 1931.

Redfield C. Mills.

On motion of Senator Klemme the Senate adjourned until 10:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 4, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. E. L. True, pastor of the Baptist Church of Shell Rock.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator MacDonald, from the Grand Meadow Farm Bureau, Pierson, favoring an income tax as a replacement tax and opposed to the county assessor plan. Tax revision.

By Senator Cooney, from Dubuque Illinois Central Service Booster club, favoring an increase of taxes levied on busses, trucks and barges. Tax revision.

By Senator Wenner, from board of supervisors of Grundy county, opposed to a diversion of primary road funds. Highways.

By Senator Anderson, from Fort Dodge chamber of commerce, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Baird, from board of supervisors of Pottawattamie county, opposed to a diversion of primary road funds. Highways.

By Senator Bennett, from Crawford county farm bureau, favoring a change in laws governing county fairs, an income tax as a complete replacement tax, a correction of inequalities of assessment, a complete assessment of monies and credits, and a driver's license law; and opposing a diversion of primary

road funds. County and township affairs, tax revision, and highways.

By Senator Doran, from Greater Community Congress of Story City, favoring the introduction of a bill regarding fish and game commission. Fish and game.

INTRODUCTION OF BILLS

Senate File No. 132, by Senators Patterson and Clark of Linn, a bill for an act providing for the levying, collecting and paying of a tax or excise with respect to the carrying on or doing business by corporations, joint stock associations and limited partnerships, based upon net income.

Read first and second times and referred to committee on tax revision.

Senate File No. 133, by Senators Booth, Blackford, Benson, Wenner, and Knudson, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the Code, 1927, relating to the total maximum weight of motor vehicles and loads thereon.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 134, by Senators Clark of Linn, Rigby and Patterson, a bill for an act to repeal sections seventy hundred fifteen (7015), seventy hundred sixteen (7016), seventy hundred seventeen (7017), and seventy hundred twenty (7020), of the Code of Iowa 1927, relating to the assessment of shares of stock of a mutual building and loan or savings and loan association; to provide for the assessment of the shares of stock of a mutual building and loan or savings and loan association against said association, and to provide for the levy, imposition and collection of a tax on the shares of stock of all mutual building and loan

or savings and loan associations doing business within the state in accordance with the provisions of chapter four hundred seventeen (417) of the Code of Iowa 1927.

Read first and second times and referred to committee on building and loan.

Senate File No. 135, by Senator Wenner, a bill for an act to amend sections twelve thousand eight hundred thirty-seven (12837) and twelve thousand eight hundred forty (12840), Code, 1927, relating to the perfecting of an appeal to the Supreme Court.

Read first and second times and referred to committee on code revision.

Senate File No. 136, by Senator Wenner, a bill for an act to amend section one hundred fifty-seven (157), Code, 1927, relative to the legislative recommendations of the code editor.

Read first and second times and referred to committee on code revision.

Senate File No. 137, by Senator Wenner, a bill for an act to amend section eleven thousand two hundred sixty-eight (11268), Code, 1927, relating to incriminating testimony and to define the term "prosecution" as it relates to such testimony.

Read first and second times and referred to committee on code revision.

Senate File No. 138, by Senator Wenner, a bill for an act to amend section ten (10), chapter sixty-six (66), acts of the forty-third (43) general assembly, relating to the investigations, findings, and orders of the state board of eugenics.

Read first and second times and referred to committee on code revision.

Senate File No. 139, by Senator Wenner, a bill for an act to repeal sections forty-six hundred eighty-six (4686), and forty-eight hundred forty-three (4843), Code, 1927, and to amend sections forty-five hundred sixty (4560), forty-six hundred seven (4607), forty-six hundred eight (4608), as amended by the forty-third (43rd) general assembly, chapter twenty (20), section sixty-seven (67), forty-six hundred fifty-seven (4657),

forty-seven hundred fifty-five-b twenty-seven (4755-b27), forty-eight hundred thirty-one-b one (4831-b1), forty-eight hundred forty-two (4842), forty-eight hundred forty-seven (4847), forty-eight hundred sixty-two (4862), fifty-one hundred fifty-one (5151), fifty-five hundred fifty-six (5556), fifty-five hundred eighty-five (5585), Code, 1927, and chapter twenty-two (22), acts of the forty-third (43rd) general assembly, and to repeal sections forty-six hundred twenty-seven (4627), forty-six hundred twenty-eight (4628), forty-six hundred twenty-nine (4629), forty-eight hundred thirty-four (4834), forty-eight hundred thirty-seven (4837), forty-eight hundred thirty-eight (4838), forty-eight hundred forty-five (4845), forty-eight hundred fifty-six (4856), forty-eight hundred fifty-seven (4857), forty-eight hundred fifty-eight (4858), Code, 1927, and to enact substitutes therefor, relating to the establishment, vacation, alteration, change, construction, use, and maintenance of highways and to the funds and donations set apart and expended for highway purposes, to the duties of the state highway commission and other public officers and public employees with reference to highways, to obstructions in and along highways and the removal of such obstructions, and to coordinate and harmonize the law of this state on the subject of highways.

Read first and second times and referred to committee on code revision.

Senate File No. 140, by Senator Wenner, a bill for an act to provide for the swearing or affirmation of jurors in civil cases.

Read first and second times and referred to committee on code revision.

Senate File No. 141, by Senator Wenner, a bill for an act to amend section eleven thousand two hundred ninety-one (11291), Code, 1927, relating to the use, as evidence, of certain records or certified copies thereof.

Read first and second times and referred to committee on code revision.

Senate File No. 142, by Senator Wenner, a bill for an act to amend section thirty-five (35), chapter one hundred (100), acts

of the forty-third (43) general assembly, relating to schools and school districts.

Read first and second times and referred to committee on code revision.

Senate File No. 143, by Senator Wenner, a bill for an act to amend section eleven thousand fifty-five (11055), Code, 1927, relating to the contents of an original notice of suit.

Read first and second times and referred to committee on code revision.

Senate File No. 144, by Senator Wenner, a bill for an act to repeal section five hundred fourteen (514), Code, 1927, and to enact a substitute therefor, relating to the election and term of office of judges of the supreme court.

Read first and second times and referred to committee on code revision.

Senate File No. 145, by Senator Wenner, a bill for an act to amend sections seventy-one hundred forty-four (7144), seventy-two hundred eight (7208), and seventy-two hundred twelve (7212), and to repeal section seventy-two hundred thirteen (7213), all of the Code, 1927, and relating to the payment and apportionment of road taxes.

Read first and second times and referred to committee on code revision.

Senate File No. 146, by Senator Wenner, a bill for an act to amend, revise, and codify sections one hundred thirty-nine (139), one hundred forty (140), ten hundred ninety-a twenty (1090-a20), ten hundred ninety-b two (1090-b2), forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548), fifty-five hundred forty-nine (5549), fifty-six hundred fifty-one (5651), fifty-six hundred fifty-three (5653), seventy-four hundred four (7404), and seventy-four hundred seven (7407), Code, 1927, relating to deposits by governmental bodies of public funds, and to so amend sections ten hundred ninety-a six (1090-a6), ten hundred ninety-a seven (1090-a7), and fifty-five hundred forty-seven (5547), Code, 1927, relating to the state sinking fund for public deposits and to the duties of the township clerk, as to coordinate and harmonize said sections with this act.

Read first and second times and referred to committee on code revision.

Senate File No. 147, by Senator Wenner, a bill for an act to amend, revise, and codify sections thirteen thousand seven hundred ninety-seven (13797) and thirteen thousand eight hundred nine (13809) of the code, 1927, relating to the sustaining of demurrers to criminal charges and to other rulings pertaining thereto and to the effect and avoidance of such rulings.

Read first and second times and referred to committee on code revision.

Senate File No. 148, by Senator Clearman, a bill for an act to amend section ten thousand four hundred twenty-nine (10,429) of the Code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 149, by Senator Myers, a bill for an act to amend Chapter five hundred forty-one (541) of the Code of 1927, relating to adult wards and their guardians, and providing for procedure to file, prosecute and establish claims against guardians of adult wards.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 150, by Senator Leonard, a bill for an act to amend the law as it appears in section thirty-seven hundred eighty-six (3786), Code of 1927 providing for parole of prisoners in the penitentiary and reformatories.

Read first and second times and referred to committee on board of control.

Senate File No. 151, by Senator Hill, a bill for an act to amend the law as it appears in section thirty (30) of chapter fifty-seven (57) of the acts of the forty-third general assembly relating to the carrying of firearms in motor vehicles so as to permit peace officers, while pursuing criminals, to carry loaded guns, rifles, etc., in a motor vehicle.

Read first and second times and referred to committee on police regulations.

Senate File No. 152, by Senator Hill, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state.

Read first and second times and referred to committee on police regulations.

Senate File No. 153, by Senator Hicklin, a bill for an act to amend section sixty-eight hundred thirty (6830) of the code, 1927, defining the powers and duties of the levee improvement commission of special charter cities and providing that said commission shall have and exercise all the powers and duties given to the Commissioners of Public Docks as enumerated and set forth in section fifty-nine hundred two (5902) of the code, 1927, paragraphs one (1) to thirteen (13) both inclusive, as amended by Chapters 170, 171 and 172 of the laws of the 43rd General Assembly of Iowa.

Read first and second times and referred to committee on cities and towns.

Senate File No. 154, by Senator Ritchie, a bill for an act to create a Sanitary Water Board; to prescribe the duties of said board; to authorize and direct said board to enter upon investigation relative to the cause of the pollution of the waters of the state and to buy materials for the purpose of eradicating the causes of said pollution, and to make an appropriation for said purposes.

Read first and second times and referred to committee on fish and game.

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 relating to the open season on fur-bearing animals.

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

House File No. 56, a bill for an act authorizing cities and towns to establish and improve parks and playgrounds.

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

House File No. 50, a bill for an act relating to connections under water works trustees.

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

House File No. 16, a bill for an act relating to the powers of the state board of education and the board of control of state institutions to make contracts with municipal corporations for fire protection.

SAM C. RAGAN, *Chief Clerk.*

On motion of Senator Knudson, ex-Senator Oscar Ulstad was escorted to the President's chair and spoke briefly.

HOUSE MESSAGES CONSIDERED

House File No. 16, a bill for an act to amend chapters one hundred sixty-seven (167) and one hundred ninety-five (195) of the Code, 1927, relating to the powers of the state board of education and the board of control of state institutions to make contracts with municipal corporations for fire protection.

Read first and second times and referred to committee on cities and towns.

House File No. 50, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982) of the code, 1927, relating to connections under water works trustees.

Read first and second times and referred to committee on cities and towns.

House File No. 56, a bill for an act to amend section fifty-nine hundred thirty-eight (5938), code of 1927, so as to authorize cities and towns to establish and improve parks and playgrounds.

Read first and second times and referred to committee on cities and towns.

House File No. 62, a bill for an act to amend section two (2) of Chapter fifty-eight (58), Acts of the Forty-third (43) General Assembly, relating to the open season on fur-bearing animals.

Read first and second times and referred to committee on fish and game.

HOUSE CONCURRENT RESOLUTION NO. 10 CONSIDERED

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

Whereas, The State of Iowa has through the acts of its General Assembly from time to time complied with the conditions of the "Federal Road Aid Act" and has in conformity thereto designated portions of the Primary Road System as Federal Highways, and

Whereas, The State of Iowa has similarly from time to time provided for the improvement of both primary roads and secondary roads for the use of rural postal service and has provided for the designation of such roads as "Rural Post Roads" and

Whereas, The improvement of such roads and highways has aided law breaking and encouraged crime to an extent that a serious emergency exists and State and local law enforcement organizations are unable to cope with the situation and

Whereas, It is the policy and the duty of the Federal government to co-operate in the control and prevention of violence and crime in an emergency, and it already has efficiently organized facilities for doing so, therefore

Be It Resolved by the House, the Senate concurring: That in this serious emergency created by organized crime, the States should have the aid and co-operation of the Federal government and the Federal law enforcement agencies already existing, and we ask congressional legislation that will bring early relief in this extremity, and

Be It Further Resolved, That this resolution be transmitted to the United States Senators and the members of Congress from Iowa.

The resolution was adopted.

REPORTS OF COMMITTEES

Senator Gunderson submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No. 13, a bill for an act to repeal the law as it appears in Chapter One (1) Acts of the Forty-third General Assembly relating to the payment of the expenses of members of the General

Assembly, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 55, a bill to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning, begs leave to report that it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Doran, Senate File No. 18, a bill for an act to amend section fourteen hundred two (1402), Code 1927, relating to beneficiaries of deceased employees coming within the provisions of the Workmen's Compensation Act, with report recommending indefinite postponement was taken up, and considered.

Senator Bennett moved the adoption of the committee report.

The report was adopted and the bill indefinitely postponed.

By unanimous consent, on request of Senator White, Senate File No. 55, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 46.

Anderson	Clark of Linn	Hill	Patterson
Baird	Clark of Marion	Ickis	Quirk
Beatty	Clearman	Irwin	Rigby
Bennett	Cochrane	Kent	Ritchie
Benson	Cole	Kimberly	Stevens
Bissell	Cooney	Klemme	Stoddard
Blackford	Coykendall	Knudson	Tabor
Booth	Doran	Leonard	Topping
Carroll	Frailey	Lowe	Wenner
Christophel	Gunderson	McLeland	White
Clark of	Hager	Moen	Wilson
Cerro Gordo	Hicklin	Myers	

Nays, none.

Absent or not voting, 4.

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

REPORT OF JOINT COMMITTEE ON RULES

Senator McLeland called up for consideration the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on rules begs leave to report that it has had the same under consideration and recommends that the joint rules of the Senate and House of the Forty-third General Assembly be adopted for the joint rules of the Senate and House for the Forty-fourth General Assembly.

WM. E. MCLELAND,
Chairman of the Senate Committee on Rules.

REYBURN RUTLEDGE,
Chairman of the House Committee on Rules.

The report was adopted.

The Journal of February 3d was corrected and approved.

On motion of Senator McLeland, the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call, the Senate confirmed the appointment of Hon. A. L. Urick of Des Moines, Polk county, to the office of labor commissioner for the term of two years, ending June 30, 1933.

On motion and roll call, the Senate confirmed the appointment of Hon. Carl C. Riepe, of Burlington, Des Moines county, to the office of state highway commissioner, for the period of four years, ending June 30, 1935.

The Senate arose from executive session and resumed regular session.

On motion of Senator Iekis, the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. P. M. Thomas, pastor of the Friends Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Cochrane, from citizens of Mills county, favoring optional military training. Educational institutions.

By Senator Cochrane, from citizens of Montgomery county, favoring optional military training. Educational institutions.

By Senator MacDonald, from board of supervisors of Plymouth county, opposing a diversion of primary road funds. Highways.

By Senator MacDonald, from council of LeMars, favoring a diversion of primary road funds. Highways.

By Senator Ritchie, from Clay county bankers association, opposing the levy of a special tax on outdoor advertising. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 155, by Senator Hill, a bill for an act to repeal the law as it appears in section twelve thousand nine hundred sixty b one (12960-b1) of the code of 1927 relating to the possession of machine guns, and to enact a substitute therefor.

Read first and second times and referred to committee on police regulations.

Senate File No. 156, by Senator Kimberly, a bill for an act to amend chapter ninety-two (92) Acts of the Forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers.

Read first and second times and referred to committee on cities and towns.

Senate File No. 157, by Senators Clark of Linn, Rigby and Patterson, a bill for an act to amend Chapter 332 of the Code of Iowa by adding thereto Sections 6989-C1, 6989-C2 and 6989-C3 prohibiting the deduction by a corporation of debts owing by it to any affiliated corporation in making up the amount of money or credits which a corporation is required to list, or to have listed or assessed, and defining affiliated corporations, and providing that in certain cases debts owing by an affiliated corporation shall be disregarded as assets of the lending corporation in arriving at the assessable value of its shares of stock.

Read first and second times and referred to committee on banks and banking.

Senate File No. 158, by Senators Gunderson and Clark of Linn, a bill for an act to regulate the sale of substitutes for lard or cooking oil by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the Secretary of Agriculture.

Read first and second times and referred to committee on agriculture.

Senate File No. 159, by Senator Cooney, a bill for an act amending section fifty-two hundred twenty-eight (5228) of the Code, 1927, relating to the compensation of county attorneys.

Read first and second times and referred to committee on judiciary No. 1.

REPORTS OF COMMITTEES

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 15, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of Chapter two hundred

forty-two (242) either of the Code of Iowa 1924 or 1927, and to provide for the payment of the principal and interest thereon, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike Section 2 thereof and substitute therefor the following:

"Sec. 2. Principal and interest of said bonds may be paid from that part of the secondary road construction fund not pledged to local county roads, and the board of supervisors shall levy and collect from year to year a sufficient amount of taxes which, together with the amount the board has appropriated from the unpledged portion of said construction fund, shall be sufficient to pay said bonds and interest thereon as the same mature."

C. A. BENSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 16, a bill for an act to amend section eleven (11) of chapter twenty (20) of the laws of the Forty-third General Assembly, relating to the use of secondary road construction fund, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

At the end of line 5 of Sec. 1 strike the period and add: "authorized under chapter two hundred forty-two (242), code, 1924, and code, 1927."

C. A. BENSON, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on Judiciary No. 2, to which was referred Senate File No. 72, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to the distribution of early laws, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 2 by striking all after the word "in" in line two thereof, and inserting in lieu thereof the following:

"The Marshalltownian, a newspaper published in Marshalltown, Iowa, and the Winnebago Republican, a newspaper published in Forest City, Iowa."

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on Judiciary No. 2, to which was referred Senate File No. 75, a bill for an act to repeal section ten thousand nine hundred five (10905) of the Code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out the figures "10589" as they appear in line 9 of Section 1, and insert in lieu thereof the figures "10859".

F. M. BEATTY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 13, a bill for an act to repeal the law as it appears in Chapter one (1) Acts of the Forty-third General Assembly relating to the payment of the expenses of members of the General Assembly, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Stoddard moved that action on this bill be deferred.

Senator Stoddard asked for roll call.

On the question "Shall action be deferred?" the vote was:

Ayes, 5.

Beatty	Doran	Lowe	Stoddard
Clark of Linn			

Nays, 39.

Anderson	Clearman	Klemme	Stanley
Baird	Cochrane	Knudson	Stevens
Bennett	Cooney	Leonard	Tabor
Benson	Coykendall	MacDonald	Topping
Bissell	Frailey	McLeland	Wenner
Blackford	Gunderson	Moen	White
Booth	Hill	Myers	Wilson
Carroll	Ickis	Patterson	
Christophel	Irwin	Quirk	
Clark of Cerro Gordo	Kent	Rigby	
	Kimberly	Ritchie	

Absent or not voting, 6.

Carden	Cole	Hicklin	Langfitt
Clark of Marion	Hager		

The motion to defer action was lost.

Senator Myers asked for roll call on the adoption of the report.

Senator Clark of Cerro Gordo invoked Rule 8.

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

Ayes, 28.

Anderson	Cooney	Kent	Rigby
Baird	Coykendall	Kimberly	Tabor
Bennett	Frailey	Klemme	Topping
Blackford	Gunderson	Langfitt	Wenner
Christophel	Hicklin	MacDonald	Wilson
Clark of	Hill	McLeland	
Linn	Ickis	Patterson	
Cochrane	Irwin	Quirk	

Nays, 18.

Beatty	Clark of	Leonard	Stanley
Benson	Cerro Gordo	Lowe	Stevens
Bissell	Clearman	Moen	Stoddard
Booth	Doran	Myers	White
Carroll	Knudson	Ritchie	

Absent or not voting, 4.

Carden	Clark of Marion	Cole	Hager
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The report was adopted and the bill was indefinitely postponed.

Senator Gunderson moved that the vote by which the report was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Tabor, Senate File No. 72, a bill for an act to repeal section two hundred thirty-seven (237) of the Code and to enact a substitute therefor, relating to the distribution of early laws, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend Section 2 by striking all after the word "in" in line two thereof, and inserting in lieu thereof the following:

"The Marshalltownian, a newspaper published in Marshalltown, Iowa, and the Winnebago Republican, a newspaper published in Forest City, Iowa."

The bill was read for information.

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

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

Ayes, 41.

Anderson	Clark of	Hill	Rigby
Baird	Cerro Gordo	Ickis	Ritchie
Beatty	Clark of Linn	Irwin	Stanley
Bennett	Clearman	Kent	Stoddard
Benson	Cochrane	Kimberly	Tabor
Bissell	Cole	Klemme	Topping
Blackford	Cooney	Knudson	Wenner
Booth	Coykendall	Langfitt	White
Carden	Doran	Lowe	Wilson
Carroll	Frailey	McLeland	
Christophel	Hager	Myers	

Nays, none.

Absent or not voting, 9.

Clark of	Hicklin	Moen	Stevens
Marion	Leonard	Patterson	
Gunderson	MacDonald	Quirk	

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

On motion of Senator Clearman, Senate File No. 15, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of chapter two hundred forty-two (242) either of the Code of Iowa, 1924 or 1927, and to provide for the payment of the principal and interest thereon, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Strike Section 2 thereof and substitute therefor the following:

"Sec. 2. Principal and interest of said bonds may be paid from that part of the secondary road construction fund not pledged to local county

roads, and the board of supervisors shall levy and collect from year to year a sufficient amount of taxes which, together with the amount the board has appropriated from the unpledged portion of said construction fund, shall be sufficient to pay said bonds and interest thereof as the same mature."

The bill was read for information.

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

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

Ayes, 41.

Baird	Clark of Linn	Hill	Quirk
Beatty	Clark of	Ickis	Rigby
Bennett	Marion	Irwin	Ritchie
Benson	Cochrane	Kent	Stanley
Bissell	Cole	Kimberly	Stevens
Blackford	Cooney	Klemme	Stoddard
Booth	Coykendall	Langfitt	Tabor
Carden	Doran	Lowe	Topping
Christophel	Frailey	McLeland	Wenner
Clark of	Gunderson	Moen	White
Cerro Gordo	Hager	Myers	

Nays, none.

Absent or not voting, 9.

Anderson	Hicklin	MacDonald	Wilson
Carroll	Knudson	Patterson	
Clearman	Leonard		

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

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

On motion of Senator White, Senate File No. 16, a bill for an act to amend section eleven (11) of chapter twenty (20) of the laws of the Forty-third General Assembly relating to the use of secondary road construction fund, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from line 5 of section 1 the period and adding: "authorized under chapter two hundred forty-two (242), code, 1924, and code, 1927."

By unanimous consent on request of Senator Beatty the word "and" in the last line of the amendment was changed to the word "or".

The bill was read for information.

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

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

Ayes, 45.

Anderson	Clark of Linn	Ickis	Ritchie
Baird	Clark of	Irwin	Stanley
Beatty	Marion	Kent	Stevens
Bennett	Clearman	Kimberly	Tabor
Benson	Cochrane	Klemme	Topping
Bissell	Cole	Knudson	Wenner
Blackford	Cooney	Langfitt	White
Booth	Coykendall	Lowe	Wilson
Carden	Doran	McLeland	
Carroll	Frailey	Moen	
Christophel	Gunderson	Myers	
Clark of	Hager	Quirk	
Cerro Gordo	Hill	Rigby	

Nays, none.

Absent or not voting, 5.

Hicklin	MacDonald	Patterson	Stoddard
Leonard			

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

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

On motion of Senator Doran, Senate File No. 75, a bill for an act to repeal section ten thousand nine hundred five (10905) of the Code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists, with report of committee recom-

mending amendment and passage, was taken up, considered, and the report of the committee adopted,

The following committee amendment was adopted:

Amend by striking the figures "10589" as they appear in line 9 of Section 1, and inserting in lieu thereof the figures "10859".

The bill was read for information.

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

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

Ayes, 43.

Anderson	Clark of Linn	Irwin	Stoddard
Baird	Clark of	Kent	Tabor
Beatty	Marion	Kimberly	Topping
Bennett	Clearman	Klemme	Wenner
Benson	Cochrane	Knudson	White
Bissell	Cole	Langfitt	Wilson
Blackford	Cooney	Lowe	
Booth	Coykendall	McLeland	
Carden	Doran	Moen	
Carroll	Frailey	Myers	
Christophel	Hager	Patterson	
Clark of	Hill	Rigby	
Cerro Gordo	Ickis	Ritchie	

Nays, none.

Absent or not voting, 7.

Gunderson	Leonard	Quirk	Stevens
Hicklin	MacDonald	Stanley	

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

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

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. 71, a bill for an act to legalize the act of the board of supervisors of Decatur County on January 23, 1931, in making a permanent transfer of \$9,000 from the court expense fund to the paupers' fund.

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

House File No. 99, a bill for an act making it optional for boards of supervisors to levy a tax of not exceeding one mill instead of one-half mill.

Also: 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 relating to guardianship of veterans.

Also: 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 relating to actions against persons in the military or naval service of the government of the United States.

Also: 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 repeal section 5950 of the Code, 1927, relating to removal of snow and ice from sidewalks.

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

House File No. 160, a bill for an act to repeal section 5557, Code, 1927, relating to the refusal of a township officer to qualify.

Also: 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 162, Code, 1927, relative to the publication of the Acts of the General Assembly.

SAM C. RAGAN, *Chief Clerk.*

President Pro Tem McLeland took the chair at 10:58 a. m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House File No. 63.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

HOUSE MESSAGES CONSIDERED

House File No. 71, a bill for an act to legalize the act of the board of supervisors of Decatur county on January 23, 1931 in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the paupers' fund of said county.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 99, a bill for an act to amend section five thousand three hundred eighty-five (5385) of the code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ($\frac{1}{2}$) mill as now authorized.

Read first and second times and referred to committee on ways and means.

House File No. 117, a bill for an act to amend section eleven (11), chapter two hundred fourteen (214), acts of the forty-third (43rd) general assembly, relating to guardianship of veterans.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 157, a bill for an act to repeal sections eleven thousand thirty-one (11031) to eleven thousand thirty-three (11033), inclusive, Code, 1927, relating to actions against persons in the military or naval service of the government of the United States.

Read first and second times and referred to committee on judiciary No. 1.

President McFarlane returned to the chair at 11:04 a. m.

House File No. 163, a bill for an act to repeal section fifty-nine hundred fifty (5950) of the Code, 1927, relating to the removal of snow and ice from sidewalks, and to enact a substitute therefor, to provide for the removal of snow, ice, dirt, rubbish, and accumulations.

Read first and second times and referred to committee on cities and towns.

House File No. 164, a bill for an act to amend section one hun-

dred sixty-two (162), Code, 1927, relative to the publication of the acts of the general assembly.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 160, a bill for an act to repeal section fifty-five hundred fifty-seven (5557), Code, 1927, relating to the refusal of a township officer to qualify.

Read first and second times and referred to committee on judiciary No. 1.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File No. 63.

The Journal of February 4th was corrected and approved.

By unanimous consent on his own request, Senator Carden was allowed to be recorded as voting "no" on Senate File No. 13.

Senator Clark of Marion asked unanimous consent to be recorded as voting "aye."

Senator Gunderson objected.

Senator Frailey raised the point of order that after a vote is legally and constitutionally taken, no member of the Senate can come in and go on record on the roll as either voting "aye" or "no", but can put an explanation in the Journal as to how he would have voted if he had been present.

The President held the point of order well taken.

Senator Carden withdrew his request.

On motion of Senator McLeland the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

EXPLANATION OF VOTE

MR. PRESIDENT: On my arriving in the Senate Chamber on February 5th Senate File No. 13 which is a bill to repeal Chapter 1, Acts of the

Forty-third General Assembly, had been reported out for indefinite postponement and voted upon by the Senate.

I asked for unanimous consent to be recorded as voting aye upon the aforesaid bill. There being some objection, my vote was therefore stricken from the records.

If I had been present at the time the bill was before the Senate, I most assuredly would have voted for the indefinite postponement of this bill, as I had voted for the bill in the Forty-third General Assembly believing it to be right, just and fair.

Therefore, I am making this explanation.

W. A. CLARK.

AMENDMENT FILED

I move to amend Senate File No. 2 by striking out all of Section 36 and inserting in lieu thereof the following:

Sec. 36. The net revenue arising under the operation of this act shall be distributed by the State Board of Assessment and Review to the counties from which the same is collected and shall be distributed by the County Treasurer of said county to the school districts within said county in proportion to the number of youths within school age attending school and residing within said districts.

GEO. A. WILSON.

On motion of Senator Clark of Marion the Senate adjourned until 10:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. James Edward Lair, pastor of the Fairview Christian Church of Taylor county.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Langfitt for the day, on request of Senator Benson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hill, from citizens of Floyd county, opposing an additional tax on tobacco. Tax revision.

By Senator Hill, from tobacco dealers of Floyd county, opposing an additional tax on tobacco. Tax revision.

By Senator Anderson, from Fort Dodge Retailers' Bureau, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Hager, from residents of Allamakee county, opposing the proposed amusement tax. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 160, by Senator Knudson, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this state, to provide a light on said vehicles which can be seen for a radius of two hundred (200) feet.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 161, by Senator Clearman, a bill for an act to make an appropriation to pay the cost of paving certain streets which pass through or are adjacent to property belonging to the State University of Iowa, Iowa City, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File No. 162, by Senator Hill, a bill for an act creating a sanitary water board for the State of Iowa; providing for their duties by making investigations and controlling the pollution of streams and other bodies of water within the state; and amending the law as it appears in section twenty-one hundred ninety-eight (2198), section twenty-one hundred ninety-nine (2199), section twenty-two hundred one (2201), section twenty-two hundred three (2203), section twenty-two hundred four (2204), section twenty-two hundred five (2205), section twenty-two hundred six (2206), and section twenty-two hundred seven (2207), of the code of Iowa 1927, relating to stream pollution, and changing said sections to conform with the creation of said sanitary board.

Read first and second times and referred to committee on public health.

Senate File No. 163, by Senator McLeland, a bill for an act to repeal the law as it appears in section thirty-three hundred sixty-six (3366), Code of 1927, and to enact a substitute therefor, relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa.

Read first and second times and referred to committee on board of control.

Senate Joint Resolution No. 5, by Senator Beatty, a resolution proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State of Iowa and the payment thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 164, by Senator Klemme, a bill for an act to amend Chapter one hundred six of the Code of 1927, relative to the compensation of members of the State Board of Health.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 165, by Senator Wilson, a bill for an act to amend section six thousand five hundred eighty-eight (6588) of the Code, 1927, relating to police equipment authorized in certain cities.

Read first and second times and referred to committee on cities and towns.

Senate File No. 166, by Senator Clark of Marion, a bill for an act to amend the law as it appears in Section Eleven hundred seventy-one b1 (1171-b1) of the code of 1927, relating to the giving of preference by public agencies to domestic products and to repeal section eleven hundred seventy-one b3 (1171-b3) of the code of 1927, and to further provide for the giving of preference to domestic products and to Iowa labor in all public works or improvements and in the purchase of all materials for use in connection with public institutions, and to provide a penalty for violation thereof.

Read first and second times and referred to committee on labor.

REPORT OF COMMITTEE

Senator Carroll submitted the following report:

MR. PRESIDENT: Your committee on educational institutions, to which was referred House Concurrent Resolution No. 8, providing for the appointment of an investigating committee to investigate the charges of mal-administration against the officials and employees of the State University of Iowa, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House Concurrent Resolution No. 8 by striking all after the first paragraph down to "Therefore, Be It Resolved", and substitute in lieu thereof the following:

"Whereas, Charges and claims of mal-administration on the part of the Board of Education of the State of Iowa and upon the part of certain

officials, officers and employees of the State University of Iowa have been made, and

"Whereas, The Honorable Dan W. Turner, Governor of the State of Iowa, has recommended that a legislative joint committee be appointed to thoroughly investigate the conditions of the management and administration of the affairs of said University, both by the officials and employees thereof and by said State Board of Education, and

"Whereas, It appears that in fairness to the State Board of Education and to the officials and employees of the State University of Iowa, such investigation should be made,"

Also, by striking Section 7, as found on page 196 of the Journal of the Senate.

H. B. CARROLL, *Chairman.*

Ordered passed on file.

HOUSE CONCURRENT RESOLUTION NO. 8 MADE SPECIAL ORDER

Senator Frailey moved to make House Concurrent Resolution No. 8 a special order for Tuesday, February 10, at 10:30 a. m.

The motion prevailed.

REPORTS OF COMMITTEES

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 38, a bill for an act amending section fifty-six hundred ninety-four (5694) of the Code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 35, a bill for an act to make chapter one hundred ninety-five (195) of the Laws of the Forty-third General Assembly conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 81, a bill for an act to amend chapter two hundred ninety-three (293), Code, 1927, relating to Park Commissioners by empowering the Board of Park Commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to certify to the City Council an additional tax anticipating the collection thereof and issuing anticipatory warrants for the purpose of erecting clubhouses in public parks, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 62, a bill for an act to amend the law as it appears in section fifty-nine hundred sixty-nine (5969), Code, 1927, relating to the repair and cleaning of sidewalks, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Booth submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 24, a bill for an act to amend Section four thousand nine hundred thirteen (4913), Chapter two hundred fifty-one (251) of the Code of 1927, relating to motor vehicles and law of the road, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 125, a bill for an act to amend Section four thousand eight hundred sixty-seven (4867) of the Code, 1927, relating to general exemptions of motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Senator Hager submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was re-

ferred Senate File No. 54, a bill for an act relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom, begs leave to report it has had the same under consideration and recommends the same do pass.

J. H. HAGER, *Chairman*.

Ordered passed on file.

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred a resolution directing the Governor to proclaim October 11th of each year as General Pulaski's Memorial Day, begs leave to report that it had said resolution under consideration, and recommends that the same do not pass.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred House File No. 99, a bill for an act to amend section five thousand three hundred eighty-five (5385) of the Code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ($\frac{1}{2}$) mill as now authorized, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on military affairs.

W. S. BAIRD, *Chairman*.

The report was adopted and the bill was re-referred to committee on military affairs.

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. 149, a bill for an act relating to the display of licenses by practitioners of certain professions.

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

House File No. 23, a bill for an act relating to the number of judges, in and for the 21st Judicial District of Iowa.

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

House File No. 150, a bill for an act relating to the sale of certain poisons.

SAM C. RAGAN, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Kimberly, Senate File No. 35, a bill for an act to make chapter one hundred ninety-five (195) of the laws of the Forty-third General Assembly, conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly offered the following amendment and moved its adoption:

Amend by inserting after the words "city of Davenport, Iowa," a period (.) and striking out the words "without expense to the State."

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 44.

Anderson	Clark of	Ickis	Patterson
Baird	Marion	Irwin	Quirk
Beatty	Clearman	Kent	Rigby
Bennett	Cochrane	Kimberly	Ritchie
Benson	Cole	Klemme	Stanley
Bissell	Coykendall	Knudson	Stevens
Blackford	Doran	Leonard	Stoddard
Booth	Frailey	Lowe	Tabor
Carden	Hager	McLeland	Topping
Christophel	Hicklin	Moen	Wenner
Clark of Linn	Hill	Myers	White
			Wilson

Nays, none.

Absent or not voting, 6.

Carroll	Cooney	Langfitt	MacDonald
Clark of	Gunderson		
Cerro Gordo			

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

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

On motion of Senator Hicklin, Senate File No. 81, a bill for an act to amend chapter two hundred ninety-three (293) of the Code, 1927, relating to park commissioners by empowering the board of park commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to certify to the city council an additional tax anticipating the collection thereof and issuing anticipatory warrants for the purpose of erecting clubhouses in public parks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 43.

Anderson	Clark of	Ickis	Quirk
Baird	Marion	Irwin	Rigby
Beatty	Clearman	Kent	Ritchie
Bennett	Cochrane	Kimberly	Stanley
Benson	Cole	Klemme	Stevens
Bissell	Coykendall	Knudson	Stoddard
Blackford	Doran	Leonard	Tabor
Booth	Frailey	Lowe	Topping
Carden	Hager	McLeland	Wenner
Christophel	Hicklin	Myers	White
Clark of	Hill	Patterson	Wilson
Cerro Gordo			

Nays, none.

Absent or not voting, 7.

Carroll	Cooney	Langfitt	Moen
Clark of Linn	Gunderson	MacDonald	

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

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

SENATE FILE NO. 62 WITHDRAWN

By unanimous consent on request of Senator Wilson, Senate File No. 62, relating to the repair and cleaning of sidewalks, was withdrawn from further consideration.

HOUSE MESSAGES CONSIDERED

House File No. 23, a bill for an act to amend the law as it appears in section ten thousand seven hundred sixty-eight (10768), of the code of Iowa 1927, relating to the number of judges in and for the twenty-first Judicial District of Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 150, a bill for an act to amend section thirty-one hundred seventy-four (3174), code of 1927, relating to the sale of certain poisons.

Read first and second times and referred to committee on pharmacy.

House File No. 149, a bill for an act to amend section twenty-four hundred forty-four (2444), code of 1927, relating to the display of licenses by practitioners of certain professions.

Read first and second times and referred to committee on pharmacy.

Senator Klemme asked unanimous consent to have the Journal of February 5th corrected so as to show him as having voted "no" instead of "aye" on the report of the committee recommending Senate File No. 13 for indefinite postponement.

Senator Frailey raised the point of order that, after a vote is taken, if the vote is wrong all that can be done is to record an explanation of vote in the Journal.

The President pro tem held the point well taken.

The Journal of February 5th was corrected and approved.

By unanimous consent on request of Senator Stoddard, Senators Booth, Carroll and MacDonald, the members chosen to visit state institutions, were excused for Saturday and Monday.

EXPLANATION OF VOTE

Feb. 6, 1931.

MR. PRESIDENT: This morning when the Senate corrected the Journal of yesterday, I found that I was recorded as having voted "aye" on S. F. No. 13. This is a mistake, for I wanted to be recorded as having voted "no".

WM. H. KLEMME.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House Concurrent Resolution No. 8 as follows:

Strike out all of said resolution and substitute in lieu thereof the following:

Whereas, The Governor of Iowa has by special message recommended that the General Assembly investigate rumors reflecting upon the official conduct of the State Board of Education and its administration of the State University of Iowa, and

Whereas, The Legislature of the State of Iowa has heretofore made provision for the removal of any appointive officer by a majority vote of the Executive Council of the State of Iowa, and

Whereas, The General Assembly is of the opinion that an investigation by a regularly constituted tribunal established for that purpose will better serve the ends of justice and the purposes of the State than an investigation made by the General Assembly in the light of the multitudinous duties imposed upon the General Assembly during the brief period that it remains in session,

Now Therefore Be It Resolved, That the Executive Council of the State of Iowa is hereby requested to investigate all charges which may be filed before it against the Board of Education or any of its members and undertake such action with respect thereto as may be justified by the evidence.

C. L. RIGBY.

MR. PRESIDENT: I move to amend Senate File No. 39 as follows:

Amend the Title. Add to the title and to section 1, after the figures Forty-three hundred forty-one (4341), the following: "and section Forty-three hundred forty-two (4342)."

Line 10. In line 10, substitute the word and figures, "one hundred (100)" for "ninety (90)".

Line 16. In line 16, substitute the word and figures "eighty (80)" for "seventy (70)".

Sub.-div. 3. Substitute the following for Sub.-div. 3:

"3. A teacher who has completed a Normal Training Course in a Normal Training High School, shall receive a minimum wage of sixty-five (65) dollars per month."

Sub.-div. 4. Add the following as Sub.-div. 4:

"4. All teachers not included in sub-divisions one (1), two (2), and three (3) above, shall receive a minimum wage of fifty (50) dollars per month."

A. V. BLACKFORD.

On motion of Senator Clark of Marion, the Senate adjourned until 10:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. De Loss Marken, pastor of the College Avenue Church of Christ of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Doran for the day, on request of Senator Leonard; Senator Stoddard for the day, on request of Senator Moen; Senator Hager for the day, on request of Senator Knudson; Senator Baird for the day, on request of Senator Rigby; Senator Ritchie for the day, on request of Senator Tabor; Senator Wenner for the day, on request of Senator Blackford; Senator Langfitt for the day, on request of Senator Benson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Lowe, from voters of Warren county, opposing the county assessor bill. Tax revision.

By Senator White, from sixty-four business and professional men of Belle Plaine, opposing the levy of a tax on theatre tickets. Tax revision.

By Senator Klemme, from citizens of Winneshiek county, opposing Senate File No. 29. Judiciary No. 2.

By Senator Benson, from the council of Strawberry Point, favoring a diversion of primary road funds. Highways.

By Senator Clearman, from residents of Iowa county, opposing Senate File No. 110. Public health.

By Senator Moen, from voters of Gaza, favoring optional military training in schools. Military training.

PROOF OF PUBLICATION

I hereby certify that as Secretary of the Senate, I have received proof of publication of House File No. 145, a proposed bill to legalize the proceedings relating to an election held in the city of Missouri Valley.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File No. 167, by Senator Wilson, a bill for an act to amend sections sixty-three hundred ten (6310) and sixty-three hundred fourteen (6314), Code, 1927, relating to pension funds for disabled and retired firemen and policemen by including therein provisions making such pensions applicable to deputy clerks of Municipal Courts in cities having a population of one hundred thousand (100,000) or more.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 168, by Senator Myers, a bill for an act to repeal the law as it appears in section twelve thousand forty-one (12041) and to amend the law as it appears in section ten thousand eight hundred twenty-five (10825), of the Code of Iowa, 1927, relating to the reference and examination of the accounts of executors, administrators and guardians, and the duties of the Clerk of the District Court therein.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 169, by Senator Lowe, a bill for an act to amend section sixty-nine hundred forty-nine (6949), Code, 1927, relating to the time of filing claims for exemption from taxation.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 170, by Senators Stanley and Carroll, a bill for an act to define handicapped children; to provide special school facilities, home and bedside instruction for said children; to provide for state aid and for the administration of this act;

to amend sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code 1927, relating to school census.

Read first and second times and referred to committee on public schools.

Senate File No. 171, by Senator Coykendall, a bill for an act to amend section ten thousand four hundred twenty-nine (10429) of the Code of Iowa, 1927, relating to the place of obtaining marriage licenses.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 172, by Senator Moen, a bill for an act to amend section sixty-nine hundred forty-four (6944) of the code, 1927, relating to exemption of taxation on capital stock.

Read first and second times and referred to committee on tax revision.

Senate File No. 173, by Senator Cooney, a bill for an act amending chapter twenty-nine (29) of the code, 1927, authorizing and requesting the Governor of the State of Iowa to issue a Proclamation for the proper observance of Lincoln's birthday, Washington's birthday, and Armistice Day.

Read first and second times and referred to committee on military affairs.

Senate Joint Resolution No. 6, by Senator Benson, a bill for an act calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 174, by Senator Cochrane, a bill for an act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways; to make uniform the law relating thereto and establishing a state department of public safety.

Read first and second times and referred to committee on motor vehicles.

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. 80, a bill for an act making an appropriation for the purpose of paying expenses of district court judges from January 1, 1931, to June 30, 1931.

Also: 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 legalizing proceedings relating to an election held in the city of Missouri Valley.

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

Senate File No. 53, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

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

Senate File No. 55, a bill for an act to make an appropriation for paying necessary expense of worthy blind students.

SAM C. RAGAN, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator Frailey submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 113, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 47, a bill for an act to amend the law relating to larceny of domestic animals, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 78, a bill for an act to amend Sections 8939 and 8940 as amended by chapters 230 and 231 of the Acts of the 43rd General Assembly and section 8941 of the Code of 1927, relating to insurance other than life, and to authorize the insuring of titles to real estate, begs leave to report it has had the same under consideration and recommends the same be recommitted.

J. R. FRAILEY, *Chairman.*

The report was adopted and the bill referred to committee on insurance.

HOUSE MESSAGES CONSIDERED

House File No. 80, a bill for an act to appropriate twenty thousand dollars (\$20,000.00), or so much thereof as may be necessary for the purpose of paying the expenses of district court judges authorized by law, for the period from January 1, 1931, to June 30, 1931, inclusive.

Read first and second times and referred to committee on appropriations.

House File No. 145, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations of said city.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Bennett, Senate File No. 113, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations of

said city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Bennett, House File 145 as passed by the House was substituted for Senate File No. 113.

On motion of Senator Bennett, House File No. 145, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations of said city, was taken up, and considered.

The bill was read for information.

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

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

Ayes, 35.

Anderson	Clearman	Kent	Patterson
Bennett	Cochrane	Kimberly	Quirk
Benson	Cole	Klemme	Rigby
Bissell	Cooney	Knudson	Stanley
Blackford	Coykendall	Leonard	Stevens
Clark of	Gunderson	Lowe	Tabor
Cerro Gordo	Hicklin	McLeland	White
Clark of	Hill	Moen	Wilson
Linn	Ickis	Myers	
Clark of	Irwin		
Marion			

Nays, none.

Absent or not voting, 15.

Baird	Carroll	Hager	Stoddard
Beatty	Christophel	Langfitt	Topping
Booth	Doran	MacDonald	Wenner
Carden	Frailey	Ritchie	

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

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

On motion of Senator Cooney, Senate File No. 38, a bill for an act amending section fifty-six hundred ninety-four (5694) of the Code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 34.

Anderson	Clearman	Kent	Patterson
Bennett	Cochrane	Kimberly	Quirk
Benson	Cole	Klemme	Rigby
Bissell	Cooney	Knudson	Stanley
Blackford	Coykendall	Leonard	Stevens
Christophel	Hicklin	Lowe	Tabor
Clark of	Hill	McLeland	White
Cerro Gordo	Ickis	Moen	Wilson
Clark of	Irwin	Myers	
Marion			

Nays, none.

Absent or not voting, 16.

Baird	Carroll	Gunderson	Ritchie
Beatty	Clark of Linn	Hager	Stoddard
Booth	Doran	Langfitt	Topping
Carden	Frailey	MacDonald	Wenner

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

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

On motion of Senator White, Senate File No. 125, a bill for an act to amend section four thousand eight hundred sixty-seven (4867) of the Code, 1927, relating to general exemptions of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 36.

Anderson	Clark of	Ickis	Myers
Bennett	Marion	Irwin	Patterson
Benson	Clearman	Kent	Quirk
Bissell	Cochrane	Kimberly	Rigby
Blackford	Cole	Klemme	Stanley
Christophel	Cooney	Knudson	Stevens
Clark of	Coykendall	Leonard	Tabor
Cerro Gordo	Gunderson	Lowe	White
Clark of Linn	Hicklin	McLeland	Wilson
	Hill	Moen	

Nays, none.

Absent or not voting, 14.

Baird	Carroll	Hager	Stoddard
Beatty	Doran	Langfitt	Topping
Booth	Frailey	MacDonald	Wenner
Carden		Ritchie	

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

SENATE RESOLUTION

Whereas, The question of the state senatorial redistricting is one that should naturally originate in the Senate, and

Whereas, There are so many matters of greater importance which should claim the attention of the members of the Forty-fourth General Assembly, therefore,

Be It Resolved by the Senate of the Forty-fourth General Assembly of the State of Iowa; That we hereby go on record at this time as opposed to giving consideration to senatorial redistricting at this session.

A. V. BLACKFORD.

J. W. KENT.

IRVING H. KNUDSON.

Ordered passed on file.

EXTRA COPIES SENATE FILE NO. 120

By unanimous consent, on request of Senator Blackford, 2,500 copies of Senate File No. 120, relating to increasing and promoting of public confidence in banks, were ordered printed.

The Journal of February 6th was corrected and approved.

On motion of Senator Ickis the Senate adjourned until 11 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Stoddard Lane, pastor of the Plymouth Congregational Church, of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Frailey, from Fort Madison chamber of commerce, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Booth, from the Harlan community club, opposing a state income and corporation tax. Tax revision.

By Senator Christophel, from the Bremer county association of the American Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Blackford, from the board of supervisors of Jefferson county, opposing a diversion of primary road funds. Highways.

By Senator Bissell, from residents of Dallas county, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Quirk, from the American Legion posts of Sac county, favoring compulsory military training in schools. Educational institutions.

INTRODUCTION OF BILLS

Senate File No. 175, by Senator Hill, a bill for an act to authorize the attorney general to enter into a contract for the use of a

special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of the cost thereof.

Read first and second times and referred to committee on police regulations.

Senate File No. 176, by Senator Ritchie, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the County of Humboldt, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District.

Read first and second times and referred to committee on judiciary No. 2.

On motion of Senator Gunderson, ex-Senator F. C. Gilchrist being present in the Senate chamber, was escorted to the President's chair and spoke briefly.

REPORTS OF COMMITTEES

Senator Lowe submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 56, a bill for an act to amend certain sections of Code, 1927, relating to compensation of coroner, begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, *Chairman.*

Ordered passed on file.

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution No. 2, proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control, to which was referred Senate File No. 68, a bill for an act to amend sections thirty-six hundred forty-nine (3649) and thirty-seven hundred twelve (3712), Code, 1927, relating to the commitment and discharge of neglected, dependent, and delinquent children, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 68 by striking out all of section 2 and amend section 3 by striking out all after line two of said section and insert in lieu thereof the following: "The Lorimor Journal, a newspaper published at Lorimor, Iowa, and the Creston News Advertiser, a newspaper published at Creston, Iowa," and renumber section 3 as section 2.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Anderson, Senate File No. 24, a bill for an act to amend section four thousand nine hundred thirteen (4913), chapter two hundred fifty-one (251) of the Code of 1927, relating to motor vehicles and law of the road, with report of committee recommending indefinite postponement, was taken up and considered.

On motion of Senator Booth, committee chairman, the report was adopted and the bill indefinitely postponed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 53 and 55.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of

the Senate, he had signed in the presence of the Senate, Senate Files Nos. 53 and 55.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 9th day of February, 1931, sent to the governor for his approval, Senate Files Nos. 53 and 55.

E. R. HICKLIN, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 67, a bill for an act to readjust terms of office of the members of the Board of Supervisors of Hancock County.

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

House File No. 91, a bill for an act to legalize mergers and/or consolidations wherein a corporation organized under the laws of this state for the purpose of constructing and operating a bridge has merged.

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

House File No. 94, a bill for an act to legalize the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Co.

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

House File No. 133, a bill for an act relating to the approval of plats.

Also: 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 relating to improvement of streets in cities and towns.

Also: 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 to regulate use of facsimile signatures.

Also: 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 relating to the bond of the director of the budget and others.

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

House File No. 209, a bill for an act relating to certain independent school districts.

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

House File No. 208, a bill for an act relating to the issuance by the code editor of annotations to the code.

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

House File No. 210, a bill for an act relating to a new trial or for arrest of judgment in criminal causes.

Also: 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 relating to filing claims growing out of and relating to public improvements.

Also: 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 relating to offenses involving bills of lading.

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

House File No. 213, a bill for an act relating to fees.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa.

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

Senate File No. 22, a bill for an act legalizing the Pleasant Hill Telephone Company.

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

House Concurrent Resolution No. 11 memorializing Congress to refrain from enacting a law placing a traiff on crude petroleum.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 30

That the heading following the title thereof, be amended by adding following the word "after" in line eight (8) thereof, the words "January 17, 1929", and by striking out the date "17th" following the words "filed on the" in line 17 thereof, and inserting in lieu thereof "15th", and in striking out the date "17" following the word "January" in line 21 thereof, and inserting in lieu thereof "15", and in striking out the date "17" in line 34 following the word "January" thereof, and inserting in lieu thereof "15".

HOUSE CONCURRENT RESOLUTION NO. 11

Memorializing the Congress of the United States to refrain from enacting a law placing a tariff or embargo on crude petroleum and the refined products thereof.

Whereas, The legislatures in certain petroleum producing states have passed resolutions memorializing the Congress of the United States to enact a law placing a tariff, or an embargo, on petroleum and its refined products, claiming that such a measure is necessary as a relief measure to the industry in these states, and

Whereas, Iowa's per capita consumption of gasoline is relatively high in the sisterhood of states, and the effect of a tariff, being to increase the cost of gasoline to the consumer, would only place an increased burden on our agricultural pursuits, and

Whereas, Such a law would place an additional burden on an already over-taxed industry, there being now collected as an excise tax on gasoline over four hundred fifty million dollars (\$450,000,000) annually, this being in addition to the general property and production tax on petroleum, and

Whereas, Such a tariff would place an additional burden of over three hundred fifty million dollars (\$350,000,000) to this burden, and would be borne by the owners of over twenty-seven million (27,000,000) automobiles and trucks, and would be a benefit to comparatively few, and

Whereas, Only four or five states produce oil to any considerable extent and their citizens comprise only a small portion of the population of the United States, and

Whereas, Petroleum and its refined products are necessary to carry on trade and commerce, and

Whereas, The condition such as now exists in the petroleum industry is only temporary and is no more serious than conditions existing in other businesses, and

Whereas, It has been the well settled policy for the past decade, both by the petroleum producers and the Government, to conserve our petroleum deposits, and

Whereas, An embargo or tariff would have the effect of hastening the depletion of our petroleum and greatly endanger our future supply, jeopardizing our national defense in time of war, and placing a heavy burden on our future commerce in time of peace, therefore

Be It Resolved by the House, the Senate concurring: That the President of the United States, and the Congress of the United States, be memorialized to refrain from the enacting of any laws imposing a tariff or an embargo on petroleum products or the refined products thereof, and

Be It Further Resolved, That a copy of this resolution, duly effected, be delivered to the President of the United States, to the United States Senate, and to the House of Representatives of the United States, and

Be It Further Resolved, That copies of this resolution be delivered to the press and to each representative from Iowa in Congress.

HOUSE MESSAGES CONSIDERED

House File No. 67, a bill for an act to readjust the terms of office of certain of the members of the Board of Supervisors of Hancock County, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 91, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 133, a bill for an act to amend section fifty-eight hundred twenty-nine-a twelve (5829-a12) of the code, 1927, relating to the approval of plats so as to require the recommendations of the city plan commission with reference to proposals to vacate any street, alley or public ground.

Read first and second times and referred to committee on cities and towns.

House File No. 135, a bill for an act providing for a method of execution of stock certificates, and regulating the use of facsimile signatures thereon.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 156, a bill for an act to amend chapter one hundred seventy-six (176), acts of the forty-third (43rd) general assembly, and sections fifty-nine hundred seventy-eight (5978), sixty hundred two (6002), sixty hundred three (6003), sixty hundred twenty-four (6024), sixty hundred twenty-six (6026) and sixty hundred thirty-two (6032), code of 1927, relating to the authorization of cities and towns to improve streets by the use of shale.

Read first and second times and referred to committee on cities and towns.

House File No. 207, a bill for an act to repeal sections three hundred thirteen (313) and three hundred forty-seven (347), Code, 1927, and to amend section ten hundred sixty-three (1063), Code, 1927, relative to the bond of the director of the budget, and of the members of the appeal board appointed under chapter twenty-two (22), Code, 1927.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 208, a bill for an act to amend section one hundred fifty-six (156), Code, 1927, relating to the issuance by the Code Editor of annotations to the code.

Read first and second times and referred to committee on code revision.

House File No. 209, a bill for an act to repeal section forty-three hundred forty-five (4345), Code, 1927, as amended by the forty-third (43rd) general assembly, chapter one hundred ten (110), and to enact a substitute therefor relating to the establishment of pension and annuity retirement systems in certain independent school districts, and to legalize the establishment of such systems under the laws herein repealed.

Read first and second times and referred to committee on code revision.

House File No. 210, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment.

Read first and second times and referred to committee on code revision.

House File No. 211, a bill for an act to amend section ten thousand three hundred five (10305), Code, 1927, relating to the filing of claims growing out of and relating to public improvements.

Read first and second times and referred to committee on code revision.

House File No. 212, a bill for an act to amend sections eighty-two hundred eighty-eight (8288) to eighty-two hundred ninety-four (8294), inclusive, Code, 1927, and to provide the place of imprisonment when convictions are had under said sections, all relating to offenses involving bills of lading.

Read first and second times and referred to committee on code revision.

House File No. 213, a bill for an act to repeal section thirteen thousand nine hundred sixty-seven (13967) of the Code, 1927, relating to fees.

Read first and second times and referred to committee on code revision.

The Journal of February 7th was corrected and approved.

SENATE CONCURRENT RESOLUTION NO. 8

By unanimous consent, on request of Senator Benson, the following concurrent resolution was considered:

Whereas, An acute situation has developed in the field of Iowa farm financing due to the fact that a large number of farms are now held by banks, insurance companies and other such agencies, which have come into their possession by reason of the inability of the owners and operators thereof to meet their obligations under the existing system of farm financing, the term periods of which are too short for the farmer to meet the principal and the interest rates are higher than the industry can afford to pay; and

Whereas, Owing to the state of mind of the investing public, farm loans are continually becoming more difficult to obtain even at an increased rate of interest while other businesses and industries, because of larger accumulations of money, are now able to finance themselves at a declining rate; and

Whereas, There is a positive and urgent need for an adequate and efficient credit system affording agriculture an opportunity to finance itself at interest rates commensurate with the profits of the industry, the principal to be amortized over a long period, and secured by mortgage based upon a fair and reasonable valuation of the property, making it among the most sound and high grade types of security; and

Whereas, On account of the large accumulations of money above referred to now seeking investments and willing to accept low interest rates when properly secured, the present time is the most opportune to refinance farm loans and give to agriculture the same, and greatly needed, advantage of the prevailing lower interest rates on investments now enjoyed by other businesses and industries; and

Whereas, Unless such adequate and efficient system of credit is provided so as to restore the incentive and encourage the desire on the part of the farm operator to own his own farm and home, there is grave danger that this great industry, and the great group of American citizens engaged therein may drift into a state bordering dangerously close to peasantry;

Therefore, Be It Resolved by the Senate, the House concurring:

Section 1. That the Federal Government be, and hereby is respectfully petitioned and asked to immediately take such steps as are neces-

sary to effect such credit system for farm financing, based upon farm mortgages at reasonable values amortized over long time periods and at low rates of interest, that this great, basic industry which now is unable to finance itself in a way comparable with that of other industries of equal importance may be placed on an equal footing with such other industries;

Sec. 2. That a committee composed of Honorable Dan W. Turner, Governor of Iowa, and six members of the Forty-fourth General Assembly, three from the Senate to be appointed by the President of the Senate and three from the House to be appointed by the Speaker of the House, be appointed to go to Washington, D. C., to personally appeal to the proper officials of the Federal Government that the purpose of this resolution may ultimately, and as quickly as possible be attained.

C. A. BENSON.
 C. L. RIGBY.
 O. P. BENNETT.
 B. M. STODDARD.
 T. E. MOEN.
 W. S. BAIRD.

Senator Patterson moved to defer action until tomorrow, which motion prevailed.

CALL OF THE SENATE

We, the undersigned, request a call of the Senate on House Concurrent Resolution No. 8:

GEO. CLEARMAN	O. E. GUNDERSON
C. G. COLE	H. C. WHITE
F. ICKIS	H. L. IRWIN
D. W. KIMBERLY	G. A. WILSON
I. H. KNUDSON	C. A. BENSON
W. E. MCLELAND	W. S. BAIRD
GEO. W. CHRISTOPHEL	C. L. HIGBY

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 10, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Paul P. Jackson, pastor of the Congregational Church of Sibley.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Ritchie, from the Buena Vista county American Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Stoddard, from members of the P. T. A. of Danbury, opposing compulsory military training in schools. Educational institutions.

By Senator Ritchie, from the Spencer commercial club, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Iekis, from board of supervisors of Union county, opposing a diversion of primary road funds. Highways.

By Senator Ritchie, from Clinton chamber of commerce, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Ritchie, from order of benefit association of railway employees of Clinton, favoring additional taxation of busses and trucks. Tax revision.

By Senator Stoddard, from veterans of foreign wars, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Ritchie, from veterans of foreign wars, opposing the levy of a special tax on outdoor advertising. Tax revision.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Langfitt indefinitely, on request of Senator Benson.

INTRODUCTION OF BILLS

Senate File No. 177, by Senator Hill, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor.

Read first and second times and referred to committee on crime and suppression of intemperance.

Senate File No. 178, by Senators Doran, Quirk and Bennett, a bill for an act to repeal Section forty-nine hundred eight (4908) of the Code, 1927, and enact a substitute therefor, relating to annual fees for motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 179, by Senators Doran, Bennett and Quirk, a bill for an act to amend section one (1) of chapter one hundred twenty-nine (129), laws of the 43rd General Assembly, and making said chapter applicable to carriers of freight under contract for compensation for hire.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 180, by Senators Quirk, Doran and Bennett, a bill for an act to repeal Section five thousand sixty-seven (5067) of the Code, 1927, and to provide for the limitation of height, width and length of motor vehicles and trailers, and of the loads thereof.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 181, by Senators Quirk, Bennett and Doran, a bill for an act to amend Chapter 131 Laws of the 43rd General Assembly, and limiting the maximum weight of motor trucks or trailers, and the loads thereof.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 182, by Senator Bissell, a bill for an act to amend section fifty hundred thirty (5030) of the code, 1927, as amended relating to the speed limit of motor vehicles within cities and towns and to authorize city and town councils to establish school zones and to require all motor vehicles, when stop signs are in place, to come to a stop before entering said zone.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 183, by Senators Bennett, Doran and Quirk, a bill for an act to repeal Section 5065 of the Code, 1927, as amended by Section 2, Chapter 25, Laws of the 43rd General Assembly, and enact a substitute therefor, relating to motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 184, by Senators Bennett, Doran and Quirk, a bill for an act to amend Chapter 129, Laws of the 43rd General Assembly, so as to provide for the levy and collection of a tax for the maintenance and repair of the highways.

Read first and second times and referred to committee on highways.

SENATE FILE NO. 52 WITHDRAWN

By unanimous consent on request of Senator Doran, Senate File No. 52, relating to interest rate on chattel loans, was withdrawn from further consideration.

HOUSE FILE NO. 135 RE-REFERRED

By unanimous consent on request of Senator Wilson, House File No. 135 was referred to committee on judiciary No. 2.

SENATE FILE NO. 65 MADE SPECIAL ORDER

By unanimous consent on request of Senator Clark of Linn,

Senate File No. 65, relating to inheritance tax, was made a special order for Tuesday, February 17th, at 10:00 a. m.

REPORTS OF COMMITTEES

Senator Clark of Linn submitted the following reports:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 8, a bill for an act to provide for the licensing and regulating of gasoline filling stations by cities, towns and townships, and amending chapter two hundred eighty-five (285) of the Code of Iowa 1927, and section fifty-seven hundred forty-three (5743) of the Code of Iowa 1927, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section Two (2) by striking out of line one (1) the words "township trustees" and inserting in lieu thereof the words "county supervisors".

Also amend said Section Two (2) by adding thereto the following:

"Such fees shall be paid to the County Treasurer and credited to the secondary road construction fund".

Amend the title by striking out of line two (2) the word "townships" and inserting in lieu thereof the word "counties".

C. F. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 65, a bill for an act to repeal the law as it appears in sections 7314, 7316 and 7340 of the Code of Iowa 1927, and to amend the law as it appears in Sections 7307, 7308, 7313, 7331 and 7361 of the Code 1927, relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 1, a bill for an act relating to county assessors, begs leave to report that it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section eight (8) by adding thereto the following:

"All such salaries, compensation, and expenses shall be paid from the general fund of the county".

2. Amend Section 10 by striking out paragraph eleven (11).

3. Amend Section nine (9) by inserting immediately after the word "books" in line three (3) the following:

"including transfer books, index books, and plat books".

4. Amend Section ten (10) by adding as paragraph eleven (11) thereof the following:

"11. Keep the transfer books, index books, and plat books as provided by law".

5. Amend Section ten (10) by adding the following:

"12. In any county in which there is a city acting under special charter, having a population of over 50,000, he shall submit to the City Council of such city, a recapitulation of the then actual values of all property subject to assessment and taxation in said city not later than the first day of July in each year. Upon certification to said assessor by such City Council of the tax levy and the percentage of taxable value for the current year he shall not later than the first day of September of such year deliver to the City Treasurer of said City a tax list, covering all property assessable within and subject to taxation by said city, with the taxes so levied and certified extended thereon upon such taxable value as shall have been determined by the City Council, which list shall embody all corrections in assessment made prior to the second Monday in July of such year. He shall also certify from time to time to the City Treasurer of such City any assessments of omitted property or corrections in assessments in the same manner as to the County Treasurer."

6. Amend Senate File No. 1 by adding thereto as Sections 10a and 10b the following:

"Sec. 10a. In any county in which there is a city acting under special charter and having a population of over fifty thousand (50,000), the City Council shall not later than the second Monday in July of each year certify to the County Assessor the tax levy and the percentage of taxable and actual value for the current year for extension upon the tax list of said city. Such tax list shall be the warrant for the collection thereof by the Treasurer of such city when delivered to him by the County Assessor. Any such city shall furnish to the County Assessor the necessary books for the compilation of said tax list. In the event of any correction of any assessment subsequent to the delivery by the County Assessor of the tax list for any such city to the Treasurer thereof, such Treasurer shall upon notice thereof from the County Assessor correct such list in accordance therewith. If the tax so levied has been paid upon a greater assessment than finally fixed, the City Council shall direct the City Treasurer to refund the excess so collected and charge the several funds pre-

viously credited. If the assessment theretofore made be finally increased, the City Treasurer after correcting said tax list shall collect the increased tax due in the same manner as for omitted property, provided, however, no interest shall be charged thereon until ten (10) days after demand unless such property is certified to such Treasurer as omitted property.

"Sec. 10b. That Sec. sixty-eight hundred sixty-seven (6867) be amended by striking from the seventh and eighth lines thereof the words "which shall be ascertained by the assessor of said city".

7. Amend Section thirteen (13) by striking out the second sentence thereof.

8. Amend said Senate File No. 1 by striking out all of Sections fifteen (15) and sixteen (16) thereof and substituting in lieu thereof the following:

"Every owner of taxable property and every person whose duty it is to return any property for taxation shall on demand list on blanks provided by the county assessor all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor and shall on or before the date required by the assessor file such return duly verified with the assessor. Such returns shall constitute the original assessment roll and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment".

Also by re-numbering all succeeding paragraphs.

9. Strike out Section sixty-three (63) and insert in lieu thereof the following:

"Sec. 63. That Section sixty-seven hundred three (6703) of the code of Iowa 1927, be and the same is hereby amended by adding after the word "treasurer" in line three and before the word "collector" in line four the following:

"and in such cities having a population of over fifty thousand a".

10. Strike out Section sixty-four (64) and insert in lieu thereof the following:

"Sec. 64. That Section sixty-seven hundred thirty-two (6732) of the code of Iowa 1927, be and the same is hereby amended by adding thereto the following:

"Nothing herein contained shall be deemed to affect the procedure for the assessment of property and the equalization of assessments by the County Assessor".

11. Amend Senate File No. 1 by striking out Sections sixty-five (65), sixty-six (66), sixty-seven (67) and sixty-eight (68).

12. Amend Senate File No. 1 by inserting after Section seventy-nine

(79) the following as sections seventy-nine a (79a), seventy-nine b (79b) and seventy-nine c (79c):

"Sec. 79a. Sections sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300) and seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly are each amended by striking therefrom the word "auditor" or "auditor's" as the same may be wherever the same appears in said sections, and by inserting in lieu of said stricken words the word "assessor" or "assessor's" as the case may be.

"Sec. 79b. Wherever in the code reference is made to the transfer books in the office of the county auditor, the reference shall be deemed to mean the transfer books in the office of the county assessor, and the editor of the code is directed to make such correction.

"Sec. 79c. Section seventy-one hundred forty-eight (7148), code, 1927, is amended, revised and codified to read as follows:

"7148. Aggregate valuations certified. At the time of delivering the list to the treasurer, the assessor shall furnish to the county auditor a certified statement showing separately the aggregate full and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list; also to the state board of assessment and review a certified statement of the aggregate of each state tax in his county for the ensuing year."

13. Amend Senate File No. 1 by inserting after Section eighty-two (82) as Section eighty-two a-one (82-a1) the following:

"82a1. Section seventy-two hundred nineteen (7219), Code, 1927, is repealed and the following is enacted in lieu thereof, to-wit:

"7219. Enforcement of lien. If said property is being, or is about to be removed from the county, the assessor shall certify said fact to the county treasurer with a full description of the property as the same appears on the assessor's books, giving assessment district, where located, and the amount of said assessment, and the county treasurer shall thereupon proceed by distress to restrain the removal of said property and secure the lien of the tax due or to become due."

14. Amend Section eighty-three (83) by striking therefrom the following: "Sections sixty-eight hundred sixty-five (6865) to sixty-eight hundred ninety-six (6896), both inclusive", and inserting in lieu thereof, "Sections sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive".

Also amend said Section eighty-three (83) by striking therefrom the following:

"Sections sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-nine hundred eighteen (6918), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924)".

15. Amend said Senate File No. 1 by striking out Section eighty-four (84) thereof and inserting in lieu thereof the following:

"Sec. 84. Wherever the statutes provide that taxes or assessments shall be certified by any governmental agency to the County Auditor, and by said Auditor placed on the tax lists, said statutes shall be deemed to require such certification to the County Assessor, and the Code Editor is directed to correct the said statutes accordingly".

16. Further amend by re-numbering all sections.

17. Amend the title as follows:

Amend by inserting after the words and figures "ten hundred sixty-five (1065)" the words and figures "ten hundred sixty-six (1066)", and by inserting after the words and figures "sixty-eight hundred sixty-four (6864)" the words and figures "sixty-eight hundred sixty-seven (6867)".

Amend by striking out the words and figures "sixty-eight hundred sixty-four (6864), sixty-eight hundred sixty-five (6865) to sixty-eight hundred ninety-six (6896), both inclusive", and inserting in lieu thereof the words and figures "sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive".

Strike out the words and figures "sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-nine hundred eighteen (6918), sixty-nine hundred twenty-one (6921), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924) and sixty-nine hundred twenty-nine (6929)".

Insert after the words and figures "seventy-one hundred sixty-one (7161)", the words and figures "seventy-two hundred nineteen (7219)".

Insert after the words and figures "fifty-six hundred sixty-four (5664)" the words and figures "sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20) Acts of the Forty-third (43rd) General Assembly, also sections".

Insert after the words and figures "seventy-one hundred forty-two (7142)" the words and figures "seventy-one hundred forty-eight (7148)".

C. F. CLARK, *Chairman*.

Ordered passed on file.

Senator Beatty submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 106, a bill for an act to amend section twenty (20) of chapter thirty (30), Acts of the Forty-third General Assembly relating to the issuance by trust companies of debentures or bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman*.

Ordered passed on file.

Senator Benson submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 82, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the pri-

mary roads, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 85, a bill for an act to amend section forty-seven hundred fifty-five b thirty-six (4755-b36) of the Code, relating to the transfer of powers and duties of the Board of Supervisors with respect to primary roads, to the State Highway Commission, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman*.

Ordered passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Topping called up for consideration Senate File No. 30, amended by the House, and moved that the Senate concur in the following amendments:

That the heading following the title thereof, be amended by adding following the word "after" in line eight (8) thereof, the words "January 17, 1929", and by striking out the date "17th" following the words "filed on the" in line 17 thereof, and inserting in lieu thereof "15th", and in striking out the date "17" following the word "January" in line 21 thereof, and inserting in lieu thereof "15", and in striking out the date "17" in line 34 following the word "January" thereof, and inserting in lieu thereof "15".

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

Ayes, 48.

Anderson	Clark of Marion	Ickis	Patterson
Baird	Clearman	Irwin	Quirk
Beatty	Cochrane	Kent	Rigby
Bennett	Cole	Kimberly	Ritchie
Benson	Cooney	Klemme	Stanley
Bissell	Coykendall	Knudson	Stevens
Blackford	Doran	Leonard	Stoddard
Booth	Frailey	Lowe	Tabor
Carden	Gunderson	MacDonald	Topping
Carroll	Hager	McLeland	Wenner
Clark of Cerro	Hicklin	Moen	White
Gordo	Hill	Myers	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 2.

Christophel Langfitt

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

Senator Topping moved that the vote by which the House amendment was concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Benson called up for consideration Senate Joint Resolution No. 1, amended by the House, and moved that the Senate concur in and adopt the following amendments:

Amend by inserting a period (.) after the words and figures "Article XIII", as it appears just preceding section one so that when amended the words and figures will read "Article XIII."

Amend by striking in line twenty-four (24) of section three (3) the second letter "d" in the word "Odebolt".

On the question "Shall the Senate concur in and adopt the House amendments?" the vote was:

Ayes, 48.

Anderson	Clark of Marion	Ickis	Patterson
Baird	Clearman	Irwin	Quirk
Beatty	Cochrane	Kent	Rigby
Bennett	Cole	Kimberly	Ritchie
Benson	Cooney	Klemme	Stanley
Bissell	Coykendall	Knudson	Stevens
Blackford	Doran	Leonard	Stoddard
Booth	Frailey	Lowe	Tabor
Carden	Gunderson	MacDonald	Topping
Carroll	Hager	McLeland	Wenner
Christophel	Hicklin	Moen	White
Clark of Cerro	Hill	Myers	Wilson
Gordo			

Nays, none.

Absent or not voting, 2.

Clark of Linn Langfitt

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

Senator Benson moved that the vote by which the House amendment was concurred in and adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE JOINT RESOLUTION NUMBER 1

A Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the Payment of the Cost Thereof.

Whereas, by House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution was approved April eleventh (11th) Nineteen Hundred Twenty-Nine (1929) an amendment to the Constitution of the State of Iowa was proposed, and

Whereas, said resolution proposed to amend the Constitution of the State of Iowa by adding thereto an "Article XIII" relating to the improvement of highways and the issuance of bonds therefor; and

Whereas, the said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Eleven Hundred Four (1104) to Eleven Hundred Eight (1108) both inclusive, with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Thirteen Hundred Twenty-five (1325) to Thirteen Hundred Twenty-nine (1329) both inclusive, with the yeas and nays taken thereon; and

Whereas, the said resolution and proposed amendment have been published as provided by law and have been referred to this, the Forty-fourth (44th) General Assembly for action thereon, therefore

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

Section 1: That the proposed amendment to the Constitution of the State of Iowa as contained in and proposed by the said House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution proposed that the following be added to the Constitution of the State of Iowa as Article XIII, to-wit:

"ARTICLE XIII."

"Section 1. Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa, the State may, by Act of the General Assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) for the improvement of highways and for the payment or retirement of county primary road bonds and bonds issued to refund county primary road bonds; and for such purposes may issue bonds and provide ways and means for the payment of the same, and may pledge the credit of the state therefor. Such act shall pledge to the payment of such bonds and interest thereon such rates or amounts of motor license fees and/or gasoline or other motor fuel

license fees as may be determined by the General Assembly to be sufficient to meet both principal and interest as they mature and accrue; and shall provide for the levy, imposition, collection and pledge of such general property tax as may be required to supply the deficiency, if any, between the amounts of principal and interest due on the bonds during any year or years and the funds produced by said pledged license fees during such year or years; and it shall be a sufficient statement of such tax that such act direct the Executive Council annually to compute such deficiency, if any, and fix the rate necessary to produce such amount. The provisions of such act pledging funds and levying taxes for the payment of principal and interest of bonds issued thereunder shall be irrevocable so long as any of such bonds are outstanding, unpaid and uncalled. Such bonds may be issued from time to time on such terms as the General Assembly shall by law provide; but each bond shall become due and payable not more than twenty years after its date.

"Sec. 2. After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease.

"Sec. 3. No funds derived from the sale of any of the bonds provided for in Section One (1) of this Article XIII shall be used in the improvement of any other highways until after the following highways shall have been improved in the following manner: (a) By grading, draining, bridging and paving:

Primary Road Number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on Primary Road Number 3 south of Keosauqua.

Primary Road Number 2, from a point on Primary Road Number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on Primary Road Number 71 south of Atlantic, and from a point on Primary Road Number 71 westerly to a point on Primary Road Number 32 near Lewis.

Primary Road Number 3, from a point on Primary Road Number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to Nebraska City.

Primary Road Number 4, from a point on the Missouri Line southeast of Hamburg, by way of Hamburg and Sidney, to a point on Primary Road Number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on Primary Road Number 20 west of Early.

Primary Road Number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to LeMars.

Primary Road Number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary Road Number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary Road Number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota Line north of Larchwood.

Primary Road Number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on Primary Road Number 75 west of Orange City.

Primary Road Number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary Road Number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on Primary Road Number 18 west of McGregor.

Primary Road Number 14, between Corydon and Chariton. Also from its intersection with Primary Road Number 58 through Grundy Center to its intersection with Primary Road Number 57.

Primary Road Number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary Road Number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with Primary Road Number 9.

Primary Road Number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with Primary Road Number 16.

Primary Road Number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer, and Sheldon, to a point on Primary Road Number 75 near Perkins.

Primary Road Number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary Road Number 21, from Primghar to a point on Primary Road Number 18 east of Sanborn. Also, from Ida Grove to a point on Primary Road Number 20 east of Holstein.

Primary Road Number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary Road Number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary Road Number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary Road Number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary Road Number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary Road Number 48, from Red Oak, through Essex, to Shenandoah.

Primary Road Number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota Line north of Burr Oak.

Primary Road Number 57, from its intersection on Primary Road Number 14, by way of Dike to Cedar Falls.

Primary Road Number 58, from Eldora to a point on Primary Road Number 134 west of Eldora. Also east of Eldora to a point on Primary Road Number 14.

Primary Road Number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on Primary Road Number 10 east of Waverly.

Primary Road Number 60, from a point on Primary Road Number 30 east of Boone, by way of Madrid, to Des Moines.

Primary Road Number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, Dewitt, and Maquoketa, to Dubuque.

Primary Road Number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri Line southwest of Bloomfield.

Primary Road Number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota Line north of Northwood.

Primary Road Number 69, from Leon, by way of Lamoni, to the Missouri Line south of Lamoni.

Primary Road Number 71, from the Missouri Line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota Line north-east of Spirit Lake.

Primary Road Number 74, from Tipton, by way of New Liberty, to Davenport.

Primary Road Number 75, from Missouri Valley, by way of Onawa, Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on the Minnesota Line north of Rock Rapids.

Primary Road Number 90, from Grundy Center, by way of Reinbeck, to a point on Primary Road Number 59 south of Hudson.

Primary Road Number 99, from Davenport, by way of Princeton and Camanche, to a point on Primary Road Number 30 west of Clinton.

Primary Road Number 134, from a point on Primary Road Number 58 west of Eldora, to a point on Primary Road Number 65 north of Hubbard.

Primary Road Number 117, from Anamosa to Maquoketa.

Primary Road Number 136, from Clinton, by way of Charlotte and Delmar, to a point on Primary Road Number 61 west of Delmar.

Primary Road Number 141, from Denison, by way of Mapleton, to Sioux City.

Primary Road Number 149, from a point on Primary Road Number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to Primary Road Number 32 west of Homestead.

Primary Road Number 150, from a point on Primary Road Number 32 near Homestead, by way of Amana and Fairfax, to a point on Primary Road Number 30 west of Cedar Rapids.

Primary Road Number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson, to a point on Primary Road Number 61 southwest of Montrose.

Primary Road Number 218, from a point on Primary Road Number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota Line north of St. Ansgar.

(b) By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: all other primary roads.

Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

"Sec. 4. Any law adopted by the General Assembly authorizing the issuance of bonds under this Article XIII shall provide that the principal of all county primary road bonds and bonds issued to refund county primary road bonds, outstanding when said law becomes effective, shall be paid, as such bonds mature or become subject to call, from the proceeds of the state bonds. Upon the issuance of the first state bonds under

such law the authority of the counties to issue county primary road bonds shall cease."

be and the same is hereby agreed to, enacted, and adopted by the Forty-fourth (44th) General Assembly.

There being a call of the Senate on House Resolution No. 8, the roll was called and revealed the presence of all Senators, except Senator Langfitt previously excused, and the call was declared complete.

THIRD READING OF BILLS

On motion of Senator Carroll, House Concurrent Resolution No. 8, providing for the appointment of an investigating committee, whose duty it shall be to fully investigate the management and affairs of the State University of Iowa and its various officers and employees and providing that said Committee shall report its findings and recommendations thereon to the General Assembly and to the Attorney General of the State of Iowa, and to provide an appropriation sufficient to pay the expense of said committee, as found on page 191 of the Senate Journal, with report of committee recommending amendment and passage, was taken up, and considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend House Concurrent Resolution No. 8 by striking all after the first paragraph down to "Therefore, Be It Resolved", and substitute in lieu thereof the following:

"Whereas, Charges and claims of mal-administration on the part of the Board of Education of the State of Iowa and upon the part of certain officials, officers and employees of the State University of Iowa have been made, and

"Whereas, The Honorable Dan W. Turner, Governor of the State of Iowa, has recommended that a legislative joint committee be appointed to thoroughly investigate the conditions of the management and administration of the affairs of said University, both by the officials and employees thereof and by said State Board of Education, and

"Whereas, It appears that in fairness to the State Board of Education and to the officials and employees of the State University of Iowa, such investigation should be made,".

Also, by striking Section 7, as found on page 196 of the Journal of the Senate.

Senator Carroll asked for a roll call.

Senator Carroll invoked Rule 8.

Senator Stanley moved that Senator Clark of Linn be excused from voting as he was charged in the investigation proceedings.

The motion prevailed.

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

Ayes, 48.

Anderson	Clark of Marion	Ickis	Quirk
Baird	Clearman	Irwin	Rigby
Beatty	Cochrane	Kent	Ritchie
Bennett	Cole	Kimberly	Stanley
Benson	Cooney	Klemme	Stevens
Bissell	Coykendall	Knudson	Stoddard
Blackford	Doran	Leonard	Tabor
Booth	Frailey	Low	Topping
Carden	Gunderson	MacDonald	Wenner
Carroll	Hager	McLeland	White
Christophel	Hicklin	Moen	Wilson
Clark of Cerro	Hill	Myers	
Gordo		Patterson	

Nays, none.

Absent or not voting, 2.

Clark of Linn Langfitt

The committee amendment was adopted.

Senator Rigby offered the following amendment and moved its adoption:

Strike out all of said resolution and substitute in lieu thereof the following:

Whereas, The Governor of Iowa has by special message recommended that the General Assembly investigate rumors reflecting upon the official conduct of the State Board of Education and its administration of the State University of Iowa, and

Whereas, The Legislature of the State of Iowa has heretofore made provision for the removal of any appointive officer by a majority vote of the Executive Council of the State of Iowa, and

Whereas, The General Assembly is of the opinion that an investigation by a regularly constituted tribunal established for that purpose will better serve the ends of justice and the purposes of the State than an investigation made by the General Assembly in the light of the multitudinous duties imposed upon the General Assembly during the brief period that it remains in session.

Now Therefore Be It Resolved, That the Executive Council of the State of Iowa is hereby requested to investigate all charges which may be filed before it against the Board of Education or any of its members and undertake such action with respect thereto as may be justified by the evidence.

By unanimous consent on request of Senator Rigby his amendment was amended by adding the words "or employees" after the word "members" in line 3 of the last paragraph.

Senator Rigby asked that his remarks on this amendment be printed in the Journal and that 500 extra copies of the Journal be printed. Consent was granted.

MR. PRESIDENT: As the members of this Senate must be aware by amendment to House Concurrent Resolution No. 8 (Senate Journal page 272) is filed not for the purpose of hindering or delaying the proposed investigation but as appears from the amendment itself, to hasten and perfect the purpose to be achieved by that Resolution.

For sometime prior to the organization of this Session of the General Assembly serious charges have been made against the State Board of Education and the President of our State University by one newspaper published in Iowa. The charges were of a nature so serious that the Governor promptly took notice thereof and called the matter to the attention of the Legislature by a special message in which he said, "If the charges are unfounded in fact those accused will be vindicated by the investigation, and if the charges are true we should be swiftly apprised so that steps may be taken to remedy any wrongful conditions".

Personally I agree with the Governor that if the charges are unfounded the accused should be vindicated and if true they should be punished. And the purpose of this amendment is simply to invoke the use of the laws already in force and of powers already lodged in the Executive Council of this State to bring about immediate investigation and adjudication of the matter involved.

Section 1114, Code of 1927 provides for dealing with such charges. That Section is as follows:

"Any appointive state officer may also be removed from office by a majority vote of the executive council for any of the following causes:

1. Habitual or wilful neglect of duty.
2. Any disability preventing a proper discharge of the duties of his office.
3. Gross partiality.
4. Oppression.
5. Extortion.
6. Corruption.

7. Wilful misconduct or maladministration in office.
8. Conviction of felony.
9. A failure to produce and fully account for all public funds and property in his hands at any inspection or settlement.
10. Becoming ineligible to hold office.

Section 1115 goes further and gives the Executive Council power to issue subpoenas for witnesses and to require the production of "records, books, papers and other evidence".

The Executive Council is provided with able counsel and the investigation can be made by it without delay, bringing it to a speedy conclusion, resulting in acquittal if these men are found innocent and prompt removal and adequate punishment if they are found guilty and without interference with the functioning of the General Assembly and without the passage of an appropriation bill to take care of the expense involved.

If this investigation is conducted by the Joint Committee it is only an investigation and at the tedious and expensive end thereof, if the charges are sustained the matter then must go to the Executive Council for action. But if the charges are not sustained no statement from a legislative committee adequately clears these men. I say this without reflection upon the committee of the Senate and House; but as we all know, the result of a legislative investigation is regarded by the public either as political persecution or a whitewash. There have been rumors for the last ten years concerning the State University. I want this settled for all time by an investigation that will settle it for all time.

The Governor, in fairness to himself and to the men involved, as Chairman of the Executive Council should conduct this investigation for the very reasons which I have already given in support of this amendment. If the Governor and the Executive Council find that "wrongful conditions" exist, the public will be certain that punishment will be swift and sure as it should be. If the Governor and the Council find that a mistake has been made and that no "wrongful conditions" have existed or now exist the Governor and the Executive Council will be prompt to exonerate them. The integrity of Governor Turner will of itself insure public approval of the conclusion reached, whether these men are found guilty or innocent.

C. L. RIGBY.

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

Amend by striking out the word "requested" in the second line in the fourth paragraph and inserting the word "directed".

At the request of Senator Rigby Senator Carroll's amendment to the committee amendment was considered.

Senator Carroll offered the following amendment and moved its adoption:

Strike all in said resolution after the word "members" in line three (3) of section one (1) down to and including the period (.) after the word "party" in line eleven (11) of said section, and substituting in lieu thereof the following:

"be and the same is hereby created and established; three (3) of the members thereof to be appointed by the lieutenant governor from the membership of the senate, and three (3) of the members to be appointed from the membership of the house by the speaker of the house."

The amendment was adopted.

Senator Doran asked for roll call on the substitute offered by Senator Rigby.

On the question "Shall the Rigby substitute be adopted?" the vote was:

Ayes, 9.

Benson	Cole	Ickis	Stoddard
Blackford	Hager	Rigby	Topping
Clearman			

Nays, 39.

Anderson	Clark of Marion	Kent	Patterson
Baird	Cochrane	Kimberly	Quirk
Beatty	Cooney	Klemme	Ritchie
Bennett	Coykendall	Knudson	Stanley
Bissell	Doran	Leonard	Stevens
Booth	Frailey	Lowe	Tabor
Carden	Gunderson	MacDonald	Wenner
Carroll	Hicklin	McLeland	White
Christophel	Hill	Moen	Wilson
Clark of Cerro	Irwin	Myers	
Gordo			

Absent or not voting, 2.

Clark of Linn	Langfitt
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The substitute amendment was lost.

Senator Benson offered the following amendments and moved their adoption:

Amend House Concurrent Resolution No. 8 by adding as section six the following:

"Section 6. That said joint committee is hereby directed and authorized to issue subpoenas for all witnesses and the production of all books asked for by any person whose conduct or administration in office is being

investigated and such person shall have the right to compulsory attendance of witnesses and the employment of counsel at the expense of the state."

And by adding the following as section seven:

"Sec. 7. That said joint committee shall cause to be taken down in shorthand and transcribed all testimony taken for said committee and shall on completion of the investigation file the same with the Chief Clerk of the House and the Secretary of the Senate, the same to be made a matter of public record."

And by adding the following as section eight:

"Sec. 8. That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing; and that any member of the press or any individual in interest shall have the right and privilege at all times to be present."

And that the following sections be renumbered accordingly.

The time having arrived to go to the House to hear St. Olaf's choir, the Senate recessed until the call of the gavel.

The Senate reconvened at the sound of the gavel and the roll call revealed the presence of all Senators except Senators Langfitt and Clark of Linn, who were previously excused.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 8 RESUMED

Senator Benson asked for the re-reading of his amendments and moved their adoption:

Senator Doran moved to amend the amendment by adding a period (.) after the word "witnesses" in line 5 of Section 6 and by striking line 6 thereof.

Senator Cooney offered the following substitute amendment to the amendment and moved its adoption:

Amend by adding a period at the end of line 5 of Section 6, and by striking line 6 and adding in lieu thereof "The committee shall be empowered to employ, at the expense of the state, not to exceed three attorneys for the accused."

Senator Rigby offered the following amendment to the proposed substitute amendment and moved its adoption:

Amend by striking the words "for the accused" and inserting in lieu thereof the words "to represent the state board of education".

By unanimous consent on request of Senator Cooney, his substitute amendment was withdrawn.

Senator Beatty offered the following as a substitute for all pending amendments to the Benson amendment and moved its adoption:

Strike the last line of Section 6 and add in lieu thereof the following:

"and the State Board of Education shall be entitled to an attorney of their own selection at the expense of the state, the compensation of said attorney to be determined by the General Assembly."

The substitute amendment was adopted.

The Benson amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend the resolution by adding to paragraph 3, of the amendment of the Senate committee, after the words "State University of Iowa" in line 2 thereof, the words "and to the people of the State of Iowa,".

The amendment was adopted.

The resolution as amended was adopted.

HOUSE CONCURRENT RESOLUTION NO. 8

As Amended by the Senate

Providing for the appointment of an investigating committee, whose duty it shall be to fully investigate the management and affairs of the State University of Iowa and its various officers and employees and providing that said Committee shall report its findings and recommendations thereon to the General Assembly and to the Attorney General of the State of Iowa, and to provide an appropriation sufficient to pay the expense of said Committee.

Whereas, Charges and claims of mal-administration on the part of the Board of Education of the State of Iowa and upon the part of certain officials, officers and employees of the State University of Iowa have been made, and

Whereas, The Honorable Dan W. Turner, Governor of the State of Iowa, has recommended that a legislative joint committee be appointed to thoroughly investigate the conditions of the management and admin-

istration of the affairs of said University, both by the officials and employees thereof and by said State Board of Education, and

Whereas, It appears that in fairness to the State Board of Education and to the officials and employees of the State University of Iowa, and to the people of the State of Iowa, such investigation should be made,

Therefore, Be It Resolved by the House, the Senate Concurring:

Section 1. That a joint committee of the members of the House of Representatives and Senate of the Forty-fourth General Assembly, consisting of six (6) members, be and the same is hereby created and established; three (3) of the members thereof to be appointed by the Lieutenant governor from the membership of the senate, and three (3) of the members to be appointed from the membership of the house by the speaker of the house. It shall be the duty of said joint committee to investigate charges hereinbefore set forth and also other matters in connection therewith as they may arise and in connection with the administration of the State Board of Education and the institutions under its control and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa.

Sec. 2. That said Joint Committee is directed to call on the Attorney General for such services as may by it be deemed necessary and said Committee is hereby authorized to employ such attorneys, auditors, expert investigators and employees as may be by it deemed necessary to a thorough, complete and independent investigation of such charges and such matters in connection therewith as may come to its attention, and the general administration of the Board of Education and the institutions under its control.

Sec. 3. That the State Board of Education, the Finance Committee thereof, all officers and employees of said Board and all officers and employees of the State University of Iowa, are hereby directed and ordered to deliver to said Joint Committee and to the employees thereof, all books, records and papers as may be deemed necessary by said Committee in the making of such investigation.

Sec. 4. That said Joint Committee is hereby directed to conduct such investigation in an impartial manner without interference from any person, board, officer or employee, who is in any way connected with the management and conduct of affairs of said University.

Sec. 5. That said Joint Committee is hereby authorized and empowered to summon and subpoena witnesses from any place within the State of Iowa and to compel the attendance of witnesses at any place within the State of Iowa where said Committee may deem it advisable to hold hearings; that it may take testimony under oath; that it may take the testimony of witnesses outside of the state; that any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner as provided by the Laws of Iowa.

Sec. 6. That said joint committee is hereby directed and authorized to issue subpoenas for all witnesses and the production of all books asked for by any person whose conduct or administration in office is being investigated and such person shall have the right to compulsory attendance of witnesses and the State Board of Education shall be entitled to an attorney of their own selection at the expense of the state, the compensation of said attorney to be determined by the General Assembly.

Sec. 7. That said joint committee shall cause to be taken down in shorthand and transcribed all testimony taken for said committee and shall on completion of the investigation file the same with the Chief Clerk of the House and the Secretary of the Senate, the same to be made a matter of public record.

Sec. 8. That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing; and that any member of the press or any individual in interest shall have the right and privilege at all times to be present.

Sec. 9. That said Joint Committee is hereby directed to make a written report and recommendations to this General Assembly of such matters.

EXPLANATION OF VOTE

On my request the Senate excused me from voting upon amendments to House Concurrent Resolution No. 8 known as the "State University Investigation Resolution". I made this request in view of the fact that I had been publicly named and charged as being a member of a political machine organized to control legislation enacted or proposed for enactment in connection with the activities of the State Board of Education. While realizing that this charge was unfounded, I felt that under Senate Rule 8 I might be considered as personally interested in the form and manner in which the investigation should be made. For this reason I did not care to take part in the discussion, or to vote upon questions arising relating to the form of the investigation. I have at all times believed that a fair, full, and impartial investigation should be made, and I voted in favor of the Resolution providing for such investigation both in the Committee on State Educational Institutions and upon the passage of such Resolution in the Senate.

C. F. CLARK.

SENATE FILE NO. 1 MADE SPECIAL ORDER

By unanimous consent, on request of Senator Clark of Linn, Senate File No. 1, relating to county assessor, was made a special order for 11:00 a. m. Tuesday, February 17th.

The Journal of February 9th was corrected and approved.

AMENDMENT FILED

MR. PRESIDENT: We move to amend Senate File No. 2 by striking therefrom sections one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty-one (31), and thirty-two (32).

H. L. IRWIN.

M. D. COONEY.

B. M. STODDARD.

D. W. KIMBERLY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 11, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Daniel E. Kerr, pastor of the First Presbyterian Church of Mediapolis.

On motion of Senator McLeland, the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call, the Senate confirmed the following appointments:

Hon. E. H. Felton, of New Virginia, Warren county, for the position as Member of the Board of Control for the period of six years ending June 30, 1937.

Hon. George M. Simpson of West Union, Fayette county, for the office of Member of the Board of Parole for the period ending June 30, 1937.

Hon. A. B. Funk, of Des Moines, Polk county, for the office of Industrial Commissioner for the period ending June 30, 1937.

The Senate arose from executive session and resumed regular session.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator White, from seventy-four business and professional men of Tama, members of the Tama commercial club, opposing the levy of a tax on theatre tickets. Tax revision.

By Senator Stoddard, from farmers of Woodbury county, op-

posing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Stoddard, from Woodbury county medical society, opposing Senate File No. 110. Public health.

By Senator Stoddard, from merchants of Council Bluffs, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Anderson, from residents of Webster county, opposing an additional tax on cigarettes and any tax on cigars and tobaccos. Tax revision.

By Senator Wenner, from Eugene Clark post 1623 Veterans of Foreign Wars, Waterloo, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Baird, from farmers of Pottawattamie county, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Wenner, from Becker Chapman post American Legion, Waterloo, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Moen, from farmers educational and cooperative union of Sioux county, favoring uniform school books and opposing county assessor plan. Public schools and tax revision.

By Senator Wenner, from seven business concerns of Waterloo, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Hicklin, from residents of Muscatine, Louisa, and Des Moines counties, the council of Oakville, the Oakville independent school district, the Rotary club of Muscatine, the Muscatine association of commerce, the council of Muscatine, the Lions club of Muscatine, the American Legion of Muscatine, the Muscatine Trades and Labor assembly, and the community club of West Liberty, favoring the construction of the Moscow dam. Conservation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Irwin for the day, on request of Senator Kimberly.

INTRODUCTION OF BILLS

Senate File No. 185, by Senator Ickis, a bill for an act to repeal section thirty (30) chapter fifty-seven (57), acts of the forty-third (43rd) general assembly relative to having firearms in motor vehicles, and to enact a substitute therefor.

Read first and second times and referred to committee on police regulations.

Senate File No. 186, by Senator Myers, a bill for an act to provide for the assessment and taxation of gas and gasoline transmission pipe line companies; to require information and annual reports therefrom; and to allocate and distribute the taxes thereon to respective taxing districts.

Read first and second times and referred to committee on ways and means.

Senate File No. 187, by Senator Myers, a bill for an act to amend chapter three hundred eighty-two (382) to permit gasoline and gas mains to be laid across the public waters and lands of this state, and to provide for the furnishing of equal facilities to the public by the companies operating gasoline and gas mains within this state.

Read first and second times and referred to committee on public buildings and lands.

Senate File No. 188, by Senator Myers, a bill for an act to amend chapter two hundred fifty (250) of the 1927 Code, to permit gas, gasoline, and water pipe lines to be laid across and along the highways of the state, and to limit the term of the user thereof.

Read first and second times and referred to committee on highways.

Senate File No. 189, by Senator Anderson, a bill for an act to amend the law as it appears in sections forty-one hundred nineteen (4119), forty-one hundred twenty (4120), and forty-one hundred twenty-one (4121), code, 1927, relating to the county board of education.

Read first and second times and referred to committee on public schools.

Senate File No. 190, by Senator MacDonald, a bill for an act to repeal chapter one hundred two (102), acts forty-third general assembly, relating to attaching and detaching territory to and from adjoining districts.

Read first and second times and referred to committee on public schools.

Senate File No. 191, by Senator Wilson, a bill for an act authorizing the destruction of weeds and grasses in certain cities, and prescribing notices therefor.

Read first and second times and referred to committee on agriculture.

REPORTS OF COMMITTEES

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 39, a bill for an act to repeal section 4341, Code 1927, and to enact a substitute therefor, relating to the minimum wages paid to public school teachers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend the title. Add to the title and to section 1, after the figures Forty-three hundred forty-one (4341), the following: "and section Forty-three hundred forty-two (4342)."

Line 10. In line 10, substitute the word and figures, "one hundred (100)" for "ninety (90)".

Line 16. In line 16, substitute the word and figures "eighty (80)" for "seventy (70)".

Sub-div. 3. Substitute the following for sub-div. 3: "3. A teacher who has completed a Normal Training course in a Normal Training High School, shall receive a minimum wage of sixty-five (65) dollars per month."

Sub-div. 4. Add the following as Sub-division 4:

"4. All teachers not included in sub-divisions one (1), two (2), and three (3) above, shall receive a minimum wage of fifty (50) dollars per month."

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 71, a bill for an act to amend section one (1), chapter one hundred two (102), Acts of the Forty-third General Assembly, relating to attaching and detaching territory to and from adjoining corporations, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 101, a bill for an act to amend sections five hundred twenty (520), four thousand ninety-six (4096), and four thousand ninety-eight (4098) to four thousand one hundred four (4104) inclusive, all of the code 1927, relating to the county superintendent of schools and to the appointment of said superintendent and to provide for the election of such superintendent at the general election in November of each even-numbered year; also concerning members of county board of education, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 119, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275), code 1927, and to repeal chapter one hundred six (106) acts forty-third general assembly relating to high school tuition, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

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

Whereas, The question of the state senatorial redistricting is one that should naturally originate in the Senate, and

Whereas, There are so many matters of greater importance which should claim the attention of the members of the Forty-fourth General Assembly, therefore,

Be It Resolved by the Senate of the Forty-fourth General Assembly of the State of Iowa: That we hereby go on record at this time as opposed to giving consideration to senatorial redistricting at this session.

Senator Patterson moved that the resolution, introduced by Senators Blackford, Irwin and Kent, be referred to the committee on political and judicial districts.

Senator Patterson asked for a roll call.

Senator MacDonald invoked Rule 8.

On the question "Shall the motion to refer the resolution to committee prevail?" the vote was:

Ayes, 19.

Anderson	Clark of	Hill	Patterson
Baird	Cerro Gordo	Leonard	Quirk
Bennett	Cooney	MacDonald	Ritchie
Bissell	Doran	McLeland	Stevens
Christophel	Gunderson	Moen	Wenner

Nays, 25.

Beatty	Cochrane	Kimberly	Stanley
Benson	Cole	Klemme	Stoddard
Blackford	Coykendall	Knudson	Tabor
Carden	Frailey	Lowe	Topping
Clark of	Hicklin	Myers	White
Marion	Ickis	Rigby	Wilson
Clearman	Kent		

Absent or not voting, 6.

Booth	Clark of Linn	Irwin	Langfitt
Carroll	Hager		

The motion was lost.

Roll call was asked for on the question of adoption of the resolution.

Rule 8 was invoked.

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

Ayes, 21.

Beatty	Coykendall	Kent	Stanley
Blackford	Frailey	Klemme	Tabor
Booth	Hicklin	Knudson	Topping
Carden	Hill	Myers	White
Clearman	Ickis	Rigby	Wilson
Cochrane			

Nays, 24.

Anderson	Clark of	Gunderson	Patterson
Baird	Cerro Gordo	Kimberly	Quirk
Bennett	Clark of	Leonard	Ritchie
Benson	Marion	Lowe	Stevens
Bissell	Cole	MacDonald	Stoddard
Christophel	Cooney	McLeland	Wenner
	Doran	Moen	

Absent or not voting, 5.

Carroll
Clark of Linn

Hager

Irwin

Langfitt

The resolution was lost.

Senator Doran moved that the vote by which the resolution failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 9 CONSIDERED

Senator Clark of Cerro Gordo called up for consideration the following House Concurrent Resolution and moved its adoption:

"Memorializing Congress to enact that certain bill now pending known as H. R. 15934, relating to the manufacture and sale of oleomargarine and restricting the use of palm oil in the manufacture thereof."

"Whereas, There is now pending before the Congress of the United States a certain bill known as H. R. 15934, the purpose and intent of which is to prohibit the use of palm oil in the manufacture of oleomargarine and its products; and whereas the enactment of such bill by Congress will be of great benefit to the dairying interests of the state of Iowa.

"Now, Therefore, Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring herein, That we do hereby respectfully petition and urge Congress to pass and enact said H. R. 15934.

"And Be It Further Resolved, That the chief clerk be instructed to forward a copy hereof to each of the Senators and Representatives of the state of Iowa in said Congress of the United States."

The resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Joint Resolution No. 1 and Senate File No. 22.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution No. 1 and Senate File No. 22.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 11th day of February, 1931, sent to the governor for his approval, Senate File No. 22.

E. R. HICKLIN, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Wenner, Senate File No. 56, a bill for an act to amend the law as it appears in sections twenty-three hundred twenty-one (2321), twenty-three hundred twenty-two (2322), fifty-two hundred eighteen (5218), fifty-two hundred thirty-seven (5237) and fifty-two hundred thirty-eight (5238), all relating to the office of coroner, specifying added duties for the coroner, fixing his compensation to be paid out of the county treasury, requiring the undertaker to promptly notify the coroner as to certain suspicious deaths, and authorizing the appointment of a deputy coroner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 41.

Anderson	Clark of	Ickis	Quirk
Baird	Marion	Kent	Rigby
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cooney	Knudson	Stevens
Bissell	Coykendall	Leonard	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Frailey	McLeland	Topping
Carden	Gunderson	Moen	Wenner
Christophel	Hicklin	Myers	White
Clark of	Hill		
Cerro Gordo			

Nays, none.

Absent or not voting, 9.

Carroll
Clark of Linn
Cole

Hager
Irwin

Langfitt
MacDonald

Patterson
Wilson

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

HOUSE CONCURRENT RESOLUTION NO. 11 CONSIDERED

Senator Baird called up for consideration House Concurrent Resolution No. 11 as found on page 287 of the Journal of February 9th, and moved its adoption.

The resolution was adopted.

The Journal of February 10th was 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 House was asked:

Senate File No. 28, a bill for an act relating to the state apiarist.

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

Senate File No. 15, a bill for an act authorizing the issuance and sale of county road bonds voted under Chapter 242, Code 1924 or 1927.

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

House File No. 21, a bill for an act relating to the destruction of weeds.

Also: 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 relating to high school tuition.

SAM C. RAGAN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 35, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275),

code, 1927, and to repeal chapter one hundred six (106) acts forty-third general assembly relating to high school tuition.

Read first and second times and referred to committee on public schools.

House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the code of 1927, and section one (1) of chapter one hundred sixteen (116) of the laws of the 43d G. A., relating to the destruction of weeds and the appointment of a weed commissioner, and to repeal section forty-eight hundred twenty (4820) of the code of 1927.

Read first and second times and referred to committee on agriculture.

By unanimous consent on request of Senator Gunderson, House File No. 35 was substituted for Senate File No. 119, a companion bill, now on the calendar.

On motion of Senator Cochrane the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 12, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Millard L. Riley, minister of the Church of Christ, of Jewell.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Carden, from citizens of Louisa and Muscatine counties, opposing the construction of the Moscow dam. Conservation.

By Senator MacDonald, from residents of Cherokee, opposing the levy of an additional tax on cigarettes and a tax on tobacco. Tax revision.

By Senator Moen, from members of McGlothlen-Cowie Post No. 145 of American Legion, Sheldon, favoring compulsory military training in schools. Educational institutions.

By Senator Cole, from Hopkinton fish and game protective association, opposing the appointment of a fish and game commission. Fish and game.

By Senator Benson, from citizens of Clayton county, opposing the appointment of a fish and game commission. Fish and game.

By Senator Cooney, from eighty-five business firms of Dubuque,

opposing the levy of additional tax and the limitation in length and width of motor vehicles. Motor vehicles.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gunderson for the day, on request of Senator Christophel; Senator Irwin for the day, on request of Senator Kimberly.

INTRODUCTION OF BILLS

Senate File No. 192, by Senator Ickis, a bill for an act to amend sections twelve (12), thirteen (13), fourteen (14), seventeen (17), twenty-six (26), twenty-eight (28), twenty-nine (29), thirty-two (32), and thirty-three (33) of chapter fifty-seven (57) of the acts of the forty-third (43rd) general assembly; and sections one (1), three (3), and four (4) of chapter fifty-eight (58) of the acts of the forty-third (43rd) general assembly; and sections seventeen hundred nine (1709), seventeen hundred fifteen (1715), seventeen hundred twenty-two (1722), seventeen hundred fifty-four (1754), and seventeen hundred seventy-nine (1779), Code, 1927, relating to fish, game, and fur bearing animals; and to enact additional provisions relating to and regulating the propagation and protection of fish, game, wild birds and animals, including the regulation of the time when hunting dogs may not be permitted to be afield for the purpose of training.

Read first and second times and referred to committee on fish and game.

Senate File No. 193, by Senator Booth, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 194, by Senator Doran, a bill for an act to amend section eleven thousand seven hundred forty-four (11744)

of the Code, 1927, relating to sheriff's deeds, and making provision for the issuance of sheriff's deed in case of the death of the holder of the **certificate**.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 195, by Senator Kimberly, a bill for an act to amend Chapter Thirty-six (36), Code of 1927, relating to nominations by primary election by amending section six hundred thirty-nine (639) and section six hundred forty-three (643).

Read first and second times and referred to committee on elections.

Senate File No. 196, by Senator Cooney, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of the code, 1927, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the code, 1927, and become a city or town under the general law governing cities and towns, or resume special charter.

Read first and second times and referred to committee on cities and towns.

Senate File No. 197, by Senator Coykendall, a bill for an act to amend the law as it appears in section four thousand two hundred forty-two (4242) and section four thousand two hundred forty-two-b one (4242-b1), code, 1927, relating to annual financial statement.

Read first and second times and referred to committee on public schools.

Senate File No. 198, by Senators Cooney and Kimberly, a bill for an act to create a public service commission; to grant to it jurisdiction over the facilities, service and rates of public utilities; to provide for the appointment, terms of office, and compensation of the commissioners and to provide for the organization of the commission; to define the powers, duties and juris-

diction of the commission and provide for the enforcement and appeal from its orders; to abolish the board of railroad commissioners, and provide for the transfer to the public service commission of all proceedings pending before the board of railroad commissioners and to confer upon the public service commission the jurisdiction, rights, powers and duties of the board of railroad commissioners; and to repeal sections 516, 7865, and 7866, of the code of 1927, and all acts and parts of acts in conflict with this act.

Read first and second times and referred to committee on public utilities.

Senate File No. 199, by Senator Bissell, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town, and to require all motor vehicles, when stop signs are in place, to come to a stop before entering said zones.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 200, by Senator Bissell, a bill for an act to repeal the law as it appears in section three thousand eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau.

Read first and second times and referred to committee on public schools.

REPORT OF COMMITTEE

Senator Ickis submitted the following report:

MR. PRESIDENT: Your committee on fish and game, to which was referred Senate File No. 74, a bill for an act to amend section 1748, Code, 1927, relating to licenses for the use of seines or nets in the Mississippi River, begs leave to report they have had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking all after the enacting clause and substituting the following:

Section 1. Section seventeen hundred forty-eight (1748) of the Code, 1927, is amended by striking from lines three (3), four (4), five (5), six (6) and seven (7) thereof the words and figures "that any seine or net which was possessed and licensed prior to March 1st, 1924, may be licensed and used lawfully for two years after that date.", and substituting in lieu thereof the following: "a license may be issued for use in the Mississippi River of a seine or net having a mesh not less than three (3) inch stretch measure."

Said section seventeen hundred forty-eight (1748) of the Code, 1927, is further amended by adding the following: "No license shall be issued for the use of any seine or net having less than three (3) inch mesh, stretch measure."

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Postville Herald, a newspaper published at Postville, Iowa, and in the West Union Argo Gazette, a newspaper published at West Union, Iowa.

F. D. ICKIS, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Hicklin, Senate File No. 54, a bill for an act to amend section seventy-seven seventy-one (7771), of the Code of 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and informed the Senate that the House was ready to receive them in joint session, to listen to the address in commemoration of Lincoln's birthday.

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

JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor McFarlane, President of the Senate, presiding.

President McFarlane announced a quorum present and the joint convention duly organized.

Senator Clark of Cerro Gordo moved that a committee of three be appointed, one from the Senate and two from the House, to notify Ex-Senator A. L. Rule that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee: Senator Clark of Cerro Gordo, Long of Cerro Gordo and Wearin of Mills.

The committee appointed to notify Ex-Senator A. L. Rule that the joint convention was ready to receive him and his visiting guests appeared with them.

Lieutenant-Governor McFarlane then introduced Ex-Senator Rule, who addressed the joint convention.

REMARKS OF EX-SENATOR A. L. RULE

MR. PRESIDENT, MR. SPEAKER, SENATORS, GENTLEMEN OF THE HOUSE AND FRIENDS:

It is a distinct gratification and honor to meet with you on this day, for the purpose of reviewing the life of our Greatest Statesman and Martyred President.

It is, indeed, fitting and proper that each year on the Anniversary of the birth of these makers of the history of our country, we should pause from the business and strife of life to study their deeds, acts and character, that we may draw therefrom the lessons to assist us in accomplishing our best.

With the thought of the Gettysburg Address in our mind, we may well say that what we may do or say here today, will not long be remembered. What we may do or say here today, matters not at all to this great character; but what we may do or say here today is of vital importance to us in assisting and directing us along the path where we may be the most useful to our fellow-men and our country.

John G. Nicolay has said:

"Abraham Lincoln was the first typical American to reach the lonely heights of immortal fame. Before him, within the narrow compass of our history loom but two prominent characters: Columbus the Discoverer, and George Washington, the Father of our Country; the one an Italian, the other an English Country gentleman".

George Washington was an American; he was born, lived and died here, but he came from a prominent English family and was reared and educated in the atmosphere of the English nature, habits, moral and social standards. The protege of Lord Fairfax, living and thinking in the terms of the English nobility and country gentleman: reared, living and educated upon our Eastern seaboard, which was typically an English Colony, he naturally, from his position and environment, developed into the typical English country gentleman.

Abraham Lincoln never saw our Eastern civilization until he was a man grown. He never came in contact with the refinement, education and social graces of our Eastern civilization, much less, the culture, refinement and aristocracy of England. Abraham Lincoln was the product of a new life. He was of that race of hardy pioneers who had begun to push westward from our eastern fringe of civilization to wrest the land of an unknown country, from nature, the Indian and the wild animal. These hardy pioneers pushed out into the great unknown to dare its solitudes, to trace the river, explore the forest and to cross the virgin plains to build new homes under new and rugged conditions; to build a new life and expand a new country. These hardy pioneers accomplished in a century what it took the primitive Aryan thousands of years to do in Europe.

George Washington stands upon the border line of English and American history. Abraham Lincoln looms out from the very heart of the American pioneer life, a son of the great new west. In our history, Washington and Lincoln can be looked upon as two, far separated mountain peaks of the great range. In the valleys between these two peaks we see names, acts and deeds that reflect credit upon our nation, but these two great giants of character, Washington and Lincoln, stand towering far above all others and high into the clouds; and upon these two lofty peaks shines that universal and perpetual light of true fame.

Abraham Lincoln was born in obscurity, reared in poverty, and tossed and swayed upon the billows of adversity. Deprived of his mother at the age of nine years, he fell under the protecting, guiding and loving care of his step-mother, Sarah Bush Johnson, a woman of education, refinement and character, who took a keen interest in the educational ambitions of this young step-son. With seven books, the Bible, Robinson Crusoe, Esop's Fables, Bunyon's Pilgrim's Progress, Weem's Life of Washington, a History of the United States and the Revised Statutes of Indiana, as his sole source of literary training and education, until after he had reached his majority, he so developed his mind and character that he equipped himself with a command of English and such a human knowledge gained from nature, forest, stream and the sky, that he became a splendid lawyer, an orator and a statesman without a peer, a soldier of the first rank and a Christian character that is not surpassed by any man since the day of the Blessed Master Himself.

In the Preface to the Life of Lincoln by Lord Charnwood, the eminent English biographer and writer, it is said, Abraham Lincoln was one of the supreme statesmen of the last three centuries, in fact one of the greatest our race has ever produced.

In 1913, Lord Curzon, Chancellor of the University of Oxford, in speaking before the student body of the University of Cambridge on the subject of Modern Parliamentary Eloquence said, the three supreme masterpieces of oratory, are the Toast of William Pitt to the English Arms at Trafalgar, Lincoln's Gettysburg Address and Lincoln's Second Inaugural Address. I escape the task of deciding which is the masterpiece of Modern English Eloquence by awarding the prize to the American. Two of these were uttered by a man who had been a plainsman and a country lawyer before he became a statesman. But they are among the glories and treasures of mankind and today, in the hall of the University of Oxford, Lincoln's Gettysburg Address, adorns the wall as one of the most perfect pieces of English ever written.

Because of the lack of time, we must pass over the early life of Mr. Lincoln; but it might be well to note, as typical of his character, that while a member of the House of Representatives, in 1847, he was to recommend the appointment of a United States Marshal. Mr. Thomas was Mr. Lincoln's choice but Mr. Bonds' appointment was urged upon Mr. Lincoln. Desiring that the appointment should be solely for the good of the service and the benefit of his country, Mr. Lincoln forwarded Mr. Thomas's papers with the endorsement:

"I solicit for his claims, a full and fair consideration. Having said this much, I add that in my individual judgment, the appointment of Mr. Thomas would be the better."

But in fairness to the other applicant, he forwarded the papers of Mr. Bond and endorsed thereon:

"I add that from personal knowledge I consider Mr. Bond every way worthy of the office and qualified to fill it. Holding the individual opinion that the appointment of a different gentleman would be better, I ask special attention and consideration for his claims, and for the opinions expressed in his favor by those over whom I can claim no superiority."

At this early period in Mr. Lincoln's political life, first we see that great characteristic of his public life, fairness to all, but above all, service to the government and the people.

At the close of his service in the House of Representatives of the 30th Congress of the United States, Mr. Lincoln retired to Springfield, declining a further nomination or election, that he might engage in his profession of the law and did not re-enter the field of politics or public life until 1854.

In order truly to estimate the character of Abraham Lincoln and his decisions upon the great questions that were to confront him in the after years, we must go back into the history of the slavery question. Prior to 1787 the great Northwest Territory comprising most of the state of Ohio, all of Indiana, Illinois, Wisconsin and Michigan, belonged to the state of Virginia. Thomas Jefferson, that great champion of democracy and leader of its party, and one of the framers of the Declaration of Independence, advocated the ceding of the Northwest Territory by Virginia to the United States. In drawing the Ordinance of 1787 ceding this territory to the United States, a proviso was included that *slavery should never be permitted therein*. Thus the policy of prohibiting slavery in new

territory began with the framer of the Declaration of Independence, the greatest leader of the Democratic Party, a Southerner and even a slaveholder. Later in 1803, when the same Thomas Jefferson was the President of the United States, he made the Louisiana Purchase from France for the sum of \$15,000,000 which included the states of Louisiana, Arkansas, Missouri, Iowa, Minnesota, North and South Dakota, Kansas and Nebraska, as well as a part of Colorado and Montana.

In 1812 the state of Louisiana came into the Union as a slave state without opposition.

In 1819 Missouri sought admission to the Union as a slave state. This was resisted by the North and thus the first slave agitation as to new territory began.

In 1820 the admission of Missouri was again under consideration. Congress finally accepted the *Missouri Compromise* by which Missouri was admitted as a slave state, but in all other territory purchased from France, North of 36'—30" North, *Slavery should be forever prohibited.*

In 1846 during the Mexican War, President Polk asked \$2,000,000 of Congress for use in negotiating peace with Mexico and with which to purchase additional territory from Mexico. Mr. Willmot of Pennsylvania added an amendment to the bill providing that, in any territory so acquired, slavery should be forever prohibited. This amendment killed the appropriation.

In 1849, Stephen A. Douglas, when a candidate for United States Senator from Illinois, said:

"The Missouri Compromise has been in successful operation for over a quarter of a century and has received the ratification of all parties—a sacred thing which no ruthless hand would ever be reckless enough to disturb."

In January, 1854, the Kansas-Nebraska Bill, providing for the admission of Kansas and Nebraska as states, was introduced. This bill provided that the Missouri Compromise was not to be affirmed or repealed, but the slavery question was to be left to the government in the new states. Stephen A. Douglas offered an amendment which provided that the Missouri Compromise should be *inoperative and void*, and the Kansas-Nebraska Bill with this amendment of Stephen A. Douglas was passed in May, 1854. Douglas was the Democratic Senator from Mr. Lincoln's own state of Illinois; he and Mr. Lincoln had been in Congress together as members of the House and Mr. Douglas later during the session became the United States Senator. Mr. Lincoln had been anti-slavery and had supported the Willmot Proviso. He had acquiesced in and believed in the Missouri Compromise and felt that it was a sacred thing which should not be ruthlessly set aside, as pronounced by Senator Douglas's own words. The passage of the Kansas-Nebraska Bill with the Douglas amendment fired Mr. Lincoln's soul and brought home to him the dangers that this question held for the future. In September of 1854, Mr. Lincoln took the stump for Mr. Yates, who was the Whig candidate for Congress. His clear delineation of the slavery question, and his thorough knowledge of its history soon caused his speeches to attract marked attention and he was drawn from the Congressional

campaign into the State campaign. Senator Douglas was to speak at the State Agricultural Fair at Springfield and by common impulse, Mr. Lincoln was drawn upon to reply. He performed this task with such aptness, force and freshness of argument that it raised him to the leadership of the opposition to Douglas. Two weeks later Douglas and Lincoln met at Peoria in debate. In the Peoria speech, Mr. Lincoln said:

"I hate it because it deprives our Republican example of its just influence in the world; enables the enemies of free institutions, with plausibility, to taunt us as hypocrites; causes the real friends of freedom to doubt our sincerity; and especially because it forces so many good men among ourselves into an open war with the very fundamental principles of civil liberty criticizing the Declaration of Independence and insisting that there is no right principle of action but self interest. * * * Slavery is founded in the selfishness of man's nature—opposition to it in his love of justice."

In these utterances, we see the great heart-throbbings of a true humanitarian, inspired with the great love of his fellowmen and seeking above all the true Divine rule that justice apply to all equally. At the request of Senator Douglas, the debates were discontinued.

The Democrat colleague of Senator Douglas in the Senate was a candidate for re-election before the Illinois Legislature and Mr. Lincoln was brought forth as one of his opponents. The Anti-Nebraska Democrats, however, were opposing Senator Douglas and his Democratic colleague and voted for Lyman Trumbull, one of their own number, refusing to join with the Whigs and vote for their candidate, Mr. Lincoln. On the ninth ballot it became evident to Mr. Lincoln that there was danger of a new Democratic candidate who was neutral on the Kansas-Nebraska Bill. Again he put aside self and his cause for the good of his country and prevailed upon his Whig supporters to vote for Trumbull, which won Trumbull's election and gained for Mr. Lincoln the loyal support of the Anti-Nebraska Democrats.

Not long thereafter, in writing upon this subject to a friend, he said:

"The Autocrat of all the Russias will resign his crown and proclaim his subjects free Republicans sooner than will our masters voluntarily give up their slaves. Our political problem now is, can we as a nation continue together permanently—forever—half slave and half free? The problem is too mighty for me—may God in his mercy superintend the solution."

With the clear supernatural vision which had been given Mr. Lincoln, he stated the very question which was to confront him during the remainder of his life. He felt that it was a question which could not alone be solved by the individual mind, but that the finality of its solution was in the hands of the Divine Providence; that only by being guided thereby, and by remaining in close harmony therewith, could a leader be found, who could ultimately, with that Divine assistance, work out a final consummation.

In 1858 Stephen A. Douglas was a candidate for re-election to the United States Senate and the new Republican party, by resolution, made Abraham Lincoln the opposing candidate. That evening Mr. Lincoln

appeared before the convention and delivered his historical speech in which he said:

"A house divided against itself cannot stand. I believe this government cannot endure permanently, half slave and half free. I do not expect the Union to be dissolved—I do not expect the House to fall—but I do expect it will cease to be divided. It will become all one thing or all the other."

Then followed a critical analysis of the history of slavery, the Kansas-Nebraska Bill, the Dredd-Scott Decision, with such force, that it immediately attracted attention throughout the free states. Senator Douglas returned from Washington and immediately took the stump. Mr. Lincoln challenged Senator Douglas to a joint public debate and it was arranged that they should jointly address the same meetings at seven towns in the state on dates extending through August, September and October. It was in these debates that Mr. Lincoln propounded the question to Mr. Douglas:

"Can the people of a United States territory in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits, prior to the formation of a State constitution?"

Mr. Lincoln's friends urged him not to propound this question as it would ruin his chances for election. Mr. Lincoln replied:

"Gentlemen, I am killing larger game; if Douglas answers, he can never be President and the battle of 1860 is worth a hundred of this."

Again we have that great characteristic of Abraham Lincoln; he thought, not of himself, nor of the honor to him but only of the great question that was before the country and looking, as he always did, into the future he seemed to discern that no matter what the sacrifice might be to him, the great question involved was the welfare of his country and the happiness of humanity. At this time in his life, it never occurred to Mr. Lincoln that he was a great man or that he was even an important figure in the political world. The thought that he would ever enter the White House was apparently furthest from his mind. He failed to recognize that the great Divine force at work had singled him out as the one far seeing soul to carry out the Divine plan. The question was propounded. Douglas attempted to avoid it. If he answered "Yes", he alienated the southern Democrat; if he answered "No" he alienated the northern Democrat; but he evaded the question and lost both.

Senator Douglas was re-elected to the Senate and to this statesman and orator, let us, in due deference and lasting praise say, that he became part of the Divine plan and materially assisted Mr. Lincoln in the great struggle in the days to come. In the early days of the struggle when the fate of the Union hung in the balance, Senator Douglas took the President by the hand and informed him that the Union cause was right and that from then on, he, Douglas, would assist and support the government and the President in every way possible in the great cause in which they were then engaging. All honor to Stephen A. Douglas, he lived to his promise and loyally and earnestly assisted and supported his bitter opponent, of the early days, to the end.

The year of 1860 was the presidential campaign to choose the successor of Mr. Buchanan, the then Democratic President of the United States. Mr. Lincoln's candidacy for the United States Senate, the Lincoln-Douglas debates and his speeches in Kansas and the west had attracted much attention, yet the east did not know him. He was looked upon by the east as a rough frontiersman, capable of splitting rails and great feats of strength. As to intelligence, refinement, eloquence or character, he was considered a joke. To the effete east, he would be a great source of amusement and merriment. In New York, the younger men of the newly-born new Republican party, which had succeeded the Whig, had organized and were obtaining speakers to appear in New York. These speeches were held in the Cooper Institute in New York City. Mr. Lincoln was engaged to speak on the evening of February 27th, 1860. The poets, bankers, editors and merchants of New York vaguely remembered having read of Daniel Boone, David Crockett, the country of bowie knives, pistols, steamboat explosions and mobs together with the repudiation of state debts and to these Mr. Lincoln belonged and was one of them. These had been recalled by the incidents of the border ruffians violence and the free state gorillas, during the Civil war in Kansas and they wondered what was to be the type, the character, the language of this speaker. Out of curiosity, the culture, refinement and the educated mass of New York, turned out to be amused. Upon the platform was Horace Greeley, the great editor of the New York Tribune; David Dudley Field, the great lawyer, escorted him to the platform and William Cullen Bryant, the great poet, presided over the meeting.

As he stepped forward on the platform, they noted his apparent embarrassment, his tall angular stature, his long arms, his plain features. As he started to speak, he had a high pitched voice and his beginning foreshadowed a dry argument. He used as his text Douglas's words of evasion in the answer to Lincoln's question in the joint debate:

"Our fathers when they framed the government under which we live, understood this question just as well and even better, than we do now."

In a few short moments, his awkwardness had passed away, the figure became more interesting and pleasing; the voice took on a tone of earnestness; his face lighted up with the inspiration of his cause; unconsciously and surely the ear and heart were charmed. How was it done? Because his entire nature rebelled at the injustice of slavery, his soul was in the fight; and his clear logic and argument outlined the history of slavery, its iniquities and dangers as they had never before understood it. The audience for one hour and a half, sat spellbound and entranced until he closed with the words:

"Let us have faith that right makes might and in that faith let us, to the end, dare to do our duty as we understand it."

The interest of the factory man who listened was equal to, perhaps excelled, by the gratifying surprise of the college professors when they found that the western orator could bear the test of their professional criticism and compare with the best examples of their standard textbooks. The next morning, the New York dailies published his speech in full and gave him credit for having taken New York by storm. By this

speech, he had passed from an orator to the rank of a statesman. Even then, it had not dawned upon Abraham Lincoln that he might be the choice as a candidate to succeed Mr. Buchanan. In the pure devotion to the cause in which he was engaged, he failed to recognize in himself anything but an humble servant of the people, reaching out to see the right and to assist them in grasping the truth.

The Republican state convention of Illinois was held at Decatur in May, 1860, with the national convention to be held in Chicago, less than two weeks later. The Decatur convention instructed its delegates to vote as a unit for Abraham Lincoln as a candidate for President of the United States and to use all proper means to secure his nomination.

The Republican national convention, or the Wigwam convention as it was called, opened in a temporary building erected for it at Chicago on May 16th, 1860. The five leading candidates before the convention were William H. Seward, twice governor and United States Senator from New York, Salmon P. Chase, governor and United States Senator from Ohio, Simon Cameron of Pennsylvania, Edward Bates of Missouri and Abraham Lincoln of Illinois.

Lincoln was not considered even a serious candidate. Mr. Seward and Mr. Chase were the leading candidates and both looked upon Mr. Lincoln as incompetent, a weakling with none of the qualifications for the supreme office, and above all, particularly lacking in the moral force to wield a firm hand such as required by the chief executive. Mr. Seward felt himself greatly the superior of Mr. Chase and the only candidate who could lead the Republican party to victory. On the other hand, Mr. Chase looked upon himself as the only candidate before the convention capable of sustaining the high office and looked upon Mr. Seward as only a politician lacking in the high qualifications required for the office. There were 465 ballots in the convention and 233 votes were necessary to a choice. Mr. Seward went into the convention with 173 votes and was so positive of the nomination that he remained on his front lawn, where a large company had assembled, awaiting the happy moment when they might congratulate him on his nomination for President. A cannon loaded, stood at the gate ready to announce the nomination of William H. Seward. On the first ballot Mr. Seward received 173½ votes, Lincoln 102 votes. On the second ballot Mr. Seward had 184½ votes, Mr. Lincoln 181 votes. When the telegram announcing this ballot reached Mr. Seward on his lawn, he announced, "I shall be nominated on the next ballot." The third ballot came swiftly. Mr. Seward had 180 votes and Abraham Lincoln 231 votes. David K. Carter of Ohio sprang upon his chair and changed four of Ohio's votes from Chase to Lincoln. Mr. Evarts, speaking on behalf of New York and Mr. Seward, moved to make the nomination of Abraham Lincoln unanimous. To the everlasting credit of Mr. Seward, it may be said that even in the fact of his defeat, his loyalty to the party was not diminished and he stood loyally by Mr. Lincoln and gave an impetus to the campaign by writing to the Republican Central Committee, his hearty endorsement of the platform and his loyal support of the candidate. Mr. Seward immediately took the stump on behalf of Mr. Lincoln and made his addresses in no half-

hearted manner, but gave both the party and the candidate his good faith and utmost effort.

In the presidential contest of 1860 there were four tickets: the Republican, with Abraham Lincoln of Illinois for President and Hamblin of Maine for Vice President; the Douglas wing of the Democratic party, Stephen A. Douglas of Illinois and H. V. Johnson of Georgia; the Buchanan wing of the Democratic party, John C. Breckenridge of Kentucky and Joseph Lane of Oregon; Constitutional Union party, John Bell of Tennessee and Edward Everett of Massachusetts. In the electoral college, Mr. Lincoln received 180 votes, Breckenridge 72, Bell 39, and Stephen A. Douglas 12. Abraham Lincoln had a majority of 57 votes over all others together in the electoral college and was duly elected President of the United States.

As Abraham Lincoln prepared to take the greatest office within the gift of the people, his greatness as a man, a statesman and a diplomat began to develop and show itself in its truest light. As had never been done before by any President in the history of our country and has never been done since, Abraham Lincoln put himself aside and looked only to the service of his country. Mr. Lincoln immediately set about selecting the members of his cabinet. This cabinet was to be his advisor and was to counsel with him upon all questions that were to confront him. He had a right to take the men in whom he had confidence. He had the right to select men of his personal choice who would be pleasing to him, both in friendship and personality. He knew that Mr. Seward and Mr. Chase looked upon him as having usurped the high office to which they were entitled and which they were so eminently qualified to fill and which, they felt, he was so unfitted to hold. They both looked upon Mr. Lincoln as having no firm character which could be depended upon in the hour of crisis. That he would be easily swayed and moulded and would be under the complete domination of the strongest characters that were around him. That he was unable to take a firm stand and maintain it resolutely for the best interests of the country. Mr. Lincoln felt that the country was entitled to the very best advice and judgment that could be obtained in the administration of the national affairs and here, as never before and never since in our history, was the President of the United States big enough and broad enough to put aside his individual preferences and lay aside personal antagonism and personal gratification for the benefit of his country. Mr. Lincoln showed the greatness of his character when he recognized that his opposing candidates before the Wigwam convention were the leading men, not only of the party, but also of the country. Mr. Seward and Mr. Chase had held office of great honor and great responsibility and had rendered great service to their country. Notwithstanding their attitude toward him; knowing that they would be antagonistic to him: That they desired the place which he held and felt that he had cheated them of their just desserts; still he was so animated by the best interests of his country that he put aside prejudice and personal preferences and made William H. Seward of New York, Secretary of State, Salmon P. Chase of Ohio, Secretary of the Treasury, Simon Cameron of Pennsylvania, Secretary of War, and Edward Bates of Missouri, Attorney General.

Of the five leading candidates of the Republican party for the nomination of President, all of them, by the act of Mr. Lincoln, were placed in the cabinet at the head of the government and gave their best services in the great struggles that followed. After this cabinet had been appointed, Mr. Seward said to the President you have placed four Democrats in the cabinet as against three Whigs. Mr. Lincoln replied, and do I not count in the cabinet? Mr. Seward later found that the President did count. When a man can so far rise above self and look only to the good of his country, in such a selection as this, he has passed almost beyond the realm of the human and into the realm of the Divine.

Abraham Lincoln was a man who had a most sublime faith in the Almighty and believed thoroughly in the efficacy of prayer. We may justly assume that it was by the medium of prayer and faith that Mr. Lincoln reached out, under the Divine assistance, and selected these personally antagonistic men to carry on the great struggle that was shadowing the downfall of our government at Washington.

After the nomination, Mr. Lincoln opened his headquarters at the State House in Springfield. As the days came forward, after he was elected, when he was to leave the state where the fruitful years of his life had been spent and from whence he was loath to depart, he went about his work with the conscientious devotion to his duty and the earnest desire that he, as only a weak mortal with the assistance of the Divine Being, might avert the great struggle which the threatening secession of the South was making eminent. Still not realizing that he was a great man; still not realizing how important he was; he went about his task of departure with a sad, fearful heart, and yet with his own hands was making the preparation. With his own hand he placed the ropes about the boxes and trunks that were to accompany him to Washington. With pen in hand he wrote upon simple cards—"Abraham Lincoln, White House, Washington,"—and tacked them upon the boxes and trunks.

Then the eventful 11th day of February, 1861, came and he was leaving for Washington. It was a chilly, damp February morning. His special train, to carry Mr. Lincoln, his family and associates to Washington, was to depart at 7:45. The train was standing at the station. It was still dark and a heavy mist, almost a rain, was falling. Mr. Lincoln stood in the little waiting room by the stove with a few of his friends gathered around and engaged in conversation. Already that wonderful face had begun to take on the lines of responsibility and the heart was heavy. Again he seemed to be looking into the future as he seemed to sense that there was a great seriousness in the occasion of his departure; he felt an awful something, he knew not what, and yet he may have vaguely felt that he might never return. Outside the station, the friends of many years had gathered to watch the train depart. Mr. Lincoln emerged from the station door; slowly walked across the platform and mounted the front steps of the car. Knowing that his many friends would expect a few words at parting, he stood on the platform looking into the faces of the friends of many years. The conductor of the train reached for the bell-cord, but Mr. Lincoln in that quiet way of his, lifted that

beloved voice that had brought fame to Illinois; to be heard for the last time in Springfield, and said:

"My Friends: No one not in my situation can appreciate my feeling of sadness at this parting. To this place and the kindness of these people, I owe everything. Here I have lived a quarter of a century and have passed from a young to an old man. Here my children have been born, and one is buried. I now leave, not knowing when or whether ever I may return. * * * Without the assistance of that Divine Being, who is always with us, I cannot succeed. With that assistance, I cannot fail. Trusting in him who can go with me and remain with you and be everywhere for good, let us confidently hope that all will yet be well. To His care, commending you as I hope in your prayers you will commend me, I bid you an affectionate farewell."

Was there ever a more farseeing foreboding? Was there ever a more sublime faith in the Almighty than was here shown? This was the religion of a man who was not a member of a church, but who believed thoroughly in the Divine principle and the efficacy of humble supplication. These last words, the last time his voice was ever heard in Springfield, were a benediction never to be forgotten by those who heard them and were an utterance almost equal to the Gettysburg Address.

The trip to Washington was disappointing to his political friends. The Baltimore Riot was disheartening. The arrival in Washington was noticeably unfriendly and the President was made to feel a sense of loneliness with the forebodings of the future difficulties due to the secession and the attitude of the South.

In his Inaugural Address of March 4th, 1861, President Lincoln endeavored to impress the South with his earnest intent for an impartial adherence to the constitution and the protection of their property, peace and personal security; that the administration would not interfere with slavery where it then existed and in closing he said:

"We are not enemies but friends.

We must not be enemies."

On April 1st, 1861, less than thirty days after his inauguration, the Secretary of State, Mr. Seward, handed him a note, entitled: "Some thoughts for the President's consideration," in which Mr. Seward practically said, we are at the end of a month's administration and yet without a policy; so far the administration has been a failure; certain policies must be adopted immediately and apparently the President cannot carry on the work: if you cannot do it yourself you must devolve it on some member of the Cabinet. I neither seek to evade nor assume responsibility. Mr. Seward practically said the President is a failure and he. Seward, will now take over the office. This memorandum was unknown until years after Mr. Lincoln's death; but on the same day Mr. Lincoln without rebuking, without taking offense, but putting aside self and looking only to the good of the country, replied in a letter to Mr. Seward, which in closing said: upon points arising in the progress of our duties, I wish, and suppose I am entitled, to have the advice of all of the Cabinet; and signed the letter, Your Obedient Servant. A. Lincoln. Again the

character, the foresight, the understanding of the President surpasses human understanding or even human endurance.

On April 12th, 1861, Fort Sumter was fired upon and on April 14th, Major Anderson surrendered. Mr. Seward advocated demanding an explanation from France, Russia and Spain as to their conduct toward the secession and if satisfactory explanations were not received, convene Congress and declare war. Mr. Seward wrote a dispatch to Mr. Adams for delivery to the British Government which would have insulted that government and immediately brought on war with England at this crucial moment. Mr. Seward, the great statesman, the great diplomat of the Cabinet, the man who deemed himself the real head of the Administration, schooled in diplomatic relations, handed the rail-splitter of Illinois a dispatch which the rail-splitter, in his ignorance, immediately recognizes as bringing on war. Without reflection, without criticism, the President accepted the note and suggested a few changes. Taking his pen in hand, the Frontier Lawyer, in a careful revision of the dispatch, amended and changed the work of the trained and experienced statesman so as to eliminate entirely its offensive crudeness and brought it within the dignity and reserve of the most studied diplomatic courtesy.

It began to dawn upon Mr. Seward that the President was master both of himself and the Administration, with diplomatic judgment surpassing that of anyone associated with him in the Administration. From that day on, Mr. Seward recognized in the President, a statesman, a diplomat and a man of iron and steel. Is it a wonder Abraham Lincoln has been called one of the supreme statesmen of the last three centuries?

With the Civil War breaking upon the Administration, Mr. Lincoln spent his spare time in applying himself to the study of the Art of War. He obtained books upon this subject and with General Scott, he began an intensive study of military strategy, minor tactics and allied subjects with the result that at the close of the war, he was recognized by European military authorities as one of the great soldiers of the Civil War. French, German and English military authorities all recognized him as one of the best strategists. A European military authority has said that Robert E. Lee was the greatest military genius our country has ever produced, but, as a strategist, Abraham Lincoln was his equal. Early in the struggle and after his study, Abraham Lincoln outlined to General George B. McClellan the battle grounds that would be decisive of the war. McClellan would not follow Lincoln's advice and the President did not override the General's authority, but within three years the decisive battles of the war were fought and won upon the very ground that Lincoln had pointed out to McClellan.

General McClellan was in command of the Army of the Potomac and had created a great enthusiasm among his soldiers and the people of Washington; but he would not fight; always over-estimating the strength of the enemy and underestimating the strength of his army. Mr. Cameron resigned as Secretary of War and was made Minister to Russia. Mr. Stanton, the bitter opponent and enemy of Mr. Lincoln, the man who constantly referred to Mr. Lincoln as the "Gorilla" and to his acts as "The imbecility of Lincoln," was appointed Secretary of War because he

had been the strong man, as Attorney General and Secretary of War, in the Cabinet of President Buchanan and was the most competent advisor and statesman to be obtained; a lawyer of ability and a splendid organizer.

Again putting aside personal feelings and preferences, he looked only to the best interests of his country.

Late one evening, the President and Mr. Stanton, the Secretary of War, deemed it important to consult General McClellan upon important matters; but as General McClellan believed that he was destined to be the Savior of his country and the head of the government, the President, knowing McClellan's feeling of supreme importance, the President and the Secretary of War decided to call upon General McClellan at his home. Upon arrival they were informed that General McClellan was out and they consented to wait for his return. Upon General McClellan's return, he was informed that the President and Secretary of War were waiting for him, but the General went to bed. Finally, when the President sent a servant to tell the General who was waiting for him; the General sent back the reply that he had been out to a wedding and had gone to bed. So the Commander-in-Chief of the Army and the next in command went away, Stanton angry, but the great President only pitying the egotism of the man.

General Scott, by reason of his age, had asked to be relieved and General McClellan was placed in command of the Army of the Potomac. General McClellan was 34 years old, of physical vigor and of fine appearance and bearing. He was a graduate of West Point and had served in the Mexican War under General Scott. General McClellan had resigned from the Army and was at one time chief engineer of the Illinois Central Railroad Company and later became its vice-president. During the Lincoln-Douglas campaign, he opposed Lincoln's candidacy and supported Senator Douglas, even to the extent of loaning his private car for the use of Mr. Douglas. At the outbreak of the war, President Lincoln commissioned him a major general in command of the Department of Ohio. Unfortunately General McClellan became greatly impressed with his own importance which was augmented and increased by the admiration of the people of Washington. General McClellan looked upon President Lincoln as incompetent and upon himself as the Saviour of his country.

He assumed command in Washington on July 26th, 1861, and in the first letter to his wife, he says:

"The President, Cabinet, General Scott and all defer to me. By some strange operation of magic, I seem to have become the power of the land."

On July 30th, he wrote to his wife:

"Who would have thought when we were married that I should so soon be called upon to save my country?"

On August 9th, he wrote her:

"I would cheerfully take the dictatorship and agree to lay down my life when the country is saved."

On the other hand, Mr. Lincoln knowing the egotism of General McClellan, made the statement:

"I will hold McClellan's horse for him if he will win victories."

Mr. Lincoln here, as before, took from his opponent's camp, men who were personally antagonistic to him and personally objectionable to him and placed them in positions of high responsibility on account of their eminent qualifications.

By November of 1862, General McClellan, by his inactivity, forced the taking of the command of the Army of the Potomac from him and command was given to General Burnside. There had crept into the army, a freedom to criticize the commanding general by those general officers under him and this had undermined the efficiency of the army. In January of 1863, it became necessary to remove General Burnside and General Hooker was placed in command. President Lincoln recognized the infringement of discipline and on January 25th, 1863, in writing General Hooker of his appointment said:

"I have placed you at the head of the Army of the Potomac. * * * yet I think it best for you to know there are some things in regard to which I am not quite satisfied. I believe you are a brave and skillful soldier which, of course, I like. I also believe you do not mix politics with your profession, in which you are right. You have confidence in yourself which is a valuable, if not, an indispensable quality. You are ambitious, which, within reasonable bounds, does good rather than harm; * * * I have heard, in such a way as to believe it, of your recently saying that both the army and the government need a dictator. Of course, it was not for this, but in spite of it that I have given you the command. Only those generals who gain successes can set up dictators. What I now ask of you is military success and I will risk the dictatorship. * * * I much fear that the spirit which you have aided to infuse into the army of criticising their commander and withholding confidence from him, will now turn upon you."

Could anything be more frank and kindly? The great President desired only to make him most efficient and with that keen, farsighted, intelligence, he knew and called attention to the faults and dangers in the kindest, fatherly way that they might be guarded against.

In July, 1862, the President in the strictest confidence submitted to the Cabinet an Emancipation Proclamation which he had prepared and it was freely discussed. Horace Greeley, the editor of the New York Tribune, who sat upon the platform at the Cooper Institute Speech and who was a foremost abolitionist, was urging the President to free the slaves as a war measure. Mr. Lincoln did not inform Horace Greeley that this matter had been discussed with the Cabinet, nor did he inform him that a Proclamation had been drawn and had been submitted to the Cabinet. August 19th, Mr. Greeley addressed an open letter to the President, which was published in the New York Tribune of August 20th, 1862, criticising him upon his position on the slavery question. On August 22nd, the President, replying in his usual forbearing, kindly way, said:

"Dear Sir: I have just read yours of the 19th addressed to myself through the New York Tribune. If there be in it any statements or assumptions of fact which I may know to be erroneous, I do not now or here contravert them. If there be in it any inferences which I may believe to be falsely drawn, I do not now or here argue against them. If

there be perceptible in it an impatient and dictatorial tone, I waive it in deference to an old friend whose heart I have always supposed to be right. As to the policy I '*seem to be pursuing*' as you say, I have not meant to leave anyone in doubt. I would save the Union. * * * If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save the Union and what I forebear, I forebear because I do not believe it would help to save the Union. * * * I intend no modification of my oftexpressed personal wish that all men everywhere could be free. Yours, A. Lincoln."

Again the President was supposed to be a weakling and to be easily influenced, but in this letter of August 22nd after prayer and earnest meditation and earnestly seeking of the Almighty a solution of the great problem, he had made his decision and in that kind, friendly, willing to overlook spirit, he defined his position and left no one in doubt as to where he stood or what he was going to do.

On September 22nd, 1862, the President called a Cabinet meeting and submitted a new draft of the Emancipation Proclamation for consideration as to substance, not subject. Again on December 30th, 1862, he gave each member of the Cabinet a copy of the draft he had made for suggestion as to minor points and said:

"I do not wish your advice about the main matter, for that I have determined for myself."

These copies were returned to him on the next day.

On January 1st, 1863, at three o'clock p. m. he signed and published the Emancipation Proclamation as a war measure and liberated the colored people.

In 1864, Mr. Greeley condemned the President because he did not send a Commission to Canada to negotiate peace with certain parties who claimed to represent the Confederacy. Mr. Lincoln knew that it was not time for peace. He knew that peace could not be obtained without dissolution of the Union and that could not be done until there was no other alternative. In July of 1864, he issued a commission to Mr. Greeley as the chief commissioner to confer with the Confederate commission in Canada, if they were authorized to act on behalf of the Confederacy. Mr. Greeley found that the commissioners, Clay, Thompson, Holcomb and Sanders had no power and that it was simply a self-appointed commission emanating from its own desire, just as Mr. Greeley, without foundation, had deemed himself appointed to stir up the conscience of the President. But again the great statesman and diplomat used the effective method of giving the troublesome party an opportunity to prove himself a failure, yet without venom, without antagonism and without revenge.

Mr. Lincoln's understanding of men and their reasoning seemed to surpass human understanding. When some of the members of the cabinet had become antagonistic to Mr. Blair, the Postmaster General, and had quietly prepared a round robin to present to the President and the cabinet, when Mr. Blair was not present, asking that he be

removed from the cabinet, the President appeared at the cabinet meeting and before calling it to order, in his kindly tone remarked to the cabinet; after the Senate of the United States has confirmed a member of the cabinet, how long he shall remain is a matter purely personal with me. I would be greatly grieved to find that any member of my cabinet was encouraging, counseling or endeavoring to secure the resignation or removal of any member of the cabinet. This matter will not be mentioned again, here or elsewhere, now or hereafter.

Again that superior intuition; that knowledge of men and their conduct; quieting them in that kindly, friendly unoffensive way, and yet so firmly, that it left it open to no further argument.

The year of 1864, Mr. Lincoln would come before the Republican National Convention as a candidate for renomination. Mr. Chase the secretary of treasury, who, from the first, had felt his superiority and his fitness to be the president, and considered Mr. Lincoln a failure, but believed that he could take up the work and carry it out successfully. Therefore, together with some of his western friends, he began a quiet campaign. It finally reached the ears of the president; but he paid no attention to it and when his friends remonstrated with him and urged the removal of Mr. Chase from the Cabinet, he said:

"Mr. Chase makes a good secretary and I shall keep him where he is. If he becomes president all right. I hope we may never have a worse."

Senator Pomeroy of Kansas was managing the campaign of Mr. Chase, as a rival candidate of the president in the Republican Convention to be held at Baltimore in June, 1864. Senator Pomeroy issued a circular on behalf of Mr. Chase and sent it to the enemies of the administration. The circular bitterly assailed the president and extolled Mr. Chase as the only available candidate. Some of these circulars reached the hands of the president. When Mr. Chase learned that the president had knowledge of these circulars, Mr. Chase felt obligated to leave the Cabinet and sent his resignation to the president. In the letter accompanying the resignation, Mr. Chase stated that 'he was not responsible for what his friends did'. Mr. Lincoln replied by letter:

"I was not shocked or surprised by the appearance of your letter. * * * I have known just as little of your candidacy as my friends would allow me to know. * * * Whether you shall remain at the head of the Treasury Department is a question which I will not allow myself to consider from any standpoint other than my judgment of public service, and, in that view, I do not perceive occasion for a change."

Again, the greatness of the president. Even with a member of his Cabinet a candidate against him, still the president saw only the service to the country. After the convention, Mr. Chase submitted his resignation, and insisted upon its acceptance, which was done.

Shortly after, Chief Justice Taney of the United States Supreme Court died. Mr. Lincoln with his own hand wrote out the nomination of the Chief Justice and sent it to the United States Senate for confirmation and within one hour, Mr. Chase, the political antagonist of the president, was confirmed as Chief Justice of the United States Supreme Court. When Mr. Chase returned to his home for dinner that night, he was greeted at the door by his daughter as "Mr. Chief Justice" and to his

surprise his daughter informed him that the president had appointed him Chief Justice of the United States Supreme Court and that he already had been confirmed by the Senate. At the second inauguration of Abraham Lincoln, Chief Justice Chase administered the oath.

Mr. Lincoln stands out as the pre-eminent statesman of our country and of our race. A man whose great kind heart, his love of right, his devotion to his country and the good of his fellow countrymen makes him the greatest that we have known. Mr. Lincoln is the outstanding example of the difference between a statesman and a politician. A statesman is a man who will do anything to himself for the good of his country; a politician is a man who will do anything to his country for the good of himself.

No president has probably been so thoroughly held up to ridicule, hatred and contempt as was Abraham Lincoln. His political opponents ridiculed his appearance, his personality, his habits and his conduct. Even the men who were later associated with him in the Cabinet, used no hesitancy, while opposing him, in hurling ridicule and sarcasm at him. Mr. Stanton referred to him as the "Gorilla" and referred to his acts as the "Imbecility of Lincoln". The newspapers attacked him from almost every angle. In this, the foreign newspapers equally indulged, particularly the London "Punch" whose criticisms were particularly vindictive and sarcastic and being a humorous paper, its humor at his expense was often cutting and bitter. But when his work was finished, Punch was one of the first to recognize his ability and made apology to the country by a beautiful tribute to him in the following words:

Beside this corpse that bears for winding sheet
The Stars and Stripes he lived to rear anew,
Between the mourners at his head and feet,
Say, Scurril-Jester, is there room for you?

Yes, he had lived to shame from me my sneer,
To lame my pencil and confute my pen—
To make me own this hind of Princes peer,
This rail-splitter, a true born King of men. . .

Good Friday, April the 14th, 1865, dawned clear and bright. It was a happy day for the President. Lee had surrendered, the war was practically over and on that very morning General Grant and the President's son, Robert Lincoln, had arrived from the front. A morning of visit with General Grant and his son had been most enjoyable. In the afternoon, Mrs. Lincoln and the President went for a drive. They talked of the days of peace that was to come; the reconstruction; the binding up of the wounds of the war; the healing of the scars; of returning to normal and when his office had ceased and he could lay down the burden of government, to return with wife and family, to a happy peaceful life after the tumultuous years that had just preceded. The evening came and they departed for Ford's theatre. Then as the darkness of night came on, the assassin's bullet stopped all of the kind thoughts and closed the great mind that thought only of his country. As that bullet did its damage, it left the great man still believing that he was only a weak tool in the hands of the Divine Providence. He

never felt that he had been a great man or had done anything wonderful or had any place in history but that he had simply lived a life of service and had simply tried to do the best he could in his feeble way; and therefore he was the greatest. A few hours later, his one-time bitterest antagonist, Edwin M. Stanton, stood beside the couch and as the soul passed out into the great deep of the hereafter, he uttered those prophetic words, "Now he belongs to the ages".

If you will pardon the personal opinion; to me, the life of this lawyer, soldier, great orator, greatest statesman and wonderful Christian character is described in that anonymous verse entitled, "A Prayer".

"Let us do our work each day; and if the
Darkened hours of despair overcome us,
May we not forget the strength that comforted us
In the desolation of other times. May we
Still remember the bright hours that found us
Walking over the silent hills of our childhood,
Or dreaming on the margin of the quiet river,
When the light glowed within us
And we promised our early God to have
Courage amid the tempests of the changing years.
Spare us from the bitterness and the sharp passion
Of unguarded moments. May we not forget
That poverty and riches are of the spirit.
Though the world knows us not,
May our thoughts and actions be such
As shall keep us friendly with ourselves.
Lift our eyes from the earth and let us
Not forget the uses of the stars.
Forbid that we should judge others, lest
We condemn ourselves.
Let us not feel the glamour of the world,
But walk calmly in our path. Give us
a few friends who will love us for what we are:
And keep ever burning before our vagrant steps
The kindly light of hope; and though
Age and infirmity overtake us, and we
Come not within sight of the castle of our dreams,
Teach us still to be thankful for life,
And for time's olden moments that are
Good and sweet; and may the evening twilight
Find us gentle still."

Senator Stoddard of Woodbury moved that the joint convention be now dissolved.

Motion prevailed.

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

CONSIDERATION OF SENATE FILE NO. 54 RESUMED

Senator Myers offered the following amendments and moved their adoption:

Amend Senate File No. 54 by adding thereto as Section 2, the following:

Section 2. Section seven thousand seven hundred seventy-one (7771) of the Code is hereby amended by striking out of the eleventh line thereof the word "shall" and inserting in lieu thereof the word "may".

Further amend Section seven thousand seven hundred seventy-one (7771) of the Code by striking out the "." at the end of the Section and inserting a "," in lieu thereof, and adding the following:

"which shall include the provision for an excise tax for the privilege permitted, which excise tax shall be additional to other taxes and may be increased or diminished at any time thereafter by the legislature." Re-number Section 2 of Senate File No. 54, so it will appear as Section 3.

The amendments were adopted.

The bill was read for information.

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

Rule 8 was invoked.

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

Ayes, 26.

Anderson	Clearman	Kimberly	Rigby
Beatty	Cochrane	Lowe	Stevens
Bennett	Cole	MacDonald	Stoddard
Benson	Cooney	McLeland	Tabor
Bissell	Doran	Moen	Topping
Blackford	Hager	Myers	Wenner
Booth	Hicklin		

Nays, 16.

Baird	Clark of	Knudson	Ritchie
Christophel	Marion	Leonard	Stanley
Clark of	Coykendall	Patterson	White
Cerro Gordo	Kent	Quirk	Wilson
Clark of Linn	Klemme		

Absent or not voting, 8.

Carden	Frailey	Hill	Irwin
Carroll	Gunderson	Ickis	Langfitt

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

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, H. F. 145.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File No. 145.

SENATE FILE NO. 182 WITHDRAWN

By unanimous consent, on request of Senator Bissell, Senate File No. 182, relating to the speed limit of motor vehicles within cities and towns, was withdrawn from further consideration.

The Journal of February 11th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 109 by inserting immediately following Section 1 the following additional section:

"Sec. 1a. Nothing in this Act contained shall authorize the construction of a pipe line longitudinally of any railway right of way, nor to condemn such right of way longitudinally for pipe line purposes, without the railway owner's consent."

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File No. 187 as follows:

Strike out the word "five" in line sixteen (16) of Section 1 thereof and insert therefor the word "twenty".

O. P. MYERS.

MR. PRESIDENT: I move to amend Senate File No. 188 as follows:

Strike out the word "five" in line ten (10) of Section 3 thereof and insert therefor the word "twenty".

O. P. MYERS.

On motion of Senator Stoddard, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Benj. J. Trickey, pastor of the First Congregational Church of Spencer.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Irwin for the day, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Frailey, from residents of Lee county, opposing the appointment of a fish and game commission. Fish and game.

By Senator Clearman, from members of the W. C. T. U. of North English, opposing compulsory military training in schools. Educational institutions.

By Senator Quirk, from the Maurice Dunn post No. 7, American Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Coykendall, from citizens of Fremont county, opposing the licensing of gasoline stations. Tax revision.

By Senator Lowe, from members of New Virginia M. E. church, opposing compulsory military training in schools. Educational institutions.

By Senator Wilson, from residents of Polk county, opposing the county assessor bill. Tax revision.

By Senator Wenner, from the Waterloo real estate board, favoring the county assessor bill. Tax revision.

By Senator Stoddard, from farmers of Woodbury county, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Carden, from members of the Winfield ad club, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Hager, from citizens of Allamakee county, favoring an assessment against unused cemetery lots. Judiciary No. 2.

By Senator Stoddard, from Council Bluffs chamber of commerce, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Knudson, from Iowa Falls community club, opposing amusement tax bill. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 201, by Senators Bennett and Beatty, a bill for an act requiring that persons employed as teachers in the public schools or state institutions of learning and education of this state shall subscribe to an oath of allegiance to the Constitution of the United States and of the State of Iowa, and providing for a penalty for wilful violation of said oath.

Read first and second times and referred to committee on public schools.

Senate File No. 202, by Senator Benson, a bill for an act to amend section seventy-seven hundred ninety-six (7796) Code, 1927, relating to the erection of dams which affect state-owned land, and to provide for the protection of highways which may be affected by the erection of such dams.

Read first and second times and referred to committee on highways.

Senate File No. 203, by Senator Ritchie, a bill for an act to prohibit the exposure of certain pictures and to provide a penalty therefor.

Read first and second times and referred to committee on crime and suppression of intemperance.

Senate File No. 204, by Senator Frailey, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 205, by Senator Clark of Marion, a bill for an act to amend section twenty-seven hundred sixty-six (2766), twenty-seven hundred eighty-one (2781), and twenty-eight hundred five (2805), and to repeal sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred (2800), twenty-eight hundred and one (2801) and twenty-eight hundred and two (2802) of the code, 1927, and to enact a substitute in lieu thereof, relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine.

Read first and second times and referred to committee on agriculture.

Senate File No. 206, by Senator Clark of Marion, a bill for an act to amend section ninety-four hundred four (9404) and section ninety-four hundred five (9405) of the code 1927, relating to and providing the rate of interest on contracts and judgments.

Read first and second times and referred to committee on banks and banking.

Senate File No. 207, by Senators Beatty and Benson, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the Code of 1927, relative to the maintenance of primary roads.

Read first and second times and referred to committee on highways.

Senate File No. 208, by Senator McLeland, a bill for an act to amend section thirty-eight-b one (38-b1), Code, 1927, relating to confirmations by the senate of appointments to public office; to fix the vote necessary to effect such confirmation, and to so amend sections three hundred eleven (311), fifteen hundred eleven

(1511), twenty-one hundred eighty-two (2182), thirty-two hundred seventy-six (3276), thirty-nine hundred fourteen (3914), forty-six hundred twenty-three (4623), seventy-nine hundred thirteen (7913), eighty-six hundred five (8605), ninety-one hundred thirty-one (9131), Code, 1927, and section two (2) of chapter two hundred five (205), acts of the forty-third (43rd) general assembly as to coordinate said sections with the change herein made in said section thirty-eight-b one (38-b1).

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 209, by committee on cities and towns, a bill for an act to amend Section Sixty-two Hundred Seventy-eight b1 (6278-b1), Code, 1927, governing approval of plats in cities having by the latest State or Federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval.

Read first and second times and placed on the calendar.

Senate File No. 210, by Senator Wilson, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keepers lien.

Read first and second times and referred to committee on judiciary No. 1.

On motion of Senator Coykendall, ex-Senator Denver L. Wilson was escorted to the president's chair and spoke briefly.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File 15, Senate File 28 and Senate File 30.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 15, Senate File No. 28 and Senate File No. 30.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 13th day of February, 1931, sent to the governor for his approval, Senate Files Nos. 15, 28 and 30.

E. R. HICKLIN, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate Joint Resolution No. 5, proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State and the payment thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the resolution do pass:

Amend by striking lines three (3), four (4) and five (5) thereof and by inserting in lieu thereof the following:

"Section 1. That Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa are repealed and the following is adopted in lieu thereof as Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa:"

Amend by inserting the word "particular" after the word "some" and before the word "work" in line ten (10) thereof;

Amend by striking the word "the" after the word "for" and before the word "purpose" in line thirty-two (32) thereof, and inserting in lieu thereof the word "that";

Amend by inserting the word "/or" immediately after the word "and" and before the word "subsequent" in line thirty-two (32) thereof;

Amend by inserting the words "and effect" after the word "force" and before the word "and" in line forty (40) thereof;

Amend by inserting the words "of such debt or liability" after the word "interest" and before the word "are" in line forty-one (41) thereof.

All lines referring to main section one of the bill.

F. M. BEATTY, *Chairman*.

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 129, a bill for an act to amend chapters one hundred sixty-seven (167) and one hundred ninety-five (195) of the code, 1927, relating to the powers of the state board of education and the board of control of State Institutions to make contracts with municipal corporations for fire protection, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 156, a bill for an act to amend chapter ninety-two (92) Acts of the Forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from the bill the word "seventy" in the last line thereof, and inserting the word "sixty".

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 43, a bill for an act to amend the law as it appears in sections Nine (9) and Ten (10) of chapter 194 of the laws of the

Forty-third General Assembly relating to interest on special assessments and to advertising for bids for street improvements, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 20, a bill for an act to amend Section one (1) of chapter one hundred twenty-one (121) of the laws of the Fortieth General Assembly relating to tax levy for park purposes, for the improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Booth submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways as to limiting height, minimum spacing of axles on vehicles, total maximum length of motor vehicles and combinations of vehicles, to prescribe minimum spacing of combination of motor vehicles, to limit the distance a load on passenger motor may project and requirements as to lights on side of certain vehicles, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out the word and figures "five hundred (500)" in line four of Section 5 and insert in lieu thereof the word and figure "four hundred (400)".

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 107, a bill for an act to amend the law as it appears in chapter two hundred fifty-one a one (251-a1) and section forty-seven hundred fifty-five b thirty-eight (4755-b38) of the code of Iowa 1927 by striking the word "gasoline" wherever it appears and substituting the word "motor vehicle fuel", and defining the words "motor vehicle fuel", begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Insert the words "baume scale" after the word "gravity" and before the word "than" in line 5 of section 3.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 92, a bill for an act to provide the method and process of service of notice upon a motor vehicle owner or driver who is a non-resident of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same be re-referred to one of the committees on judiciary.

CHAS. D. BOOTH, *Chairman.*

The report was adopted and the bill referred to committee on judiciary No. 1.

Senator Patterson submitted the following report :

MR. PRESIDENT: Your committee on public health, to which was referred Senate File No. 44, a bill for an act to amend chapter 197 of the Code, 1927 entitled "Psychopathic Hospital", begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Moen, Senate Joint Resolution No. 2, a resolution proposing an amendment to article three (3) of the Constitution of the State of Iowa by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor, with report of committee returning the bill without recommendation was taken up, considered, and the report of the committee adopted.

The resolution was read for information.

SENATE JOINT RESOLUTION

Proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor.

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

Section 1. That the following amendment to Article three (3) of the Constitution of the State of Iowa, be and the same is hereby proposed:

That section twelve (12) of Article three (3) of the Constitution of the State of Iowa be stricken and the following adopted as a substitute therefor:

"The General Assembly shall, by general law, and in such manner as it may see fit, provide for the filling of vacancies in the membership of either house."

Sec. 2. Be it further resolved that the foregoing proposed amendment

be and the same is hereby referred to the legislature to be chosen at the next general election for members for the next general assembly, and that the Secretary of State cause the same to be published for three (3) months previous to the date of said election, as provided by law.

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

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

Ayes, 41.

Anderson	Clark of	Hill	Quirk
Baird	Cerro Gordo	Ickis	Rigby
Beatty	Clearman	Kent	Ritchie
Bennett	Cole	Kimberly	Stanley
Benson	Cooney	Klemme	Stevens
Bissell	Coykendall	Leonard	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Frailey	McLeland	Topping
Carden	Gunderson	Moen	Wenner
Carroll	Hager	Patterson	White
Christophel	Hicklin		

Nays, 2.

Clark of Marion Myers

Absent or not voting, 7.

Clark of Linn	Irwin	Langfitt	Wilson
Cochrane	Knudson	MacDonald	

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

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

On motion of Senator Ickis, Senate File No. 68, a bill for an act to amend sections thirty-six hundred forty-nine (3649) and thirty-seven hundred twelve (3712), Code, 1927, relating to the commitment and discharge of neglected, dependent, and delinquent children, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out all of section 2 and amend section 3 by striking out all after line two of said section and insert in lieu thereof the following: "The Lorimor Journal, a newspaper published at Lorimor, Iowa, and the Creston News Advertiser, a newspaper published at Creston, Iowa," and renumber section 3 as section 2.

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

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

Ayes, 45.

Anderson	Clark of Linn	Hill	Myers
Baird	Clark of Marion	Ickis	Patterson
Beatty	Clearman	Kent	Quirk
Bennett	Cochrane	Kimberly	Rigby
Benson	Cole	Klemme	Ritchie
Bissell	Cooney	Knudson	Stanley
Blackford	Coykendall	Leonard	Stoddard
Booth	Doran	Lowe	Tabor
Carden	Frailey	MacDonald	Topping
Christophel	Gunderson	McLeland	Wenner
Clark of Cerro Gordo	Hager	Moen	White
	Hicklin		

Nays, 1.

Wilson

Absent or not voting, 4.

Carroll Irwin Langfitt Stevens

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

By unanimous consent on request of Senator Ickis the title was corrected by striking therefrom all reference to section 3712 and by changing the word "sections" in line 1 thereof to the word "section" and the title as amended was agreed to.

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

On motion of Senator Lowe, Senate File No. 106, a bill for an act to amend section twenty (20) of chapter thirty (30), acts of the forty-third (43rd) general assembly relating to the issuance by trust companies of debentures or bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 41.

Anderson	Benson	Carden	Cochrane
Baird	Bissell	Carrall	Cole
Beatty	Blackford	Christophel	Cooney
Bennett	Booth	Clearman	Coykendall

Doran	Kimberly	Moen	Stoddard
Frailey	Klemme	Myers	Tabor
Hager	Leonard	Quirk	Topping
Hicklin	Lowe	Rigby	Wenner
Hill	MacDonald	Ritchie	White
Ickis	McLeland	Stanley	Wilson
Kent			

Nays, none.

Absent or not voting, 9.

Clark of	Clark of Marion	Knudson	Patterson
Cerro Gordo	Gunderson	Langfitt	Stevens
Clark of Linn	Irwin		

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

On motion of Senator Anderson, Senate File No. 47, a bill for an act to amend section thirteen thousand fifteen (13015) chapter five hundred seventy-seven (577) of the Code of 1927, relating to larceny of domestic animals, with report of committee returning the bill without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Anderson offered the following amendment and moved its adoption:

Amend by striking from line 2 the word and figure "seven (7)" and inserting in lieu thereof the word and figure "six (6)".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Clark of	Hicklin	Patterson
Baird	Cerro Gordo	Hill	Quirk
Bennett	Clearman	Kent	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Knudson	Stevens
Blackford	Coykendall	Leonard	Stoddard
Booth	Doran	Lowe	Tabor
Carden	Frailey	McLeland	White
Carroll	Gunderson	Moen	Wilson
Christophel	Hager	Myers	

Nays, 7.

Beatty	Cooney	Rigby	Wenner
Clark of Marion	Kimberly	Topping	

Absent or not voting, 5.

Clark of Linn	Irwin	Langfitt	MacDonald
Ickis			

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

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

SENATE FILE NO. 8 MADE SPECIAL ORDER

Senator Topping moved that Senate File No. 8 be made a special order for Wednesday, February 18th, at 11 a. m.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Booth, Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 44.

Anderson	Clark of Linn	Hicklin	Myers
Baird	Clark of Marion	Hill	Patterson
Beatty	Clearman	Kent	Quirk
Bennett	Cochrane	Kimberly	Rigby
Benson	Cole	Klemme	Ritchie
Bissell	Cooney	Knudson	Stanley
Blackford	Coykendall	Leonard	Stevens
Booth	Doran	Lowe	Stoddard
Carden	Frailey	MacDonald	Tabor
Christophel	Gunderson	McLeland	Topping
Clark of	Hager	Moen	Wenner
Cerro Gordo			

Nays, none.

Absent or not voting, 6.

Carroll	Irwin	White	Wilson
Ickis	Langfitt		

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

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

On motion of Senator Baird, Senate File No. 20, a bill for an act to amend section one (1) of chapter one hundred twenty-one (121) of the laws of the Fortieth General Assembly relating to tax levy for park purposes, for the improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 43.

Anderson	Clark of	Hager	Myers
Baird	Cerro Gordo	Hill	Quirk
Beatty	Clark of Marion	Kent	Rigby
Bennett	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Knudson	Stevens
Blackford	Cooney	Leonard	Stoddard
Booth	Coykendall	Lowe	Tabor
Carden	Doran	MacDonald	Topping
Carroll	Frailey	McLeland	Wenner
Christophel	Gunderson	Moen	White

Nays, 1.

Clark of Linn

Absent or not voting, 6.

Hicklin	Irwin	Patterson	Wilson
Ickis	Langfitt		

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

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

On motion of Senator Gunderson, House File No. 35, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275), code, 1927, and to repeal chapter one hundred six (106) acts forty-third general assembly relating to high school tuition, substituted for Senate File No. 119, a companion bill recommended for passage, was taken up, and considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 44.

Anderson	Clark of	Hill	Patterson
Baird	Cerro Gordo	Kent	Quirk
Beatty	Clark of Marion	Kimberly	Rigby
Bennett	Clearman	Klemme	Ritchie
Benson	Cochrane	Knudson	Stanley
Bissell	Cole	Leonard	Stevens
Blackford	Cooney	Lowe	Stoddard
Booth	Coykendall	MacDonald	Tabor
Carden	Doran	McLeland	Topping
Carroll	Frailey	Moen	Wenner
Christophel	Gunderson	Myers	White
	Hager		

Nays, none.

Absent or not voting, 6.

Clark of Linn	Ickis	Langfitt	Wilson
Hicklin	Irwin		

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

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

On motion of Senator Hager, Senate File No. 74, a bill for an act to amend section 1748, Code 1927, relating to licenses for the use of seines or nets in the Mississippi river, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking all after the enacting clause and substituting the following:

Section 1. Section seventeen hundred forty-eight (1748) of the Code, 1927, is amended by striking from lines three (3), four (4), five (5), six (6) and seven (7) thereof the words and figures "that any seine or net which was possessed and licensed prior to March 1st, 1924, may be licensed and used lawfully for two years after that date.", and substituting in lieu thereof the following: "a license may be issued for use in the Mississippi River of a seine or net having a mesh not less than three (3) inch stretch measure."

Said section seventeen hundred forty-eight (1748) of the Code, 1927, is further amended by adding the following: "No license shall be issued for the use of any seine or net having less than three (3) inch mesh, stretch measure."

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Postville Herald, a newspaper published at Postville, Iowa, and in the West Union Argo Gazette, a newspaper published at West Union, Iowa.

The bill was read for information.

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

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

Ayes, 42.

Anderson	Clark of	Hill	Rigby
Baird	Cerro Gordo	Kent	Ritchie
Beatty	Clark of Marion	Kimberly	Stanley
Bennett	Clearman	Klemme	Stevens
Benson	Cole	Leonard	Stoddard
Bissell	Cooney	Lowe	Tabor
Blackford	Coykendall	MacDonald	Topping
Booth	Doran	Moen	Wenner
Carden	Frailey	Myers	White
Carroll	Gunderson	Patterson	Wilson
Christophel	Hager	Quirk	

Nays, none.

Absent or not voting, 8.

Clark of Linn	Hicklin	Irwin	Langfitt
Cochrane	Ickis	Knudson	McLeland

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

Senator Hager moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE RESOLUTION

By unanimous consent on request of Senator Benson, the following Senate resolution was considered:

Be It Resolved by the Senate of the Forty-fourth General Assembly,

That from and after Monday, February 16th, no public hearings shall be held on the afternoon of any legislative day; and

That no public hearings shall be held after the spring recess.

C. A. BENSON.

B. M. STODDARD.

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 House was asked:

Senate File No. 75, a bill for an act relating to selection of jurors.

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

House File No. 225, a bill for an act relating to titles used by certain practitioners.

Also: 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 relating to appropriation act, Sec. 333 of the code.

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

House File No. 46, a bill for an act relating to the levy of taxes for grading purposes.

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

House File No. 4, a bill for an act relating to the powers and duties of the state board.

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

House File No. 7, a bill for an act relating to the listing and assessment of property.

Also: That the House has concurred in Senate amendments to House Concurrent Resolution No. 8, relating to the appointment of a committee to investigate the charges made against the administration of the State University of Iowa.

SAM C. RAGAN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 7, a bill for an act to amend the law as it appears in sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the code of Iowa 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment of the property of every individual, co-partnership, corporation or association operating for profit, water-works or gas works or pipe lines, electric light or power plant, railways operated by cable or electricity, and elevated street railways.

Read first and second times and referred to committee on tax revision.

House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6) and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the state board of assessment and review.

Read first and second times and referred to committee on tax revision.

House File No. 46, a bill for an act to amend paragraph one (1) of Section sixty-two hundred eleven (6211) in the Code of Iowa 1927, relating to the levy of taxes for grading purposes.

Read first and second times and referred to committee on ways and means.

House File No. 98, a bill for an act to co-ordinate and harmonize various sections of the code, 1927, with the state appropriation act provided by section three hundred thirty-three (333) of said

code, to avoid duplicate appropriations in said code and act, and to this end to repeal sections fourteen hundred twenty-six (1426), seventeen hundred twelve (1712), and twenty-seven hundred eighty-one (2781), and to amend sections sixteen hundred fifty-five (1655), twenty-five hundred thirty-three (2533), thirty-nine hundred forty-one (3941), forty hundred twenty-eight (4028), and forty-five hundred fifty-nine (4559), all of said code, and relating to appropriations.

Read first and second times and referred to committee on appropriations.

House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight VIII of the code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof.

Read first and second times and referred to committee on public health.

The Journal of February 12th was corrected and approved.

By unanimous consent on request of Senator Stoddard, Senators Clearman, Doran, White, MacDonald, Carroll, and Booth, members of subcommittees from the committee on appropriations were excused Saturday and Monday to visit state institutions.

COMMITTEE OF INVESTIGATION

The President announced the appointment of Senators Carroll, Baird, and Doran as members, on the part of the Senate, of the investigating committee provided for by House Concurrent Resolution No. 8.

By unanimous consent on his own request, Senator Ritchie was excused until Tuesday.

On motion of Senator Moen the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 14, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Ernest McAninch, of the M. E. Church of Kellogg.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Quirk for the day, on request of Senator Leonard and all other absent Senators for the day, on request of Senator Gunderson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hicklin, from Master Barbers' Association of Muscatine, favoring Senate File No. 49. Public health.

By Senator Coykendall, from county board of education of Sidney, favoring a state normal school at Tabor. Public schools.

By Senator Moen, from the American Legion of Sheldon, favoring military training. Educational institutions.

By Senator Klemme, from cigarette permit holders of Decorah, opposing cigarette tax. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 211, by committee on judiciary No. 2, a bill for an act to repeal Section Twelve Thousand Eight Hundred Four (12804) of the Code, 1927, and to enact a substitute therefor, providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year.

Read first and second times and placed on the calendar.

Senate File No. 212, by Senator Stevens, a bill for an act to amend Chapter Three Hundred Twelve (312) of the Code, 1927, relating to heating plants, water or gas works and electric plants, and to authorize Board of Trustees of such works or plants to issue bonds.

Read first and second times and referred to committee on cities and towns.

Senate File No. 213, by Senator Doran, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), Code, 1927, as amended by chapter two hundred forty-four (244), Acts of the Forty-third General Assembly, and to amend sections ten thousand three hundred six (10306) and ten thousand three hundred thirteen (10313), Code, 1927, relating to labor and material on public improvements.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 214, by committee on conservation, a bill for an act to amend the law as it appears in chapter eighty-seven (87) of the 1927 Code, providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after the removal thereof by the state, creating a lien therefor and providing for the foreclosure of said lien.

Read first and second times and placed on the calendar.

Senate File No. 215, by committee on conservation, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa.

Read first and second times and placed on the calendar.

Senate File No. 216, by committee on conservation, a bill for an act to amend section seventeen hundred ninety-nine-b three (1799-b3) of the Code, 1927, to provide for the removal by the state of obstructions from state owned lands and waters ten days after service of a notice for removal upon the owner thereof.

Read first and second times and placed on the calendar.

Senate File No. 217, by committee on conservation, a bill for an

act to amend the law as it appears in section seventeen hundred ninety-nine-b two (1799-b2) of the 1927 Code of Iowa, by repealing the provision relative to collecting a fee for permits issued for erection upon or over any state owned land or water and providing for the collection of fees for permits issued for all erections that are used for commercial purposes.

Read first and second times and placed on the calendar.

Senate File No. 218, by committee on conservation, a bill for an act to amend the law as it appears in section eighteen hundred nineteen (1819) of the code, 1927, to permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters under its jurisdiction for a period of five years.

Read first and second times and placed on the calendar.

Senate File No. 219, by committee on conservation, a bill for an act to repeal the law as it appears in section eighteen hundred ten (1810) of the Code of Iowa, 1927, and to amend the law as it appears in section eighteen hundred eleven (1811) of the Code of Iowa, 1927, to provide for payment of landscape architect, engineer or gardener that may be employed by the Board of Conservation of Iowa.

Read first and second times and placed on the calendar.

Senate File No. 220, by committee on conservation, a bill for an act to amend the law as it appears in section eighteen hundred thirteen (1813) of the Code, 1927, to permit the board of conservation to establish boundary lines between state owned and privately owned property only when said board deems the establishment thereof feasible and necessary.

Read first and second times and placed on the calendar.

Senate File No. 221, by committee on conservation, a bill for an act to amend section eighteen hundred twenty-four (1824) of the 1927 Code of Iowa, to permit the executive council, upon recommendation of the board of conservation, to sell, trade or exchange state owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer, and providing for the issuance of patents therefor.

Read first and second times and placed on the calendar.

Senate File No. 222, by Senator Stoddard, a bill for an act to amend section sixty-one hundred (6100), Code, 1927, relating to the levy of taxes to pay the cost of work designed for protection from floods.

Read first and second times and referred to committee on cities and towns.

Senate File No. 223, by Senator Stoddard, a bill for an act to repeal section eleven hundred seventy-five (1175), Code, 1927, and to enact a substitute therefor relating to the issuance and sale of public bonds, and to limit the interest returns on said bonds.

Read first and second times and referred to committee on cities and towns.

Senate File No. 224, by Senator Benson, a bill for an act to amend the law as it appears in sections forty-four hundred seventy-five (4475), forty-five hundred two (4502), and forty-five hundred three (4503) of the code, 1927, relating to the purchase and sale of school lands.

Read first and second times and referred to committee on public schools.

REPORTS OF COMMITTEES

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 86, a bill for an act to amend the provisions of section four thousand seven hundred fifty-five b eight (4755-b8), Code of 1927, relating to the improvement of the primary road system, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 66, a bill for an act to provide for the collection of an additional one (1) cent gasoline license fee on gasoline sold in the State of Iowa, and to provide for the distribution of the same to the counties and cities and towns of the state, for road and street improvement pur-

poses, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Senator Blackford submitted the following report :

MR. PRESIDENT: Your committee on corporations, to which was referred Senate File No. 105, a bill for an act to repeal section 8457, Code 1927, relating to corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

A. V. BLACKFORD, *Chairman*.

Ordered passed on file.

Senator Frailey submitted the following reports :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 45, a bill for an act to create a court of claims, to prescribe its jurisdiction, and to provide a method for the selection of judges thereof, and to prescribe the procedure in said court, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 171, a bill for an act to amend section ten thousand four hundred twenty-nine (10429) of the Code of Iowa, 1927, relating to the place of obtaining marriage licenses, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate Joint Resolution No. 6, a joint resolution calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 73, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk,

Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 148, a bill for an act to amend section ten thousand four hundred and twenty-nine (10,429) of the Code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 27, a bill for an act to repeal Chapter one (1), Acts of the Forty-third (43rd) General Assembly, relating to the expenses of the members of the General Assembly and of the Lieutenant Governor while in attendance at a session of the legislature, and to effect such repeal from and after the publication of this act as provided by law; also to amend sections fourteen (14) and fifteen (15), Code, 1927, and to provide that such amendments shall not take effect until the second Monday in January, nineteen hundred thirty-five (1935), said amendments relating to the compensation of members of the general assembly, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

The Journal of February 13th was corrected and approved.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 1, by striking out section 70.

I move to further amend said bill by striking out "seventy-one hundred sixty-one (7161), code of Iowa 1927," in lines 35 and 36 of section 83.

A. V. BLACKFORD.

On motion of Senator Stoddard, the Senate adjourned until Monday at 2 p. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 16, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. G. S. Nichols, pastor of the Methodist Church of Audubon.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wilson, from united mine workers of America, Des Moines, favoring Senate File No. 166. Labor.

By Senator Irwin, from the associated master barbers of America, Clinton, favoring the passage of Senate File No. 49 and House File No. 178. Public health.

By Senator Wilson, from Des Moines federation of W. C. T. U., favoring optional military training in schools. Educational institutions.

By Senator Lowe, from residents of Clarke county, favoring optional military training in schools. Educational institutions.

By Senator Wilson, from Des Moines council of parent-teacher associations, favoring optional military training in schools. Educational institutions.

By Senator Lowe, from residents of Ackworth, favoring a diversion of primary road funds. Highways.

By Senator Benson, from united mine workers of America, Des Moines, favoring Senate File No. 166. Labor.

By Senator Cole, from the Maquoketa Valley chapter of the

Izaak Walton league, opposing the appointment of a fish and game commission. Fish and game.

By Senator Booth, from residents of Shelby county, opposing the levy of an amusement tax on theater tickets. Tax revision.

By Senator Quirk, from Maurice Dunn unit No. 7, American Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Rigby, from residents of Jones county, opposing the appointment of a fish and game commission. Fish and game.

By Senator Myers, from residents of Baxter, favoring a diversion of primary road funds. Highways.

By Senator Irwin, from the Maquoketa Valley chapter of the Izaak Walton league, opposing the appointment of a fish and game commission. Fish and game.

By Senator Patterson, from the mayor and residents of Swea City, favoring a diversion of primary road funds. Highways.

By Senator Irwin, from Clinton chamber of commerce, opposing the proposed income tax law. Tax revision.

By Senator Clark of Marion, from united mine workers of America, Des Moines, and Des Moines trades and labor assembly, favoring Senate File No. 166. Labor.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cochrane for today and tomorrow, on request of Senator Cole; Senator Ritchie for the day, on request of Senator Kent; Senator Anderson for the day, on request of Senator Patterson; Senator Irwin for the day, on request of Senator Beatty.

INTRODUCTION OF BILL

Senate File No. 225, by committee on compensation of public officers, a bill for an act making it unlawful to pay a higher rate than six cents (.06) per mile for use of an automobile while traveling on public business.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 263, a bill for an act relating to the definition of a felony.

Also: 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 amend the law relating to the submission to the voters of a county the question of borrowing money to erect public buildings.

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

Senate File No. 35, a bill for an act relative to conferring certain powers and imposing certain duties upon certain cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof.

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

House File No. 223, a bill for an act pertaining to the practice of medicine and surgery.

Also: 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 relating to the free distribution of the reports of the Supreme Court.

Also: 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 relating to the inspection of fees for the inspection of scales.

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

House File No. 234, a bill for an act relating to the Motor Vehicle Department.

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

House File No. 242, a bill for an act providing for an appropriation for expenses of the investigation of the affairs of the State University of Iowa.

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

House File No. 184, a bill for an act relating to state aid for county fairs.

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

House File No. 22, a bill for an act relating to the application of notice of hearing of completion of public drainage improvement.

Also: 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 relating to convictions on violations of the liquor laws.

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

House File No. 154, a bill for an act relating to the constitutionality of any proposed constitutional amendments.

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

House File No. 226, a bill for an act relating to the sale or giving away of liquor.

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

House Joint Resolution No. 4, calling a special election on the proposed amendment to the constitution.

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

House File No. 124, a bill for an act relating to creating a fish and game commission, and prescribing its powers and duties.

SAM C. RAGAN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 223, a bill for an act to amend section twenty-five hundred thirty-eight (2538) of the code, 1927, pertaining to the practice of medicine and surgery.

Read first and second times and referred to committee on public health.

House File No. 235, a bill for an act to amend section two hun-

dred thirty-nine (239), Code, 1927, relating to the free distribution of the reports of the supreme court.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 280, a bill for an act to amend section thirty-two hundred sixty-seven (3267), code of 1927, relating to inspection fees for the inspection of scales.

Read first and second times and referred to committee on agriculture.

House File No. 234, a bill for an act to amend section five thousand thirteen (5013), Code, 1927, and chapter one hundred twenty-seven (127), acts of the forty-third (43rd) general assembly, relating to the motor vehicle department and the funds and records thereof.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8).

Read first and second times and referred to committee on appropriations.

House File No. 184, a bill for an act to amend section twenty-nine hundred two (2902), code of 1927, relating to state aid for county and district fair associations so as to correct the form of the section.

Read first and second times and referred to committee on agriculture.

House File No. 22, a bill for an act to amend section seventy-five hundred thirty-two (7532), Code, 1927, relating to publication of notice of hearing of completion of public drainage improvements.

Read first and second times and referred to committee on drainage.

House File No. 227, a bill for an act to amend section nineteen hundred sixty-four (1964), code, 1927; to repeal section nineteen hundred sixty-five (1965), code, 1927, and to enact a substitute therefor, relating to second and subsequent convictions of violations of laws relating to intoxicating liquors; to broaden the present provisions of law relative to such convictions; and to prescribe the duties of county attorneys and of the courts with reference to said subject matter.

Read first and second times and referred to committee on crime and suppression of intemperance.

House File No. 154, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, and to amend sections eleven thousand fifty-nine (11059), eleven thousand one hundred twenty-one (11121), eleven thousand one hundred twenty-three (11123), eleven thousand four hundred thirty-six (11436), twelve thousand eight hundred thirty-two (12832), twelve thousand eight hundred forty-seven (12847), and twelve thousand eight hundred seventy-one (12871) of the code, 1927, relating to procedure in civil cases.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 226, a bill for an act to repeal section thirteen thousand two hundred forty (13240), code, 1927, and to enact a substitute therefor, relating to the sale or keeping for sale or giving away of adulterated or drugged liquor.

Read first and second times and referred to committee on crime and suppression of intemperance.

House Joint Resolution No. 4, a Joint resolution calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa.

By unanimous consent on request of Senator Benson, House Joint Resolution No. 4 was substituted for Senate Joint Resolution No. 6 and took its place on the calendar.

House File No. 263, a bill for an act to amend, revise, and codify section twelve thousand eight hundred ninety (12890) of the Code, 1927, relating to the definition of a felony.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 124, a bill for an act relating to Fish, Game, Fur-Bearing Animals and Protected Birds; Creating a Fish and Game Commission, Prescribing its Powers and Duties, and Transferring Funds for the use of such Commission.

Read first and second times and referred to committee on fish and game.

REPORTS OF COMMITTEES

Senator Kent submitted the following report:

MR. PRESIDENT: Your committee on building and loans, to which was referred Senate File No. 121, a bill for an act to amend the law relating to chattel mortgages, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. W. KENT, Chairman.

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 19, a bill for an act to amend Chapter one hundred sixty-five (165) Acts of the Forty-third General Assembly relating to swimming pools, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 163, a bill for an act to repeal sections fifty-nine hundred fifty (5950) of the Code 1927, relating to the removal of snow and ice from sidewalks and to enact a substitute therefore, to provide for the removal of snow, ice, dirt, rubbish and accumulations, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, Chairman.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Blackford, Senate File No. 39, a bill for an act to repeal section forty-three hundred forty-one (4341), Code, 1927, and to enact a substitute therefor, relating to the minimum wages paid to public school teachers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend the title. Add to the title and to section 1, after the figures Forty-three hundred forty-one (4341), the following: "and section Forty-three hundred forty-two (4342)."

Line 10. In line 10, substitute the word and figures "one hundred (100)" for "ninety (90)".

Line 16. In line 16, substitute the word and figures "eighty (80)" for "seventy (70)".

Sub-div. 3. Substitute the following for sub-div. 3: "3. A teacher who has completed a Normal Training course in a Normal Training High School, shall receive a minimum wage of sixty-five (65) dollars per month."

Sub-div. 4. Add the following as Sub-division 4:

"4. All teachers not included in sub-divisions one (1), two (2), and three (3) above, shall receive a minimum wage of fifty (50) dollars per month."

By unanimous consent on request of Senator Blackford, the word "Training" as it first appears, was stricken from line 2 of subdivision 3.

By unanimous consent on request of Senator Blackford, sub-div. 3 was amended by inserting after the word "school" in the 3d line thereof the words "and a teacher holding a first-grade uniform county certificate,".

The committee amendments as amended were adopted.

The bill was read for information.

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

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

Ayes, 41.

Baird	Clark of Linn	Kimberly	Rigby
Beatty	Clark of Marion	Klemme	Stevens
Bennett	Clearman	Knudson	Stoddard
Benson	Cole	Leonard	Tabor
Bissell	Cooney	Lowe	Topping
Blackford	Coykendall	MacDonald	Wenner
Booth	Doran	McLeland	White
Carden	Gunderson	Moen	Wilson
Carroll	Hager	Myers	
Christophel	Hill	Patterson	
Clark of	Kent	Quirk	
Cerro Gordo			

Nays, none.

Absent or not voting, 9.

Anderson	Hicklin	Langfitt	Stanley
Cochrane	Ickis	Ritchie	
Frailey	Irwin		

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

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

On motion of Senator Clearman, Senate File No. 44, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital", with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 39.

Baird	Clark of Linn	Ickis	Patterson
Beatty	Clark of Marion	Kent	Quirk
Bennett	Clearman	Kimberly	Rigby
Benson	Cole	Klemme	Stevens
Bissell	Cooney	Knudson	Stoddard
Blackford	Coykendall	Leonard	Topping
Booth	Doran	Lowe	Wenner
Carden	Gunderson	McLeland	White
Christophel	Hager	Moen	Wilson
Clark of	Hill	Myers	
Cerro Gordo			

Nays, none.

Absent or not voting, 11.

Anderson	Frailey	Langfitt	Stanley
Carroll	Hicklin	MacDonald	Tabor
Cochrane	Irwin	Ritchie	

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

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

On motion of Senator Benson, Senate File No. 107, a bill for an act to amend the law as it appears in chapter two hundred fifty-one a one (251-a1) and section forty-seven hundred fifty-five b thirty-eight (4755-b38) of the code of Iowa 1927 by striking the word "gasoline" wherever it appears and substituting the words "motor vehicle fuel", and defining the words "motor vehicle fuel", with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Insert the words "baume scale" after the word "gravity" and before the word "than" in line 5 of section 3.

The bill was read for information.

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

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

Ayes, 40.

Baird	Clark of Linn	Hill	Patterson
Beatty	Clark of Marion	Ickis	Quirk
Bennett	Clearman	Kent	Rigby
Benson	Cole	Kimberly	Stevens
Bissell	Cooney	Klemme	Stoddard
Blackford	Coykendall	Leonard	Tabor
Booth	Doran	Lowe	Topping
Carden	Gunderson	MacDonald	Wenner
Christophel	Hager	McLeland	White
Clark of	Hicklin	Myers	Wilson
Cerro Gordo			

Nays, none.

Absent or not voting, 10.

Anderson	Frailey	Langfitt	Ritchie
Carroll	Irwin	Moen	Stanley
Cochrane	Knudson		

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

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

On motion of Senator Benson, Senate File No. 85, a bill for an act to amend section forty-seven hundred fifty-five b thirty-six (4755-b36) of the Code, relating to the transfer of powers and duties of the Board of Supervisors with respect to primary roads, to the State Highway Commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 42.

Baird	Clark of Marion	Kent	Patterson
Beatty	Clearman	Kimberly	Quirk
Bennett	Cole	Klemme	Rigby
Benson	Cooney	Knudson	Stevens
Bissell	Coykendall	Leonard	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Gunderson	MacDonald	Topping
Carden	Hager	McLeland	Wenner
Carroll	Hicklin	Moen	White
Christophel	Hill	Myers	Wilson
Clark of Cerro Gordo	Ickis		

Nays, none.

Absent or not voting, 8.

Anderson	Cochrane	Irwin	Ritchie
Clark of Linn	Frailey	Langfitt	Stanley

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

Senator Benson moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly, Senate File No. 156, a bill for an act to amend chapter ninety-two (92) Acts of the Forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from the bill the word "seventy" in the last line thereof, and inserting the word "sixty".

The bill was read for information.

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

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

Ayes, 40.

Baird	Clark of Marion	Ickis	Myers
Beatty	Clearman	Kent	Patterson
Bennett	Cole	Kimberly	Quirk
Benson	Cooney	Klemme	Stevens
Blackford	Coykendall	Knudson	Stoddard
Booth	Doran	Leonard	Tabor
Carden	Gunderson	Lowe	Topping
Carroll	Hager	MacDonald	Wenner
Christophel	Hicklin	McLeland	White
Clark of Cerro Gordo	Hill	Moen	Wilson

Nays, none.

Absent or not voting, 10.

Anderson	Cochrane	Langfitt	Ritchie
Bissell	Frailey	Rigby	Stanley
Clark of Linn	Irwin		

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

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

On motion of Senator Beatty, Senate Joint Resolution No. 5, a joint resolution proposing an amendment to article seven (VII)

of the Constitution of the State of Iowa, relating to contracting of debt by the State of Iowa and the payment thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking lines three (3), four (4) and five (5) thereof and by inserting in lieu thereof the following:

"Section 1. That Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa are repealed and the following is adopted in lieu thereof as Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa:"

Amend by inserting the word "particular" after the word "some" and before the word "work" in line ten (10) thereof;

Amend by striking the word "the" after the word "for" and before the word "purpose" in line thirty-two (32) thereof, and inserting in lieu thereof the word "that";

Amend by inserting the word "/or" immediately after the word "and" and before the word "subsequent" in line thirty-two (32) thereof;

Amend by inserting the words "and effect" after the word "force" and before the word "and" in line forty (40) thereof;

Amend by inserting the words "of such debt or liability" after the word "interest" and before the word "are" in line forty-one (41) thereof.

All lines referring to main section one of the bill.

The resolution was read for information.

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

SENATE JOINT RESOLUTION

Proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State and the payment thereof.

Be It Resolved By The General Assembly Of The State Of Iowa :

Section 1. That the following amendment to the Constitution of the State of Iowa is hereby proposed:

Section 1. That Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa are repealed and the following is adopted in lieu thereof as Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa:

“Section 5. The State may by act of the General Assembly contract those debts specifically permitted by the Constitution; but no other debt in excess of two hundred fifty thousand dollars shall be hereafter contracted by, or on behalf of the State, unless such debt shall be authorized by some law for some particular work or object distinctly specified therein, and such law shall not take effect until it shall have been submitted to the people at a general or special election as the General Assembly shall provide, and shall have received a majority of all the votes cast for and against it at such election. The law shall be published in at least one newspaper in each County, if one is published therein, throughout the State, once each week for six weeks preceding the election at which it is submitted to the people. Such law submitted to the people shall make provision for the payment of the interest as it comes due and of the principal of each particular bond or other evidence of such debt within twenty years from the time of the issuance thereof, and the payment shall be provided for by such tax imposed and/or from such other sources of revenue pledged as the General Assembly determines will be sufficient for the purpose. Any subsequent General Assembly may provide from revenues, other than those previously pledged, additional funds to fully pay the interest as it comes due and the principal as it matures. Such law submitted to the people shall also, without stating the millage, impose, and authorize and direct the tax levying body of the state to levy and collect, for any year such direct property tax as may be required to pay the interest and/or the principal of the debt as it matures, after all other funds, made available for that purpose by such law and/or subsequent laws, have been applied to such payment.”

Section 6. The Legislature may, at any time, after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same or may, at any time, forbid the contracting of any further debt or liability, under such law; but the tax imposed and/or the pledge of revenue by such law, in proportion to the debt or liability which may have been contracted in pursuance thereof, shall remain in force and effect and be irrepealable until the principal and interest of such debt or liability are fully paid.”

Section 2. Be it further resolved, that the foregoing proposed amendment be and the same is hereby referred to the Legislature to be chosen

at the next general election, and that the Secretary of State cause the same to be published for three (3) months previous to the date of said election as provided by law.

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

Ayes, 41.

Baird	Clark of	Hicklin	Myers
Beatty	Cerro Gordo	Hill	Quirk
Bennett	Clark of Linn	Ickis	Rigby
Benson	Clark of Marion	Kent	Stevens
Bissell	Clearman	Kimberly	Stoddard
Blackford	Cole	Klemme	Tabor
Booth	Cooney	Leonard	Topping
Carden	Coykendall	Lowe	Wenner
Carroll	Doran	MacDonald	White
Christophel	Gunderson	McLeland	Wilson
	Hager	Moen	

Nays, 1.

Patterson

Absent or not voting, 8.

Anderson	Frailey	Knudson	Ritchie
Cochrane	Irwin	Langfitt	Stanley

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

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

By unanimous consent on request of Senator Baird, House File No. 16, a bill for an act to amend chapters one hundred sixty-seven (167) and one hundred ninety-five (195) of the Code, 1927, relating to the powers of the state board of education and the board of control of state institutions to make contracts with municipal corporations for fire protection, having been substituted for Senate File No. 129, a companion bill on which the report of the committee had previously been adopted, was taken up, and

considered, House File No. 16 having been returned to the Senate by Senator Wilson, chairman of the committee on cities and towns.

The bill was read for information.

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

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

Ayes, 42.

Baird	Clark of	Hill	Myers
Beatty	Cerro Gordo	Ickis	Patterson
Bennett	Clark of Marion	Kent	Quirk
Benson	Clearman	Kimberly	Rigby
Bissell	Cole	Klemme	Stevens
Blackford	Cooney	Knudson	Stoddard
Booth	Coykendall	Leonard	Tabor
Carden	Doran	Lowe	Topping
Carroll	Gunderson	MacDonald	Wenner
Christophel	Hager	McLeland	White
	Hicklin	Moen	Wilson

Nays, none.

Absent or not voting, 8.

Anderson	Cochrane	Irwin	Ritchie
Clark of Linn	Frailey	Langfitt	Stanley

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

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

By unanimous consent on request of Senator Baird, Senate File No. 129, a companion bill to House File No. 16 was withdrawn from further consideration.

The Journal of February 14th was corrected and approved.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 27 as follows:

Strike out Section 4.

B. M. STODDARD.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 17, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Clark of Marion for the day, on request of Senator Knudson; Senator Irwin for the day, on request of Senator Kimberly; Senator Ritchie for the day, on request of Senator Kent.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wilson, from residents of Elkhart, opposing any bill that takes away the privileges of the Osteopathic profession; from Iowa congress of parents and teachers, favoring optional military training in schools; from residents of Sheldahl, favoring a diversion of primary road funds and opposing the county assessor bill; and from the parent teacher association of Des Moines, favoring optional military training in schools. Public health, educational institutions, highways, and tax revision.

By Senator Carden, from taxpayers of Salem, opposing the county assessor bill. Tax revision.

By Senator Wenner, from united mine workers of America, Des Moines, favoring Senate File No. 166. Labor.

By Senator Hager, from W. C. T. U. of Fayette county, favoring optional military training in schools. Educational institutions.

By Senator Klemme, from the Cresco post No. 135, American legion, opposing optional military training in schools. Educational institutions.

By Senator Stoddard, from Council Bluffs chamber of commerce, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Myers, from residents of Sully, favoring a diversion of primary road funds; and from united mine workers of America, Des Moines, favoring Senate File No. 166. Highways, and labor.

By Senator Quirk, from residents of Early, favoring a diversion of primary road funds; and from the Iowa congress of parents and teachers, favoring optional military training in schools. Highways, and educational institutions.

By Senator Baird, from the Council Bluffs chamber of commerce, opposing the levy of a special tax on outdoor advertising. Tax revision.

By Senator Bissell, from residents of Menlo, favoring a diversion of primary road funds. Highways.

By Senator Cooney, from members of Dubuque Post No. 6, American legion, favoring compulsory military training in schools. Educational institutions.

By Senator MacDonald, from residents of Cherokee, citizens of LeMars and Plymouth counties, and residents of Kingsley, opposing the proposed amusement tax; from residents of Meriden, favoring a diversion of primary road funds; and from master barbers association of Cherokee county, opposing House File No. 140 and Senate File No. 49. Tax revision, highways, and public health.

By Senator Moen, from voters of O'Brien county, favoring optional military training in schools. Educational institutions.

INTRODUCTION OF BILLS

Senate File No. 226, by Senator Anderson, a bill for an act to amend section one (1) chapter one (1) of the Acts of the forty-third (43) General Assembly, relating to the expenses of the members of the General Assembly.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 227, by Senators Coykendall and Knudson, a bill for an act to create a commission to select uniform text-books for rural schools, to define the powers, duties, and procedure of said commission and of other public officers relative to said subject matter, and to so amend sections forty-four hundred forty-six (4446), and forty-four hundred fifty-six (4456), Code, 1927, as to coordinate and harmonize said sections with this act.

Read first and second times and referred to committee on public schools.

Senate File No. 228, by Senator Lowe, a bill for an act to amend section nine thousand fifty-two (9052) and nine thousand fifty-three (9053) of the code, 1927, relating to the bringing of actions in quo warranto against mutual assessment insurance associations and prescribing the procedure in such actions, and to limiting the amount of assessments which may be levied upon members thereof.

Read first and second times and referred to committee on insurance.

Senate File No. 229, by Senator Anderson, a bill for an act to amend the law in section one (1) chapter twenty-seven (27) of the acts of the forty-third (43) General Assembly, relating to the members of the Highway Commission.

Read first and second times and referred to committee on highways.

Senate File No. 230, by Senator Clark of Cerro Gordo, a bill for an act to amend section five thousand thirty-three (5033) chapter two hundred fifty-one (251) of the code, 1927, relating to the turning to right or left into highways.

Read first and second times and referred to committee on highways.

Senate File No. 231, by Senator Moen, a bill for an act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to

require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927.

Read first and second times and referred to committee on insurance.

THIRD READING OF BILLS

On motion of Senator MacDonald, Senate File No. 65, a bill for an act to repeal the law as it appears in sections seventy-three hundred fourteen (7314), seventy-three hundred sixteen (7316), and seventy-three hundred forty (7340) of the Code of Iowa, 1927, and to amend the law as it appears in sections seventy-three hundred seven (7307), seventy-three hundred eight (7308), seventy-three hundred thirteen (7313), seventy-three hundred thirty-one (7331), and seventy-three hundred sixty-one (7361) of the Code of Iowa 1927, relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Arch W. McFarlane took the chair at 10:35 a. m.

Senator Beatty offered the following amendments and moved their adoption:

Amend by inserting in line forty (40) of section four (4) after the word "imposed" and before the word "shall" the following:

"on the individual share so passing".

Amend by inserting in line 58 of section four (4) after the word "imposed" and before the word "shall" the following:

"on the individual share so passing".

The amendments were adopted.

Senator Doran offered the following amendments and moved their adoption:

1. Amend by striking out the words "twenty-five thousand dollars" found in line four (4) of Section three (3) and substituting in lieu thereof the following: "her distributive share."

2. Amend by striking out the words "fifteen thousand dollars" found in line five (5) of Section three (3) and substituting in lieu thereof the following: "his distributive share."

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned being members of the Forty-fourth General Assembly, do hereby request a call of the Senate on Senate File No. 65:

LEW MACDONALD
C. F. CLARK
C. E. ANDERSON
B. M. STODDARD
T. E. MOEN
H. B. CARROLL
G. W. PATTERSON

ROY E. STEVENS
L. T. QUIRK
O. P. BENNETT
CHAS. D. BOOTH
A. V. BLACKFORD
L. H. DORAN

By unanimous consent on request of Senator Wilson, Senator Frailey was excused.

The roll call revealed the presence of all Senators except Senators Cole and Carden, and those previously excused.

Senator MacDonald moved that the Senate proceed with the consideration of the bill, to the roll call, until the arrival of the absent Senators, which motion prevailed.

Senators Cole and Carden appeared in the Senate chamber.

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

Amend by striking out line 4 of section 3 and substituting in lieu thereof the following:

1. Wife, her distributive share plus \$15,000.00.

Also amend by striking out line 5 of section 3 and substituting in lieu thereof the following:

2. Husband, his distributive share plus \$15,000.00.

Senator Cooney offered the following as a substitute for the substitute amendment under consideration, and moved its adoption:

Amend line 4 of Section 3 by striking the words "twenty-five thousand" and inserting the words "forty thousand"; and line 5 of section 3 by striking the words "fifteen thousand" and inserting the words "forty thousand".

Senator Cooney asked for a roll call.

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

Ayes, 31.

Anderson	Clark of Linn	Kent	Myers
Bennett	Clearman	Knudson	Patterson
Bissell	Cole	Langfitt	Quirk
Blackford	Cooney	Leonard	Rigby
Carden	Coykendall	Lowe	Stanley
Carroll	Gunderson	MacDonald	Tabor
Christophel	Hager	McLeland	White
Clark of Cerro Gordo	Hill	Moen	
Nays, 15.			

Baird	Doran	Kimberly	Topping
Beatty	Hicklin	Klemme	Wenner
Benson	Ickis	Stevens	Wilson
Booth	Irwin	Stoddard	

Absent or not voting, 4.

Clark of Marion	Cochrane	Frailay	Ritchie
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The substitution was made.

Roll call was demanded on the adoption of the amendment.

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

Ayes, 43.

Baird	Carroll	Doran	Klemme
Beatty	Christophel	Frailay	Knudson
Bennett	Clark of	Gunderson	Langfitt
Benson	Cerro Gordo	Hager	Leonard
Bissell	Clark of Linn	Hicklin	Lowe
Blackford	Clearman	Ickis	MacDonald
Booth	Cole	Irwin	McLeland
Carden	Cooney	Kimberly	Moen

Myers
Patterson
Quirk

Rigby
Stanley
Stevens

Stoddard
Tabor
Topping

Wenner
White
Wilson

Nays, 4.

Anderson

Coykendall

Hill

Kent

Absent or not voting, 3.

Clark of Marion

Cochrane

Ritchie

The substitute amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking out sub-divisions 3 and 4 of section 3, and inserting in lieu thereof the following:

(3) Each son and/or daughter including legally adopted sons and/or daughters, or illegitimate sons and/or daughters entitled to inherit under the law of this state fifteen thousand dollars (\$15,000.00).

Senator MacDonald offered the following as an amendment to the amendment and moved its adoption:

Strike the words and figures "fifteen thousand dollars (\$15,000.00)." and insert the words and figures "ten thousand dollars (\$10,000.00)."

Roll call was demanded.

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

Ayes, 9.

Anderson
Clark of Linn
Gunderson

Kent
Leonard

MacDonald
Moen

Myers
Patterson

Nays, 38.

Baird
Beatty
Bennett
Benson
Bissell
Blackford
Booth
Carden
Carroll
Christophel

Clark of
Cerro Gordo
Clearman
Cole
Cooney
Coykendall
Doran
Frailey
Hager
Hicklin

Hill
Ickis
Irwin
Kimberly
Klemme
Knudson
Langfitt
Lowe
McLeland
Quirk

Rigby
Stanley
Stevens
Stoddard
Tabor
Topping
Wenner
White
Wilson

Absent or not voting, 3.

Clark of Marion

Cochrane

Ritchie

The amendment to the amendment was lost.

Roll call was demanded on the amendment.

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

Ayes, 40.

Baird	Clearman	Ickis	Moen
Beatty	Cole	Irwin	Quirk
Bennett	Cooney	Kent	Rigby
Benson	Coykendall	Kimberly	Stevens
Blackford	Doran	Klemme	Stoddard
Booth	Frailey	Knudson	Tabor
Carden	Gunderson	Langfitt	Topping
Carroll	Hager	Leonard	Wenner
Christophel	Hicklin	Lowe	White
Clark of Cerro Gordo	Hill	McLeland	Wilson

Nays, 7.

Anderson	Clark of Linn	Myers	Stanley
Bissell	MacDonald	Patterson	

Absent or not voting, 3.

Clark of Marion Cochrane Ritchie

The amendment was adopted.

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

Amend by inserting the words "surviving spouse," in line 2 of section 3 preceding the word "heirs".

The amendment was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend sub-section 6 of section 3 by striking the word "All" and inserting the word "Any" in lieu thereof and by striking the word "descendants" and inserting the word "descendant".

The amendment was adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend section 3, line 15 as follows: Strike out the word "five", and substitute the word "fifteen".

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

Amend by striking the word "fifteen" and inserting in lieu thereof the word "ten".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

By unanimous consent on request of Senator Wilson subsections 5 and 6 of section 3 were renumbered so as to read 4 and 5.

Senator Clark of Linn offered the following amendments and moved their adoption:

Amend section 2 by inserting at the end of line 15 a comma (,); also insert a comma (,) at the end of line 75.

The amendments were adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Clark of	Hager	McLeland
Baird	Cerro Gordo	Hicklin	Moen
Beatty	Clark of Linn	Hill	Myers
Bennett	Clearman	Ickis	Patterson
Benson	Cole	Kent	Quirk
Bissell	Cooney	Knudson	Rigby
Blackford	Coykendall	Langfitt	Stanley
Carden	Doran	Leonard	Tabor
Carroll	Frailey	Lowe	Wenner
Christophel	Gunderson	MacDonald	White

Nays, 8.

Booth	Kimberly	Stevens	Topping
Irwin	Klemme	Stoddard	Wilson

Absent or not voting, 3.

Clark of Marion	Cochrane	Ritchie
-----------------	----------	---------

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

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 31, 35 and 75.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 31, 35 and 75.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 17th day of February, 1931, sent to the governor for his approval, Senate Files Nos. 31, 35 and 75.

E. R. HICKLIN, *Chairman.*

Report adopted.

SENATOR KLEMME'S 82D BIRTHDAY

It being the eighty-second birthday of Senator Klemme, a beautiful basket of flowers was presented to him on behalf of members of his family, by Senator Stoddard.

Senator Rigby moved that the remarks of both Senators Stoddard and Klemme be printed in the Journal, which motion prevailed.

Senator Stoddard spoke as follows:

MR. PRESIDENT: Eighty-two years ago today occurred an event which, it seems to me, is well worthwhile for this Senate to notice for a few moments. This is the eighty-second anniversary of the birth of our good

friend, Senator Klemme of Winneshiek county. He was born in Franklin county in southern Indiana. The senator came to Iowa when he was still a young man when this country was covered with numerous ponds and was still in a wild state. He has seen it improve until today almost every quarter section is the comfortable abiding place of a family. Throughout all the years that Senator Klemme has resided in Winneshiek county, he has maintained a keen interest not only in the success of his personal affairs but in every sort of public institution. He was a member of the Twenty-fifth, Twenty-sixth and Twenty-seventh General Assemblies of Iowa, and as a member of the Forty-fourth General Assembly he commands the respect and friendship of every member of this body. His integrity in his home community, and the honesty of his motives there as well as here has never been impugned.

It gives me great pleasure now to present to you, Senator Klemme, this bouquet of flowers which is a token of the esteem of your friends and relatives at home, and carries with it the confidence and warmest good wishes of every member of this Senate.

Senator Klemme replied:

MR. PRESIDENT: Senator Stoddard, I want to thank you from the bottom of my heart for those good and kind words you just spoke.

Senators, it certainly is great to reach the age that I have and have such kind words spoken of your life. I want to thank those kind people that brought these flowers over from town. I understand that they were ordered by the folks at home and I want to thank them very much.

I just want to say a few words and hope that the Senate will allow me. One morning on the 17th day of February, 1849, in Franklin county, Indiana, there was born in a log cabin on a small farm, a baby boy. That baby boy was named William Henry Klemme; that same baby boy stands before you today; that baby boy is 82 years old today, and I certainly have reason to be proud and feel proud that I have seen this beautiful world. Senators, I appreciate all this and I appreciate being one of you here today, and that being the case, there is a box of cigars on the secretary's desk. Now, it would give me a great deal of pleasure if each and every one, including the lieutenant governor and the secretary of the Senate, would come down here and take a cigar on my 82nd birthday. I hope that you all will enjoy life as I have and enjoy being in the Senate as I have, and I hope that every one of you will be here on your 82nd birthday, as Senators.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 10, 1931, he had approved the following bills:

Senate File No. 53, relating to an appropriation to defray the expense of the inaugural ceremonies.

Senate File No. 55, relating to the payment of expenses of blind students.

Also that he had on February 13, 1931, approved the following bills:

Senate File No. 22, legalizing the corporate acts and proceedings of Pleasant Hill Telephone Company, Mason City.

Senate File No. 28, relating to the State Apiarist.

Senate File No. 30, legalizing the proceedings of Lutheran Mutual Fire Insurance Association, Burlington.

Also that he had on February 17, 1931, approved the following bill:

Senate File No. 15, relating to issuance and sale of county road bonds.

COMMUNICATION FROM THE GOVERNOR

February 17, 1931.

Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:

In my Inaugural Message I brought to you what I believe to be a strong conviction with the people of Iowa regarding taxation and the expenditure of public money. I gathered this information from personal contact with the people in every section of our state. In that message I said to you:

"The day of retrenchment is at hand. Not a dollar should be appropriated out of the State Treasury unless deemed by you indispensable in carrying on the state's business. Every demand on the State Treasury should be rejected unless backed by reasons based on necessity."

I feel it imperative on me by reason of some proposed legislation to again bring the subject of economy in public expenditures to your attention. No appropriation should be made, increasing a public expenditure unless it can be positively shown that the increase is saved by retrenchment in another direction. The askings this year are more than in any past session. As a matter of sound public policy, the appropriations must be definitely reduced.

Furthermore no new sources of revenue should be added simply for the purpose of raising additional money to be spent. If new sources of revenue are found by you the revenue so derived should replace revenue now derived from direct taxation. This applies not only to the proposed Income Tax but to all other form of new taxes to the end that the burden

of taxation may be equalized, with expenditures reduced, rather than increased.

The people not only expect, but are demanding that these principles be applied in our conduct of government and I ask that in all your deliberations you keep them in mind.

Respectfully submitted,

DAN W. TURNER, *Governor.*

CORRECTION OF THE JOURNAL

Senator Hicklin asked unanimous consent of the Senate that the Journal of February 11, 1931, be corrected by striking the words, "Senate Joint Resolution No. 1", from line 3 of the report of the Committee on Enrolled Bills as found on page 326 of the Journal.

Consent was granted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills respectfully reports that they have on the 17th day of February, 1931, sent to the office of Secretary of State, Senate Joint Resolution No. 1.

E. R. HICKLIN, *Chairman.*

HOUSE FILE NO. 35 RECALLED FROM HOUSE

By unanimous consent on request of Senator Gunderson, House File No. 35 was ordered recalled from the House for the purpose of correcting the title.

The Journal of February 16th was corrected and approved.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire to file a call of the Senate on Senate File No. 1:

C. L. RIGBY
CHAS. D. BOOTH
G. W. PATTERSON
C. F. CLARK
C. E. ANDERSON
ROY E. STEVENS
L. T. QUIRK

E. J. WENNER
E. W. CLARK
A. V. BLACKFORD
WILLIAM CARDEN
O. E. GUNDERSON
GEO. W. CHRISTOPHEL

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 1 as follows:

1. Strike out Sections three (3) and four (4) of said Senate File No. 1 and insert in lieu thereof the following:

"Sec. 3. First Assessor. Said appointive board shall on or before January 1, 1932, appoint an assessor for the county, who upon qualifying shall serve until the second secular day in January, 1936, and upon his qualifying the terms of office of all township, city, and town assessors shall terminate, but such persons may be retained thereafter by said county assessor as field men but only insofar as he may deem such retention necessary and advisable.

"Sec. 4. Appointment. Prior to January 1, 1936, and prior to the first day of January of each fourth year thereafter the said appointing board shall appoint a county assessor who shall serve for a term of four years."

2. Insert after Section eighty-four (84) the following:

"Sec. 85. The provisions of this act shall not be in effect until the first day of January, 1932, except as to the provisions of Section three (3) requiring the appointing board to appoint a county assessor prior to that date."

C. F. CLARK.

Amend Senate File No. 1 by substituting the following in lieu of amendment to sections fifteen (15) and sixteen (16) thereof:

"Every owner of taxable property and every person whose duty it is to return any property for taxation shall list on blanks provided by the county assessor, all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor, and shall file such return, duly verified, with the assessor. Such returns shall constitute the original assessment roll, and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment."

M. D. COONEY.

O. P. BENNETT.

MR. PRESIDENT: I move to amend Senate File No. 1 by striking sections two (2), three (3), four (4), and five (5), and substituting in lieu thereof the following:

Sec. 2. "There shall be elected in each county at the next general election and each general election thereafter, a county assessor whose term of office shall be for a period of two years. Until the next general election the chairman of the board of supervisors, the county auditor and the county treasurer of each county shall constitute an appointing board, who shall immediately upon the taking effect of this act appoint an assessor

for the county, who, upon qualifying, shall serve until the next general election. Said assessor, so appointed, shall, upon qualifying, take over the assessment work already accomplished in his county by the township, city and town assessors and shall adopt or modify such work as he may see fit under and in accordance with this act, and upon such qualifying the term of office of such township, city and town assessors shall terminate; but such persons may be retained during 1931 by said county assessor as field men but only insofar as he may deem such retention necessary and advisable."

By striking all of section seven (7) of said Senate File No. 1, and substituting in lieu thereof the following:

Sec. 7. "Upon the appointment or election, as the case may be, of a county assessor or a deputy county assessor, the county auditor shall immediately notify the state board of assessment and review of such appointment or election and of the post-office address of each such officer."

IRVING H. KNUDSON.

I move to amend section 75 of Senate File No. 1, by substituting for the word "productive" in the seventh (7th) line thereof the word "rental".

J. R. FRAILEY.

I move to amend Senate File No. 10 as follows:

After line 28 of section 14 insert the following:

28a Rent of space for departments of the state government now housed outside of the capitol building.....	20,000.00
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B. M. STODDARD.

Senator Stoddard moved to adjourn until 10:00 a. m. Wednesday.

Senator White moved to amend by making the time 9:00 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 18, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. A. P. Blough, pastor of the Church of the Brethren of Waterloo.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cochrane indefinitely, on request of Senator Cole; Senator Langfitt indefinitely, on request of Senator Benson; Senator Booth indefinitely, on request of Senator Blackford.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Carden, from residents of New London, favoring a diversion of primary road funds. Highways.

By Senator Wilson, from Iowa association of fire fighters, Council Bluffs, favoring Senate File No. 129; and residents of Elkhart, favoring a diversion of primary road funds. Cities and towns, and highways.

By Senator Hicklin, from residents of Morning Sun, favoring a diversion of primary road funds. Highways.

By Senator Leonard, from Taylor county American legion posts, favoring an increase of millage for soldiers' relief and opposing optional military training. Military affairs and educational institutions.

By Senator Myers, from mayor and council of Colfax, favoring Senate File No. 8; and from residents of Kellogg, favoring a diversion of primary road funds. Agriculture and highways.

By Senator Stevens, from Wapello county sportsman's league and Central Lake anglers club, favoring fish and game commission. Fish and game.

By Senator Moen, from residents of Paullina and Little Rock, favoring a diversion of primary road funds. Highways.

By Senator Wenner, from Cedar Falls chamber of commerce, opposing the levy of a tax on theater tickets; and Cedar Valley brotherhood of locomotive firemen and enginemen, favoring interstate commerce regulation on trucks and busses. Tax revision and motor vehicles.

By Senator Christophel, from Butler county ministerial association and residents of Butler county, favoring optional military training in schools. Educational institutions.

By Senator Patterson, from residents of Bancroft, favoring a diversion of primary road funds. Highways.

By Senator Hill, from Central Methodist church, Charles City, favoring optional military training in schools; and from residents of Ionia, favoring a diversion of primary road funds. Educational institutions and highways.

By Senator Hager, from Hannah Lee chapter of the D. A. R., West Union, favoring compulsory military training in schools. Educational institutions.

By Senator Quirk, from residents of Sac and Greene counties, opposing the levy of an additional tax on gasoline. Tax revision.

By Senator Wilson, from Lincoln High P. T. A., favoring optional military training. Educational institutions.

By Senator Cooney, from council of Dubuque, opposing the county assessor bill. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 232, by Senator Stevens, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), of the Code, 1927, relating to the collection of motor vehicle license fees.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 233, by Senator Baird, a bill for an act to amend the law as it appears in section fifty-two hundred twenty-five (5225) Code, 1927, relating to compensation of county officers.

Read first and second times and referred to committee on compensation of public officers.

SENATE FILE NO. 121

Senator Anderson asked unanimous consent to withdraw Senate File No. 121, relating to chattel mortgages.

Consent was refused, as there were several objections.

THIRD READING OF BILLS

On motion of Senator Anderson, Senate File No. 121, a bill for an act to amend section nine thousand four hundred twenty (9420) of the code, 1927, relating to Chattel Mortgages in Iowa, with report of committee recommending indefinite postponement, was taken up, and considered.

Senator McLeland moved the previous question, which motion prevailed.

Senator Myers asked for roll call.

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

Ayes, 21.

Baird	Clark of	Ickis	Stevens
Bennett	Cerro Gordo	Irwin	Stoddard
Benson	Cole	Kent	Topping
Blackford	Frailey	Kimberly	Wenner
Carden	Hager	Patterson	Wilson
	Hicklin	Rigby	

Nays, 24.

Anderson	Clark of Marion	Knudson	Myers
Beatty	Clearman	Leonard	Quirk
Bissell	Coykendall	Lowe	Ritchie
Carroll	Gunderson	MacDonald	Stanley
Christophel	Hill	McLeland	Tabor
Clark of Linn	Klemme	Moen	White

Absent or not voting, 5.

Booth	Cooney	Doran	Langfitt
Cochrane			

The report was lost and the bill placed on the calendar.

The time having arrived for the consideration of Senate File No. 1, and there being a call of the Senate on file, the roll call revealed the presence of all Senators except Senator Doran.

On motion of Senator Hicklin, Senator Doran was excused temporarily to attend a hearing before the Supreme Court.

On motion of Senator Clark of Linn, Senate File No. 1, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-five (6865), to sixty-eight hundred ninety-six (6896), both inclusive, sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-nine hundred eighteen (6918), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924), seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-

eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), seventy-one hundred sixty-one (7161), all of the code of Iowa 1927, and section fifty-seven a two (57 a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in section fifty-seven a four (57 a4) chapter twenty (20) Acts of the Forty-third General Assembly, section four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), fifteen hundred sixty-six (1566), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), section one (1) chapter one hundred sixty-two (162) Acts of the Forty-third General Assembly, fifty-six hundred sixty-four (5664), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-four (6864), sixty-nine hundred twenty-one (6921), sixty-nine hundred twenty-nine (6929), sixty-nine hundred fifty-nine (6959), sixty-nine hundred seventy-three (6973), seventy hundred seven (7007), seventy-hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), of the code of Iowa 1927, all relating to the listing and assessment of property for taxation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend Section eight (8) by adding thereto the following:

"All such salaries, compensation, and expenses shall be paid from the general fund of the county".

Amendment No. 1 was adopted.

2. Amend Section 10 by striking out paragraph eleven (11).

Amendment No. 2 was adopted.

3. Amend Section nine (9) by inserting immediately after the word "books" in line three (3) the following:

"including transfer books, index books, and plat books".

4. Amend Section ten (10) by adding as paragraph eleven (11) thereof the following:

"11. Keep the transfer books, index books, and plat books as provided by law".

Amendments Nos. 3 and 4 were adopted.

5. Amend Section ten (10) by adding the following:

"12. In any county in which there is a city acting under special charter, having a population of over 50,000, he shall submit to the City Council of such city, a recapitulation of the then actual values of all property subject to assessment and taxation in said city not later than the first day of July in each year. Upon certification to said assessor by such City Council of the tax levy and the percentage of taxable value for the current year he shall not later than the first day of September of such year deliver to the City Treasurer of said City a tax list, covering all property assessable within and subject to taxation by said city, with the taxes so levied and certified extended thereon upon such taxable value as shall have been determined by the City Council, which list shall embody all corrections in assessment made prior to the second Monday in July of such year. He shall also certify from time to time to the City Treasurer of such City any assessments of omitted property or corrections in assessments in the same manner as to the County Treasurer."

6. Amend by adding thereto as Sections 10a and 10b the following:

"Sec. 10a. In any county in which there is a city acting under special charter and having a population of over fifty thousand (50,000), the City Council shall not later than the second Monday in July of each year certify to the County Assessor the tax levy and the percentage of taxable and actual value for the current year for extension upon the tax list of said city. Such tax list shall be the warrant for the collection thereof by the Treasurer of such city when delivered to him by the County Assessor. Any such city shall furnish to the County Assessor the necessary books for the compilation of said tax list. In the event of any correction of any assessment subsequent to the delivery by the County Assessor

of the tax list for any such city to the Treasurer thereof, such Treasurer shall upon notice thereof from the County Assessor correct such list in accordance therewith. If the tax so levied has been paid upon a greater assessment than finally fixed, the City Council shall direct the City Treasurer to refund the excess so collected and charge the several funds previously credited. If the assessment theretofore made be finally increased, the City Treasurer after correcting said tax list shall collect the increased tax due in the same manner as for omitted property, provided, however, no interest shall be charged thereon until ten (10) days after demand unless such property is certified to such Treasurer as omitted property.

"Sec. 10b. That Sec. sixty-eight hundred sixty-seven (6867) be amended by striking from the seventh and eighth lines thereof the words "which shall be ascertained by the assessor of said city".

Amendments Nos. 5 and 6 were adopted.

7. Amend Section thirteen (13) by striking out the second sentence thereof.

Amendment No. 7 was adopted.

8. Amend by striking out all of Sections fifteen (15) and sixteen (16) thereof and substituting in lieu thereof the following:

"Every owner of taxable property and every person whose duty it is to return any property for taxation shall on demand list on blanks provided by the county assessor all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor and shall on or before the date required by the assessor file such return duly verified with the assessor. Such returns shall constitute the original assessment roll and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment".

Also by re-numbering all succeeding paragraphs.

Senator Cooney offered the following as a substitute amendment and moved its adoption.

Amend by substituting the following in lieu of amendment to sections fifteen (15) and sixteen (16) thereof:

"Every owner of taxable property and every person whose duty it is to return any property for taxation shall list on blanks provided by the county assessor, all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor, and shall file such return, duly verified, with the assessor. Such returns shall constitute the original assessment roll, and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment."

The substitution was made.

The amendment as substituted was adopted.

9. Strike out Section sixty-three (63) and insert in lieu thereof the following:

"Sec. 63. That Section sixty-seven hundred three (6703) of the code of Iowa 1927, be and the same is hereby amended by adding after the word "treasurer" in line three and before the word "collector" in line four the following:

"and in such cities having a population of over fifty thousand a".

10. Strike out Section sixty-four (64) and insert in lieu thereof the following:

"Sec. 64. That Section sixty-seven hundred thirty-two (6732) of the code of Iowa 1927, be and the same is hereby amended by adding thereto the following:

"Nothing herein contained shall be deemed to affect the procedure for the assessment of property and the equalization of assessments by the County Assessor".

11. Amend by striking out Sections sixty-five (65), sixty-six (66), sixty-seven (67) and sixty-eight (68).

Amendments Nos. 9, 10 and 11 were adopted.

12. Amend by inserting after Section seventy-nine (79) the following as sections seventy-nine a (79a), seventy-nine b (79b) and seventy-nine c (79c):

"Sec. 79a. Sections sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300) and seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen

(10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly are each amended by striking therefrom the word "auditor" or "auditor's" as the same may be wherever the same appears in said sections, and by inserting in lieu of said stricken words the word "assessor" or "assessor's" as the case may be.

"Sec. 79b. Wherever in the code reference is made to the transfer books in the office of the county auditor, the reference shall be deemed to mean the transfer books in the office of the county assessor, and the editor of the code is directed to make such correction.

"Sec. 79c. Section seventy-one hundred forty-eight (7148), code, 1927, is amended, revised and codified to read as follows:

"7148. Aggregate valuations certified. At the time of delivering the list to the treasurer, the assessor shall furnish to the county auditor a certified statement showing separately the aggregate full and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list; also to the state board of assessment and review a certified statement of the aggregate of each state tax in his county for the ensuing year."

13. Amend by inserting after Section eighty-two (82) as Section eighty-two a-one (82-a1) the following:

"82a1. Section seventy-two hundred nineteen (7219), Code, 1927, is repealed and the following is enacted in lieu thereof, to-wit:

"7219. Enforcement of lien. If said property is being, or is about to be removed from the county, the assessor shall certify said fact to the county treasurer with a full description of the property as the same appears on the assessor's books, giving assessment district, where located, and the amount of said assessment, and the county treasurer shall thereupon proceed by distress to restrain the removal of said property and secure the lien of the tax due or to become due."

Amendments Nos. 12 and 13 were adopted.

14. Amend Section eighty-three (83) by striking therefrom the following: "Sections sixty-eight hundred sixty-five (6865) to sixty-eight hundred ninety-six (6896), both inclusive", and inserting in lieu thereof, "Sections sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive".

Also amend said Section eighty-three (83) by striking therefrom the following:

"Sections sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-

nine hundred eighteen (6918), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924)".

Amendment No. 14 was adopted.

15. Amend by striking out Section eighty-four (84) thereof and inserting in lieu thereof the following:

"Sec. 84. Wherever the statutes provide that taxes or assessments shall be certified by any governmental agency to the County Auditor, and by said Auditor placed on the tax lists, said statutes shall be deemed to require such certification to the County Assessor, and the Code Editor is directed to correct the said statutes accordingly".

Amendment No. 15 was adopted.

16. Further amend by re-numbering all sections.

Amendment No. 16 was adopted.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

CONSIDERATION OF SENATE FILE NO. 1 RESUMED

Roll call revealed the presence of all Senators except Senators Benson, Carroll, Baird and Doran.

The President announced the Senate at ease until the call of the gavel.

Roll call revealed all Senators present except Senator Carroll.

By unanimous consent on request of Senator Lowe his amendments as found in Journals of January 28th and 30th were withdrawn.

Senator Carroll appeared in the Senate Chamber and the call was complete.

Senator Blackford offered the following amendments and moved their adoption:

Amend by striking out section 70.

Further amend by striking out "seventy-one hundred sixty-one (7161), code of Iowa 1927," in lines 35 and 36 of section 83.

By unanimous consent on request of Senator Blackford the words "Code of Iowa 1927," were stricken from the amendment.

The amendments as amended were adopted.

Senator Clark of Linn offered the following amendments and moved their adoption:

1. Strike out Sections three (3) and four (4) and insert in lieu thereof the following:

"Sec. 3. First Assessor. Said appointive board shall on or before January 1, 1932, appoint an assessor for the county, who upon qualifying shall serve until the second secular day in January, 1936, and upon his qualifying the terms of office of all township, city, and town assessors shall terminate, but such persons may be retained thereafter by said county assessor as field men but only insofar as he may deem such retention necessary and advisable.

"Sec. 4. Appointment. Prior to January 1, 1936, and prior to the first day of January of each fourth year thereafter the said appointing board shall appoint a county assessor who shall serve for a term of four years."

2. Insert after Section eighty-four (84) the following:

"Sec. 85. The provisions of this act shall not be in effect until the first day of January, 1932, except as to the provisions of Section three (3) requiring the appointing board to appoint a county assessor prior to that date."

By unanimous consent on request of Senator Clark of Linn the words "on or before" in the first line of Sec. 3 (of the amendment) were changed to the words "prior to".

The amendments as amended were adopted.

Senator Beatty moved to defer action on Senate File No. 1 until tomorrow morning, which motion prevailed.

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor McFarlane, President of the Senate, presiding.

President McFarlane announced a quorum present and the joint convention duly organized.

Senator Clearman of Johnson moved that a committee of three be appointed, one from the Senate and two from the House, to notify the Iowa Pioneer Lawmakers' Association that the joint convention was ready to receive them.

Motion prevailed and the President appointed as such committee: Senator Clearman of Johnson, Donlon of Palo Alto and Torgeson of Worth.

Senator Clearman from the committee appointed to notify the Iowa Pioneer Lawmakers' Association that the joint convention was ready to receive them, appeared with the visiting guests.

The program was then carried out as arranged by the Iowa Pioneer Lawmakers' Association, Hon. George M. Titus, President of the Association, in charge.

Addresses of welcome were delivered by Hon. Geo. M. Hopkins on the part of the House and Hon. L. H. Doran on the part of the Senate.

President Titus then introduced Hon. Irving Richman of Muscatine, a member of the 23d and 24th general assemblies, who addressed the joint convention.

Hon. L. E. Francis, a former member of the Senate in the Thirty-third, Thirty-fourth, Thirty-fifth, and Thirty-sixth General Assemblies, also addressed the Joint Convention.

Senator Hicklin moved that the remarks of the speakers be printed in the Journal, which motion prevailed.

Motion prevailed.

Craven of Jasper moved the joint convention be dissolved.

Motion prevailed.

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

REPORTS OF COMMITTEES

Senator Booth submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 160, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this State, to provide a light on said vehicles which can be seen for a radius of two hundred (200) feet, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Insert the words "or reflectors" immediately following the word "lights" in line six (6) of Section 1, thereof, and by striking out all of Section 2 thereof.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 199, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town, and to require all motor vehicles, when stop signs are in place, to come to a stop before entering said zones, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend the title by inserting the word "movable" after the word "when" in line three thereof.

Further amend the title by inserting the words "in the streets" after the word "place" in line four thereof.

Amend Section 1 by inserting the word "movable" after the word "when" in line three thereof, and by inserting the words "in the streets" after the word "placed" in line four thereof.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Senator Patterson submitted the following reports:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File No. 89, a bill for an act to amend and supplement the law as it appears in chapter sixty-nine (69), Acts of the Forty-third General Assembly of Iowa, relating to the regulation of the practice of embalming, the licensing of its practitioners, and providing for the revoking or suspending of the license of one against whom a criminal charge has been filed, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was re-

ferred Senate File No. 130, a bill for an act to amend the law as it appears in paragraph twenty-eight (28) of section ten thousand eight hundred thirty-seven (10837) of the Code of 1927, pertaining to the fee for the issuance of marriage licenses, and creating a fund to be used by the Vital Statistics Division of the State Department of Health from said marriage license fees, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File No. 67, a bill for an act to require physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art, to report any cases treated or taken care of by them wherein there has been an injury of violence, for the purpose of permitting law enforcing officers to apprehend any person who may have committed a crime and has been injured either in the perpetration thereof or in escaping arrest, and providing penalty for failure to report, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By inserting after the word "violence" in line 4 of Section 1 the following: "which appears to have been received in connection with the commission of a criminal offense."

Also by inserting between the words "any" and "injury" in line 5 of Section 1 the word "such".

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File No. 49, a bill for an act to amend the law as it appears in chapter one hundred twenty-four b2 (124-b2) of the Code of 1927 relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

That the words and figures "twenty-five hundred eighty-six b16 (2586-b16)", as the same appear in line two (2) of Section 4 of said bill, be corrected so as to read "twenty-five hundred eighty-five b16 (2585-b16)".

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was re-

ferred House File No. 154, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, and to amend sections eleven thousand fifty-nine (11059), eleven thousand one hundred twenty-one (11121), eleven thousand one hundred twenty-three (11123), eleven thousand four hundred thirty-six (11436), twelve thousand eight hundred thirty-two (12832), twelve thousand eight hundred forty-seven (12847), and twelve thousand eight hundred seventy-one (12871) of the Code, 1927, relating to procedure in civil cases, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Senator Leonard submitted the following report:

MR. PRESIDENT: Your committee on elections, to which was referred Senate File No. 80, a bill for an act to amend section eight hundred forty (840) of the Code, 1927, in relation to the canvass of election returns by Judges of Election, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1, line one by striking the word "paragraph" and substituting in lieu thereof the word "sub-division".

Also in line six (6) by striking the word "paragraph" and substituting in lieu thereof the word "sub-division".

ARTHUR LEONARD, *Chairman.*

Ordered passed on file.

Senator Anderson submitted the following report:

MR. PRESIDENT: Your committee on crime and suppression of intemperance, to which was referred Senate File No. 177, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

C. E. ANDERSON, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 207, a bill for an act to repeal sections three hundred thirteen (313) and three hundred forty-seven (347), Code, 1927, and to amend section ten hundred sixty-three (1063), Code, 1927, relative to the bond of the director of the budget, and of the members of the appeal board appointed under chapter twenty-two (22), Code, 1927, begs leave

to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 164, a bill for an act to amend section one hundred sixty-two (162), Code, 1927, relative to the publication of the Acts of the General Assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 131, a bill for an act to authorize the Executive Council of Iowa to sell land the title of which is in the name of the state, providing for the appraisalment thereof, and authorizing the Governor and Secretary of State to execute conveyances for the same, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one (1) line three (3) by striking the word "or" after the word "sell" and by substituting in lieu thereof the word "and".

By inserting after the word "convey" in section one (1) line three (3) the words "or exchange."

By inserting after the word "conveyed" in section two (2) line two (2) the words "or exchanged."

Amend the title by inserting after the word "sell" in line one (1) thereof, the words "and convey or exchange."

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 116, a bill for an act to amend the law as it appears in section four (4) of chapter ten (10) of the Acts of the Forty-third General Assembly so as to remove from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and public service utilities corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 117, a bill for an act to amend the law as it appears in section sixty-nine hundred forty-four (6944) of the code 1927 relative to exemptions from taxation of the shares of capital stock of telegraph and telephone companies, freight line and equipment companies, transmission line companies as defined in section 7089, and express companies, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on tax revision.

F. M. BEATTY, *Chairman.*

The report was adopted and the bill was referred to the committee on tax revision.

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred House File No. 99, a bill for an act to amend section five thousand three hundred eighty-five (5385) of the code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ($\frac{1}{2}$) mill as now authorized, begs leave to report it has had the same under consideration and recommends the same be substituted for Senate File No. 79, and when such substitution is made, that the bill do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control, to which was referred Senate File No. 69, a bill for an act relating to the release of inmates of the institution for feeble-minded at Glenwood, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking line four of Section one and inserting in lieu thereof: "even though committed by a court".

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Senator Lowe submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 169, a bill for an act to amend section 6949, code, 1927, relating to the time of filing claims for exemption from taxation, begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, *Chairman.*

Ordered passed on file.

The Journal of February 17th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I moved to amend Senate File No. 122 as follows:

By striking out Section 1 and substituting in lieu thereof the following:

"Section 1. Section five thousand twenty-one (5021), Code of Iowa, 1927, is amended by adding thereto the following:

and in the event the operators of such overtaken vehicle shall increase its speed for the purpose of hindering the following vehicle from passing it, the operators of such overtaken vehicle shall be guilty of a misdemeanor."

E. R. HICKLIN.

Amend Senate Concurrent Resolution No. 8 by striking therefrom all of Section 2 and substituting in lieu thereof the following as Sections Nos. 2, 3, and 4.

Sec. 2. That each of the adjoining states be and they are hereby urged to cooperate with the State of Iowa to obtain from Congress the advantage of its borrowing ability for the purpose of making farm loans on a favorable basis, and to that end provide for the appointment and attendance of delegates at a conference to be held in the City of Washington and to appropriate sufficient funds to defray the expense of such delegates and the expense of carrying on, under such plan as the conference may formulate, an active, energetic publicity campaign at Washington and elsewhere throughout the United States to inform the public of the facts as to the need for and the desirability of loans made on bona fide farm land at present values and at interest rates at least as favorable as those now obtained by other industries.

Sec. 3. That the Governor be requested to transmit to the Governor of each of the adjoining states a copy of this resolution with a request that he, as soon as possible, communicate this resolution to his legislature and recommend its immediate favorable action thereon; also that the Governor be requested to fix a date for the holding of a conference with the Governors of neighboring states, to formulate the necessary plan to make this resolution effective and to appoint a committee of eight whose duty it shall be to immediately take the necessary steps to establish an office in Iowa and create an organization to do everything necessary to accomplish the purpose of this resolution.

Sec. 4. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of Twenty-five Thousand (\$25,000.00) Dollars or so much thereof as may be necessary to pay for the expense of carrying out the provisions of this resolution.

C. L. RIGBY.

MR. PRESIDENT: As Chairman of the Motor Vehicles Committee, I wish to file the following amendments to Senate File No. 133 as Committee amendments:

Insert in Section One, after sub-division (b), the following as sub-division (c):

"The word 'reflector' when used in this Act shall mean a device to give an indication to an approaching motorist by the reflection of the light from the head lamp or head lamps of such approaching vehicle, of such construction as to reflect a ray of light of not less than five one hundredths (.05) candle power when placed at a distance of one hundred (100) feet from the head lamp or lamps of an approaching vehicle, which head lamp or lamps comply with section 5044 of the 1927 Code of Iowa, with the axis of such reflector in the center of the beam of such approaching light; and which will reflect a ray of light of not less than three one hundredths (.03) candle power when placed in the same position and turned on a perpendicular axis twenty (20) degrees to the right or left or on a horizontal axis ten (10) degrees forward or backward."

Also by striking therefrom all of Section Five (5), and inserting in lieu thereof as Section Five (5), the following:

"Sec. 5. If two or more motor vehicles or combinations more than thirty-three (33) feet in length, are being operated, moved, or standing on a highway outside the limits of any city or town, such motor vehicles or combinations shall be so spaced as to allow a clear distance of at least four hundred (400) feet between adjacent motor vehicles or combinations at all times except when passing each other."

Also by striking therefrom all of Section Seven (7), and inserting in lieu thereof as Section Seven (7), the following:

"Sec. 7. Every vehicle more than six (6) feet in width, measured at the widest point of the vehicle or load, shall carry on each of the four (4) corners of the body an electric clearance lamp of not to exceed four (4) candle power or a reflex reflector so placed as to clearly outline the limits of the body; the said lamps or reflectors so placed on the front of the same to cast or reflect a green ray of light and said lamps or reflectors carried on the rear of the body to cast or reflect a red ray of light; and any vehicle or combination of vehicles of more than thirty-three (33) feet over all length shall display a white marker light of not to exceed four (4) candle power or a white reflector on both right and left side at intervals of not to exceed twenty (20) feet."

Also by inserting after section Eight (8) thereof, the following as Section Nine (9):

"Sec. 9. Any vehicle or combination of vehicles which, on February 16, 1931, was licensed in this state as a vehicle, a combination of vehicles, or part of a combination of vehicles, or any motor vehicle transporting passengers for hire which was licensed in any other state and was on

such date operated upon the highways of this state in good faith, with the approval of the Iowa Board of Railroad Commissioners under the provisions of Chapter 252 A1 or 252 A2 of the Code of Iowa, 1927, shall be allowed to continue to operate upon the highways of this State until December 31, 1934, notwithstanding the provisions of this Act, upon obtaining a permit from the Iowa State Highway Commission; application for which, including the complete description of such vehicle or combination of vehicles, shall be filed with said Commission within thirty (30) days from the date this Act is approved by the Governor."

CHAS. D. BOOTH, *Chairman.*

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 19, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Forrest L. Richeson, pastor of the Church of Christ of St. Anthony.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Quirk, from American legion posts of Carroll county, opposing optional military training in schools. Educational institutions.

By Senator Myers, from residents of Colfax, favoring a diversion of primary road funds. Highways.

By Senator Bissell, from residents of Yale, favoring a diversion of primary road funds. Highways.

By Senator McLeland, from residents of Marshall county, favoring a driver's license law. Motor vehicles.

By Senator Kimberly, from residents of Princeton, favoring a diversion of primary road funds. Highways.

By Senator Wenner, from barbers union, No. 414, Waterloo, favoring Senate File No. 49; from residents of La Porte, favoring a license tax for peddlers. Public health and tax revision.

By Senator Moen, from business and professional men of Sheldon, opposing the levy of a tax on theater tickets; from residents of Hull, favoring a diversion of primary road funds. Tax revision and highways.

By Senator Doran, from residents of Huxley, favoring the

enactment of the joint legislative committee on taxation report; from residents of Pilot Mound, favoring a diversion of primary road funds; from business and professional men of Nevada, opposing an amusement tax bill. Tax revision and highways.

By Senator Irwin, from council of Clinton, favoring regulation of trucks. Motor vehicles.

By Senator Stevens, from Will Dilg conservation league, Loch Burn club, and Ottumwa trap shooters association, favoring a fish and game commission. Fish and game.

By Senator Lowe, from residents of Warren county, opposing right of eminent domain for pipe-line right-of-way. Public utilities.

By Senator Ritchie, from Pocahontas county American legion association, opposing optional military training in schools. Educational institutions.

By Senator Klemme, from residents of Decorah, opposing the amusement tax bill. Tax revision.

By Senator Beatty, from residents of Delta, favoring a diversion of primary road funds. Highways.

By Senator Gunderson, from residents of Thompson, favoring a diversion of primary road funds. Highways.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House File No. 16.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of

the Senate, he had signed in the presence of the Senate, House File No. 16.

INTRODUCTION OF BILLS

Senate File No. 234, by Senator Clark of Cerro Gordo, a bill for an act to amend section three thousand six hundred forty-one b-one (3641-b1) of the code, 1927, as amended by chapter ninety-two (92) of the acts of the forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers.

Read first and second times and referred to committee on cities and towns.

Senate File No. 235, by Senator Clark of Cerro Gordo, a bill for an act to amend section five thousand three hundred and eleven (5311), paragraph one (1), of the code, 1927, relating to the acquiring of settlement by poor persons.

Read first and second times and referred to committee on cities and towns.

Senate File No. 236, by Senator Stanley, a bill for an act to amend sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred seventy-seven (3877), code, 1927, relating to teachers' certificates so as to read as follows:

Read first and second times and referred to committee on public schools.

Senate File No. 237, by Senator Wilson, a bill for an act creating a Park Board in cities having a population of one hundred thousand (100,000) or more and providing the powers and duties of such Board.

Read first and second times and referred to committee on cities and towns.

Senate File No. 238, by Senator Wilson, a bill for an act authorizing boards of waterworks trustees in cities having a population of one hundred thousand (100,000) inhabitants, or more, including cities under commission plan of government, to retire employees upon an annuity and to procure group insurance for employees, creating a fund for such purposes and a board to administer the same.

Read first and second times and referred to committee on cities and towns.

Senate File No. 239, by Senator Wilson, a bill for an act to amend section sixty-one hundred eighty (6180), Code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned waterworks acquired and operated under and pursuant to Chapter three hundred fourteen (314), Code, 1927.

Read first and second times and referred to committee on cities and towns.

Senate File No. 240, by Senator Wilson, a bill for an act providing for the cancellation of taxes levied and assessed against waterworks systems and property purchased by cities of one hundred thousand (100,000) inhabitants or more, including cities under commission plan of government, and including lands purchased for extension of such systems, and to protect the water supply, in cases where such taxes are levied and assessed or become due after such purchase.

Read first and second times and referred to committee on cities and towns.

Senate File No. 241, by Senator Patterson, a bill for an act to require the refunding of taxes on tax sales of land which is mortgaged or otherwise encumbered to the school, agricultural college, or university fund and the cancellation of said tax sale and reinstatement of said tax.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 242, by Senator Clark of Cerro Gordo, a bill for an act to amend section five thousand five hundred eighty-five (5585) of the code, 1927, relating to the payment of license fees received under provisions of chapter two hundred eighty-five (285), into the township road fund.

Read first and second times and referred to committee on highways.

Senate File No. 243, by Senator Myers, a bill for an act to amend section one hundred and thirteen (113), Code 1927, as amended by chapter one hundred fifty-seven (157) laws of the

regular session of the 43rd General Assembly, relating to examination of accounts of cities and towns.

Read first and second times and referred to committee on cities and towns.

Senate File No. 244, by Senator Myers, a bill for an act to amend chapter five hundred twenty-five (525) of the Code of 1927 by striking out section twelve thousand three hundred and seventy-seven (12377) and enact a substitute therefor.

Read first and second times and referred to committee on judiciary No. 2.

SENATE FILE NO 102 WITHDRAWN

By unanimous consent on request of Senator Hill, Senate File No. 102, relating to custodial farm, was withdrawn from further consideration.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution No. 12, approving and endorsing the proposed Sparks-Capper Act.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon.

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

House File No. 170, a bill for an act providing for the classifying and labeling of poultry shells and to the labeling of commercial feeds and stock tonics.

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

House File No. 102, a bill for an act relating to the fees received for fishing and hunting licenses.

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

House File No. 105, a bill for an act to provide for the giving preference to domestic or Iowa labor in all public works or improvements, and to provide a penalty for violation.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 193

Amend by striking from line seven (7) thereof the words "thereto including" and by inserting in lieu thereof the word "to".

HOUSE CONCURRENT RESOLUTION NO. 12

Approving and endorsing the proposed Sparks-Capper Act now before the congress of the United States, which act provides that only American citizens are to be counted in apportioning of congressional districts by congress, and urging immediate passage of said act.

Whereas, There is now before the congress of the United States of America for consideration an act known as the Sparks-Capper Act, which act provides that in future apportioning of congressional districts only American citizens shall be counted in determining representation in the house of representatives of the United States of America among the several states, and

Whereas, It was the intention and purpose of the founders of this country to provide for representation in the lawmaking bodies of this country for the citizens of this country solely, and

Whereas, The said Sparks-Capper Act makes provision for representation of American citizens solely.

Therefore, Be It Resolved by the House, the Senate concurring:

Section 1. That said Sparks-Capper Act be and the same is hereby approved and endorsed by the General Assembly of the State of Iowa.

Sec. 2. That the several representatives of the several congressional districts of this state now in congress and the United States senators of this state now in congress, be and they are hereby urged by the General Assembly of the State of Iowa to support said act and to aid in its passage by their respective votes and otherwise.

Sec. 3. That the chief clerk of the house of representatives of the state of Iowa be and he is hereby authorized and directed to forward a true copy of this resolution to each of said representatives in said congress and to each of said United States senators in said congress.

CONCURRENT RESOLUTION NO. 9

Whereas, Economic authorities in the United States and Canada, acting officially both as Joint Commissions and severally, have repeatedly and unanimously declared that enlarging the connecting channels of the Great Lakes and the St. Lawrence River to admit uninterrupted movement of ocean borne commerce from and into the Great Lakes, is economically

sound and necessary to raise the competitive position, establish economic equality, permit future development and effect the return of prosperity to the vast continental areas of both countries, and

Whereas, Over the past five years diplomatic correspondence has brought the two nations into agreement on the assignment of tasks and division of costs, said correspondence having allocated to the United States the construction and cost of all improvements in international waters—which includes the deepening to 27 feet of the connecting channels of the upper Great Lakes, a new lock at the Soo corresponding in dimensions to the locks in the New Welland Ship Canal and the improvement of the international stretch of the St. Lawrence River from Lake Ontario to the 45th parallel (opposite Cornwall), where the river ceases to form the boundary line between the two countries, and allocating to Canada the completion of the New Welland Ship Canal and the improvement of the river from the 45th parallel aforesaid to the sea, and

Whereas, Approximately one-half of the tasks assigned to each Government has either been completed, is in process of completion or already authorized by one or other of the two Governments, and approximately one-half of the total cost of the through Seaway has either been expended, in process of being expended or involved in authorizations already made, all of which has been carried out and is capable of being completed without any treaty, and

Whereas, Engineering authorities in Canada and the United States, acting officially both as Joint Boards and severally, have agreed upon engineering plans and costs and unanimously declared that the International Rapids Section (48 miles) of the St. Lawrence River, extending from Ogdensburg to the International Boundary must, for economic reasons, be developed for navigation and power jointly, and

Whereas, The State of New York, with the clear intent of delaying or obviating the completion of a through Seaway, via the St. Lawrence, and advancing a deep water route across the State of New York, has caused to be prepared engineering plans—which if permitted to be carried out—will, under the most favorable conditions postpone through navigation seventeen years, but predictably a generation, and in the meantime afford New York opportunity to transfer its barge canals to the Federal Government and—under the pseudonym “all-American”—embark the Government upon the staggering and almost useless expense of deepening or widening them for the passage of lake ships down to the port of New York for transfer to the ocean carrier, but not admitting the ocean ship to the Great Lakes, thus denying to mid-continental areas direct access to the sea, and

Whereas, No development of this International Rapids Section of the River can be undertaken by either country or any agency in either country without an agreement or treaty appropriate thereto, having first been entered into between Canada and the United States, and

Whereas, The landlocked interior of the United States is deeply con-

cerned and in emergent need of the relief which would accrue to that area by the opening of such Seaway and the citizens of New York State also are directly interested in the improvement and early utilization of the large reservoir of cheap power which would be made available by such joint development, and

Whereas, The need exists for a formula or plan that will effect the development of this section of the river for navigation and power at the earliest possible date, by employing the most practical, the most expeditious and best agency or agencies for that purpose,

Therefore Be It Resolved, By the Senate of the State of Iowa, the House concurring, that the President of the United States be and is hereby memorialized to proceed to a treaty with Canada for the development of the aforesaid International Rapids Section of the St. Lawrence River at the earliest possible date and in accordance with the plans agreed upon by the Joint Board of Engineers, or such amendment to or changes in said plans as may be subsequently adopted by such Joint Board, and

Be It Resolved, That in such improvement all permanent works such as dams and navigation works be constructed by the Governments of the United States and Canada, along the general lines of assignment of tasks and division of costs outlined in the correspondence between the two countries, but not the power house, super-structures or installation of power machinery, and

Be It Further Resolved, That the Congress of the United States be and is hereby memorialized to enact the necessary preliminary legislation declaring all lands and the entire flow of the St. Lawrence River—extending from the shore to the international boundary line in the river—from Lake Ontario to the 45th parallel, where the river ceases to form the boundary between the two nations, necessary for the purpose of navigation of said waters and the waters connected therewith.

REPORTS OF COMMITTEES

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 200, a bill for an act to repeal the law as it appears in section three thousand eight hundred thirty-three of the code, 1927, relating to teachers' employment bureau, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 224, a bill for an act to amend the law as it appears in sections forty-four hundred seventy-five (4475), forty-five hundred

two (4502), and forty-five hundred three (4503) of the code, 1927, relating to the purchase and sale of school lands, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. At the end of section one (1) and at the end of section two (2), place the period outside of the quotation marks.

2. Strike out section four (4).

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Senator Gunderson submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No. 164, a bill for an act to amend Chapter one hundred six of the Code of 1927, relative to the compensation of members of the State Board of Health, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Senator Clark submitted the following reports:

MR. PRESIDENT: Your committee on tax revision, to which was referred House File No. 7, a bill for an act to amend the law as it appears in sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the code of Iowa 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment of the property of every individual, co-partnership, corporation or association operating for profit, water-works or gas works, or pipe lines, electric light or power plant, railways operated by cable or electricity, and elevated street railways, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision, to which was referred House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6) and nine (9), of section seventeen (17), Chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the State Board of Assessment and Review, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend House File No. 4 by striking out of line 13 of section one (1) the word "their" and inserting in lieu thereof the word "its".

2. That paragraph nine (9) of section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the same is hereby amended by striking out of line sixty-six (66) the words "county board of equalization" and substituting in lieu thereof the words, "board of review"; also by striking out of line sixty-nine (69) thereof of the words "county board of equalization", and inserting in lieu thereof, "any board of review".

3. Amend section seventeen (17) of chapter two hundred five (205) Acts of the Forty-third General Assembly by inserting after paragraph nine (9) the following as paragraph nine-a (9a):

"(9a). To correct errors, irregularities, or omissions in assessments of individual taxpayers by adding to the tax list any omitted property or by raising, lowering, or abating an assessment found to be erroneous or excessive; provided, however, that before making any such correction the board shall notify the owner of record or person assessed with such property by registered mail addressed to such person at his last known place of residence notifying him to appear before said board within ten (10) days from the mailing of said notice and show cause why such correction or addition should not be made; provided, however, that any party aggrieved by the action of the State Board may within twenty (20) days after such action has been taken appeal from the action of the State Board to the District Court of the county where the property is situated by serving on the chairman of the State Board a written notice of appeal in the same manner as provided for the service of original notices. The State Board shall notify the county auditor or county treasurer of any such correction or change and the county auditor or county treasurer shall amend the assesment roll and/or tax list to conform to the order of the Board; but no correction or change of assessment shall be made by the State Board after the expiration of five (5) years from the date when such assessment was made or should have been made."

4. By adding to said House File No. 4 the following:

"Sec. 4. That section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the same is hereby amended by adding thereto the following:

"16. To certify to the Auditor of State on January first of each year the aggregate of each state tax for each county for said year."

"Sec. 5. That section thirty-four (34), chapter two hundred five (205), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting in line fourteen (14) after the word "act", the following words, to-wit:

"except as provided in paragraph three (3) of section one hundred two (102), Code, 1927".

"Sec. 6. That section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly be and the same is hereby repealed."

"Sec. 7. Chapter two hundred five (205) Acts of the Forty-third General Assembly as herein amended is hereby made applicable to cities acting under special charter.

"Sec. 8. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Walker News, a newspaper published at Walker, Iowa, and the Freeman-Journal, a newspaper published at Webster City, Iowa."

C. F. CLARK, *Chairman*.

Ordered passed on file.

Senator Carden submitted the following report:

MR. PRESIDENT: Your committee on pharmacy, to which was referred House File No. 149, a bill for an act to amend twenty-four hundred forty-four (2444), code of 1927, relating to the display of licenses by practitioners of certain professions, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 1, and there being a call of the Senate on file, roll call revealed the presence of all Senators except Senators Cole, Hicklin, and Baird.

By unanimous consent on request of Senator Doran, Senator Baird was excused on account of illness.

By unanimous consent on request of Senator Clark of Linn, debate on the bill proceeded until the absent Senators appeared.

Senators Hicklin and Cole appeared in the Senate Chamber and the call was declared complete.

Senator Knudson offered the following amendments and moved their adoption:

Amend by striking sections two (2), three (3), four (4), and five (5), and substituting in lieu thereof the following:

Sec. 2. "There shall be elected in each county at the next general election and each general election thereafter, a county assessor whose term of office shall be for a period of two years. Until the next general election the chairman of the board of supervisors, the county auditor and the county treasurer of each county shall constitute an appointing board, who shall immediately upon the taking effect of this act appoint an assessor for the county, who, upon qualifying, shall serve until the next general

election. Said assessor, so appointed, shall, upon qualifying, take over the assessment work already accomplished in his county by the township, city and town assessors and shall adopt or modify such work as he may see fit under and in accordance with this act, and upon such qualifying the term of office of such township, city and town assessors shall terminate; but such persons may be retained during 1931 by said county assessor as field men but only insofar as he may deem such retention necessary and advisable."

Amend by striking all of section seven (7), and substituting in lieu thereof the following:

Sec. 7. "Upon the appointment or election, as the case may be, of a county assessor or a deputy county assessor, the county auditor shall immediately notify the state board of assessment and review of such appointment or election and of the post-office address of each such officer."

Senator Knudson asked for roll call.

Senator Knudson invoked rule 8.

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

Ayes, 16.

Anderson	Coykendall	Knudson	Stanley
Beatty	Doran	Leonard	Stoddard
Bissell	Kent	McLeland	Topping
Cooney	Kimberly	Quirk	Wenner

Nays, 30.

Bennett	Clark of Linn	Hill	Patterson
Benson	Clark of Marion	Ickis	Rigby
Blackford	Clearman	Irwin	Ritchie
Carden	Cole	Klemme	Stevens
Carroll	Frailey	Low	Tabor
Christophel	Gunderson	MacDonald	White
Clark of Cerro Gordo	Hager	Moen	Wilson
	Hicklin	Myers	

Absent or not voting, 4.

Baird	Booth	Cochrane	Langfitt
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The amendments were lost.

Senator Frailey offered the following amendment and moved its adoption:

Amend section 75 by substituting for the word "productive" in the seventh (7th) line thereof the word "rental".

The amendment was adopted.

Senator Bissell offered the following amendment and moved its adoption:

Amend by striking out the word "five" in line four (4) of Section 34 thereof and inserting in lieu thereof the word "ten".

The amendment was lost.

Senator Bennett offered the following amendment and moved its adoption:

Amend the substitute amendment for Sections 15 and 16 by inserting after the word "shall" in line 5 thereof, the words, "on or before March 1st of each year".

The amendment was adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

Senator Knudson invoked Rule 8.

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

Ayes, 29.

Bennett	Clark of Marion	Ickis	Quirk
Benson	Clearman	Kimberly	Rigby
Bissell	Cole	Lowe	Ritchie
Blackford	Cooney	MacDonald	Stevens
Carroll	Frailey	McLeland	Wenner
Clark of	Gunderson	Moen	White
Cerro Gordo	Hager	Myers	
Clark of Linn	Hicklin	Patterson	

Nays, 17.

Anderson	Doran	Knudson	Topping
Beatty	Hill	Leonard	Wilson
Carden	Irwin	Stanley	
Christophel	Kent	Stoddard	
Coykendall	Klemme	Tabor	

Absent or not voting, 4.

Baird	Booth	Cochrane	Langfitt
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The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Clark of Linn the title was corrected, so as to conform with the corrections as found on pages 300 and 301 of the Senate Journal, and the title as amended was agreed to.

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

By unanimous consent on request of Senator Clark of Linn, one thousand copies of Senate File No. 1, as passed by the Senate, were ordered printed.

By unanimous consent on request of Senator Benson Calendar Nos. 29 and 12 were taken up and considered.

By unanimous consent on request of Senator Benson, House File No. 154, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, and to amend sections eleven thousand fifty-nine (11059), eleven thousand one hundred twenty-one (11121), eleven thousand one hundred twenty-three (11123), eleven thousand four hundred thirty-six (11436), twelve thousand eight hundred thirty-two (12832), twelve thousand eight hundred forty-seven (12847), and twelve thousand eight hundred seventy-one (12871) of the code, 1927, relating to procedure in civil cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking all after the word "in" in line 2 of sec. 10 and substituting in lieu thereof the words "two newspapers in the state as provided by law."

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by inserting after the word "government" in line 5 of Sec. 1 the words "of the state".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 40.

Anderson	Clark of Marion	Ickis	Quirk
Beatty	Clearman	Irwin	Rigby
Bennett	Cole	Kent	Ritchie
Benson	Cooney	Kimberly	Stanley
Bissell	Coykendall	Klemme	Stevens
Blackford	Frailey	Knudson	Tabor
Carden	Gunderson	Lowe	Topping
Christophel	Hager	McLeland	Wenner
Clark of Cerro Gordo	Hicklin	Myers	White
Clark of Linn	Hill	Patterson	Wilson

Nays, 2.

Doran Leonard

Absent or not voting, 8.

Baird	Carroll	Langfitt	Moen
Booth	Cochrane	MacDonald	Stoddard

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

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

On motion of Senator Benson House Joint Resolution No. 4, a Joint resolution calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa, having been substituted for Senate Joint Resolution No. 6, a companion bill on which the report of committee recommending passage was adopted, was taken up and considered.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking all after the word "in" in the third line of Sec. 4 and by inserting in lieu thereof the words "two newspapers in the state as provided by law."

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend line 7 of the preamble by changing the spelling of the words "improvement" and "highways".

The amendment was adopted.

The bill was read for information.

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

Senator Leonard invoked Rule 8.

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

Ayes, 41.

Beatty	Cole	Kimberly	Rigby
Bennett	Cooney	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Blackford	Doran	Lowe	Stevens
Carden	Frailey	MacDonald	Stoddard
Christophel	Hager	McLeland	Tabor
Clark of	Hicklin	Moen	Topping
Cerro Gordo	Hill	Myers	Wenner
Clark of Linn	Ickis	Patterson	White
Clark of Marion	Irwin	Quirk	Wilson
Clearman	Kent		

Nays, 3.

Anderson	Bissell	Leonard
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Absent or not voting, 6.

Baird	Carroll	Gunderson	Langfitt
Booth	Cochrane		

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

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

On motion of Senator Clark of Linn, Senate File No. 8, a bill for an act to provide for the licensing and regulating of gasoline filling stations by cities, towns, and townships, and amending chapter two hundred eighty-five (285) of the Code of Iowa 1927, and section fifty-seven hundred forty-three (5743) of the Code of Iowa 1927, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Section Two (2) by striking out of line one (1) the words

“township trustees” and inserting in lieu thereof the words “county supervisors”.

Also amend said Section Two (2) by adding thereto the following:

“Such fees shall be paid to the County Treasurer and credited to the secondary road construction fund”.

Amend the title by striking out of line two (2) the word “townships” and inserting in lieu thereof the word “counties”.

Senator Wenner moved to recess until 1:30.

President McFarlane held the motion out of order.

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

On the question “Shall the bill pass?” the vote was:

Ayes, 14.

Anderson	Gunderson	McLeland	Patterson
Christophel	Hager	Moen	Rigby
Clark of Linn	Leonard	Myers	Ritchie
Doran	MacDonald		

Nays, 30.

Beatty	Clearman	Irwin	Stevens
Bennett	Cole	Kent	Stoddard
Bissell	Cooney	Kimberly	Tabor
Blackford	Coykendall	Klemme	Topping
Carden	Frailey	Knudson	Wenner
Clark of	Hicklin	Lowe	White
Cerro Gordo	Hill	Quirk	Wilson
Clark of Marion	Ickis	Stanley	

Absent or not voting, 6.

Baird	Booth	Cochrane	Langftt
Benson	Carroll		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

On motion of Senator Wenner the Senate adjourned until 1:45 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on February 19, 1931, approved of the following bills:

Senate File No. 31, relating to remodeling or reconstruction of public buildings.

Senate File No. 35, relating to interstate bridges.

Senate File No. 75, relating to the selection of jury lists.

HOUSE MESSAGES CONSIDERED

House File No. 105, a bill for an act to repeal section eleven hundred seventy-one-b three (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements, and to provide a penalty for violation.

Read first and second times and referred to committee on labor.

House File No. 102, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the fees received for fishing and hunting licenses.

Read first and second times and referred to committee on fish and game.

House File No. 170, a bill for an act to amend section thirty-one hundred fourteen (3114), code, 1927; to provide for the classifying and labeling of poultry shells and relating to the labeling of commercial feeds and stock tonics.

Read first and second times and referred to committee on agriculture.

SENATE FILE NO. 104 AND SENATE JOINT RESOLUTION
NO. 6 WITHDRAWN

By unanimous consent on request of Senator Benson, Senate

File No. 104 and Senate Joint Resolution No. 6, companion bills to House File No. 154 and House Joint Resolution No. 4, were withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator Frailey Senate File No. 73, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 39.

Anderson	Clearman	Kent	Quirk
Beatty	Cole	Kimberly	Rigby
Bennett	Cooney	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Frailey	Leonard	Stevens
Carden	Gunderson	Lowe	Stoddard
Christoprel	Hager	MacDonald	Tabor
Clark of	Hicklin	McLeland	Topping
Cerro Gordo	Hill	Moen	White
Clark of Marion	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 11.

Baird	Carroll	Doran	Patterson
Blackford	Clark of Linn	Irwin	Wenner
Booth	Cochrane	Langfitt	

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

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

SENATE CONCURRENT RESOLUTION NO. 8 CONSIDERED

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

Whereas, An acute situation has developed in the field of Iowa farm financing due to the fact that a large number of farms are now held by banks, insurance companies and other such agencies, which have come into their possession by reason of the inability of the owners and operators thereof to meet their obligations under the existing system of farm financing, the term periods of which are too short for the farmer to meet the principal and the interest rates are higher than the industry can afford to pay; and

Whereas, Owing to the state of mind of the investing public, farm loans are continually becoming more difficult to obtain even at an increased rate of interest while other businesses and industries, because of larger accumulations of money, are now able to finance themselves at a declining rate; and

Whereas, There is a positive and urgent need for an adequate and efficient credit system affording agriculture an opportunity to finance itself at interest rates commensurate with the profits of the industry, the principal to be amortized over a long period, and secured by mortgage based upon a fair and reasonable valuation of the property, making it among the most sound and high grade types of security; and

Whereas, On account of the large accumulations of money above referred to now seeking investments and willing to accept low interest rates when properly secured, the present time is the most opportune to refinance farm loans and give to agriculture the same, and greatly needed, advantage of the prevailing lower interest rates on investments now enjoyed by other businesses and industries; and

Whereas, Unless such adequate and efficient system of credit is provided so as to restore the incentive and encourage the desire on the part of the farm operator to own his own farm and home, there is grave danger that this great industry, and the great group of American citizens engaged therein may drift into a state bordering dangerously close to peasantry;

Therefore, Be It Resolved by the Senate, the House concurring:

Section 1. That the Federal Government be, and hereby is respectfully petitioned and asked to immediately take such steps as are necessary to effect such credit system for farm financing, based upon farm mortgages at reasonable values amortized over long time periods and at low rates of interest, that this great, basic industry which now is unable to finance itself in a way comparable with that of other industries of equal importance may be placed on an equal footing with such other industries;

Sec. 2. That a committee composed of Honorable Dan W. Turner, Governor of Iowa, and six members of the Forty-fourth General Assembly, three from the Senate to be appointed by the President of the Senate and three from the House to be appointed by the Speaker of the House, be appointed to go to Washington, D. C., to personally appeal to the

proper officials of the Federal Government that the purpose of this resolution may ultimately, and as quickly as possible be attained.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking therefrom all of Section 2 and substituting in lieu thereof the following as Sections Nos. 2, 3, and 4.

Sec. 2. That each of the adjoining states be and they are hereby urged to cooperate with the State of Iowa to obtain from Congress the advantage of its borrowing ability for the purpose of making farm loans on a favorable basis, and to that end provide for the appointment and attendance of delegates at a conference to be held in the City of Washington and to appropriate sufficient funds to defray the expense of such delegates and the expense of carrying on, under such plan as the conference may formulate, an active, energetic publicity campaign at Washington and elsewhere throughout the United States to inform the public of the facts as to the need for and the desirability of loans made on bona fide farm land at present values and at interest rates at least as favorable as those now obtained by other industries.

Sec. 3. That the Governor be requested to transmit to the Governor of each of the adjoining states a copy of this resolution with a request that he, as soon as possible, communicate this resolution to his legislature and recommend its immediate favorable action thereon; also that the Governor be requested to fix a date for the holding of a conference with the Governors of neighboring states, to formulate the necessary plan to make this resolution effective and to appoint a committee of eight whose duty it shall be to immediately take the necessary steps to establish an office in Iowa and create an organization to do everything necessary to accomplish the purpose of this resolution.

Sec. 4. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of Twenty-five Thousand (\$25,000.00) Dollars or so much thereof as may be necessary to pay for the expense of carrying out the provisions of this resolution.

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

Amend by striking section 4.

Senator Leonard moved the previous question, which motion prevailed.

Senator Clark of Cerro Gordo asked for roll call.

Senator MacDonald invoked Rule 8.

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

Ayes, 21.

Anderson	Coykendall	Knudson	Ritchie
Beatty	Doran	Leonard	Stanley
Bissell	Gunderson	MacDonald	Tabor
Carroll	Hill	McLeland	White
Clark of Cerro Gordo	Kent Klemme	Myers Quirk	

Nays, 24.

Bennett	Clearman	Ickis	Rigby
Benson	Cole	Irwin	Stevens
Blackford	Cooney	Kimberly	Stoddard
Carden	Frailey	Lowe	Topping
Christophel	Hager	Moen	Wenner
Clark of Marion	Hicklin	Patterson	Wilson

Absent or not voting, 5.

Baird	Clark of Linn	Cochrane	Langfitt
Booth			

The amendment to the amendment was lost.

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

Amend section 4 by striking from lines 2 and 3 the words and figures "Twenty-five Thousand (\$25,000.00)" and inserting in lieu thereof the words and figures "Ten Thousand (\$10,000.00)".

Senator MacDonald moved the previous question, which motion prevailed.

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

Ayes, 19.

Anderson	Coykendall	Knudson	Patterson
Beatty	Doran	Leonard	Quirk
Bissell	Gunderson	MacDonald	Stevens
Clark of Cerro Gordo	Hill Kent	McLeland Myers	Tabor Wenner

Nays, 26.

Bennett	Clearman	Irwin	Stanley
Benson	Cole	Kimberly	Stoddard
Blackford	Cooney	Klemme	Topping
Carden	Frailey	Lowe	White
Christophel	Hager	Moen	Wilson
Clark of Linn	Hicklin	Rigby	
Clark of Marion	Ickis	Ritchie	

Absent or not voting, 5.

Baird	Carroll	Cochrane	Langfitt
Booth			

The amendment to the amendment was lost.

Senator MacDonald asked for a roll call on the amendment.

On the question, "Shall the amendment offered by Senator Rigby be adopted?" the vote was:

Ayes, 28.

Anderson	Clark of Marion	Hill	Rigby
Bennett	Clearman	Ickis	Stanley
Benson	Cole	Irwin	Stevens
Blackford	Cooney	Kimberly	Stoddard
Carden	Frailey	Lowe	Topping
Christophel	Hager	Moen	White
Clark of Linn	Hicklin	Patterson	Wilson

Nays, 16.

Carroll	Gunderson	MacDonald	Tabor
Clark of	Kent	McLeland	Wenner
Cerro Gordo	Klemme	Myers	
Coykendall	Knudson	Quirk	
Doran	Leonard	Ritchie	

Absent or not voting, 6.

Baird	Bissell	Cochrane	Langfitt
Beatty	Booth		

The amendment was adopted.

Senator Rigby moved that the resolution be amended by changing from a concurrent to a joint resolution; that the following be inserted as the title: "Joint Resolution petitioning the Federal government relative to farm financing." Also that the words: "Be it resolved by the Senate, the House concurring", be struck out and the words: "Be It Resolved by the General Assembly of the State of Iowa:" inserted in lieu thereof.

The amendments were adopted.

SENATE JOINT RESOLUTION NO. 7

Joint Resolution petitioning the federal government relative to farm financing.

Whereas, An acute situation has developed in the field of Iowa Farm financing due to the fact that a large number of farms are now held by banks, insurance companies and other such agencies, which have come into their possession by reason of the inability of the owners and operators thereof to meet their obligations under the existing system of farm financing, the term periods of which are too short for the farmer to meet

the principal and the interest rates are higher than the industry can afford to pay; and

Whereas, Owing to the state of mind of the investing public, farm loans are continually becoming more difficult to obtain even at an increased rate of interest while other businesses and industries, because of larger accumulations of money, are now able to finance themselves at a declining rate; and

Whereas, There is a positive and urgent need for an adequate and efficient credit system affording agriculture an opportunity to finance itself at interest rates commensurate with the profits of the industry, the principal to be amortized over a long time period, and secured by mortgage based upon a fair and reasonable valuation of the property, making it among the most sound and high grade types of security; and

Whereas, On account of the large accumulations of money above referred to now seeking investments and willing to accept low interest rates when properly secured, the present time is the most opportune to refinance farm loans and give to agriculture the same, and greatly needed, advantage of the prevailing lower interest rates on investments now enjoyed by other businesses and industries; and

Whereas, Unless such adequate and efficient system of credit is provided so as to restore the incentive and encourage the desire on the part of the farm operator to own his own farm and home, there is grave danger that this great industry, and the great group of American Citizens engaged therein may drift into a state bordering dangerously close to peasantry; therefore

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

Section 1. That the Federal Government be, and hereby is respectfully petitioned and asked to immediately take such steps as are necessary to effect such credit system for farm financing, based upon farm mortgages at reasonable values amortized over long time periods and at low rates of interest, that this great, basic industry which now is unable to finance itself in a way comparable with that of other industries of equal importance may be placed on an equal footing with such other industries.

Sec. 2. That each of the adjoining states be and they are hereby urged to cooperate with the State of Iowa to obtain from Congress the advantage of its borrowing ability for the purpose of making farm loans on a favorable basis, and to that end provide for the appointment and attendance of delegates at a conference to be held in the City of Washington and to appropriate sufficient funds to defray the expense of such delegates and the expense of carrying on, under such plan as the conference may formulate, an active, energetic publicity campaign at Washington and elsewhere throughout the United States to inform the public of the facts as to the need for and the desirability of loans made on bona

vide farm land at present values and at interest rates at least as favorable as those now obtained by other industries.

Sec. 3. That the Governor be requested to transmit to the Governor of each of the adjoining states a copy of this resolution with a request that he, as soon as possible, communicate this resolution to his legislature and recommend its immediate favorable action thereon; also that the Governor be requested to fix a date for the holding of a conference with the Governors of neighboring states, to formulate the necessary plan to make this resolution effective and to appoint a committee of eight whose duty it shall be to immediately take the necessary steps to establish an office in Iowa and create an organization to do everything necessary to accomplish the purpose of this resolution.

Sec. 4. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of twenty-five thousand (\$25,000.00) dollars or so much thereof as may be necessary to pay for the expense of carrying out the provisions of this resolution.

THIRD READING OF BILLS

By unanimous consent on request of Senator Benson, Senate Joint Resolution No. 7, a joint resolution petitioning the federal government relative to farm financing, was taken up under suspension of the rules, and considered.

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

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

Ayes, 23.

Bennett	Cearman	Ickis	Stevens
Benson	Cole	Irwin	Stoddard
Blackford	Cooney	Kimberly	Topping
Carden	Frailey	Moen	Wenner
Christophel	Hager	Patterson	Wilson
Cark of Marion	Hicklin	Rigby	

Nays, 22.

Anderson	Coykendall	Knudson	Quirk
Beatty	Doran	Leonard	Ritchie
Bissell	Gunderson	Lowe	Stanley
Carroll	Hill	MacDonald	Tabor
Clark of	Kent	McLeland	White
Cerro Gordo	Klemme	Myers	

Absent or not voting, 5.

Baird	Clark of Linn	Cochrane	Langfitt
Booth			

The resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I vote "no" on S. F. No. 1. Under this bill the assessor is allowed such number of deputies and field men as he sees fit to appoint. In my opinion this gives the assessor too much leverage, for he can, and has the power of appointing as many deputies or field men as he and the board of supervisors see fit. This makes it possible for them to appoint blood relations or political friends at the expense of the taxpayers.

WM. H. KLEMME.

MR. PRESIDENT: I vote "No" on resolution called the "Junketing Commission" to Washington, D. C., on the grounds that Iowa has two U. S. Senators and eleven Representatives in Congress at Washington to attend to Iowa's business there.

WM. H. KLEMME.

MR. PRESIDENT: In explanation of our affirmative vote on House File No. 154, we agree with the object of the bill but we regard the procedure unsound.

LEW MACDONALD.
EDW. J. WENNER.
C. F. CLARK.
M. D. COONEY.
O. P. BENNETT.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 214 as follows:

Amend by striking the word "slough" in line six (6) of Section 1, and inserting in lieu thereof the word "sluice".

J. H. HAGER.

Senator Iekis moved to adjourn until 10:00 a. m. Friday.

Senator Anderson moved that the vote by which Senate Joint Resolution No. 7 failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Wilson raised the point of order that the motion was out of order as a motion to adjourn was pending.

The President held the point of order well taken.

The motion to adjourn until 10:00 a. m. Friday prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 20, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. W. R. Moore, pastor of the First Presbyterian Church of Newton.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Baird for today and tomorrow, on request of Senator Doran; Senator Stevens for the day, on request of Senator Quirk; Senator Wilson for today and tomorrow, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Anderson, from residents of Fort Dodge, opposing an additional tax on tobaccos. Tax revision.

By Senator Bennett, from residents of Castana, favoring a diversion of primary road funds. Highways.

By Senator Bissell, from residents of Panora, favoring a diversion of primary road funds. Highways.

By Senator Carden, from residents of Henry county, favoring a driver's license law; and from taxpayers of Salem, favoring a diversion of primary road funds. Motor vehicles and highways.

By Senator Clark of Marion, from residents of Dallas, favoring a diversion of primary road funds. Highways.

By Senator Coykendall, from residents of Page and Fremont counties, opposing the appointment of a fish and game commission; and from residents of Sidney, favoring a diversion of primary road funds. Fish and game, and highways.

By Senator MacDonald, from residents of Ida county, favoring a driver's license law; and from residents of Plymouth county, opposing optional military training in schools. Motor vehicles and educational institutions.

By Senator Tabor, from residents of Bellevue, favoring payment of municipal public utility plants out of earnings. Public utilities.

By Senator Moen, from residents of Alton, favoring a diversion of primary road funds. Highways.

By Senator Hicklin, from residents of Letts, favoring a diversion of primary road funds. Highways.

By Senator Stoddard, from voters of Sioux City and Woodbury county, opposing the levy of a tax on theater tickets. Tax revision.

By Senator McLeland, from Marshall county dental society, favoring the passage of a bill allowing dentists to take advantage of the recent Federal regulations regarding the obtaining of spirituous liquors for professional use; and from residents of Marshall county, opposing the levy of a tax on theater tickets. Public health and tax revision.

By Senator Doran, from residents of Ames, favoring the passage of a bill allowing dentists to take advantage of the recent Federal regulations regarding the obtaining of spirituous liquors for professional use; and from residents of Ogden, favoring a diversion of primary road funds. Public health and highways.

By Senator Cochrane, from residents of Mills and Montgomery counties, favoring a driver's license law. Motor vehicles.

By Senator Christophel, from residents of Parkersburg, favoring a diversion of primary road funds; from Wavery community club, opposing an income tax; and from residents of Bremer county, favoring a driver's license law. Highways, tax revision, and motor vehicles.

By Senator Rigby, from residents of Jones and Cedar counties, favoring a driver's license law. Motor vehicles.

By Senator Quirk, from board of supervisors of Carroll county, opposing a reduction in the mileage of county officers. County and township affairs.

INTRODUCTION OF BILLS

Senate File No. 245, by Senator Wenner, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the Code, 1927, relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber.

Read first and second times and referred to committee on cities and towns.

Senate Joint Resolution No. 8, by Senator Anderson, a joint resolution proposing an amendment to sections thirty-four (34), thirty-five (35) and thirty-six (36) of Article three (III) of the constitution of the state of Iowa, relating to the apportionment of representatives in the general assembly.

Read first and second times and referred to committee on political and judicial districts.

SENATE FILES NOS. 17, 66 AND 27 WITHDRAWN

By unanimous consent on request of Senator Doran, Senate File No. 17, relating to destruction of weeds along highways, was withdrawn from further consideration.

By unanimous consent on request of Senator Gunderson, Senate File No. 66, relating to gas tax and reported back for indefinite postponement, was withdrawn from further consideration.

By unanimous consent on request of Senator Stoddard, Senate File No. 27, reported back for indefinite postponement, and relating to expenses of members of general assembly, was withdrawn from further consideration.

SENATE FILE NO. 191 RE-REFERRED

By unanimous consent on request of Senator Moen, Senate File No. 191, relating to destruction of weeds in certain cities, was re-referred to the committee on cities and towns.

THIRD READING OF BILLS

On motion of Senator Clearman, Senate File No. 148, a bill

for an act to amend section ten thousand four hundred twenty-nine (10,429) of the Code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend section 1 by inserting in line 6 after the word "purpose," the following:

"or in case of accident or sickness the attendant physician,".

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking from line 9 of section 1 the words "he shall file" and by inserting after the word "effect" at the end of line 9, the words "shall be filed".

The amendment was adopted.

By unanimous consent on request of Senator Clearman, the word "required" in line 8 was changed to the word "requires".

By unanimous consent on request of Senator Benson, the word "a" was inserted before the word "referee" in line 5 of section 1.

The bill was read for information.

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

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

Ayes, 36.

Bennett	Cochrane	Kent	Myers
Benson	Cole	Kimberly	Quirk
Blackford	Cooney	Klemme	Rigby
Carden	Coykendall	Knudson	Ritchie
Carroll	Doran	Leonard	Stoddard
Christophel	Gunderson	Lowe	Tabor
Clark of	Hager	MacDonald	Topping
Cerro Gordo	Hill	McLeland	Wenner
Clark of Marion	Ickis	Moen	White
Clearman			

Nays, 1.

Bissell

Absent or not voting, 13.

Anderson	Clark of Linn	Irwin	Stanley
Baird	Frailey	Langfitt	Stevens
Beatty	Hicklin	Patterson	Wilson
Booth			

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

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

On motion of Senator Blackford, Senate File No. 105, a bill for an act to repeal section eight thousand four hundred fifty-seven (8457), Code, 1927, relating to corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 39.

Anderson	Clark of Marion	Irwin	Myers
Beatty	Clearman	Kent	Quirk
Bennett	Cochrane	Kimberly	Rigby
Benson	Cooney	Klemme	Stanley
Bissell	Coykendall	Knudson	Stoddard
Blackford	Doran	Leonard	Tabor
Carden	Gunderson	Lowe	Topping
Carroll	Hager	MacDonald	Wenner
Christophel	Hill	McLeland	White
Clark of Cerro Gordo	Ickis	Moen	

Nays, none.

Absent or not voting, 11.

Baird	Cole	Langfitt	Stevens
Booth	Frailey	Patterson	Wilson
Clark of Linn	Hicklin	Ritchie	

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

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

On motion of Senator Beatty, Senate File No. 211, a bill for an act to repeal Section Twelve Thousand Eight Hundred Four (12804) of the Code, 1927, and to enact a substitute therefor, providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend by inserting in the publication clause the names "The Montezuma Republican and The Indianola Record" as newspapers.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 37.

Anderson	Clearman	Kent	Myers
Beatty	Cochrane	Kimberly	Quirk
Bennett	Cooney	Klemme	Rigby
Benson	Coykendall	Knudson	Stanley
Bissell	Gunderson	Leonard	Stoddard
Blackford	Hager	Lowe	Tabor
Carden	Hill	MacDonald	Topping
Carroll	Ickis	McLeland	Wenner
Christophel	Irwin	Moen	White
Clark of Marion			

Nays, none.

Absent or not voting, 13.

Baird	Clark of Linn	Frailey	Ritchie
Booth	Cole	Hicklin	Stevens
Clark of	Doran	Langfitt	Wilson
Cerro Gordo		Patterson	

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

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

On motion of Senator Hager, Senate File No. 214, a bill for

an act to amend the law as it appears in chapter eighty-seven (87) of the 1927 Code, providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after the removal thereof by the state, creating a lien therefor and providing for the foreclosure of said lien, a committee bill, was taken up and considered.

Senator Hager offered the following amendment and moved its adoption:

Amend by striking the word "slough" in line six of section 1, and inserting in lieu thereof the word "sluice".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Clark of	Ickis	Moen
Beatty	Cerro Gordo	Irwin	Myers
Bennett	Clark of Marion	Kent	Quirk
Benson	Clearman	Kimberly	Rigby
Bissell	Cochrane	Klemme	Ritchie
Blackford	Cole	Knudson	Stanley
Carden	Cooney	Leonard	Stoddard
Carroll	Coykendall	Lowe	Tabor
Christophel	Doran	MacDonald	Topping
	Hager	McLeland	Wenner

Nays, none.

Absent or not voting, 12.

Baird	Frailey	Hill	Stevens
Booth	Gunderson	Langfitt	White
Clark of Linn	Hicklin	Patterson	Wilson

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

HOUSE AMENDMENT CONSIDERED

Senator Beatty called up for consideration Senate File No. 193, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File No. 193 by striking from line seven (7) thereof the words "thereto including" and by inserting in lieu thereof the word "to".

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

Ayes, 38.

Anderson	Clark of	Ickis	Moen
Beatty	Cerro Gordo	Irwin	Myers
Bennett	Clark of Marion	Kent	Quirk
Benson	Clearman	Kimberly	Rigby
Bissell	Cochrane	Klemme	Ritchie
Blackford	Cole	Knudson	Stanley
Carden	Cooney	Leonard	Stoddard
Carroll	Coykendall	Lowe	Tabor
Christophel	Doran	MacDonald	Topping
	Hager	McLeland	Wenner

Nays, none.

Absent or not voting, 12.

Baird	Frailey	Hill	Stevens
Booth	Gunderson	Langfitt	White
Clark of Linn	Hicklin	Patterson	Wilson

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

THIRD READING OF BILLS

On motion of Senator Hager, Senate File No. 215, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa, a committee bill, was taken up, and considered.

The bill was read for information.

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

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

Ayes, 36.

Anderson	Clark of	Doran	Klemme
Beatty	Cerro Gordo	Hager	Knudson
Bennett	Clark of Marion	Hill	Leonard
Benson	Clearman	Ickis	Lowe
Blackford	Cochrane	Irwin	MacDonald
Carden	Cole	Kent	McLeland
Christophel	Cooney	Kimberly	Myers

Quirk Rigby	Ritchie Stanley	Stoddard Tabor	Topping Wenner White
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Nays, none.

Absent or not voting, 14.

Baird Bissell Booth Carroll	Clark of Linn Coykendall Frailey Gunderson	Hicklin Langfitt Moen	Patterson Stevens Wilson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hager, Senate File No. 216, a bill for an act to amend section seventeen hundred ninety-nine-b three (1799-b3) of the Code, 1927, to provide for the removal by the state of obstructions from state owned lands and waters ten days after service of a notice for removal upon the owner thereof, a committee bill, was taken up and considered.

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

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

Ayes, 39.

Anderson Beatty Bennett Benson Bissell Blackford Carden Carroll Christophel Clark of Cerro Gordo	Clark of Marion Clearman Cochrane Cole Cooney Coykendall Doran Hager Hill	Ickis Irwin Kent Kimberly Klemme Knudson Leonard Lowe MacDonald McLeland Moen	Myers Quirk Ritchie Stanley Stoddard Tabor Topping Wenner White
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Nays, none.

Absent or not voting, 11.

Baird Booth Clark of Linn	Frailey Gunderson Hicklin	Langfitt Patterson Rigby	Stevens Wilson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hager, Senate File No. 217, a bill for an act to amend the law as it appears in section seventeen hundred ninety-nine-b two (1799-b2) of the 1927 Code of Iowa, by

repealing the provision relative to collecting a fee for permits issued for erection upon or over any state owned land or water and providing for the collection of fees for permits issued for all erections that are used for commercial purposes, a committee bill, was taken up, and considered.

Senator Bennett offered the following amendment and moved its adoption:

Amend by inserting the words "per year" after the figure "\$10.00" in line 6 of section 1.

The amendment was adopted.

Senator MacDonald offered the following amendment and moved its adoption:

Amend by striking "\$10.00 per year" from line 6 of Sec. 1 and inserting in lieu thereof the following: "not less than \$10.00 nor more than \$25.00 per year in the discretion of the board of conservation".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 39.

Anderson	Clark of Marion	Hill	Myers
Beatty	Clearman	Ickis	Quirk
Bennett	Cochrane	Kent	Rigby
Benson	Cole	Klemme	Ritchie
Bissell	Cooney	Knudson	Stoddard
Blackford	Coykendall	Leonard	Tabor
Carden	Doran	Lowe	Topping
Carroll	Gunderson	MacDonald	Wenner
Christophel	Hager	McLeland	White
Clark of Cerro Gordo	Hicklin	Moen	

Nays, none.

Absent or not voting, 11.

Baird	Frailey	Langfitt	Stevens
Booth	Irwin	Patterson	Wilson
Clark of Linn	Kimberly	Stanley	

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

On motion of Senator Hager, Senate File No. 218, a bill for an act to amend the law as it appears in section eighteen hundred nineteen (1819) of the code, 1927, to permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters under its jurisdiction for a period of five years, a committee bill, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 40.

Anderson	Clearman	Ickis	Myers
Bennett	Cochrane	Irwin	Quirk
Benson	Cole	Kent	Rigby
Bissell	Cooney	Klemme	Ritchie
Blackford	Coykendall	Knudson	Stanley
Carden	Doran	Leonard	Stoddard
Carroll	Gunderson	Lowe	Tabor
Christophel	Hager	MacDonald	Topping
Clark of	Hicklin	McLeland	Wenner
Cerro Gordo	Hill	Moen	White
Clark of Marion			

Nays, none.

Absent or not voting, 10.

Baird	Clark of Linn	Langfitt	Stevens
Beatty	Frailey	Patterson	Wilson
Booth	Kimberly		

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

On motion of Senator Hager, Senate File No. 219, a bill for an act to repeal the law as it appears in section eighteen hundred ten (1810) of the Code of Iowa, 1927, and to amend the law as it appears in section eighteen hundred eleven (1811) of the Code of Iowa, 1927, to provide for payment of landscape architect, engineer or gardener that may be employed by the Board of

Conservation of Iowa, a committee bill, was taken up, and considered.

The bill was read for information.

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

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

Ayes, 33.

Anderson	Clearman	Hill	Quirk
Bennett	Cochrane	Ickis	Rigby
Benson	Cole	Kent	Ritchie
Bissell	Cooney	Klemme	Stanley
Blackford	Coykendall	Lowe	Stoddard
Carden	Gunderson	MacDonald	Topping
Christophel	Hager	McLeland	Wenner
Clark of Cerro Gordo	Hicklin	Moen	White
		Myers	

Nays, 2.

Clark of Marion Doran

Absent or not voting, 15.

Baird	Clark of Linn	Knudson	Stevens
Beatty	Frailey	Langfitt	Tabor
Booth	Irwin	Leonard	Wilson
Carroll	Kimberly	Patterson	

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

On motion of Senator Hager, Senate File No. 220, a bill for an act to amend the law as it appears in section eighteen hundred thirteen (1813) of the Code, 1927, to permit the board of conservation to establish boundary lines between state owned and privately owned property only when said board deems the establishment thereof feasible and necessary, a committee bill, was taken up and considered.

The bill was read for information.

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

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

Ayes, 36.

Anderson	Bissell	Carroll	Clark of
Bennett	Blackford	Christophel	Cerro Gordo
Benson	Carden		Clark of Marion

Clearman	Hicklin	Leonard	Rigby
Cochrane	Hill	Lowe	Ritchie
Cole	Ickis	MacDonald	Stoddard
Cooney	Kent	McLeland	Tabor
Gunderson	Klemme	Moen	Topping
Hager	Knudson	Myers	Wenner
		Quirk	White

Nays, none.

Absent or not voting, 14.

Baird	Coykendall	Kimberly	Stanley
Beatty	Doran	Langfitt	Stevens
Booth	Frailey	Patterson	Wilson
Clark of Linn	Irwin		

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

On motion of Senator Hager, Senate File No. 221, a bill for an act to amend section eighteen hundred twenty-four (1824) of the 1927 Code of Iowa, to permit the executive council, upon recommendation of the board of conservation, to sell, trade or exchange state owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer, and providing for the issuance of patents therefor, a committee bill, was taken up and considered.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 33.

Anderson	Cole	Irwin	Quirk
Bennett	Cooney	Kent	Rigby
Benson	Coykendall	Klemme	Ritchie
Bissell	Gunderson	Lowe	Stoddard
Blackford	Hager	MacDonald	Tabor
Carden	Hicklin	McLeland	Topping
Christophel	Hill	Moen	Wenner
Clearman	Ickis	Myers	White
Cochrane			

Nays, 4.

Clark of Cerro Gordo	Clark of Marion	Doran	Knudson
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Absent or not voting, 13.

Baird	Clark of Linn	Langfitt	Stanley
Beatty	Frailey	Leonard	Stevens
Booth	Kimberly	Patterson	Wilson
Carroll			

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

On motion of Senator Gunderson, Senate File No. 225, a bill for an act making it unlawful to pay a higher rate than six cents (.06) per mile for use of an automobile while traveling on public business, a committee bill, was taken up and considered.

Senator Cooney offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

By unanimous consent on request of Senator Gunderson, action was deferred.

On motion of Senator Hicklin, House File No. 99, a bill for an act to amend section five thousand three hundred eighty-five (5385) of the code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ($\frac{1}{2}$) mill as now authorized, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 33.

Bennett	Clearman	Hicklin	Myers
Benson	Cochrane	Hill	Quirk
Bissell	Cole	Irwin	Rigby
Blackford	Cooney	Kent	Ritchie
Carden	Coykendall	Klemme	Tabor
Christophel	Doran	Knudson	Topping
Clark of	Gunderson	Leonard	Wenner
Cerro Gordo	Hager	Lowe	White
Clark of Marion		McLeland	

Nays, none.

Absent or not voting, 17.

Anderson	Clark of Linn	Langfitt	Stanley
Baird	Frailey	MacDonald	Stevens
Beatty	Ickis	Moen	Stoddard
Booth	Kimberly	Patterson	Wilson
Carroll			

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

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

By unanimous consent on request of Senator Hicklin Senate File No. 79, a companion bill, was withdrawn from further consideration.

REPORTS OF COMMITTEES

Senator Moen submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the code of 1927, and section one (1) of chapter 116 of the laws of the Forty-third General Assembly, relating to the destruction of weeds and the appointment of a weed commissioner, begs leave to report it has had the same under consideration and recommends the same do pass.

T. E. MOEN, *Chairman.*

Ordered passed on file.

Senator Gunderson submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No 126, a bill for an act to amend Chapter Two (2), Acts Regular Session Forty-third General Assembly of the State of Iowa, relating to the reduction of the salaries of state officers; Chapter Two Hundred Thirty-six (236) of said Act relating to the reduction of the salary of highway commission attorney; Chapter Two Hundred Fifty-two (252) of said Act relating to the reduction of salaries of district judges, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike from the title all after the word attorney in the fifth (5) line thereof.

Strike out all after the enacting clause and substitute in lieu thereof the following:

Section 1. That Section One (1) of Chapter Two (2), Acts Forty-third General Assembly of the State of Iowa is hereby amended as follows:

1. Strike out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) of said section and substitute in lieu thereof the words "Four Thousand" and figures "\$4,000.00".

2. That Section Two (2) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) and substitute in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

3. That Section Three (3) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) and substitute in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

4. That Section Four (4) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Six Thousand" appearing in line five (5) and the figures "\$6,000.00" appearing in line six (6) and substitute in lieu thereof the words "Five Thousand" and the figures "\$5,000.00".

5. That Section Five (5) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) and substitute in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

6. That Section Six (6) of Chapter Two (2), of said Acts is hereby repealed.

Sec. 2. That Section One (1) of Chapter Two Hundred Thirty-six (236) of said Acts is hereby amended by striking out the words "Forty-five Hundred" and the figures "\$4,500.00" appearing in line nine (9) of said section and substituting in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Senator Quirk submitted the following report:

MR. PRESIDENT: Your committee on drainage, to which was referred House File No. 22, a bill for an act to amend section 7532, Code, 1927, relating to publication of notice of hearing of completion of public drain-

age improvements, begs leave to report it has had the same under consideration and recommends the same do pass.

L. T. QUIRK, *Chairman*.

Ordered passed on file.

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 93, a bill for an act to authorize the State Highway Commission to employ persons to enforce the law relating to traffic on primary roads, to designate such persons as peace officers, and to provide for the payment of the compensation and expense of such persons, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Vice-Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 111, a bill for an act to repeal Sections 4943 to 4960, inclusive, and to provide for licensing of operators of motor vehicles, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 13, Sub-division 5, by changing in line 6, "fifty cents (50c)" to "twenty-five cents (25c)".

Further amend said section, sub-division 6, by changing the fee for an operator's license from One Dollar (\$1.00) to fifty cents (50c).

C. A. BENSON, *Vice-Chairman*.

Ordered passed on file.

Senator Patterson submitted the following reports:

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight VIII of the Code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File No. 225 by inserting at the end of paragraph five the following: "A Podiatrist may use the prefix "Dr." but shall add after his name the word "Podiatrist".

G. W. PATTERSON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health, to which was referred Senate File No. 162, a bill for an act creating a sanitary water board for the State of Iowa: providing for their duties by making investigations and controlling the pollution of streams and other bodies of water within the state; and amending the law as it appears in section twenty-one hundred ninety-eight (2198), section twenty-one hundred ninety-nine (2199), section twenty-two hundred one (2201), section twenty-two hundred three (2203), section twenty-two hundred four (2204), section twenty-two hundred five (2205), section twenty-two hundred six (2206), and section twenty-two hundred seven (2207), of the Code of Iowa 1927, relating to stream pollution, and changing said sections to conform with the creation of said sanitary board, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Senator Hill submitted the following reports :

MR. PRESIDENT: Your committee on police regulations, to which was referred Senate File No. 151, a bill for an act to amend the law as it appears in section thirty (30) of chapter fifty-seven (57) of the Acts of the Forty-third General Assembly relating to the carrying of firearms in motor vehicles so as to permit peace officers, while pursuing criminals, to carry loaded guns, rifles, etc., in a motor vehicle, begs leave to report it has had the same under consideration and recommends the same do pass.

LAFE HILL, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on police regulations, to which was referred Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state, begs leave to report it has had the same under consideration and recommends the same do pass.

LAFE HILL, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on police regulations, to which was referred Senate File No. 155, a bill for an act to repeal the law as it appears in section twelve thousand nine hundred sixty b one (12960-b1)

of the code of 1927 relating to the possession of machine guns, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

LAFE HILL, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on police regulations, to which was referred Senate File No. 185, a bill for an act to repeal section thirty (30) chapter fifty-seven (57), Acts of the Forty-third (43rd) General Assembly relative to having firearms in motor vehicles, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

LAFE HILL, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 176, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Consolidated School District of Bode, in the County of Humboldt, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 263, a bill for an act to amend, revise and codify section twelve thousand eight hundred ninety (12890) of the Code, 1927, relating to the definition of a felony, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 88, a bill for an act to provide for the levy and assessment of dues against unused cemetery lots, to be used for their perpetual care and upkeep; for forfeiture of title, the sale, and the redemption of forfeited lots, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Senator Bissell submitted the following report:

MR. PRESIDENT: Your committee on land titles, to which was referred Senate File No. 91, a bill for an act to amend Section ten thousand one hundred and nine (10109) of the Code of 1924, relating to indexes kept by the county recorder, and to provide for the keeping of a numerical, section or tract index, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK BISSELL, *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 concurred in the Senate amendments to House Joint Resolution No. 4, calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa.

Also: That the House has concurred in the Senate amendments to House File No. 154, a bill for an act relating to procedure in civil cases.

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

House File No. 75, a bill for an act relating to petitions for open season on imported game birds, and to the right to kill ring-neck pheasants at any time under certain conditions.

Also: 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 prohibit branch banking but to provide for the establishment of offices for the receipt of deposits, paying of checks and clerical duties other than at principal place of banking institution.

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

House File No. 151, a bill for an act relating to public utility plants, and to provide an additional method of paying for said plants and for publishing notice of intention for purchase of a plant.

Also: 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 assessment districts, survey and report, notice and hearing.

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

House File No. 238, a bill for an act relating to state representative districts.

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

Senate File No. 16, a bill for an act relating to the use of secondary road construction fund.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 56, a bill for an act relating to the office of coroner, specifying added duties for the coroner, fixing his compensation, requiring the undertaker to notify the coroner of suspicious deaths and authorizing appointment of deputy coroner.

Also: That the House respectfully returns to the Senate, House File No. 35.

SAM C. RAGAN, *Chief Clerk.*

HOUSE FILE 35 AMENDED

Senator Gunderson moved that House File No. 35, recalled by the Senate, be amended as follows:

Amend the title by striking therefrom the following: "and to repeal chapter one hundred six (106) acts forty-third general assembly".

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

HOUSE MESSAGES CONSIDERED

House File No. 75, a bill for an act to amend section twenty-seven (27) of Chapter fifty-seven (57), acts of the forty-third (43d) general assembly, relating to petitions for open season on imported game birds, and to grant the right to kill ring-neck pheasants at any time under certain conditions.

Read first and second times and referred to committee on fish and game.

House File No. 123, a bill for an act to repeal section ninety-two hundred fifty-eight-b one (9258-b1) of the Code, 1927, and to enact a substitute therefor to prohibit branch banking, but to provide for the establishment of offices for the receipt of de-

posits, paying of checks and for other clerical duties other than at the principal place of business of a banking institution.

Read first and second times and referred to committee on banks and banking.

House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of chapter three hundred eleven (311) of the code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof, and to provide for publishing of notice of intention to enter into contract for purchase of a plant.

Read first and second times and referred to committee on public utilities.

House File No. 172, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing.

Read first and second times and referred to committee on highways.

House File No. 238, a bill for an act to amend sections five hundred twenty-six-b one (526-b1) and five hundred twenty-six-b two (526-b2) of the code, 1927, relating to state representative districts.

Read first and second times and referred to committee on political and judicial districts.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

THIRD READING OF BILLS

On motion of Senator Benson, House File No. 164, a bill for an act to amend section one hundred sixty-two (162), Code, 1927,

relative to the publication of the acts of the general assembly, a committee bill, was taken up for consideration.

Senator Benson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

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

Ayes, 37.

Beatty	Cooney	Irwin	Quirk
Bennett	Coykendall	Kent	Rigby
Benson	Doran	Klemme	Ritchie
Bissell	Frailey	Knudson	Stanley
Carden	Gunderson	Lowe	Stoddard
Christophel	Hager	MacDonald	Tabor
Clark of Marion	Hicklin	McLeland	Topping
Clearman	Hill	Moen	Wenner
Cochrane	Ickis	Myers	White
Cole			

Nays, none.

Absent or not voting, 13.

Anderson	Carroll	Clark of Linn	Patterson
Baird	Clark of	Kimberly	Stevens
Blackford	Cerro Gordo	Langfitt	Wilson
Booth		Leonard	

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

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

On motion of Senator Bissell, Senate File No. 69, a bill for an act to amend section thirty-four hundred five (3405), Code, 1927, relating to the release of inmates of the institution for feeble-minded at Glenwood, with report of committee recommending amendment and passage, was taken up for consideration.

The following committee amendment was adopted:

Amend by striking line four of section one and inserting in lieu thereof: "even though committed by a court".

The bill was read for information.

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

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

Ayes, 35.

Beatty	Cole	Ickis	Rigby
Bennett	Cooney	Irwin	Ritchie
Benson	Coykendall	Klemme	Stanley
Bissell	Doran	Knudson	Stoddard
Carden	Frailey	Lowe	Tabor
Christophel	Gunderson	McLeland	Topping
Clark of Marion	Hager	Moen	Wenner
Clearman	Hicklin	Myers	White
Cochrane	Hill	Quirk	

Nays, none.

Absent or not voting, 15.

Anderson	Carroll	Kent	MacDonald
Baird	Clark of	Kimberly	Patterson
Blackford	Cerro Gordo	Langfitt	Stevens
Booth	Clark of Linn	Leonard	Wilson

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

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

On motion of Senator Benson, House File No. 207, a bill for an act to repeal sections three hundred thirteen (313) and three hundred forty-seven (347), Code, 1927, and to amend section ten hundred sixty-three (1063), Code, 1927, relative to the bond of the director of the budget, and of the members of the appeal board appointed under chapter twenty-two (22), Code, 1927, with report of committee recommending passage, was taken up for consideration.

The bill was read for information.

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

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

Ayes, 38.

Beatty	Christophel	Doran	Irwin
Bennett	Clark of Marion	Frailey	Kent
Benson	Clearman	Gunderson	Klemme
Bissell	Cochrane	Hager	Knudson
Blackford	Cole	Hicklin	Lowe
Carden	Cooney	Hill	McLeland
Carroll	Coykendall	Ickis	Moen

Myers	Ritchie	Tabor	Wenner
Quirk	Stanley	Topping	White
Rigby	Stoddard		

Nays, none.

Absent or not voting, 12.

Anderson	Clark of	Langfitt	Patterson
Baird	Cerro Gordo	Leonard	Stevens
Booth	Clark of Linn	MacDonald	Wilson
	Kimberly		

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

On motion of Senator Klemme, Senate File No. 101, a bill for an act to amend sections five hundred twenty (520), and four thousand ninety-seven (4097), and to repeal sections four thousand ninety-six (4096), and four thousand ninety-eight (4098) to four thousand one hundred four (4104), inclusive, all of the Code, 1927, and relating to the county superintendent of schools and to the appointment of said superintendent, and to provide for the election of such superintendent at the general election in November of each even-numbered year; also to repeal section four thousand one hundred nineteen (4119), Code, 1927, and to enact a substitute therefor and thereby coordinate the law relative to the appointment of members of the county board of education, with report of committee recommending indefinite postponement, was taken up for consideration.

Senator Leonard asked for a roll call.

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

Ayes, 26.

Bennett	Clark of	Hager	Myers
Benson	Cerro Gordo	Hicklin	Rigby
Bissell	Clearman	Ickis	Stanley
Blackford	Cochrane	Irwin	Tabor
Carden	Cole	Kent	Topping
Carroll	Coykendall	Lowe	White
Christophel	Frailey	MacDonald	

Nays, 14.

Anderson	Gunderson	Knudson	Quirk
Clark of Marion	Hill	Leonard	Ritchie
Cooney	Klemme	McLeland	Wenner
Doran		Moen	

Absent or not voting, 10.

Baird	Clark of Linn	Langfitt	Stoddard
Beatty	Kimberly	Patterson	Wilson
Booth		Stevens	

The report of the committee was adopted and the bill indefinitely postponed.

Senator Stanley moved that the vote by which the bill was indefinitely postponed be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Lowe, Senate File No. 169, a bill for an act to amend section sixty-nine hundred forty-nine (6949), Code, 1927, relating to the time of filing claims for exemption from taxation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 33.

Anderson	Cooney	Irwin	Myers
Benson	Coykendall	Kent	Quirk
Bissell	Frailey	Klemme	Ritchie
Blackford	Gunderson	Leonard	Stanley
Carden	Hager	Lowe	Tabor
Christophel	Hicklin	MacDonald	Topping
Clearman	Hill	McLeland	Wenner
Cochrane	Ickis	Moen	White
Cole			

Nays, none.

Absent or not voting, 17.

Baird	Clark of	Doran	Rigby
Beatty	Cerro Gordo	Kimberly	Stevens
Bennett	Clark of Linn	Knudson	Stoddard
Booth	Clark of Marion	Langfitt	Wilson
Carroll		Patterson	

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

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

On motion of Senator Bissell, Senate File No. 199, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town, and to require all motor vehicles, when stop signs are in place, to come to a stop before entering said zones, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted.

Amend the title by inserting the word "movable" after the word "when" in line three thereof.

Further amend the title by inserting the words "in the streets" after the word "place" in line four thereof.

Amend Section 1 by inserting the word "movable" after the word "when" in line three thereof, and by inserting the words "in the streets" after the word "placed" in line four thereof.

The bill was read for information.

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

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

Ayes, 36.

Anderson	Cochrane	Ickis	Moen
Beatty	Cole	Irwin	Myers
Benson	Cooney	Kent	Quirk
Bissell	Coykendall	Klemme	Ritchie
Carden	Frailey	Knudson	Stanley
Carroll	Gunderson	Leonard	Tabor
Christophel	Hager	Lowe	Topping
Clark of	Hicklin	MacDonald	Wenner
Cerro Gordo	Hill	McLeland	White
Clearman			

Nays, none.

Absent or not voting, 14.

Baird	Clark of Linn	Kimberly	Stevens
Bennett	Clark of Marion	Langfitt	Stoddard
Blackford	Doran	Patterson	Wilson
Booth		Rigby	

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

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

On motion of Senator Benson, Senate File No. 131, a bill for an act to authorize the Executive Council of Iowa to sell land the title of which is in the name of the state, providing for the appraisal thereof, and authorizing the Governor and Secretary of State to execute conveyances for the same, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend section one (1) line three (3) by striking the word "or" after the word "sell" and by substituting in lieu thereof the word "and".

By inserting after the word "convey" in section one (1) line three (3) the words "or exchange."

By inserting after the word "conveyed" in section two (2) line two (2) the words "or exchanged."

Amend the title by inserting after the word "sell" in line one (1) thereof, the words "and convey or exchange."

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

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

Ayes, 36.

Anderson	Cochrane	Hill	Moen
Beatty	Cole	Ickis	Myers
Benson	Cooney	Irwin	Quirk
Bissell	Coykendall	Kent	Ritchie
Blackford	Doran	Klemme	Stanley
Carden	Frailey	Knudson	Tabor
Christophel	Gunderson	Leonard	Topping
Clark of	Hager	Lowe	Wenner
Cerro Gordo	Hicklin	MacDonald	
Clearman		McLeland	

Nays, none.

Absent or not voting, 14.

Baird	Clark of Linn	Patterson	White
Bennett	Clark of Marion	Rigby	Wilson
Booth	Kimberly	Stevens	
Carroll	Langfitt	Stoddard	

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

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

On motion of Senator Hill, Senate File No. 177, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 32.

Anderson	Clearman	Kent	Myers
Benson	Cochrane	Klemme	Quirk
Bissell	Cole	Knudson	Ritchie
Blackford	Doran	Leonard	Stanley
Carden	Gunderson	Lowe	Tabor
Carroll	Hager	MacDonald	Wenner
Christophel	Hill	McLeland	White
Clark of Cerro Gordo	Ickis	Moен	Wilson

Nays, 2.

Cooney	Coykendall
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Absent or not voting, 16.

Baird	Clark of Linn	Irwin	Rigby
Beatty	Clark of Marion	Kimberly	Stevens
Bennett	Frailey	Langfitt	Stoddard
Booth	Hicklin	Patterson	Topping

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

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

On motion of Senator Gunderson, Senate File No. 67, a bill for an act to require physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art, to report any cases treated or taken care of by them wherein there has been an injury of violence, for the purpose of permitting law enforcing officers to apprehend any person who may have committed a crime and has been injured either in the perpetration thereof or in escaping arrest, and providing penalty for failure to report, with report of committee recommending amendment

and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted.

Amend by inserting after the word "violence" in line 4 of section 1 the following: "which appears to have been received in connection with the commission of a criminal offense."

Also by inserting between the words "any" and "injury" in line 5 of section 1 the word "such".

Senator Benson offered the following amendments and moved their adoption:

Amend line 11 of sec. 1 by inserting the word "giving" after the word "and"; also by striking the word "said" and inserting in lieu thereof the word "the".

The amendments were adopted.

The bill was read for information.

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

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

Ayes, 30.

Anderson	Clark of	Hager	MacDonald
Bennett	Cerro Gordo	Hicklin	McLeland
Benson	Clearman	Hill	Moen
Bissell	Cochrane	Kent	Myers
Blackford	Cole	Klemme	Quirk
Carden	Cooney	Knudson	Rigby
Christophel	Frailey	Leonard	Ritchie
	Gunderson	Lowe	White

Nays, 3.

Coykendall	Irwin	Wenner
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Absent or not voting, 17.

Baird	Clark of Marion	Langfitt	Stoddard
Beatty	Doran	Patterson	Tabor
Booth	Ickis	Stanley	Topping
Carroll	Kimberly	Stevens	Wilson
Clark of Linn			

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

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

On motion of Senator Carden, Senate File No. 130, a bill for an act to amend the law as it appears in paragraph twenty-eight (28) of Section Ten thousand eight hundred thirty-seven (10837) of the Code of 1927, pertaining to the fee for the issuance of marriage licenses, and creating a fund to be used by the Vital Statistics Division of the State Department of Health from said marriage license fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Carden offered the following amendment and moved its adoption:

Amend line 2 of section 3 by striking "45th" and inserting in lieu thereof "44th".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 29.

Beatty	Cochrane	Hicklin	Myers
Bennett	Cole	Hill	Quirk
Blackford	Cooney	Klemme	Rigby
Carden	Doran	Knudson	Ritchie
Carroll	Frailey	Leonard	Tabor
Clark of	Gunderson	Lowe	Wenner
Cerro Gordo	Hager	MacDonald	White
Clearman		Moen	

Nays, 8.

Anderson	Bissell	Coykendall	Kimberly
Benson	Christophel	Ickis	McLeland

Absent or not voting, 13.

Baird	Irwin	Patterson	Topping
Booth	Kent	Stanley	Wilson
Clark of Linn	Langfitt	Stevens	
Clark of Marion		Stoddard	

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

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

On motion of Senator Gunderson, Senate File No. 80, a bill for an act to amend section eight hundred forty (840) of the Code, 1927, in relation to the canvass of election returns by judges of election, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Section 1, line one by striking the word "paragraph" and substituting in lieu thereof the word "sub-division".

Also in line six (6) by striking the word "paragraph" and substituting in lieu thereof the word "sub-division".

The bill was read for information.

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

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

Ayes, 35.

Anderson	Clearman	Hicklin	MacDonald
Beatty	Cochrane	Hill	Moen
Benson	Cole	Ickis	Myers
Bissell	Cooney	Kent	Quirk
Blackford	Coykendall	Kimberly	Ritchie
Carden	Doran	Klemme	Tabor
Carroll	Frailey	Knudson	Wenner
Christophel	Gunderson	Leonard	White
Clark of Cerro Gordo	Hager	Lowe	

Nays, none.

Absent or not voting, 15.

Baird	Clark of Marion	Patterson	Stoddard
Bennett	Irwin	Rigby	Topping
Booth	Langfitt	Stanley	Wilson
Clark of Linn	McLeland	Stevens	

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

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

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution No. 7 failed to pass the Senate.

LEW MACDONALD.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House File No. 154, House Joint Resolution No. 4.

E. R. HICKLIN,
Chairman Senate Committee.
C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File No. 154, House Joint Resolution No. 4.

On motion of Senator Frailey, the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 21, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Dr. C. A. Luce, of the District Methodist Church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stevens for the day, on request of Senator Quirk; Senator Ritchie for the day, on request of Senator Kent; Senators Wenner, Doran, Rigby and MacDonald for the day, on request of Senator Cooney; all other absent Senators for the day, on request of Senator Benson.

By unanimous consent on request of Senator Stoddard, Senators Clearman and White were excused to visit state institutions.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator McLeland, from residents of Albion, favoring a diversion of primary road funds. Highways.

By Senator Hicklin, from the Levee Improvement Commission of Muscatine and the Council of Muscatine, favoring the passage of a bill allowing the levee commissions of special charter cities to have same powers as commissioners of public docks. Cities and towns.

By Senator Christophel, from residents of Allison, favoring a diversion of primary road funds; and from Waverly community club, favoring supervision of motor vehicles. Highways and motor vehicles.

By Senator Stoddard, from residents of Woodbury county, favoring the appointment of a fish and game commission. Fish and game.

COMMUNICATION

February 20, 1931.

To my Friends of the Iowa Senate:

I desire to express my heartfelt thanks to you for the basket of beautiful flowers. I know it expresses the good wishes of my friends.

I hope to be with you again in a few days.

Sincerely yours,

J. N. LANGFITT.

INTRODUCTION OF BILLS

Senate File No. 246, by Senator Cooney, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696) of the Code of 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty thousand (50,000) once in two years instead of annually.

Read first and second times and referred to committee on cities and towns.

REPORTS OF COMMITTEES

Senator Moen submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File No. 158, a bill for an act to regulate the sale of substitutes for lard or cooking oil by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the Secretary of Agriculture, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting the words "cooking oil or" after the word "of" in line 3 of Section 1 and to strike the words "or cooking oil" in lines 3 and 4 of said section.

Amend by adding after the period at the end of Section 1, the following:

"Provided that this law shall not apply to pure refined corn oil."

Amend by striking all of Section three and insert in lieu thereof the following:

"Sec. 3. Preparation of stamps—delivery to secretary of agriculture—sale-accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of the substitutes for lard or cooking oil in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Spilled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof."

Also amend by striking all of Section five and insert in lieu thereof the following:

"Sec. 5. Unused Stamps—Refund. Upon the written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount."

Also amend by striking all of Section seven and insert in lieu thereof the following:

"Sec. 7. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates."

Also that the following designated as section 8 be added thereto:

"Sec. 8. Appropriation. There is hereby appropriated out of any unappropriated funds in the state treasury a sum sufficient to carry out the provisions of this act."

T. E. MOEN, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 100, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk

and Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 99, a bill for an act providing for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided by law, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 98, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file articles of incorporation or other instrument of similar import with the Secretary of State or otherwise to comply with the law relating to the organization of corporations, and/or to renew its corporate existence within the period limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 97, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 96, a bill for an act providing for the merger and/or consolidation of a corporation organized under the laws of this state for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 70, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 123, a bill for an act to legalize a certain contract entered into by the town of Lake Mills, Iowa, for the construction of a municipal electric plant and distribution system, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 160, a bill for an act to repeal section fifty-five fifty-seven (5557), Code, 1927, relating to the refusal of a township officer to qualify, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 157, a bill for an act to repeal sections eleven thousand thirty-one (11031) to eleven thousand thirty-three (11033), inclusive, Code, 1927, relating to actions against persons in the military or

naval service of the government of the United States, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 23, a bill for an act to amend the law as it appears in section ten thousand seven hundred sixty-eight (10768), of the Code of Iowa, 1927, relating to the number of judges in and for the twenty-first Judicial District of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 194, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the Code, 1927, relating to sheriff's deeds, and making provision for the issuance of sheriff's deed in case of the death of the holder of the certificate, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 207, a bill for an act to amend section forty-seven hundred fifty-five-b-twenty-nine (4755-b29) of the Code of 1927, relative to the maintenance of primary roads, begs leave to report it has had the same under consideration and returns the bill without recommendation.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 122, a bill for an act to amend section five thousand twenty-one (5021), Code, 1927, relating to vehicles turning to the right when overtaken, and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out Section 1 and substitute in lieu thereof the following:

"Section 1. Section five thousand twenty-one (5021), Code of Iowa, 1927, is amended by adding thereto the following:

and in the event the operator of such overtaken vehicle shall increase its speed for the purpose of hindering the following vehicle from passing it, the operator of such overtaken vehicle shall be guilty of a misdemeanor."

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 90, a bill for an act to amend the provision of Chapter twenty-one (21) Acts of the Forty-third General Assembly relating to the improvement, maintenance, relocation or establishment of primary roads and the purchase or condemnation of right of way therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Strike out the word "period" (.) in line three (3) and substitute in lieu thereof the word "semicolon" (;).

2. Strike out the word "the" in line ten (10) and substitute in lieu thereof the article "a".

3. Strike out the word "and" in line ten (10) and substitute in lieu thereof the words "and/or".

4. Insert a comma (,) in line eleven (11) after the word "therewith".

5. Strike out the word "building" in line thirteen (13) and substitute in lieu thereof the words "such dwelling, lawn, or ornamental trees".

6. Strike out the word "building" from line sixteen (16) and insert in lieu thereof the words "such dwelling, lawn, or ornamental trees".

7. Strike out of lines seventeen and eighteen, (17) and (18), the phrase "the building is".

C. A. BENSON, *Chairman*.

Ordered passed on file.

On motion of Senator McLeland the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

Senator Cooney moved that when adjournment is had it be to reconvene at 2:00 p. m. Monday.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Benson, Senate File No. 224, a bill for an act to amend the law as it appears in sections forty-four hundred seventy-five (4475), forty-five hundred two (4502), and forty-five hundred three (4503) of the code, 1927, relating to the purchase and sale of school lands, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. At the end of section one (1) and at the end of section two (2), place the period outside of the quotation marks.

Committee amendment No. 1 was adopted.

2. Strike out section four (4).

Senator Benson offered the following as a substitute for committee amendment No. 2 and moved its adoption:

Amend sec. 4 by striking all after the word "in" in line 3 thereof and substituting the following:

"two newspapers of the state, in accordance with the provisions of law."

The substitution was made. The substitute amendment was adopted.

The bill was read for information.

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

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

Ayes, 31.

Anderson	Christophel	Hill	Lowe
Bennett	Clark of Linn	Ickis	McLeland
Benson	Clark of Marion	Irwin	Moen
Bissell	Cooney	Kent	Myers
Blackford	Coykendall	Kimberly	Quirk
Booth	Gunderson	Klemme	Stanley
Carden	Hager	Knudson	Tabor
Carroll	Hicklin	Leonard	

Nays, none.

Absent or not voting, 19.

Baird	Cochrane	MacDonald	Stoddard
Beatty	Cole	Patterson	Topping
Clark of Cerro Gordo	Doran	Rigby	Wenner
Clearman	Frailey	Ritchie	White
	Langfitt	Stevens	Wilson

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

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

On motion of Senator Bissell, Senate File No. 200, a bill for an act to repeal the law as it appears in section three thousand eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 30.

Anderson	Clark of	Hill	Lowe
Benson	Cerro Gordo	Ickis	McLeland
Bissell	Clark of Marion	Irwin	Moen
Blackford	Cole	Kent	Myers
Booth	Cooney	Kimberly	Stanley
Carden	Coykendall	Klemme	Tabor
Carroll	Hager	Knudson	Topping
	Hicklin	Leonard	Quirk

Nays, none.

Absent or not voting, 20.

Baird	Clearman	Langfitt	Stevens
Beatty	Cochrane	MacDonald	Stoddard
Bennett	Doran	Patterson	Wenner
Christophel	Frailey	Rigby	White
Clark of Linn	Gunderson	Ritchie	Wilson

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

Senator Bissell moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Journal of February 20th was corrected and approved.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 16 and 193.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 16 and 193.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 21st day of February, 1931, sent to the governor for his approval, Senate Files Nos. 16 and 193.

E. R. HICKLIN, *Chairman.*

The report was adopted.

HOUSE AMENDMENTS TO SENATE FILE NO. 56

1. Amend the title by inserting after the figures "(5238)", in line five (5) thereof, the following:

"of the code, 1927".

2. Amend section four (4) thereof:

a. By inserting after the word "Treasury" in line seven (7), the following:

“, and the county shall be permitted to file and collect a claim against the estate of said decedent for said fees”.

b. By striking all of subdivision one (1) thereof and substituting therefor the following:

“1. For examining each dead body upon which no inquest is held, where there is no medical attendant at death and where such examination is necessary to comply with chapter one hundred ten (110) of the code, 1927, the sum of five dollars (\$5.00).

“2. For examining each dead body upon which an inquest is held or where the death occurred under such suspicious circumstances as to make advisable prompt investigation of the facts and the preservation of weapons and finger prints, including investigating, preserving weapons, finger prints and evidence of crime and tragic death and making a permanent memoranda of any important identification marks, evidence, conditions, suspicious circumstances and other significant facts observed by the coroner in viewing the dead body and the location where found, the sum of ten dollars (\$10.00).”

On motion of Senator Cooney the Senate adjourned until 2:00 p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 23, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. P. N. McDermott of Atlantic.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ickis for the day, on request of Senator Coykendall; Senator Stevens indefinitely on request of Senator Quirk.

PETITIONS AND MEMORIALS

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

By Senator Cochrane, from residents of Mills county, favoring a driver's license law. Motor vehicles.

By Senator Stoddard, from league of women voters of Woodbury county, favoring an income tax as a replacement tax only. Tax revision.

By Senator Knudson, from residents of Hardin county, opposing compulsory military training in schools. Educational institutions.

By Senator Kimberly, from residents of McCausland, favoring a diversion of primary road funds. Highways.

By Senator Klemme, from residents of Calmar, favoring a diversion of primary road funds. Highways.

By Senator Doran, from Story county farm bureau, favoring inspection of all motor fuel; from residents of Stratford, favoring a tax on oleomargarine, regulation of public utilities and making bovine tuberculosis testing optional; from Boone chamber of

commerce, opposing any tax legislation which would be detrimental to manufacturing and business interests; and from Will Dilg conservation league, greater community Congress, Newera club, and Boone and Story counties osteopathic association, favoring the appointment of a fish and game commission. Motor vehicles, tax revision, agriculture, and fish and game.

By Senator Myers, from residents of Jasper county, favoring a driver's license law. Motor vehicles.

By Senator Irwin, from residents of Delmar, favoring a diversion of primary road funds; and from Clinton county farmers union, opposing the present county agent system and proposed county assessor plan. Highways and tax revision.

By Senator Booth, from residents of Cass and Shelby counties, favoring a driver's license law; and from residents of Griswold, opposing a tax on theater tickets. Motor vehicles and tax revision.

By Senator Hill, from residents of Nora Springs and Charles City, favoring a diversion of primary road funds; and from residents of Nora Springs, favoring optional military training in schools. Highways and educational institutions.

By Senator Patterson, from the following, favoring fish and game commission: Lake Park Chapter of W. H. Dilg Conservation League of Iowa No. 31, Lake Park; Lake Park Commercial Club, Lake Park; Duffy Post No. 459 of the American Legion, Armstrong; Emmet County American Legion; Armstrong Booster Club, Armstrong; Citizens of the City of Estherville; County Chairman of Memorial Tree Planting Board; Lakota Chapter Will H. Dilg Conservation League; Swea City Merchants Association, Swea City; American Legion Fisher Post No. 14, Swea City; Chapter 16 Will H. Dilg Conservation League, Swea City; Kossuth County Board of Supervisors, Algona; Algona Credit Mens Association, Algona; Algona Community Club, Algona; Algona Kiwanis Club, Algona; Algona Community Club, Algona; Algona Gun Club, Algona; Ledyard Chapter Will H. Dilg Conservation League, Ledyard; Iowa Lakes Improvement Association, Ledyard; Ledyard Consolidated School, Ledyard; Algona Rifle Club, Algona; Ledyard Co-operative Elevator Co., Ledyard; Algona Insurance Agency, Algona; Ledyard State Bank, Ledyard; Farmers Co-operative Society, Wesley; Algona Co-operative Creamery Co., Algona; Iowa State Bank, Algona; Kossuth County

State Bank, Algona; Advance Publishing Co., Algona; Bertha E. Johnson, County Auditor, Algona; Kossuth County Treasurer, Algona; Clerk of District Court Kossuth County, Algona; Township Trustee, Ledyard; Kossuth County Superintendent of Schools, Algona; Mayor of Algona; Dr. A. I. Reed, Estherville. Fish and game.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 338, a proposed bill to legalize a certain deed executed in the name of the Independent School District of Monona, Iowa.

WALTER H. BEAM, *Secretary.*

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on February 21, 1931, approved of the following bill:

Senate File No. 193, relating to listing and assessment of property.

INTRODUCTION OF BILLS

Senate File No. 247, by Senator Irwin, a bill for an act to amend sections ten thousand four hundred seventy-four (10474), and ten thousand four hundred seventy-five (10475), Code, 1927, relating to the grounds for divorce and to the proofs thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 248, by Senator Irwin, a bill for an act to amend section ten thousand four hundred eighty-one (10481), Code, 1927, relating to final orders in divorce proceedings relative to the maintenance of parties and children.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 249, by Senator Stanley, a bill for an act to amend section six thousand nine hundred forty-four (6944), Code 1927, pertaining to the taxation of annuity contracts.

Read first and second times and referred to committee on ways and means.

Senate File No. 250, by Senator Stanley, a bill for an act to amend section three thousand fifty-eight (3058), Code 1927, establishing a minimum weight for ice cream.

Read first and second times and referred to committee on dairy and food.

Senate File No. 251, by committee on claims, a bill for an act to make appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein, for damages to automobiles by reason of collisions with highway maintenance equipment or barricades in the highways.

Read first and second times and referred to the committee on appropriations.

Senate File No. 252, by committee on claims, a bill for an act to make appropriation to the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Corn Show or Farmers Institute, and the Johnson County Poultry Show.

Read first and second times and referred to the committee on appropriations.

Senate File No. 253, by committee on public libraries, a bill for an act to amend the law as it appears in section fifty-eight hundred fifty-nine (5859) of the code, 1927, and to enact a substitute therefor, relating to the power of the board of supervisors to contract with trustees of free public libraries and to permit the establishment of free county libraries.

Read first and second times and placed on the calendar.

Senate File No. 254, by Senator Knudson, a bill for an act to provide for a presidential primary election in this State, and also to provide directions and instructions for delegates to the National Convention of any political party in accordance with the expressed will of the voters of that party at said presidential primary election.

Read first and second times and referred to committee on elections.

Senate File No. 255, by Senator Hicklin, a bill for an act to repeal Section eleven thousand one hundred eighty-five (11185) of the Code, 1927, and enact a substitute therefor, providing for

interrogatories in pleadings, and the submission of answers thereto in evidence.

Read first and second times and referred to committee on judiciary No. 2.

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. 90, a bill for an act to provide for the merger of a corporation organized under the laws of this state for the purpose of constructing and operating a bridge with a corporation for similar purpose in an adjacent state.

Also: That the House has concurred in the Senate amendment to House File No. 85, a bill relating to High School tuition.

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

House File No. 136, a bill for an act relating to courses of study in common schools.

Also: 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 relating to the suspension, cancellation, or remission of taxes.

Also: 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 pertaining to hotel keeper's lien.

Also: 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 legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa.

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

House File No. 247, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, Humboldt county, Iowa.

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

House File No. 205, a bill for an act relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes.

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

House File No. 189, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban railway company.

Also: 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 to legalize the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this state.

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

House File No. 175, a bill for an act to empower the board of trustees of county public hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals.

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

House File No. 177, a bill for an act relating to conditions prerequisite to a pardon.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 47, a bill for an act relating to larceny of domestic animals.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 77, a bill for an act relating to right of way on secondary roads, erection of signs thereon and penalty for violation of directions thereon.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 77

1. Amend section five (5) thereof as follows:
 - a. By striking from lines one (1) and two (2) the words:

"usually dangerous places" and inserting in lieu thereof the words: "places deemed by them unusually dangerous".

b. By striking from line four (4) the word "local".

2. Amend section six (6) by inserting after the word "imprisonment" in line four (4) thereof, the following: ", and in case of accident, he shall be prima facie presumed to have been negligent".

3. Amend section seven (7) by adding thereto the following: "Whenever practical, said signs shall be purchased from the board of control."

HOUSE AMENDMENTS CONSIDERED

Senator Wenner called up for consideration Senate File No. 56, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend the title by inserting after the figures "(5238)", in line five (5) thereof, the following:

"of the code, 1927".

2. Amend section four (4) thereof:

a. By inserting after the word "Treasury" in line seven (7), the following:

", and the county shall be permitted to file and collect a claim against the estate of said decedent for said fees".

b. By striking all of subdivision one (1) thereof and substituting therefor the following:

"1. For examining each dead body upon which no inquest is held, where there is no medical attendant at death and where such examination is necessary to comply with chapter one hundred ten (110) of the code, 1927, the sum of five dollars (\$5.00).

"2. For examining each dead body upon which an inquest is held or where the death occurred under such suspicious circumstances as to make advisable prompt investigation of the facts and the preservation of weapons and finger prints, including investigating, preserving weapons, finger prints and evidence of crime and tragic death and making a permanent memoranda of any important identification marks, evidence, conditions, suspicious circumstances and other significant facts observed by the coroner in viewing the dead body and the location where found, the sum of ten dollars (\$10.00)."

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

Ayes, 38.

Anderson	Clearman	Irwin	Myers
Bennett	Cochrane	Kent	Patterson
Benson	Cole	Kimberly	Quirk
Bissell	Cooney	Klemme	Rigby
Booth	Coykendall	Knudson	Stanley
Christophel	Frailey	Leonard	Stoddard
Clark of	Gunderson	Lowe	Topping
Cerro Gordo	Hager	MacDonald	Wenner
Clark of Linn	Hicklin	McLeland	White
Clark of Marion	Hill	Moen	

Nays, none.

Absent or not voting, 12.

Baird	Carden	Ickis	Stevens
Beatty	Carroll	Langfitt	Tabor
Blackford	Doran	Ritchie	Wilson

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

HOUSE MESSAGES CONSIDERED

House File No. 90, a bill for an act to provide for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state.

Read first and second times and referred to committee on boundary bridges.

House File No. 136, a bill for an act to amend section forty-two hundred fifty-two (4252) of the code, 1927, relating to courses of study in common schools.

Read first and second times and referred to committee on public schools.

House File No. 38, a bill for an act to amend section sixty-nine hundred fifty (6950), code, 1927, relating to the suspension, cancellation, or remission of taxes.

Read first and second times and referred to committee on ways and means.

House File No. 248, a bill for an act to amend section ten thou-

sand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keeper's lien.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 237, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa, and to provide for the reinstatement of said corporation, thereby entitling said corporation to continue to act as a corporation for the unexpired portion of its corporate period as fixed by the articles of incorporation and limitations prescribed by law.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 247, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said school district.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 205, a bill for an act to amend chapter fifty-eight (58), acts of the forty-third (43rd) general assembly, relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes.

Read first and second times and referred to committee on fish and game.

House File No. 189, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across lands of the Iowa School for the Deaf under the provisions of chapter two hundred sixty-nine (269), acts of the thirty-third (33rd) general assembly; providing for the termination of the right-of-way therein granted and for the obligation of the railway company to remove its property

from the state lands, restore them to original condition and surrender possession thereof to the state.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 92, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file Articles of Incorporation or other instrument of similar import with the Secretary of State or otherwise to comply with the law relating to the organization of corporations, and/or to renew its corporate existence within the period limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 175, a bill for an act to empower the board of trustees of county public hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals, and to this end to amend section fifty-three hundred fifty-nine (5359), code, 1927, relating to such hospitals.

Read first and second times and referred to committee on county and township affairs.

House File No. 177, a bill for an act to amend section thirty-eight hundred seventeen (3817) of the code, 1927, relating to conditions prerequisite to a pardon.

Read first and second times and referred to committee on judiciary No. 2.

THIRD READING OF BILLS

On motion of Senator Wilson, Senate File No. 43, a bill for an act to amend the law as it appears in sections nine (9) and ten (10) of Chapter 194 of the Laws of the Forty-Third General Assembly relating to interest on special assessments and to advertising for bids for street improvements, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption:

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

Sec. 1. That section nine (9) of chapter one hundred ninety-four (194) of the laws of the Forty-third General Assembly be and is hereby amended by striking from lines twenty-five (25) and twenty-six (26) thereof the following:

“assessments shall draw interest from the date of confirmation by the Court.”

and by adding after the last paragraph in said section, the following:

“Interest on special assessments or any portion thereof remaining unpaid, shall commence upon the final acceptance of the work by the City Council. Immediately upon the final acceptance of said work by the City Council, the City Clerk shall certify to the County Treasurer the date of the acceptance of said work. Special assessments or any portion thereof remaining unpaid may be paid without interest at the office of the County Treasurer prior to the final acceptance of the improvement by the City Council.

Sec. 2. That section ten (10) of chapter one hundred ninety-four (194) of the laws of the Forty-third General Assembly be and the same is hereby amended by substituting a period for the comma after the word “council” in line five (5) of said section, and by eliminating from lines five (5) and six (6) of said section the following:

“and thereupon the City Clerk shall advertise for bids for doing said work.”

and by substituting in lieu thereof the following:

“At the time the resolution of necessity is presented to the City Council and the date for the hearing is determined, the Council shall order the Mayor and City Clerk to advertise for bids for the improvement as set out in the resolution of necessity, and said bids shall be received not later than the date set for the hearing on said proposed improvement.

Contract for said improvement shall not be awarded until after the assessments therefor have been confirmed by the District Court and a resolution ordering the work finally adopted.”

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Plain Talk and the Daily Record, newspapers published in Des Moines, Iowa.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Clark of Marion	Kent	Quirk
Beatty	Cochrane	Kimberly	Rigby
Bennett	Cole	Klemme	Stanley
Benson	Cooney	Knudson	Stoddard
Bissell	Coykendall	Leonard	Tabor
Blackford	Frailey	Lowe	Topping
Booth	Hager	MacDonald	Wenner
Christophel	Hicklin	McLeland	White
Clark of	Hill	Myers	Wilson
Cerro Gordo	Irwin	Patterson	

Nays, none.

Absent or not voting, 12.

Baird	Clark of Linn	Gunderson	Moen
Carden	Clearman	Ickis	Ritchie
Carroll	Doran	Langfitt	Stevens

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

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

On motion of Senator Wilson, Senate File No. 209, a bill for an act to amend Section Sixty-two Hundred Seventy-eight b1 (6278-b1), Code, 1927, governing approval of plats in cities having by the latest State or Federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval, a committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking all after the word "law," in line 3 of section 2 and inserting in lieu thereof the following: "in The Daily Record, a newspaper published in Des Moines, Iowa, and The Waterloo Courier, a newspaper published in Waterloo, Iowa."

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cooney	Knudson	Stanley
Bissell	Coykendall	Leonard	Stoddard
Blackford	Frailey	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Irwin	Myers	Wilson
Clark of Marion	Kent	Patterson	

Nays, none.

Absent or not voting, 12.

Baird	Carroll	Doran	Langfitt
Beatty	Clark of Linn	Gunderson	Ritchie
Carden	Cole	Ickis	Stevens

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

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

On motion of Senator Stoddard, Senate File No. 49, a bill for an act to amend the law as it appears in chapter one hundred twenty-four b2 (124-b2) of the Code of 1927 relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

The following committee amendment was adopted:

Amend as follows: That the words and figures "twenty-five hundred eighty-six b16 (2586-b16)", as the same appear in line two (2) of Section 4 of said bill, be corrected so as to read "twenty-five hundred eighty-five b16 (2585-b16)".

Senator Gunderson offered the following amendment and moved its adoption:

Amend by striking section 5, the publication clause.

The amendment was lost.

The bill was read for information.

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

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

Ayes, 32.

Beatty	Cochrane	Irwin	Moen
Bennett	Cole	Kimberly	Myers
Bissell	Cooney	Klemme	Quirk
Booth	Coykendall	Knudson	Rigby
Christophel	Frailey	Leonard	Stoddard
Clark of Cerro Gordo	Hager	Lowe	Tabor
Clark of Marion	Hicklin	MacDonald	Topping
Clearman	Hill	McLeland	Wenner

Nays, 2.

Benson White

Absent or not voting, 16.

Anderson	Carroll	Ickis	Ritchie
Baird	Clark of Linn	Kent	Stanley
Blackford	Doran	Langfitt	Stevens
Carden	Gunderson	Patterson	Wilson

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

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

On motion of Senator Myers, House File No. 263, a bill for an act to amend, revise, and codify section twelve thousand eight hundred ninety (12890) of the Code, 1927, relating to the definition of a felony, a committee bill, was taken up and considered.

The bill was read for information.

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

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

Ayes, 37.

Anderson	Blackford	Clark of Linn	Cooney
Beatty	Booth	Clark of Marion	Coykendall
Bennett	Christophel	Clearman	Frailey
Benson	Clark of Cerro Gordo	Cochrane	Gunderson
Bissell		Cole	Hager

Hicklin	Klemme	McLeland	Rigby
Hill	Knudson	Moen	Tabor
Irwin	Leonard	Myers	Wenner
Kent	Lowe	Quirk	White
Kimberly	MacDonald		

Nays, none.

Absent or not voting, 13.

Baird	Ickis	Ritchie	Stoddard
Carden	Langfitt	Stanley	Topping
Carroll	Patterson	Stevens	Wilson
Doran			

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

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

SENATE FILE NO. 171 WITHDRAWN

By unanimous consent on request of Senator Coykendall, Senate File No. 171, relating to the place of obtaining marriage licenses, was withdrawn from further consideration.

REPORTS OF COMMITTEES

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 56, a bill for an act to amend section fifty-nine hundred thirty-eight (5938), Code 1927, so as to authorize cities and towns to establish and improve parks and playgrounds, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 222, a bill for an act to amend section sixty-one hundred (6100), Code, 1927, relating to the levy of taxes to pay the cost of work designed for protection from floods, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

The Journal of February 21st was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 225 by inserting after the word "thereof" in Line Three (3) of Section One (1) the following: "except County Sheriffs".

W. A. CLARK.

MR. PRESIDENT: I move to amend Senate File No. 121 by striking from the end of section one (1), the word "one" and inserting in lieu thereof the word "two".

C. E. ANDERSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 24, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. O. C. Huff, pastor of the M. E. Church of Panora.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Benson, from citizens of Guttenberg, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Carden, from teachers of Hillsboro, opposing a reduction of the minimum wages of school teachers. Public schools.

By Senator Rigby, from residents of Jones and Cedar counties, favoring a driver's license law. Motor vehicles.

By Senator Baird, from residents of Council Bluffs, opposing a state income tax; and from residents of Pottawattamie county, favoring a driver's license law. Tax revision and motor vehicles.

By Senator Patterson, from residents of Kossuth county, favoring a driver's license law. Motor vehicles.

By Senator Cooney, from residents of Farley, favoring a diversion of primary road funds. Highways.

By Senator Hicklin, from residents of Muscatine, favoring a diversion of primary road funds. Highways.

By Senator Ritchie, from Smith post No. 498, American Legion, Alta, favoring compulsory military training in schools; and from

residents of Linn Grove, favoring a diversion of primary road funds. Educational institutions and highways.

By Senator Coykendall, from residents of Farragut, favoring a diversion of primary road funds. Highways.

By Senator Quirk, from Sac county American Legion, favoring required military training in schools. Educational institutions.

By Senator Hager, from residents of Elgin, favoring a diversion of primary road funds; and residents of Fayette and Allamakee counties favoring a driver's license law. Highways and motor vehicles.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire to file a call of the Senate on Senate File No. 121.

O. E. GUNDERSON
L. T. QUIRK
G. W. PATTERSON
C. E. ANDERSON
T. E. MOEN
ARTHUR LEONARD
H. C. WHITE

B. M. STODDARD
O. P. MYERS
LEW MACDONALD
GEO. W. TABOR
LAFE HILL
GEO. W. CHRISTOPHEL

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire to file a call of the Senate on Senate File No. 225.

O. E. GUNDERSON
E. W. CLARK
C. A. BENSON
WESLEY C. LOWE
FRANK I. COYKENDALL
FRANK BISSELL
H. L. IRWIN
H. C. WHITE
W. E. MCLELAND
W. R. RITCHIE

J. H. HAGER
GEO. CLEARMAN
WM. H. KLEMME
C. L. RIGBY
GEO. W. TABOR
B. M. STODDARD
O. P. BENNETT
C. E. ANDERSON
G. W. PATTERSON

INTRODUCTION OF BILLS

Senate File No. 256, by Senator Bennett, a bill for an act to amend Section 11024 of the Code of 1927 relating to the recovery of real estate or to establish an interest therein.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 257, by Senator Bennett, a bill for an act to prohibit the killing, trapping or ensnaring of beavers.

Read first and second times and referred to committee on fish and game.

Senate File No. 258, by Senator Bennett, a bill for an act to provide for the punishment of persons commonly known as short change artists, or who defraud persons by short changing or the manipulation of currency or legal tender of the United States.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 259, by committee on cities and towns, a bill for an act authorizing cities of the first class, special charter cities and cities organized under Chapter 326 of the Code, 1927, to assume the custody, control and maintenance of trees and shrubbery upon the public streets, boulevards and park ways in such city, and to adopt comprehensive plans for the planting and maintenance of such trees, and provide for, establish and maintain uniformity in such improvement.

Read first and second times and placed on the calendar.

Senate File No. 260, by Senator Wenner, a bill for an act to amend section thirty-eight hundred (3800), Code, 1927, relating to suspensions, by the court, of sentence in criminal cases.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 261, by Senator Baird, a bill for an act to amend the law as it appears in chapter three hundred and twelve (312), of the Code of Iowa 1927, by adding thereto section sixty-one hundred fifty-one, b four (6151-b4), relating to the use of surplus earned from the operation of municipal water works plants in cities of over forty thousand population, having a Board of Water Works Trustees, for the purpose of acquiring property and erecting a building or buildings thereon for its use, and authorizing rental to other city departments.

Read first and second times and referred to committee on cities and towns.

Senate File No. 262, by Senator Myers, a bill for an act to amend section sixty-nine hundred forty-four (6944), of the Code of Iowa, 1927, relating to exemption of bonds and public securities from taxation.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 263, by Senator Myers, a bill for an act to repeal the law as it appears in sections sixty-nine hundred eighty-eight (6988), sixty-nine hundred eighty-nine (6989), and sixty-nine hundred ninety-three (6993), of the Code of Iowa, 1927, relating to deductions of debts in listing and assessment of money or credits.

Read first and second times and referred to committee on tax revision.

Senate File No. 264, by Senator Myers, a bill for an act to provide for the licensing of pipe line companies engaged in the business of transporting or transmitting gas, gasoline, oils or motor fuels within or through this state, providing a license fee therefor, and providing for the regulation of the method of construction, location and inspection of pipe lines, and amending section forty-eight hundred fifty-eight (4858) of the code, 1927, relating to grants for the use of highways outside of cities and towns.

Read first and second times and referred to committee on public utilities.

Senate File No. 265, by Senator Knudson, a bill for an act to repeal section fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-nine (5489); to amend sections forty-six hundred six (4606), fifty-one hundred thirty-three (5133), sixty-two hundred eighty-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred eighty-eight (5488), fifty-four hundred ninety (5490), fifty-four hundred ninety-six (5496), sixty-three hundred

two (6302), ten thousand two hundred twenty-five (10225) and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the code, 1927.

Read first and second times and referred to committee on county and township affairs.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 35, 99 and 164.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 35, 99 and 164.

THIRD READING OF BILLS

On motion of Senator Kent, Senate File No. 71, a bill for an act to amend section one (1), chapter one hundred two (102), Acts of the Forty-third General Assembly, relating to attaching and detaching territory to and from adjoining corporations, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill was indefinitely postponed.

On motion of Senator Wilson, House File No. 163, a bill for an act to repeal section fifty-nine hundred fifty (5950) of the Code, 1927, relating to the removal of snow and ice from sidewalks, and to enact a substitute therefor, to provide for the removal of snow, ice, dirt, rubbish, and accumulations, with report

of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Stanley, Senate File No. 89, a bill for an act to amend and supplement the law as it appears in chapter sixty-nine (69), Acts of the Forty-third General Assembly of Iowa, relating to the regulation of the practice of embalming, the licensing of its practitioners, and providing for the revoking or suspending of the license of one against whom a criminal charge has been filed, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Klemme, Senate File No. 164, a bill for an act to amend Chapter one hundred six of the Code of 1927, relative to the compensation of members of the State Board of Health, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

There being a call of the Senate on file on Senate File No. 225, the roll call revealed the presence of all Senators except Senators Stevens and Langfitt, who had previously been excused, and Senators Frailey, Carroll, Baird and Doran.

Senator Rigby moved that Senators Carroll, Baird and Doran be excused, as they were acting on the investigating committee.

The motion was lost.

Senator Wilson moved that action be deferred until 10:00 a. m. March 10th.

The motion was lost.

Senators Doran, Baird and Carroll appeared in the Senate Chamber.

Senator Gunderson moved that discussion proceed until a roll call or until Senator Frailey appeared in the Senate Chamber.

The motion prevailed.

By unanimous consent on request of Senator Benson, Senator Frailey was excused and the call was declared complete.

On motion of Senator Gunderson, Senate File No. 225, a bill for an act making it unlawful to pay a higher rate than six cents (.06) per mile for use of an automobile while traveling on public business, a committee bill, was taken up and considered.

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

Amend by inserting after the word "thereof" in line three (3) of section one (1) the following: ", except county sheriffs".

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

Amend by inserting after the words ", except county sheriffs" the words "and their deputies,".

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

Amend by inserting after the words ", except county sheriffs" the words ", their deputies and county engineers,".

Senator Benson offered the following amendment as a substitute for all pending amendments and moved its adoption:

Amend by striking from lines 2 and 3 of Section 1 the following: "or any political sub-division thereof".

By unanimous consent on request of Senator Stoddard his amendment was withdrawn.

Roll call was demanded on the Benson substitute amendment.

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

Ayes, 9.

Benson	Cooney	Kimberly	Topping
Blackford	Hicklin	Stoddard	Wilson
Clark of Marion			

Nays, 34.

Anderson	Christophel	Cole	Ickis
Bennett	Clark of	Coykendall	Irwin
Bissell	Cerro Gordo	Doran	Kent
Booth	Clark of Linn	Gunderson	Knudson
Carden	Clearman	Hager	Leonard
Carroll	Cochrane	Hill	Lowe

MacDonald	Myers	Ritchie	Wenner
McLeland	Patterson	Stanley	White
Moen	Quirk	Tabor	

Absent or not voting, 7.

Baird	Frailey	Langftt	Stevens
Beatty	Klemme	Rigby	

The substitution was lost.

Senator Moen offered the following amendment and moved its adoption:

Amend by striking the words and figures "six cents (.06)" in line 5 of section 1 and inserting in lieu thereof the words and figures "seven cents (.07)".

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

Amend by striking the words and figures "seven cents (.07)" and inserting in lieu thereof the words and figures "eight cents (.08)".

Senators Hicklin and Beatty offered the following amendment and moved its adoption:

Amend by striking from lines two and three of Section 1 the words "or any political subdivision thereof" and by adding after the word "mileage" in line 8 of Section 1, the following:

"Any person in the employ of any political sub-division of the state while traveling on public business and driving an automobile other than a publicly owned automobile, shall receive as mileage the actual cost of operation; not exceeding ten cents (\$.10) per mile."

Senator Clark of Linn moved to re-refer the bill to the committee from whence it came.

The motion prevailed.

Senator Anderson moved to defer action on Senate File No. 121 until 10:30 a. m. Thursday.

Senator Doran moved to amend by making the time "after the recess."

The amendment was adopted, the motion prevailed and action on the bill was deferred until after the recess.

On motion of Senator McLeland the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call, the Senate confirmed the appointment of Mr. W. D. Archie, of Sidney, Fremont county, as a member of the state highway commission for the term of four years, ending June 30, 1935.

The Senate arose from executive session and resumed regular session.

By unanimous consent on his own request Senator Bissell was excused for tomorrow.

REPORT OF COMMITTEE

Senator Anderson submitted the following report:

MR. PRESIDENT: Your committee on crime and suppression of intemperance, to which was referred House File No. 226, a bill for an act to repeal section thirteen thousand two hundred forty (13240), code, 1927, and to enact a substitute therefor, relating to the sale or keeping for sale or giving away of adulterated or drugged liquor, begs leave to report it has had the same under consideration and recommends the same do pass.

C. E. ANDERSON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 133 by striking out section 4 and inserting in place thereof the following:

"Section 4. It shall be unlawful to use or operate on or over any of the highways of this state any such vehicle of a maximum width in excess of eight feet, or of a maximum length as follows:

"A vehicle carrying only persons and/or mail and/or express, maximum length, 26 feet over all;

"A vehicle carrying property or goods, maximum length, 24 feet over all;

"A single trailer, maximum length, 16 feet over all;

"A semi-trailer, including the motor vehicle, maximum length, 26 feet over all;

"Combined length of motor vehicle and trailer or trailers and load, maximum length, 45 feet over all; nor shall any such vehicle, together with its load, exceed such prescribed maximum width, height, or length,

provided, that the limitation as to width, height and length of loads shall not apply to loads of loose hay, straw, or other similar farm products.

"Such vehicles used for the carrying of persons and/or mail and/or express, only, and in use on or over the highways of this state at the time of the effective date of this act, shall be exempted from the provisions hereof for the period of three years from and after such date."

O. P. BENNETT.

L. H. DORAN.

L. T. QUIRK.

MR. PRESIDENT: I move to amend section 8 of Senate File No. 133 by striking out all of said section except the last three lines and substituting in place thereof the following:

"Section 8. That the law as it appears in section 5065 of the Code, 1927, as amended by section 2, Chapter 25, be and the same is hereby repealed and the following enacted in lieu thereof:

"The total maximum load on any one wheel of any motor vehicle or trailer, including the weight of the vehicle and the load it carries, shall be three and one-half tons for vehicles equipped with pneumatic tires, and two and one-half tons for vehicles equipped with two or more solid rubber tires, provided the total maximum weight of the vehicle and load shall not in any event exceed ten tons for a vehicle equipped with pneumatic tires or eight tons for a vehicle equipped with two or more solid rubber tires."

O. P. BENNETT.

L. H. DORAN.

L. T. QUIRK.

MR. PRESIDENT: I move to amend Senate File No. 41 as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. Section fifty-eight hundred thirty-five (5835) of the Code, 1927, is amended by adding thereto the following: Cities having a population of over forty thousand and not more than one hundred twenty-five thousand may, when authorized as hereinafter provided, levy each year a tax of not to exceed one-half mill for the purpose of providing for the maintenance or employment of a band for musical purposes.

B. M. STODDARD.

MR. PRESIDENT: We move to amend House File No. 242 as follows:

Strike out of lines two (2) and three (3) of section one (1) of the bill the following, "such sum or sums" and insert in lieu thereof the following words and figures, "five thousand dollars (\$5,000.00) or so much thereof".

B. M. STODDARD.

C. A. BENSON.

MR. PRESIDENT: I propose an amendment to Senate File No. 45 and move that said file be amended as follows:

Amend section two (2) by striking out the word "three" in line three (3) and insert the word "two" in lieu thereof. And by inserting in line three (3) after the word "court" the following: "in each judicial district".

Further amend said section two (2), line four (4), by striking the words "herein created" and inserting in lieu thereof the words "of such judicial district".

Amend section four (4) by striking from line one (1) the words "court of claims" and inserting in lieu thereof the words "supreme court".

Amend section five (5), line one (1), by striking the words "supreme court" and inserting in lieu thereof the words "district court of the county in which the hearing is held".

Further amend section five (5) by adding thereto the following: "He shall issue process for the attendance of witnesses, and for the production of records and documents."

Amend section seven (7), line two (2), by adding after the word "the" at the end of the line the words "claimant resides or where".

Further amend section seven (7), line four (4), by striking the word "and" at the end of said line and inserting in lieu thereof the word "had".

Further amend section seven (7), line five (5), by striking therefrom the word "state" at the end of said line and inserting in lieu thereof the words "same judicial district."

Amend section eight (8) by striking out all of said section and inserting in lieu thereof the following: "Sec. 8. The court shall, without a jury, make complete findings of fact and conclusions of law, which shall be signed by the said judges and filed in the office of the clerk of the supreme court."

Amend Section nine (9) by striking out all of said section and inserting in lieu thereof the following: "Sec. 9. The attorney general shall represent the state in all actions brought in the court of claims, but the county attorney of the county in which the hearing is held shall appear in said action and hearing on behalf of the state."

Amend section ten (10) line one (1) by striking out the words "court of claims" and inserting in lieu thereof the words "supreme court".

Amend section eleven (11) by striking out all of said section and inserting in lieu thereof the following: "Sec. 11. The clerk of the supreme court shall certify the report of the court of claims to the legislature on the first day of its session. When such report is submitted to the legislature it shall be referred to the proper committees of the senate and house, which committees shall report their recommendations to the senate and house."

Amend section twelve (12) by striking out all of said section.

Amend section thirteen (13) by striking out all of said section.

Amend section seventeen (17), line three (3), by inserting after the word "reporter" the words "of the district in which the hearing is held".

Further amend section seventeen (17), line six (6), by striking out the words "supreme court," at the beginning of said line and adding the words "court of claims" after the word "court" in said line.

Amend section twenty-two (22) by striking out all of said section.

Further amend by authorizing the code editor to renumber the sections to correspond to these amendments.

EDW. J. WENNER.

MR. PRESIDENT: I move to amend Senate File No. 86 by substituting a comma (,) for the period (.) at the end thereof and adding the following:

"And inserting in lieu thereof the following:

"Unless state road bonds are issued, the amount hereafter expended from the primary road fund for paving in any county shall not exceed twice the amount of primary road bonds authorized and issued by such county, until such time as seventy-five percent (75%) of all of the county primary road bonds outstanding on July 1st, 1931, shall have been redeemed and paid".

C. A. BENSON.

The Journal of February 23d was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 25, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Arthur Atack, pastor of the First Methodist Episcopal Church of Indianola.

PETITIONS AND MEMORIALS

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

By Senator Doran, from International alliance of motion picture machine operators, Boone, opposing the levy of a tax on theater tickets; and from residents of Kelley, favoring a diversion of primary road funds. Tax revision and highways.

By Senator Blackford, from residents of Van Buren and Jefferson counties, opposing the appointment of a fish and game commission; and from the American Legion of Keosauqua, favoring compulsory military training in schools. Fish and game, and educational institutions.

By Senator McLeland, from residents of Marshalltown, favoring a diversion of primary road funds. Highways.

By Senator Leonard, from residents of Conrad, favoring a diversion of primary road funds. Highways.

By Senator Hager, from Citizens Savings Bank, Hawkeye, favoring a driver's license law and state patrol of roads. Motor vehicles and highways.

By Senator Clark of Marion, from residents of Pleasantville, favoring a diversion of primary road funds. Highways.

By Senator Quirk, from residents of Dana, favoring a diversion of primary road funds. Highways.

By Senator Clearman, from residents of Oxford, favoring a diversion of primary road funds. Highways.

By Senator Irwin, from business men of DeWitt, favoring a driver's license law. Motor vehicles.

By Senator Benson, from residents of Clayton, favoring a diversion of primary road funds. Highways.

By Senator Moen, from business and professional men of Harris, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Stoddard, from residents of Oto and Hornick, favoring a diversion of primary road funds. Highways.

By Senator Coykendall, from residents of Shambaugh, favoring a diversion of primary road funds. Highways.

By Senator Rigby, from residents of Olin, Wyoming and Oxford Junction, opposing the appointment of a fish and game commission. Fish and game.

By Senator Christophel, from residents of Dumont, favoring a diversion of primary road funds. Highways.

By Senator Quirk, from residents of Sac City, favoring a diversion of primary road funds. Highways.

By Senator Clark of Cerro Gordo, from residents of Mason City, opposing a state income tax. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 266, by Senator Hill, a bill for an act authorizing the sheriff of each county, with the cooperation of the Bureau of Investigation, to hold an annual conference and school of instruction for certain peace officers, and authorizing the payment of expenses of all officers attending.

Read first and second times and referred to committee on police regulations.

Senate File No. 267, by committee on judiciary No. 1, a bill for an act to amend Chapter 259 of the Acts of the 43rd General

Assembly relating to the investment of funds by executors, administrators, trustees and guardians and to prohibit the purchase of investments by such persons from themselves; and, if a corporation, from its officers, directors, employees, or from an affiliated corporation, and to provide a penalty for violations.

Read first and second times and placed on the calendar.

Senate File No. 268, by committee on judiciary No. 1, a bill for an act to amend, revise and codify section ten thousand, nine hundred seven (10907) of the Code of 1927, relating to admission to the bar, the practice of law, defining the term, practice of law, and prohibiting the practice of law by corporations and by persons not admitted to the bar or licensed to practice law or who are under judgment of disbarment or suspension.

Read first and second times and placed on the calendar.

Senate File No. 269, by committee on judiciary No. 1, a bill for an act to amend, revise and codify section ninety-two hundred ninety-eight (9298) of the Code of Iowa, 1927, relating to the designation and appointment of attorneys by banks and trust companies exercising fiduciary powers under Chapter 416 of the Code of Iowa 1927, and by beneficiaries.

Read first and second times and placed on the calendar.

Senate File No. 270, by Senator McLeland, a bill for an act authorizing the formation of fire departments in rural communities and granting exemption from poll tax and jury service to the members of such departments.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 271, by Senator Coykendall, a bill for an act to establish and maintain a two year Teacher's College at Tabor, Iowa, and to provide for the transfer of certain property to the State of Iowa for the use of said College.

Read first and second times and referred to committee on appropriations.

Senate File No. 272, by Senator Benson, a bill for an act to amend sections forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548), fifty-six hundred fifty-one (5651)

and seventy-four hundred four (7404), of the code, 1927, as amended by the 43rd General Assembly relating to interest payable on public funds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 273, by Senator Irwin, a bill for an act to repeal sections fifty-one hundred twenty-five (5125) to fifty-one hundred twenty-seven (5127), inclusive, Code 1927, relating to the compensation and mileage of members of the board of supervisors, and to enact a substitute therefor on the same subject, and to amend chapter two hundred fifty-three (253) of the Code, 1927, relating to the meetings of said board.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 274, by committee on pharmacy, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof.

Read first and second times and placed on the calendar.

Senate File No. 275, by Senator Benson, a bill for an act to provide a school of instruction for county officers and their deputies and employees, on call of the auditor of state, and to provide for the payment of the resulting expense, and to repeal section fifty-two hundred sixty (5260), Code, 1927.

Read first and second times and referred to committee on judiciary No. 2.

Senate Joint Resolution No. 9, by committee on judiciary No. 1, a joint resolution providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of Iowa, and providing an appropriation therefor.

Read first and second times and referred to committee on appropriations.

REPORTS OF COMMITTEES

Senator Kimberly submitted the following reports:

MR. PRESIDENT: Your committee on board of control, to which was referred Senate File No. 163, a bill for an act relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control, to which was referred Senate File No. 150, a bill for an act providing for parole of prisoners in the penitentiary and reformatories, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Senator B. M. Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 98, a bill for an act to co-ordinate and harmonize various sections of the code, 1927, with the state appropriation act provided by section 333 of said code, to avoid duplicate appropriations in said code and act, and to this end to repeal sections 1426, 1712, 2781, and to amend sections 1655, 2533, 3941, 4028 and 4559, all of said code, and relating to appropriations, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8), begs leave to report it

has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 1 by substituting a comma for a period at the end of said section and adding thereto the following: such expenses to include reporters' fees and expenses, fees of witnesses, personal expenses of the members of the committee nominated to conduct such investigation, attorney's fees of the attorney for such committee, materials and supplies reasonably incident to such investigation. Upon the certification of the chairman and/or the vice-chairman of the committee on investigation so nominated, to the office of the auditor of state, such certification to contain the information required in sub-division eight of section 102 of the Code, then the auditor of state shall draw a warrant upon the treasurer of state, payable to the holder of such certificate for the amount so certified.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Clark of Linn submitted the following report:

MR. PRESIDENT: Your committee on tax revision; to which was referred Senate File No. 9, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out all after the enacting clause and substitute in lieu thereof the following:

Section 1. There is hereby imposed, levied, and assessed an inspection fee of one cent a pound upon each pound of oleomargarine sold, offered, or exposed for sale, or given or delivered to a consumer within this state; provided, however, that upon each pound of oleomargarine containing less than fifty per cent of animal oil offered or exposed for sale or given or delivered to a consumer within this state, there is hereby imposed, levied, and assessed an excise tax of four cents a pound in addition to said inspection fee of one cent a pound, said fee and tax to be paid to the Secretary of Agriculture prior to such sale, gift, or delivery.

Sec. 2. All oleomargarine offered or exposed for sale, or for distribution in any manner in this state, shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon, and stamp or stamps shall be properly cancelled prior to the removal from said package or carton of any oleomargarine. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of oleomargarine, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps. Delivery to Secretary of Agriculture. Sale. Accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of the oleomargarine in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Sec. 4. Spoiled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 5. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of oleomargarine by the manufacturer or importer of any oleomargarine, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of oleomargarine.

Sec. 6. Unused Stamps. Refund. Upon written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 7. Any person violating any of the provisions of the preceding sections of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days in the county jail.

Sec. 8. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

Sec. 9. Appropriations. There is hereby appropriated out of any unappropriated funds in the state treasury a sum sufficient to carry out the provisions of this act.

C. F. CLARK, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 189, a bill for an act to amend the law relating to county board of education, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Correct the title by striking therefrom the following: "forty-one hundred twenty (4120), and forty-one hundred twenty-one (4121)".

F. C. STANLEY, *Chairman.*

Ordered passed on file.

SENATE CONCURRENT RESOLUTION NO. 10

By unanimous consent Senator White took up for consideration the following resolution and moved its adoption:

Be It Resolved by the Senate, the House Concurring: That the Governor be and he is hereby respectfully requested to return Senate File No. 16, relating to the use of secondary road construction fund.

The concurrent resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Booth, Senate File No. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the Code, 1927, relating to the total maximum weight of motor vehicles and loads thereon, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike out the word and figures "five hundred (500)" in line four of Section 5 and insert in lieu thereof the word and figure "four hundred (400)".

By unanimous consent on request of Senator Booth this amendment was withdrawn.

The following committee amendments were considered:

Insert in Section One, after sub-division (b), the following as sub-division (c):

"The word 'reflector' when used in this Act shall mean a device to give an indication to an approaching motorist by the reflection of the light from the head lamp or head lamps of such approaching vehicle, of such construction as to reflect a ray of light of not less than five one hundredths (.05) candle power when placed at a distance of one hundred (100) feet from the head lamp or lamps of an approaching vehicle, which head lamp or lamps comply with section 5044 of the 1927 Code of Iowa, with the axis of such reflector in the center of the beam of such approaching light; and which will reflect a ray of light of not less than three one hundredths (.03) candle power when placed in the same position and turned on a perpendicular axis twenty (20) degrees to the right or left or on a horizontal axis ten (10) degrees forward or backward."

Also by striking therefrom all of Section Five (5), and inserting in lieu thereof as Section Five (5), the following:

"Sec. 5. If two or more motor vehicles or combinations more than thirty-three (33) feet in length, are being operated, moved, or standing on a highway outside the limits of any city or town, such motor vehicles or combinations shall be so spaced as to allow a clear distance of at least four hundred (400) feet between adjacent motor vehicles or combinations at all times except when passing each other."

Also by striking therefrom all of Section Seven (7), and inserting in lieu thereof as Section Seven (7), the following:

"Sec. 7. Every vehicle more than six (6) feet in width, measured at the widest point of the vehicle or load, shall carry on each of the four (4) corners of the body an electric clearance lamp of not to exceed four (4) candle power or a reflex reflector so placed as to clearly outline the limits of the body; the said lamps or reflectors so placed on the front of the same to cast or reflect a green ray of light and said lamps or reflectors carried on the rear of the body to cast or reflect a red ray of light; and any vehicle or combination of vehicles of more than thirty-three (33) feet over all length shall display a white marker light of not to exceed four (4) candle power or a white reflector on both right and left side at intervals of not to exceed twenty (20) feet."

Also by inserting after section Eight (8) thereof, the following as Section Nine (9):

"Sec. 9. Any vehicle or combination of vehicles which, on February 16, 1931, was licensed in this state as a vehicle, a combination of vehicles, or part of a combination of vehicles, or any motor vehicle transporting

passengers for hire which was licensed in any other state and was on such date operated upon the highways of this state in good faith, with the approval of the Iowa Board of Railroad Commissioners under the provisions of Chapter 252 A1 or 252 A2 of the Code of Iowa, 1927, shall be allowed to continue to operate upon the highways of this State until December 31, 1934, notwithstanding the provisions of this Act, upon obtaining a permit from the Iowa State Highway Commission; application for which, including the complete description of such vehicle or combination of vehicles, shall be filed with said Commission within thirty (30) days from the date this Act is approved by the Governor."

The committee amendments were adopted.

Senators Bennett, Doran and Quirk offered the following amendment and moved its adoption:

Amend by striking out section 4 and inserting in place thereof the following:

"Section 4. It shall be unlawful to use or operate on or over any of the highways of this state any such vehicle of a maximum width in excess of eight feet, or of a maximum length as follows:

"A vehicle carrying only persons and/or mail and/or express, maximum length, 26 feet over all;

"A vehicle carrying property or goods, maximum length, 24 feet over all;

"A single trailer, maximum length, 16 feet over all;

"A semi-trailer, including the motor vehicle, maximum length, 26 feet over all;

"Combined length of motor vehicle and trailer or trailers and load, maximum length, 45 feet over all; nor shall any such vehicle, together with its load, exceed such prescribed maximum width, height, or length, provided, that the limitation as to width, height and length of loads shall not apply to loads of loose hay, straw, or other similar farm products.

"Such vehicles used for the carrying of persons and/or mail and/or express, only, and in use on or over the highways of this state at the time of the effective date of this act, shall be exempted from the provisions hereof for the period of three years from and after such date."

Also amend section 8 by striking out all of said section except the last three lines and substituting in place thereof the following:

"Section 8. That the law as it appears in section 5065 of the Code, 1927, as amended by section 2, Chapter 25, be and the same is hereby repealed and the following enacted in lieu thereof:

"The total maximum load on any one wheel of any motor vehicle or trailer, including the weight of the vehicle and the load it carries, shall be

three and one-half tons for vehicles equipped with pneumatic tires, and two and one-half tons for vehicles equipped with two or more solid rubber tires, provided the total maximum weight of the vehicle and load shall not in any event exceed ten tons for a vehicle equipped with pneumatic tires or eight tons for a vehicle equipped with two or more solid rubber tires."

Senator Bennett moved that action be deferred until tomorrow at 10:30 a. m., which motion prevailed.

On motion of Senator Rigby, Senate File No. 45, a bill for an act to create a court of claims, to prescribe its jurisdiction, and to provide a method for the selection of judges thereof, and to prescribe the procedure in said court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner offered the following amendments and moved their adoption:

Amend section two (2) by striking out the word "three" in line three (3) and insert the word "two" in lieu thereof. And by inserting in line three (3) after the word "court" the following: "in each judicial district".

Further amend said section two (2), line four (4), by striking the words "herein created" and inserting in lieu thereof the words "of such judicial district".

Amend section four (4) by striking from line one (1) the words "court of claims" and inserting in lieu thereof the words "supreme court".

Amend section five (5), line one (1), by striking the words "supreme court" and inserting in lieu thereof the words "district court of the county in which the hearing is held".

Further amend section five (5) by adding thereto the following: "He shall issue process for the attendance of witnesses, and for the production of records and documents."

Amend section seven (7), line two (2), by adding after the word "the" at the end of the line the words "claimant resides or where".

Further amend section seven (7), line four (4), by striking the word "and" at the end of said line and inserting in lieu thereof the word "had".

Further amend section seven (7), line five (5), by striking therefrom the word "state" at the end of said line and inserting in lieu thereof the words "same judicial district."

Amend section eight (8) by striking out all of said section and inserting in lieu thereof the following: "Sec. 8. The court shall, without a jury, make complete findings of fact and conclusions of law, which shall

be signed by the said judges and filed in the office of the clerk of the supreme court."

Amend Section nine (9) by striking out all of said section and inserting in lieu thereof the following: "Sec. 9. The attorney general shall represent the state in all actions brought in the court of claims, but the county attorney of the county in which the hearing is held shall appear in said action and hearing on behalf of the state."

Amend section ten (10) line one (1) by striking out the words "court of claims" and inserting in lieu thereof the words "supreme court".

Amend section eleven (11) by striking out all of said section and inserting in lieu thereof the following: "Sec. 11. The clerk of the supreme court shall certify the report of the court of claims to the legislature on the first day of its session. When such report is submitted to the legislature it shall be referred to the proper committees of the senate and house, which committees shall report their recommendations to the senate and house."

Amend section twelve (12) by striking out all of said section.

Amend section thirteen (13) by striking out all of said section.

Amend section seventeen (17), line three (3), by inserting after the word "reporter" the words "of the district in which the hearing is held".

Further amend section seventeen (17), line six (6), by striking out the words "supreme court," at the beginning of said line and adding the words "court of claims" after the word "court" in said line.

Amend section twenty-two (22) by striking out all of said section.

Further amend by authorizing the code editor to renumber the sections to correspond to these amendments.

Senator Clark of Linn offered the following amendment as a substitute for the amendments to section 2 and moved its adoption:

Amend by striking out the first sentence of Section 2 and inserting in lieu thereof the following:

"Sec. 2. Within ten (10) days after the taking effect of this act the Chief Justice of the Supreme Court shall appoint one Judge of the District Court in each Judicial District as Judge of the Court of Claims in that Judicial District."

The substitution was made.

The substitute amendment to the amendment was adopted.

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

Amend line 4 by striking the word "judges" and inserting in lieu thereof the word "judge".

The amendment to the amendment was adopted.

The amendments as amended were adopted.

Senator Myers offered the following amendment and moved its adoption:

Amend as follows: After the word "court" in the second line of Section 21, insert the following words: "shall receive no salary but they".

By unanimous consent on request of Senator Myers his amendment was withdrawn.

The bill was read for information.

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

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

Ayes, 39.

Anderson	Clark of Linn	Irwin	Quirk
Beatty	Clark of Marion	Kent	Rigby
Bennett	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Blackford	Cole	Leonard	Stoddard
Booth	Cooney	Lowe	Tabor
Carden	Coykendall	MacDonald	Topping
Christophel	Hager	Moen	Wenner
Clark of	Hill	Myers	White
Cerro Gordo	Ickis	Patterson	Wilson

Nays, 3.

Gunderson	Knudson	McLeland
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Absent or not voting, 8.

Baird	Carroll	Frailey	Langfitt
Bissell	Doran	Hicklin	Stevens

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

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

On motion of Senator Knudson, Senate File No. 116, a bill for an act to amend the law as it appears in section four (4) of chapter ten (10) of the acts of the forty-third general assembly so as to remove from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and

public service utilities corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President Pro Tem McLeland took the chair at 11:23 a. m.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

The amendment was lost.

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

President Arch W. McFarlane returned to the chair at 11:58 a. m.

Senator Knudson invoked Rule 8.

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

Ayes, 45.

Anderson	Clark of Marion	Ickis	Patterson
Baird	Clearman	Irwin	Quirk
Beatty	Cochrane	Kent	Rigby
Bennett	Cole	Kimberly	Ritchie
Blackford	Cooney	Klemme	Stanley
Booth	Coykendall	Knudson	Stoddard
Carden	Doran	Leonard	Tabor
Carroll	Gunderson	Lowe	Topping
Christophel	Hager	MacDonald	Wenner
Clark of Cerro Gordo	Hicklin	McLeland	White
Clark of Linn	Hill	Moen	Wilson
		Myers	

Nays, 1.

Benson

Absent or not voting, 4.

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

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

By unanimous consent on request of Senator Hicklin, the

remarks of Senator Knudson regarding his bill as just passed by the Senate were ordered printed in the Journal.

MR. PRESIDENT AND SENATORS: In support of my bill, Senate File No. 116, I wish to make the following statement:

A real necessity exists for safeguarding the interests of the investing public as provided for by the bill under consideration, for a number of reasons:

(1) Because of the enormous amount of power and light securities which are being offered to the public:

(2) Because many of these securities are largely watered and do not represent sound value:

(3) Because, with but one exception, there is no governmental control whatsoever over the issuance of these securities:

(4) Because the laws of the states under which these companies are incorporated offer little, if any, protection to investors:

(5) Because that part of the security which is watered is invariably offered to the small investor:

(6) Because many times the small investor is misinformed as to the real nature of the securities which he buys.

I would like to take up these propositions in the order in which I have just stated them.

The amount of new financing put out by power and light companies each year is exceptionally large. According to the March 7, 1930, issue of the Standard Trade & Securities Service, Industrial Section, new power and light financing in 1928 was \$1,386,000,000, and in 1929 it was \$1,071,800,000, or a total of new securities offered to the public during those two years, of \$2,457,800,000. The mere fact that such a large volume of securities is being offered to investors would seem to be ample reason for including such a large class of securities within the protective provisions of the Blue Sky Law or Securities Act.

Furthermore, many of these securities which are thus offered to the investing public in these enormous amounts are largely watered. My authority for making this statement is founded upon a number of reasons. First, the admitted and accepted method of power and light utility financing permits the watering of securities; and, second, investigations which have actually been made have shown beyond all question that the securities of these companies are in fact watered. The accepted method of utility financing is that of capitalizing income and issuing securities upon the basis of capitalized income, rather than upon the basis of the actual, sound value of the property of the corporation. The basis principles of utility financing are shown by the following example: Suppose there is an electric plant which has a sound value, on the basis of reproduction cost, less depreciation of \$1,000,000. Suppose, also, that this plant is being operated on a very low rate to the consumer, such that the actual net return is but 10%, or a net return of \$100,000 per year. Suppose, further, that the stockholders of this company desire to capitalize this income and get the profit in cash between the actual, sound value of the plant and its value on a capitalized income basis. The first step is for

them to organize Holding Company Number 1. They transfer their stock to Holding Company No. 1. Holding Company Number 1 thereupon issues \$1,000,000 in bonds drawing 5%, which requires an interest charge of \$50,000 a year. It also issues \$500,000 of preferred stock, at 6%, which requires an interest charge of \$30,000 per year. This makes a total of securities issued by Company Number 1 of \$1,500,000, and total interest charges of \$80,000. The \$500,000 represented by the preferred stock is profit, which the owners take. They also issue to themselves, for example, five thousand shares of no-par common stock, which carries sole voting power and which, on the basis of the operating company earning \$100,000 a year, will pay them dividends totalling \$20,000 a year. Thereupon they desire to capitalize this \$20,000 income, and consequently organize Holding Company Number 2. Holding Company Number 2 issues \$250,000 of 5% bonds, which requires \$12,500 to pay interest, and also issues \$125,000 of 6% preferred stock, which carries an interest charge of \$7,500 per year, thereby exhausting the remaining \$20,000 of net income left from the original \$100,000. They take the profit represented by the additional securities, of \$375,000, making a total profit of \$875,000. Again they issue themselves, for example, five thousand shares of no-par common stock carrying sole voting power, in order to retain control. On this set up, this stock will pay no dividends, but nevertheless it has a very substantial value. If rates are increased, it becomes an earning stock. If consolidations are made, it immediately becomes valuable for purposes of control. If economies in operation are accomplished, such that earnings are increased, it, of course, becomes dividend paying. It gives control of who are officers in all of the companies, and the salaries to be paid. It enables those in control to organize a management corporation, a financial corporation, and an advisory corporation, which in turn render services of these three different natures, all of which are generously compensated. Furthermore, if the company ever becomes a part of a larger company, such that the stock is traded in on the exchanges, it immediately becomes very valuable for speculative purposes. Considering the value of actual control and the potentialities lying in the future, it would be fair to say that the five thousand shares of no-par stock in Company Number 2 would be worth a minimum, to someone else who wanted control, of at least \$250,000. The net result is that the owners, by the holding company structure, have made for themselves a net profit of \$875,000 out of a \$1,000,000 plant, and at the same time retained control, which is conservatively worth at least \$250,000 more. The securities which are sold and by means of which this \$875,000 is paid to the owners, are derived from sales of bonds and preferred stock to the public, and largely to the small investor.

Senators, as to investigations which have been made, I will refer to but a few. You are all familiar with the controversy which has been going on in Washington in the Federal Power Commission, which has been centered around William V. King, Chief Accountant. In an audit of the figures purporting to cover cost, presented by the Clarion River Power Company, Mr. King found that the cost of the project was but \$4,645,000, instead of the claimed cost of \$11,032,000. This is an example

of inflation of actual cost, by the company building the project. An example of inflation where the property has been transferred through holding companies is that of the Minnesota Utilities Companies, which had purchased certain power plants for \$17,200,000. After these plants had passed through three subsidiaries of the Electric Bond & Share Company, the claimed investment had reached \$37,000,000, or an inflation of over 100%. The Federal Trade Commission is now conducting investigations into the financial set-ups of various power companies. It has only just started in this particular field. Up to October 2, 1930, it had examined but six of the subsidiaries of the Electric Bond & Share Company. The results showed an inflation of almost \$324,000,000, and covered only a few of the many subsidiaries of the Electric Bond & Share Company.

Governor Pinchot, of Pennsylvania, some years ago, caused a study to be made of the financial set-ups of some four thousand electric utility companies and their holding companies. His findings are published in a book called "The Power Monopoly", published in 1929. Among other things, Governor Pinchot found that something over three thousand of these operating companies were owned or controlled by forty-one holding companies. He found that the balance sheets of thirty-five of these holding companies show total assets of more than \$8,000,000,000, but that a study of the assets, in the light of facts available about their acquisition by pyramid capitalization, indicated a capital inflation of not less than \$3,000,000,000.

Senators, another factor which must be taken into consideration is that the issuance, with but one exception, of these securities is absolutely without any control whatsoever. That one exception is where the securities are issued for a project using a water power leased from the Federal Power Commission. In such cases, the companies issuing securities must secure the approval of the Federal Power Commission as to the amount and kind of the securities, before the same are issued. In every other case, however, there is nothing to limit the amount or kind of securities issued, other than the will or the good judgment or bad judgment of the board of directors of the issuing company. William Z. Ripley is a man who has made a lifelong study of corporate finance. He is an authority on railroad financing, and, incidentally, is a director of the Rock Island Railroad Company. He has written a book called "Main Street and Wall Street", which if you cared to read it, you would, I am sure, find very interesting and enlightening. On the matter of issuing securities and selling them to customers, he says, at page 346 of his book:

"Another significant feature of this customer-ownership movement is that it may entirely misrepresent the actual security of the investor, so far as any participation, either directly or indirectly, in the interstate top holding companies is concerned. The sort of deception being practiced is exemplified by one of 'Ten Cardinal Rules' for sales campaigns of this nature, as issued by the Customer-Ownership Committee of the National Electric Light Association in 1924. One of these, by the way, reads: 'The number of shareholders to be steadily increased.' No doubt about its being a serious piece of business. The immediately

apposite rule, however, is this: 'It should be emphasized to him (the customer) that the red tape of regulation which surrounds the utility is his own best protection against any juggling that may affect his investment, and is as complete a guarantee of his return as can be provided for a stock issue.' Such a statement is utterly false as respects the financing of any of these interstate concerns except those hydro-electric corporations which have been licensed by the Federal Water Power Commission. Until the entire industry is placed under definite financial regulation as to security issues, by an agency of the United States Government, any purchaser of securities of these top companies does so absolutely at his own peril. There is no supervision whatsoever, and any impression conveyed to the contrary is downright misrepresentation."

Senators, you might be led to believe that the laws of the state granting the corporate charter afford some protection. As a matter of fact, the states whose laws are mostly used for corporate charters afford little, if any, protection. Inasmuch as I expect to refer to a Delaware corporation later, I will refer now to what can be done under Delaware corporation laws. There are some distinct advantages for concerns who desire to pyramid incorporating under the laws of Delaware. I will enumerate a few of them:

(1) There is no Blue Sky law in Delaware.

(2) The corporate charter may provide that shares may be issued with such designations, preferences and restrictions as the directors may from time to time determine. This means that the board of directors may issue any kind of stock at any time they see fit, giving priority to new issues over issues which have already been sold to investors. For example, suppose one issue of preferred stock has been sold. After this issue is sold, the directors can go ahead and authorize an issue of prior preferred stock, thereby giving holders of the prior preferred stock preference over the preferred. They may issue a prior prior preferred, and so on, and the net result being that people who have already made the investment on the basis of having a certain priority may be deprived of that priority by the issuance of other stock.

(3) At the time of the issue of the shares, the directors may allocate any part of the consideration received to either capital or surplus, or to both.

(4) Dividends may be paid out of this surplus. Inasmuch as this surplus may itself be secured from the sale of stock, it is obvious that dividends, therefore, may be paid out of capital, as distinguished from earnings, which, of course, impairs the value which is back of the securities issued.

(5) It may issue full paid stock for property, services, or cash, and the judgment of the directors respecting the value of the consideration is conclusive, in the absence of actual fraud.

(6) It may issue bonds, debentures or other obligations, without any limit whatsoever as to amount. For the correctness of these statements, I refer you to the 1930 Digests of Corporation Laws of the State of Delaware, issued either by the Corporation Service Company or the Corporation Trust Company, of Wilmington, Delaware.

Everyone knows that the securities offered to the small investor are invariably preferred stock, and it is obvious that this preferred stock may have nothing back of it other than an inflation of value, as distinguished from sound value, because all or nearly all of the sound value is covered by bond issues, whereas the preferred stock is very likely to represent capitalized earnings, as distinguished from sound value.

Finally, while I would not go so far as to say that there is actual misrepresentation, I will say that many times there is much misinformation given out to prospective purchasers of these securities, who are in the small investor class. In this connection, I am going to limit my remarks only to one company, which is the one doing business at Fort Dodge, in the county adjoining mine. For example, on the 28th day of January, 1929, the Fort Dodge Gas & Electric Company published an advertisement in the Fort Dodge Messenger. It was entitled "Let's Get Acquainted", and underneath these words, "A chat with your Gas & Electric Company." This is what the company, by its manager, had to say, in part:

"Just above, I used the expression 'your Gas & Electric Company', and I used this term advisedly. We now have over one thousand stockholders in this community, which is surely outstanding evidence of the popularity of your Gas & Electric Company. Other institutions in this community have at times paid their stockholders rates of return that the Gas & Electric Company never dreamed of, and yet the companies referred to probably have only a few stockholders in this community, while we have over one thousand. Why do people invest in our securities, when they know the return will always be a modest one? Simply because they have confidence in their Gas & Electric Company. They are doing their share in helping to build up one of the communities largest institutions, by supporting it with their money." This is signed: "Fort Dodge Gas & Electric Company." This advertisement is absolutely misleading, because the stock of the Fort Dodge Gas & Electric Company is owned by the United Light & Power Company, whereas the stock referred to, and which, by the way, is still being sold in large quantities in Fort Dodge, is stock in the United Light & Railways Company of Delaware. The United Light & Railways Company of Delaware, however, according to the financial set-up, hasn't a dollar's worth of interest in the Fort Dodge plant or in the Fort Dodge Gas & Electric Company, and yet Fort Dodge people were led to believe that their money went into the Fort Dodge plant. The financial set-up which shows that the United Light & Railways Company of Delaware has no interest whatsoever in the Fort Dodge Gas & Electric Company or in the Fort Dodge plant may be easily found by consulting either the Fitch Manual of Securities or Moody's Manual of Securities. Furthermore, the United Light & Railways Company of Delaware is not even authorized to do business in the State of Iowa, if the records in the office of the Secretary of State mean anything and if the United Light & Railways Company of Delaware does not even have a permit to do business in the State of Iowa, it is a pretty safe guess that it doesn't own a dollar's worth of property in the entire State of Iowa. On the other hand, no amount of argument or proof can convince a great majority of the stockholders

in Fort Dodge that they have no interest whatever in the Fort Dodge property. Before this advertisement to which I have referred appeared, there were many advertisements offering preferred stock for sale, and since that time there have been even more advertisements offering preferred stock for sale. In this connection, an interesting thing appears. According to Fitch's Manual, the United Light & Railways Company of Delaware was authorized to issue two kinds of preferred stock. One was a 7% stock, and one was a 6.36% stock. There were some differences in the stock, but both had equal priority in the event of liquidation. The first stock sold in Fort Dodge was the 7% stock, and the later the 6.36% stock. Both were sold on the installment plan. Thereafter the directors authorized a new issue of stock, which draws 6% and which is called a prior preferred. In other words, after the 7% and after the 6.36% stock were sold to the people of Fort Dodge, the directors created a new issue, which has priority over both of the issues previously sold, and are now selling that. Anyone can see what this does to the preference which the holders of the 7% or the 6.36% stock originally had. The present stock is being offered on payments of \$10 down and \$7.50 per month. It is offered to the people of Fort Dodge at par, as a safe, sane, sound value investment, and yet I notice that the 5½% bonds of this same United Light & Railways Company of Delaware are quoted in the Chicago Journal of Commerce, of February 12, 1931, at 87. Anyone knows that bonds come ahead of preferred stock, and if a bond which carries a 5½% rate is worth only 87 on the market, it is an absolute certainty that the preferred stock which is inferior to it is worth no more, and probably considerably less. I have no way of giving you accurate information as to how many hundreds of thousands of dollars worth of preferred stock has been sold to the people of Fort Dodge. My guess is that it is now probably one and one-half million dollars. During the past month particularly large sales have been made. Early in January there was a flurry in banking circles in Fort Dodge, and while this flurry was at its height the Fort Dodge Gas & Electric Company advertised this preferred stock very copiously in the Fort Dodge Messenger, and I am reliably informed that many people drew their money out of the banks and invested it in this prior preferred 6% stock, in spite of the fact that this stock is junior to bonds issued by the same company, which on February 12, 1931, were sold on the New York curb at 87.

Senators, it seems to me that the people of the State of Iowa are entitled to such protection as the Blue Sky Law gives them, when they invest their money in the securities of electrical utilities as well as in the securities of other corporations. Everyone in the Senate knows that Iowa people have lost enormous amounts of money. Everyone knows that the small investor is in no position to lose his savings or forfeit the result of his thrift. Everyone knows that the small investor, who buys a share or two of preferred stock at a time, paying for it on the installment plan, is being thrifty and is trying to save up something; and it seems to me that the bill under consideration should most certainly be passed, in order that the interests of these small investors may be safeguarded and in order that they may not be deprived of their savings.

IRVING H. KNUDSON.

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. 2, a bill for an act relating to the levying, collecting and paying of taxes on incomes.

Also: 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 fixing the salary of county attorney in counties having a population of more than 60,000.

Also: 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 relating to library building funds.

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

House File No. 113, a bill for an act relating to construction of bridges, viaducts and grade crossings on primary roads in certain cities.

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

House File No. 202, a bill for an act providing for a parole of prisoners in the penitentiary and reformatories.

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

House File No. 30, a bill for an act relating to the applications for permits to wholesale druggists.

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

House File No. 301, a bill for an act relating to bonding powers of trustees of certain cities.

Also: 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 relating to attending school in another corporation.

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

House File No. 169, a bill for an act relating to lights on horse drawn vehicles when on the public highway.

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

Senate Concurrent Resolution No. 10, relating to the use of secondary road construction fund.

Also: That the House respectfully requests that the Senate return to the House, Senate File No. 16.

SAM C. RAGAN, *Chief Clerk.*

SENATE FILE NO. 16 RETURNED TO HOUSE

By unanimous consent on request of Senator White Senate File No. 16, relating to use of secondary road construction fund was returned to the House at their request.

HOUSE MESSAGES CONSIDERED

House File No. 2, a bill for an act providing for property tax relief by the levying, imposing, collecting, and paying of taxes on incomes; providing for rules and regulations for the enforcement thereof, and prescribing penalties for the violations thereof; and making an appropriation for carrying out the provisions of this act.

Read first and second times and referred to committee on tax revision.

House File No. 30, a bill for an act to amend sections two thousand one hundred thirty-six (2136) and two thousand one hundred thirty-seven (2137), code, 1927, relating to applications for permits to wholesale druggists.

Read first and second times and referred to committee on public health.

House File No. 41, a bill for an act to amend Section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in Counties having a population of more than sixty thousand (60,000), and making such salary the full and only compensation.

Read first and second times and referred to committee on compensation of public officers.

House File No. 111, a bill for an act to amend section forty-two

hundred seventy-four (4274) of the code, 1927, relating to attending school in another corporation.

Read first and second times and referred to committee on public schools.

House File No. 113, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more, where the houses or business houses average less than two hundred (200) feet apart.

Read first and second times and referred to committee on railroads.

House File No. 169, a bill for an act requiring all horse drawn vehicles and all other vehicles not required to have lights, when on the highways of this state, to provide a light on said vehicles to be visible at a distance of two hundred (200) feet from the rear.

Read first and second times and referred to committee on motor vehicles.

House File No. 202, a bill for an act to amend section thirty-seven hundred eighty-six (3786), code of 1927, providing for parole of prisoners in the penitentiary and reformatories.

Read first and second times and referred to committee on board of control.

House File No. 271, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds.

Read first and second times and referred to committee on public libraries.

House File No. 301, a bill for an act to amend chapter three hundred twelve (312) of the code, 1927, by adding thereto as section sixty-one hundred forty-nine-d one (6149-d1) relating to bonding powers of trustees of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand (75,000).

Read first and second times and referred to committee on cities and towns.

HOUSE FILES NOS. 123 AND 4 MADE SPECIAL ORDER

By unanimous consent on request of Senator Rigby, House File No. 123 was made special order for 11:00 a. m. tomorrow.

By unanimous consent on request of Senator Clark of Linn, House File No. 4 was made a special order following disposal of Senate File No. 133.

The Journal of February 24th was corrected and approved.

By unanimous consent on request of Senator Knudson House File No. 169, relating to time of filing claims for tax exemption, was substituted for Senate File No. 160, on the calendar.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 86, as follows:

Amend the title by adding after the word "system" the words: "and the use of the primary road fund".

Amend by striking all of Section 1 and substitute in lieu thereof the following:

"Section 1. Section four thousand seven hundred fifty-five-b eight (4755-b8) of the Code, 1927, is hereby amended by striking from line 20 the word "thirty" and by inserting in lieu thereof the word "seventy-five"; and by striking lines 25 to 31 inclusive and inserting in lieu thereof the following:

Unless state road bonds are issued, the amount hereafter expended from the primary road fund for paving in any county shall not exceed twice the amount of primary road bonds authorized and issued by such county, until such time as seventy-five percent (75%) of all the county primary road bonds outstanding on July 1st, 1931, shall have been redeemed and paid".

A. V. BLACKFORD.

MR. PRESIDENT: I move to amend the committee amendment to House File No. 242 as follows: By adding thereto the following:

"The certificates when drawn by the chairman or vice-chairman as herein provided shall be numbered and when the report of the committee is made to the General Assembly, the same shall contain a list of the certificates so drawn showing in detail the name of person to whom each certificate is issued, the purpose for which it is issued and the amount of same."

B. M. STODDARD.

Senator Wilson moved to adjourn until 2 p. m. today.

Senator Stoddard moved to amend by making the time 10:00 a. m. Thursday.

Senator Benson moved as a substitute amendment to make the time 9:30 a. m. Thursday.

The substitution was made the motion as substituted was adopted and the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, FEBRUARY 26, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. William Horatio Phelps, pastor of the Central Presbyterian Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stevens, from retail dealers of tobacco products of Ottumwa, opposing the levy of an additional tax on tobacco; and from residents of Wapello county, favoring the payment by municipalities of public utilities plants from past or future earnings. Tax revision and public utilities.

By Senator Benson, from residents of Garnavillo, favoring a diversion of primary road funds. Highways.

By Senator Clark of Cerro Gordo, from teachers of Sheffield, opposing the reduction of the minimum wage for teachers. Public schools.

By Senator Cole, from residents of Delaware county, favoring a driver's license law; and from residents of Ryan, favoring a diversion of primary road funds. Motor vehicles and highways.

By Senator Doran, from residents of Boone county, favoring a driver's license law. Motor vehicles.

By Senator Kimberly, from residents of Blue Grass, Maysville and Buffalo, favoring a diversion of primary road funds. Highways.

By Senator Iekis, from residents of Cedar and Muscatine coun-

ties, opposing the appointment of a fish and game commission. Fish and game.

By Senator Blackford, from residents of Stockport and from residents of Jefferson county, opposing the appointment of a fish and game commission; and from residents of Batavia, favoring a diversion of primary road funds. Fish and game and highways.

By Senator Cooney, from residents of Worthington, favoring a diversion of primary road funds. Highways.

By Senator Bennett, from residents of Schleswig, favoring a diversion of primary road funds. Highways.

By Senator Ritchie, from Iowa department of reserve officer's association, opposing optional military training in schools; and from O'Brien county school masters, opposing the reduction of the minimum wage for teachers. Educational institutions and public schools.

By Senator Moen, from Sheldon commercial club and from business and professional men of Ocheyedan, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Patterson, from residents of Burt, favoring a diversion of primary road funds. Highways.

By Senator Wilson, from residents of Polk county, favoring a driver's license law; and from Polk county bankers association, favoring the encouragement of investments in farm land. Motor vehicles and agriculture.

INTRODUCTION OF BILLS

Senate File No. 276, by Senator MacDonald, a bill for an act to repeal chapter one hundred two (102), acts forty-third general assembly, relating to attaching and detaching territory; to amend section forty-one hundred fifty-two (4152), code, 1927, relating to the subdivision of independent districts, and to enact a law fixing a minimum limitation upon the size of independent school districts.

Read first and second times and referred to committee on public schools.

Senate File No. 277, by Senator Frailey, a bill for an act to

make it an offense for any person without the consent of the manufacturer, to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 278, by Senator Cooney, a bill for an act to repeal section fifty-six hundred ninety-nine (5699), code of 1927, relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service, and to enact a substitute therefor.

Read first and second times and referred to committee on cities and towns.

Senate File No. 279, by Senator Hill, a bill for an act to amend sections forty-three hundred seventeen (4317) and forty-four hundred three (4403), code, 1927, relating to school funds.

Read first and second times and referred to committee on public schools.

Senate File No. 280, by Senator Hill, a bill for an act to amend Section fifty-two hundred forty-one (5241) Chapter two hundred sixty-two (262), of the Code, 1927, to authorize the giving of either a bond or a liability policy by deputies.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 281, by Senator Christophel, a bill for an act to amend section thirty-one hundred twelve-b one (3112-b1), Code, 1927, relating to the grades of eggs; to establish retail grades of eggs; to establish optional grades for the purchase of eggs from producers; to provide rules and tolerances for the enforcement thereof.

Read first and second times and referred to committee on dairy and food.

Senate Joint Resolution No. 10, by committee on conservation, a joint resolution providing for the employment by the State Board of Conservation of a park and regional planning engineer

to make a comprehensive, statewide, twenty-five year program for the acquisition, conservation, maintenance, and construction of a system of parks, recreational grounds, beauty and scenic spots, scenic highways, fish, game, and bird refuges and sanctuaries with plans, specifications, and estimated cost which shall serve as a guide for the conservation activities of the state, and specifying the funds out of which to pay the cost of such plans and program.

Read first and second times and placed on the calendar.

Senate Joint Resolution No. 11, by Senator Anderson, a joint resolution authorizing the executive council to improve and construct office space in that part of the capitol building now known as the south gallery of the Senate Chamber.

Senator Anderson asked unanimous consent to consider this bill at once. There being several objections consent was refused.

Read first and second times and referred to committee on public buildings and loans.

Senate File No. 282, by Senator Rigby, a bill for an act to apply the provisions of the workmen's compensation law to employes of state-owned farms.

Read first and second times and referred to committee on insurance.

Senate File No. 283, by committee on departmental affairs, a bill for an act to repeal the law as it appears in chapter three hundred sixty-nine (369) of the Code of 1927 creating and relating to the office of Commerce Council, and providing that the Attorney General shall perform the duties heretofore performed by the Commerce Council.

Read first and second times and placed on the calendar.

Senate File No. 284, by Senator Kimberly, a bill for an act to amend Section Sixty-seven Hundred Seventy-eight, (6778), of the Code, 1927, to make provisions of Section Seven (7) of Senate File One Hundred Seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities.

Read first and second times and referred to committee on cities and towns.

Senate File No. 285, by Senator Kimberly, a bill for an act to amend section thirty-seven hundred sixty-two (3762), Code, 1927, relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section.

Read first and second times and referred to committee on board of control.

REPORTS OF COMMITTEES

Senator Lowe submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 51, a bill for an act to amend the law as it appears in section 522, chapter 35, of the code of 1927, relating to county boards of supervisors, begs leave to report it has had the same under consideration and returns the bill without recommendation.

WESLEY C. LOWE, *Chairman.*

Ordered passed on file.

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 188, a bill for an act to amend chapter two hundred fifty (250) of the Code, 1927, to permit gas, gasoline, and water pipe lines to be laid across and along the highways of the state, and to limit the term of the user thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking all after the enacting clause and substituting the following:

Section 1. Section forty-eight hundred fifty-eight (4858) of the Code, 1927, is amended by inserting in paragraph No. 1, line one (1), after the word "gas" the word "gasoline".

Also, by adding thereto as section No. 4858-A. "The State Highway Commission in the case of primary roads and the respective Boards of Supervisors in the case of secondary roads, on written application designating the particular highway and part thereof the use of which is desired, may grant permission to lay gas, gasoline and water mains across and along highways outside of cities and towns."

Sec. 2. Section forty-eight hundred fifty-nine (4859) of the Code, 1927, is amended by inserting after the word "gas" in line four (4) the word "gasoline".

Sec. 3. This act being deemed of immediate importance, shall be in force and effect from and after its publication in the *Baxter New Era*, a newspaper published at Baxter, Iowa, and in the *Union Republican*, a newspaper published at Albia, Iowa.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 202, a bill for an act to amend section seventy-seven hundred ninety-six (7796) Code, 1927, relating to the erection of dams which affect state-owned land, and to provide for the protection of highways which may be affected by the erection of such dams, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 156, a bill for an act to amend chapter one hundred seventy-six (176), Acts of the forty-third (43rd) General Assembly, and sections fifty-nine hundred seventy-eight (5978), sixty hundred two (6002), sixty hundred three (6003), sixty hundred twenty-four (6024), sixty hundred twenty-six (6026), and sixty hundred thirty-two (6032), code of 1927, relating to the authorization of cities and towns to improve streets by the use of shale, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 41, a bill for an act to amend section fifty-eight hundred thirty-five (5835), Code, 1927, relating to municipal bonds to provide for municipal appropriation of funds, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section fifty-eight hundred thirty-five (5835) of the Code, 1927, is amended by adding thereto the following: Cities having a population of over forty thousand and not more than one hundred twenty-five thousand may, when authorized as hereinafter provided, levy a tax of

not to exceed one-half mill for the purpose of providing for the maintenance or employment of a band for musical purposes.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 59, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982), of the Code, 1927, relating to connections under waterworks trustees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 240, a bill for an act providing for the cancellation of taxes levied and assessed against waterworks systems and property purchased by cities of one hundred thousand (100,000) or more, including cities under commission plan of government, and including lands purchased for extension of such systems, and to protect the water supply, in cases where such taxes are levied and assessed or become due after such purchase, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 245, a bill for an act to amend section fifty-seven hundred seventy-eight (5778), Code, 1927, relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 234, a bill for an act to amend section five thousand thirteen (5013) Code, 1927, and chapter one hundred twenty-seven (127), acts of the forty-third general assembly, relating to the motor vehicle

department and the funds and records thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchise, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

That the period at the end of Section 3 be changed to a comma, and the following be added thereto: "without expense to the state".

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 135, a bill for an act to provide for the method of execution of stock certificates, and regulating the use of facsimile signatures thereon, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Senator Cole submitted the following report:

MR. PRESIDENT: Your committee on public utilities, to which was referred House File No. 151, a bill for an act to amend Sec. Six Thousand One Hundred Thirty-four (6134) of the Code 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking out Section 2d and substituting in lieu thereof the following:

2-D. Before any municipality shall enter into any such contract, as provided in Section 2-A hereof, for the establishment of a plant, or for the extension or improvement of an existing plant, to cost Five Thousand (\$5,000.00) Dollars, or more, the Council shall adopt plans and specifica-

tions so drafted as to permit competitive bidding by and between manufacturers of engines, generators, and other equipment, and between contractors. It shall give at least Thirty (30) days notice of the time, place and purpose of a meeting to be held for consideration thereof, by publication once each week for two consecutive weeks in some newspaper of general circulation in the municipality, and also in some newspaper of general circulation in the State of Iowa; the first publication of which shall be at least thirty (30) days prior to the time fixed in said notice. Such notice shall state as nearly as practicable the extent of the work; the kinds of materials, for which bids will be received; when the work shall be done; and the time the proposals will be acted upon. At the meeting held pursuant to said notice, bids shall be received and such contract shall be let to the lowest responsible bidder or bidders, or all bids may be rejected. The Council may make such contract in such form as may be for the best interest of the municipality, but no such contract shall become effective until it has been submitted to and approved by a majority of the electors voting thereon at a general or special election, as provided in Sections 6131, 6132, and 6133, of the Code.

C. G. COLE, *Chairman.*

Ordered passed on file.

Senator Ickis submitted the following reports:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 205, a bill for an act to amend chapter fifty-eight (58), acts of the forty-third (43rd) general assembly, relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK D. ICKIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred Senate File No. 192, a bill for an act to amend sections twelve (12), thirteen (13), fourteen (14), seventeen (17), twenty-six (26), twenty-eight (28), twenty-nine (29), thirty-two (32), and thirty-three (33) of chapter fifty-seven (57) of the acts of the forty-third (43rd) general assembly; and sections one (1), three (3), and four (4) of chapter fifty-eight (58) of the acts of the forty-third (43rd) general assembly; and sections seventeen hundred nine (1709), seventeen hundred fifteen (1715), seventeen hundred twenty-two (1722), seventeen hundred fifty-four (1754), and seventeen hundred seventy-nine (1779), Code, 1927, relating to fish, game, and fur-bearing animals; and to enact additional provisions

relating to and regulating the propagation and protection of fish, game, wild birds and animals, including the regulation of the time when hunting dogs may not be permitted to be afield for the purpose of training, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 192 as follows:

1. By striking from line 3, section 2, the words "except trout" and inserting in lieu thereof the following: ", except trout,".

2. By striking from line 24, section 7, the word "ducks" and inserting in lieu thereof the word "waterfowl".

3. By striking the words "game birds" in line 4, section 8, and inserting in lieu thereof the following: ", game birds".

4. By striking the words "game birds" in line 6, section 8, and inserting in lieu thereof the following: ", game birds".

5. By striking the words "game birds" in line 8, section 8, and inserting in lieu thereof the following: "**, game birds**".

FRANK D. ICKIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 124, a bill for an act relating to Fish, Game, Fur-Bearing Animals and Protected Birds; Creating a Fish and Game Commission, Prescribing its Powers and Duties, and Transferring Funds for the use of such Commission, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK D. ICKIS, *Chairman.*

Ordered passed on file.

MINORITY REPORT ON HOUSE FILE NO. 124

MR. PRESIDENT: We, the undersigned members of the Senate Fish and Game Committee, do hereby recommend House File No. 124 for passage.

I. H. KNUDSON.

W. R. RITCHIE.

G. W. PATTERSON.

O. E. GUNDERSON.

GEO. W. CHRISTOPHEL.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, request the call of the Senate for consideration of House File No. 124.

G. W. PATTERSON
C. E. ANDERSON
T. E. MOEN
LEW MACDONALD
O. P. BENNETT
B. M. STODDARD
L. T. QUIRK
C. D. BOOTH

ARTHUR LEONARD
GEO. A. WILSON
IRVING H. KNUDSON
O. E. GUNDERSON
GEO. W. CHRISTOPHEL
W. E. MCLELAND
W. R. RITCHIE

Senator Ickis asked consent to consider the report of committee on House File No. 124.

Senator Patterson asked unanimous consent to defer action on the report until after the recess.

Objection was made.

Senator Patterson moved that consideration of the report of the committee on House File No. 124 be deferred until after the recess, and retain its place upon the calendar.

Senator Knudson asked for a roll call.

Senator Frailey invoked Rule 8.

On the question, "Shall action be deferred?" the vote was:

Ayes, 25.

Anderson	Clark of Marion	McLeland	Stanley
Beatty	Gunderson	Moen	Stoddard
Bennett	Hill	Myers	Tabor
Bissell	Knudson	Patterson	Wenner
Carden	Leonard	Quirk	White
Christophel	MacDonald	Ritchie	Wilson
Clark of Linn			

Nays, 18.

Benson	Clearman	Frailey	Kimberly
Blackford	Cochrane	Hager	Klemme
Booth	Cole	Ickis	Lowe
Clark of	Cooney	Irwin	Rigby
Cerro Gordo	Coykendall	Kent	

Absent or not voting 7.

Baird	Doran	Langfitt	Topping
Carroll	Hicklin	Stevens	

The motion prevailed and action was deferred until after the

recess on consideration of the report of the committee on House File No. 124.

SAVAGE MEMORIAL RESOLUTION

Senator Benson asked unanimous consent to consider the following resolution and moved its adoption:

Whereas, The Honorable Arthur C. Savage, who was a member of the Senate in the Thirty-third, Thirty-fourth, Thirty-fifth, and Thirty-sixth General Assemblies, from the Sixteenth District composed of Adair and Madison Counties, died at his home in Des Moines, Iowa, on the twenty-second day of February, 1931, therefore

Be It Resolved by the Senate of the Forty-fourth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

The resolution was adopted and the President appointed as such committee Senators Langfitt, Wilson and Frailey.

HOUSE FILE NO. 242 MADE SPECIAL ORDER

Senator Stoddard moved that House File No. 242 be made a special order for 2:00 p. m. today.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Moen, House File No. 23, a bill for an act to amend the law as it appears in section ten thousand seven hundred sixty-eight (10768), of the code of Iowa, 1927, relating to the number of judges in and for the twenty-first Judicial District of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 43.

Anderson
Beatty
Bennett

Benson
Bissell
Blackford

Booth
Carden
Christophel

Clark of
Cerro Gordo
Clark of Linn

Clark of Marion	Hager	Leonard	Rigby
Clearman	Hill	Low	Ritchie
Cochrane	Ickis	MacDonald	Stoddard
Cole	Irwin	McLeland	Tabor
Cooney	Kent	Moen	Topping
Coykendall	Kimberly	Myers	Wenner
Frailey	Klemme	Patterson	White
Gunderson	Knudson	Quirk	Wilson

Nays, none.

Absent or not voting, 7.

Baird	Doran	Langfitt	Stevens
Carroll	Hicklin	Stanley	

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

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

On motion of Senator Booth, Senate File No. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the Code, 1927, relating to the total maximum weight of motor vehicles and loads thereon, was taken up and considered, the report of the committee having previously been adopted and the committee amendments also having been adopted on February 25th.

Senator Booth offered the following amendment to the committee amendments and moved its adoption:

Amend the proposed Section 7 by striking from line 9 the words "over all length" and inserting in lieu thereof the following:

"in length over all".

The amendment was adopted.

Senators Bennett, Doran and Quirk offered the following amendment and moved its adoption:

Amend by striking out section 4 and inserting in place thereof the following:

"Section 4. It shall be unlawful to use or operate on or over any of the highways of this state any such vehicle of a maximum width in excess of eight feet, or of a maximum length as follows:

"A vehicle carrying only persons and/or mail and/or express, maximum length, 26 feet over all;

"A vehicle carrying property or goods, maximum length, 24 feet over all;

"A single trailer, maximum length, 16 feet over all;

"A semi-trailer, including the motor vehicle, maximum length, 26 feet over all;

"Combined length of motor vehicle and trailer or trailers and load, maximum length, 45 feet over all; nor shall any such vehicle, together with its load, exceed such prescribed maximum width, height, or length, provided, that the limitation as to width, height and length of loads shall not apply to loads of loose hay, straw, or other similar farm products.

"Such vehicles used for the carrying of persons and/or mail and/or express, only, and in use on or over the highways of this state at the time of the effective date of this act, shall be exempted from the provisions hereof for the period of three years from and after such date."

Senator Hicklin offered the following amendment to the amendment to section 4 and moved its adoption:

Amend by striking out of line 5 the figures "28" and out of line 6 the figures "24" and by substituting in lieu of the figures so stricken the figures "30" in each place.

Division was called for.

The amendment to the amendment was adopted.

Roll call was demanded on the amendment.

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

Ayes, 21.

Anderson	Clark of	Irwin	Patterson
Beatty	Cerro Gordo	Kimberly	Quirk
Bennett	Doran	Leonard	Stoddard
Bissell	Frailey	McLeland	Topping
Carden	Gunderson	Moen	White
	Hicklin	Myers	

Nays, 24.

Benson	Clearman	Hill	Rigby
Blackford	Cochrane	Ickis	Ritchie
Booth	Cole	Kent	Stanley
Christophel	Cooney	Klemme	Tabor
Clark of Linn	Coykendall	Knudson	Wenner
Clark of Marion	Hager	Lowe	Wilson

Absent or not voting, 5.

Baird	Langfitt	MacDonald	Stevens
Carroll			

The amendment was lost.

Senators Bennett, Doran and Quirk offered the following amendment and moved its adoption:

Amend section 8 by striking out all of said section except the last three lines and substituting in place thereof the following:

"Section 8. That the law as it appears in section 5065 of the Code, 1927, as amended by section 2, Chapter 25, be and the same is hereby repealed and the following enacted in lieu thereof:

"The total maximum load on any one wheel of any motor vehicle or trailer, including the weight of the vehicle and the load it carries, shall be three and one-half tons for vehicles equipped with pneumatic tires, and two and one-half tons for vehicles equipped with two or more solid rubber tires, provided the total maximum weight of the vehicle and load shall not in any event exceed ten tons for a vehicle equipped with pneumatic tires or eight tons for a vehicle equipped with two or more solid rubber tires."

The amendment was lost.

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

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

Ayes, 44.

Anderson	Clark of Marion	Ickis	Rigby
Beatty	Clearman	Irwin	Ritchie
Bennett	Cochrane	Kent	Stanley
Benson	Cole	Kimberly	Stoddard
Bissell	Cooney	Klemme	Tabor
Blackford	Coykendall	Knudson	Topping
Booth	Doran	Lowe	Wenner
Carden	Frailey	McLeland	White
Christophel	Gunderson	Moen	Wilson
Clark of Cerro Gordo	Hager	Myers	
Clark of Linn	Hicklin	Patterson	
	Hill	Quirk	

Nays, 1.

Leonard

Absent or not voting, 5.

Baird
Carroll

Langfitt

MacDonald

Stevens

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

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 207 and 263.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Also:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 56.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File No. 207 and 263 and Senate File No. 56.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 26th day of February, 1931, sent to the governor for his approval, Senate File No. 56.

E. R. HICKLIN, *Chairman.*

The report was adopted.

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, A general depression has existed for some time causing a large reduction in all property values, farm products, manufactured goods, and the price of labor, with a resultant increase in the purchasing power of the dollar; now therefore

Be It Resolved by the Senate, the House Concurring: That we pledge ourselves to use our best endeavors in a united effort to keep down expenses and appropriations to be made to such an extent that the total amount spent or appropriated at this session shall be at least One million dollars (\$1,000,000) less than the total amount so spent or appropriated by the 43rd General Assembly.

T. E. MOEN.

C. L. RIGBY.

Laid over under the rules.

On motion of Senator Clark of Cerro Gordo the Senate adjourned until 1 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

On motion of Senator McLeland, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

Senator Topping moved that when adjournment is had tomorrow it be not later than 12 o'clock noon.

The motion prevailed.

By unanimous consent on request of Senator Clark of Marion, Senators Leonard, Bissell and Clark of Marion were excused at 2:00 p. m. for special work.

Senator Stoddard asked that the Senators be not excused.

Senator Clark of Marion raised the point of order that the Senators had already been excused by unanimous consent.

The President held the point of order well taken.

THIRD READING OF BILLS

On motion of Senator Stoddard, House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8), with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered :

Amend section 1 by substituting a comma for a period at the end of said section and adding thereto the following: such expenses to include reporters' fees and expenses, fees of witnesses, personal expenses of the members of the committee nominated to conduct such investigation, attorney's fees of the attorney for such committee, materials and supplies reasonably incident to such investigation. Upon the certification of the chairman and/or the vice-chairman of the committee on investigation so nominated, to the office of the auditor of state, such certification to contain the information required in sub-division eight of section 102 of the Code, then the auditor of state shall draw a warrant upon the treasurer of state, payable to the holder of such certificate for the amount so certified.

Senator MacDonald offered the following amendment to the committee amendment and moved its adoption:

"Amend by adding the following after the word "supplies" in line 5 thereof:

" , accountants, investigators, and all other persons and/or matters which such committee shall consider".

Further amend by inserting after the word "incident" in line 6 the words "and necessary".

Senator Doran asked to defer action on this bill until after the recess.

Objection was raised.

Senator Doran withdrew his motion.

Senator MacDonald moved to defer action until after the recess.

Senator Wilson asked for a roll call.

On the question, "Shall the motion to defer action prevail?" the vote was:

Ayes, 21.

Bennett	Clark of	Leonard	Patterson
Bissell	Cerro Gordo	Lowe	Quirk
Carden	Cochrane	MacDonald	Ritchie
Carroll	Gunderson	McLeland	Stanley
Christophel	Hicklin	Moen	White
	Hill	Myers	

Nays, 20.

Anderson	Clearman	Irwin	Stoddard
Benson	Cooney	Kent	Tabor
Blackford	Frailey	Kimberly	Topping
Booth	Hager	Klemme	Wenner
Clark of Marion	Ickis	Knudson	Wilson

Absent or not voting, 9.

Baird	Cole	Doran	Rigby
Beatty	Coykendall	Langfitt	Stevens
Clark of Linn			

The roll call was verified.

The motion to defer action was adopted.

Senator Coykendall announced that he had voted "no" and wished to be so recorded.

Senator Gunderson raised the point of order that the result of the roll call had been announced.

The President held the point of order well taken.

On motion of Senator Clark of Linn, House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6) and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the state board of assessment and review, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend House File No. 4 by striking out of line 13 of section one (1) the word "their" and inserting in lieu thereof the word "its".

2. That paragraph nine (9) of section seventeen (17) of chapter two hundred five (205) Acts of the Forty-third General Assembly be and the same is hereby amended by striking out of line sixty-six (66) the words "county board of equalization" and substituting in lieu thereof the words, "board of review"; also by striking out of line sixty-nine (69) thereof the words "county board of equalization", and inserting in lieu thereof, "any board of review".

3. Amend section seventeen (17) of chapter two hundred five (205) Acts of the Forty-third General Assembly by inserting after paragraph nine (9) the following as paragraph nine-a (9a):

"(9a). To correct errors, irregularities, or omissions in assessments of individual taxpayers by adding to the tax list any omitted property or by raising, lowering, or abating an assessment found to be erroneous or excessive; provided, however, that before making any such correction the board shall notify the owner of record or person assessed with such property by registered mail addressed to such person at his last known place of residence notifying him to appear before said board within ten (10) days from the mailing of said notice and show cause why such correction or addition should not be made; provided, however, that any party aggrieved by the action of the State Board may within twenty (20) days after such action has been taken appeal from the action of the State Board to the District Court of the county where the property is situated by serving on the chairman of the State Board a written notice of appeal in the same manner as provided for the service of original notices. The State Board shall notify the county auditor or county treasurer of any such correction or change and the county auditor or county treasurer shall amend the assessment roll and/or tax list to conform to the order of the Board; but no correction or change of assessment shall be made by the State Board after the expiration of five (5) years from the date when such assessment was made or should have been made."

4. By adding to said House File No. 4 the following:

"Sec. 4. That section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the same is hereby amended by by adding thereto the following:

"16. To certify to the Auditor of State on January first of each year the aggregate of each state tax for each county for said year."

"Sec. 5. That section thirty-four (34), chapter two hundred five (205), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting in line fourteen (14) after the word "act", the following words, to-wit:

"except as provided in paragraph three (3) of section one hundred two (102), Code, 1927".

"Sec. 6. That section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly be and the same is hereby repealed."

"Sec. 7. Chapter two hundred five (205) Acts of the Forty-third General Assembly as herein amended is hereby made applicable to cities acting under special charter.

"Sec. 8. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Walker News, a newspaper published at Walker, Iowa, and the Freeman-Journal, a newspaper published at Webster City, Iowa."

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

Amend by striking out of line 4 in Sec. (9a) the words "such correction" and inserting in lieu thereof "increase in any assesment or assessment of any property as omitted property"; also by striking out the word "correction" at the end of line 8 of said Sec. (9a) and inserting in lieu thereof the word "increase".

The amendment to the amendments was adopted.

The committee amendments as amended were adopted.

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

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

Ayes, 37.

Beatty	Clark of Linn	Ickis	Patterson
Bennett	Clearman	Kent	Quirk
Benson	Cochrane	Kimberly	Ritchie
Bissell	Cooney	Klemme	Stanley
Blackford	Coykendall	Knudson	Stoddard
Booth	Frailey	Lowe	Tabor
Carden	Gunderson	MacDonald	Wenner
Christophel	Hager	McLeland	White
Clark of	Hicklin	Moen	
Cerro Gordo	Hill	Myers	

Nays, none.

Absent or not voting, 13.

Anderson	Cole	Leonard	Wilson
Baird	Doran	Rigby	
Carroll	Irwin	Stevens	
Clark of Marion	Langfitt	Topping	

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

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

President Pro Tem Wm. E. McLeland took the chair at 2:50 p. 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. 129, a bill for an act relating to certain diseases and the duties of state officials relative to same.

Also: 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 relating to the salary of the sheriff.

Also: 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 relating to expenses incurred in Hall vs. Fabritz contest.

Also: 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 relating to county aid for county agricultural societies.

Also: 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 relating to amount of claims against the state and certain agencies thereof.

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

House File No. 147, a bill for an act relating to persons having communicable diseases.

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

House File No. 101, a bill for an act relating to trial of defendants jointly indicted.

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

House File No. 190, a bill for an act relating to the inspector of the state department of health.

Also: 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 relating to the sale by game wardens of undesirable fish.

Also: 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 relating to expense incurred in Hatter vs. Gallagher election contest.

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

House File No. 279, a bill for an act relating to a patent to certain land in Jones County, Iowa.

Also: 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 relating to the distribution of early laws.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 16, a bill for an act relating to the use of secondary road construction fund.

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

Senate File No. 209, a bill for an act relating to the approval of plats in certain cities.

SAM C. RAGAN, *Chief Clerk.*

AMENDMENT TO SENATE FILE NO. 16

Amend Senate File No. 16 by striking therefrom Section One (1) and substituting therefor the following:

Section 1. That section eleven (11) of chapter twenty (20), acts of the Forty-third General Assembly, be amended by adding thereto the following:

7. To the payment of county road bonds authorized under chapter two hundred forty-two (242) code of 1927 or 1924, prior to July 4, 1929.

AMENDMENT TO SENATE FILE NO. 209

Amend Section one (1) of Senate File No. 209 by striking therefrom, lines one (1), two (2), three (3), four (4), five (5) six (6) and seven (7), and inserting in lieu thereof the following:

Section 1. That section sixty-two hundred seventy-eight b one (6278-b1), code of 1927 be and the same is hereby amended by adding to said section the following:

HOUSE AMENDMENTS CONSIDERED

Senator White called up for consideration Senate File No. 16, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 16 by striking therefrom Section One (1) and substituting therefor the following:

Section 1. That section eleven (11) of chapter twenty (20), acts of the Forty-third General Assembly, be amended by adding thereto the following:

"7. To the payment of county road bonds authorized under chapter two hundred forty-two (242) code of 1927 or 1924, prior to July 4, 1929."

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

Ayes, 39.

Beatty	Clearman	Irwin	Quirk
Bennett	Cochrane	Kent	Rigby
Benson	Cooney	Kimberly	Ritchie
Bissell	Coykendall	Klemme	Stanley
Blackford	Frailey	Knudson	Stoddard
Booth	Gunderson	Lowe	Tabor
Christophel	Hager	MacDonald	Topping
Clark of	Hicklin	McLeland	Wenner
Cerro Gordo	Hill	Moen	White
Clark of Linn	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Carroll	Doran	Patterson
Baird	Clark of Marion	Langfitt	Stevens
Carden	Cole	Leonard	

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

Senator Wilson called up for consideration Senate File No. 209, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section one (1) of Senate File No. 209 by striking therefrom, lines one (1), two (2), three (3), four (4), five (5) six (6) and seven (7), and inserting in lieu thereof the following:

“Section 1. That section sixty-two hundred seventy-eight b one (6278-b1), code of 1927 be and the same is hereby amended by adding to said section the following:”.

On the question “Shall the Senate concur?” the vote was:

Ayes, 40.

Anderson	Clark of Linn	Kent	Ritchie
Beatty	Clearman	Kimberly	Stanley
Bennett	Cochrane	Klemme	Stoddard
Benson	Cooney	Knudson	Tabor
Bissell	Coykendall	Low	Topping
Blackford	Frailey	MacDonald	Wenner
Booth	Gunderson	McLeland	White
Carden	Hager	Moen	Wilson
Christophel	Hill	Myers	
Clark of	Ickis	Quirk	
Cerro Gordo	Irwin	Rigby	

Nays, none.

Absent or not voting, 10.

Baird	Cole	Langfitt	Stevens
Carroll	Doran	Leonard	
Clark of Marion	Hicklin	Patterson	

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

Senator Wilson moved that the vote by which the amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Benson, Senate File No. 86, a bill for an act to amend the provisions of section four thousand seven

hundred fifty-five b eight (4755-b8) Code of 1927, relating to the improvement of the primary road system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by substituting a comma (,) for the period (.) at the end thereof and adding the following:

“And inserting in lieu thereof the following:

“Unless state road bonds are issued, the amount hereafter expended from the primary road fund for paving in any county shall not exceed twice the amount of primary road bonds authorized and issued by such county, until such time as seventy-five percent (75%) of all of the county primary road bonds outstanding on July 1st, 1931, shall have been redeemed and paid”.

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

Amend the title by adding after the word “system” the words: “and the use of the primary road fund”.

Amend by striking all of Section 1 and substitute in lieu thereof the following:

“Section 1. Section four thousand seven hundred fifty-five-b eight (4755-b8) of the Code, 1927, is hereby amended by striking from line 20 the word “thirty” and by inserting in lieu thereof the word “seventy-five”; and by striking lines 25 to 31 inclusive and inserting in lieu thereof the following:

Unless state road bonds are issued, the amount hereafter expended from the primary road fund for paving in any county shall not exceed twice the amount of primary road bonds authorized and issued by such county, until such time as seventy-five percent (75%) of all the county primary road bonds outstanding on July 1st, 1931, shall have been redeemed and paid”.

The substitution was made.

The amendment as substituted was adopted.

The bill was read for information.

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

On the question “Shall the bill pass?” the vote was:

Ayes, 35.

Anderson	Clark of Linn	Kent	Rigby
Beatty	Cochrane	Kimberly	Ritchie
Bennett	Cooney	Knudson	Stanley
Benson	Coykendall	Lowe	Stoddard
Bissell	Frailey	MacDonald	Tabor
Blackford	Hager	McLeland	Wenner
Booth	Hill	Moen	White
Carden	Ickis	Myers	Wilson
Christophel	Irwin	Quirk	

Nays, none.

Absent or not voting, 15.

Baird	Clark of Marion	Gunderson	Leonard
Carroll	Clearman	Hicklin	Patterson
Clark of	Cole	Klemme	Stevens
Cerro Gordo	Doran	Langfitt	Topping

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

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

On motion of Senator Bennett, House File No. 90, a bill for an act to provide for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state, was recalled from the committee and substituted for Senate File No. 96, a companion bill on which the report of the committee recommending passage was adopted, and was taken up and considered.

The bill was read for information.

President Arch W. McFarlane returned to the chair at 3:22 p. m.

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

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

Ayes, 38.

Anderson	Carden	Cochrane	Hicklin
Bennett	Christophel	Cooney	Hill
Benson	Clark of	Coykendall	Ickis
Bissell	Cerro Gordo	Frailey	Irwin
Blackford	Clark of Linn	Gunderson	Kent
Booth	Clearman	Hager	Kimberly

Knudson	Moen	Ritchie	Wenner
Lowe	Myers	Stoddard	White
MacDonald	Patterson	Tabor	Wilson
McLeland	Rigby	Topping	

Nays, none.

Absent or not voting, 12.

Baird	Clark of Marion	Klemme	Quirk
Beatty	Cole	Langfitt	Stanley
Carroll	Doran	Leonard	Stevens

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

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

By unanimous consent on request of Senator Bennett Senate File No. 96 was withdrawn from further consideration.

The Journal of February 25th was corrected and approved.

INTRODUCTION OF BILLS

Senate File No. 286, by Senator Rigby, a bill for an act to amend Section nine thousand four hundred ten (9410) of Chapter four hundred nineteen (419) of the Code, 1927, relating to chattel loans; to provide that State Savings and National Banks, and Trust Companies shall have authority to loan any sum of money not exceeding in amount the sum of three hundred dollars (\$300.00) and may charge, contract for, and receive thereon interest at a rate not to exceed two per cent (2%) per month; to prohibit additional or excessive charges; to provide for examination, control and supervision; and to provide penalty for violation thereof.

Read first and second times and referred to committee on banks and banking.

Senate File No. 287, by Senator Clearman, a bill for an act to authorize independent rural school districts to combine for the purpose of establishing and maintaining union high schools, to prescribe the procedure to effect such combination, to provide for the election of directors in such combined districts, to fix the powers and duties of public officers with reference to such com-

bined districts, and to provide for the dissolution of such combined districts.

Read first and second times and referred to committee on public schools.

Senate File No. 288, by Senator Rigby, a bill for an act to amend Section eleven (11), Chapter thirty (30) of the Acts of the 43rd General Assembly relating to Bank drafts and Cashiers' Checks given for clearings or drafts given for the transportation of funds.

Read first and second times and referred to committee on banks and banking.

Senate File No. 289, by Senator Rigby, a bill for an act to amend Section seven thousand two (7002) of the Code, 1927, and to amend Section twenty-three (23), Chapter thirty (30), of the Acts of the 43rd General Assembly, to clarify the law relating to the deduction of real estate of Banks for purposes of taxation and prohibiting any offset against Surplus and Undivided Profits for losses.

Read first and second times and referred to committee on banks and banking.

Senate File No. 290, by Senator Rigby, a bill for an act relating to stopping payment on checks and drafts.

Read first and second times and referred to committee on banks and banking.

Senate File No. 291, by Senator Rigby, a bill for an act to provide that the requirements of Chapter ten (10) of the Acts of the 43rd General Assembly shall not apply to State and Savings Banks and Trust Companies and National Banks subject to the jurisdiction of the Banking Department of the respective State or Federal Government.

Read first and second times and referred to committee on banks and banking.

Senate File No. 292, by Senator Rigby, a bill for an act to amend Section twenty-five (25) Chapter thirty (30) of the Acts of the Forty-third General Assembly relating to false statements for credit.

Read first and second times and referred to committee on banks and banking.

Senate File No. 293, by Senator Cooney, a bill for an act to repeal the law as it appears in sections ten thousand four hundred sixty-two (10462), ten thousand four hundred sixty-three (10463) and ten thousand four hundred sixty-four (10464) of the code, 1927, relating to actions for damages on account of personal injuries or death to women.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 294, by Senator Stanley, a bill for an act to repeal sections thirty-eight hundred fifty-eight (3858), thirty-eight hundred fifty-nine (3859), and thirty-eight hundred sixty (3860), inclusive, code, 1927, relating to the board of educational examiners, and to enact a substitute therefor; to repeal sections thirty-eight hundred sixty-one (3861) to thirty-eight hundred ninety-one (3891), inclusive, code, 1927, as amended by the forty-third general assembly, chapter ninety-six (96) relating to the issuance of teachers' certificates, and to enact a substitute therefor; to repeal sections thirty-eight hundred ninety-two (3892) to thirty-eight hundred ninety-five (3895), inclusive, code, 1927, relating to the revocation of certificates and to enact a substitute therefor; to repeal sections thirty-eight hundred ninety-six (3896) to thirty-eight hundred ninety-seven (3897), inclusive, code, 1927, relating to expenditures and accounts, effective July 4, 1935; to repeal chapter one hundred ninety-four (194), code, 1927, relating to normal training courses in high school and to enact a substitute therefor; to amend section four thousand ninety-seven (4097), code, 1927, relating to the qualifications of county superintendents; and to amend section forty-two hundred sixty-six (4266), code, 1927, relating to kindergarten.

Read first and second times and referred to committee on public schools.

Senate File No. 295, by Senator Cooney, a bill for an act to amend the law as it appears in section two (2) of chapter one hundred twenty-eight (128) of the acts of the forty-third general assembly relating to the driving of motor vehicles upon the highways.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 296, by Senator Myers, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies.

Read first and second times and referred to committee on tax revision.

HOUSE MESSAGES CONSIDERED

House File No. 198, a bill for an act to amend section twenty-nine hundred five (2905) code, 1927, relating to county aid for county agricultural societies and the use of such funds.

Read first and second times and referred to committee on agriculture.

House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof.

Read first and second times and referred to committee on departmental affairs.

House File No. 147, a bill for an act to amend section twenty-two hundred forty-seven (2247) and to repeal twenty-two hundred sixty-six (2266) of the code, 1927, and to enact a substitute therefor, relating to isolation of persons having communicable diseases and determination of such isolation of quarantine; and to repeal section twenty-two hundred sixty-seven (2267) of the code, 1927, relating to the report of termination of quarantine, and to amend sections twenty-two hundred sixty-eight (2268), twenty-two hundred seventy-four (2274) and twenty-two hundred seventy five (2275) of the code, 1927, relating to fumigation.

Read first and second times and referred to committee on public health.

House File No. 129, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305), twenty-three hundred six (2306) and twenty-three hundred nine (2309), of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code, 1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same.

Read first and second times and referred to committee on public health.

House File No. 40, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties, to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff.

Read first and second times and referred to committee on compensation of public officers.

House File No. 194, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz.

Read first and second times and referred to committee on appropriations.

House File No. 101, a bill for an act to repeal section thirteen thousand eight hundred and forty-two (13842) of the code, 1927, relating to the trial of defendants jointly indicted, and to enact a substitute therefor.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 190, a bill for an act to amend chapter sixty-four (64), acts of the forty-third (43rd) general assembly, relating to the inspector in the state department of health, and providing

for an assistant to said inspector, and compensation and expense of said inspectors.

Read first and second times and referred to committee on public health.

House File No. 200, a bill for an act to amend section seventeen (17), chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the sale by game wardens of undesirable fish.

Read first and second times and referred to committee on fish and game.

House File No. 236, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent.

Read first and second times and referred to committee on appropriations.

House File No. 279, a bill for an act to authorize the issuance of a patent to certain land in Jones County, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

By unanimous consent on request of Senator Benson Senate File No. 272, relating to interest payable on public funds, formerly referred to judiciary No. 2, was referred to the committee on banks and banking.

REPORTS OF COMMITTEES

Senator C. F. Clark submitted the following report:

MR. PRESIDENT: Your committee on tax revision, to which was referred House File No. 2, a Bill for an Act provided for property tax relief by the levying, imposing, collecting, and paying of taxes on incomes; providing for rules and regulations for the enforcement thereof, and prescribing penalties for the violations thereof; and making an appropriation for carrying out the provisions of this act, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:—

1. Strike out all of Sec. 2 of said bill.

2. Amend subsection 3 of Sec. 3 by inserting after the word "income" in line 11 the following: "from business done in Iowa".

3. In line 13 of Sec. 4 strike out the word "nine" and insert in lieu thereof the word "eight".

4. In lines 19, 20, and 21 of Sec. 4, strike out the words, "having a net income of more than one thousand dollars a year, and every married person, a resident of the state, having a net income of more than two thousand dollars a year", and insert in lieu thereof the following:

"having a net income of more than twelve hundred dollars a year, plus three hundred dollars for each dependent, and every married person, a resident of the state, having a net income of more than twenty-four hundred dollars a year, plus three hundred dollars for each dependent".

5. Strike out of Sec. 4 lines 23 to 30, both inclusive, and insert in lieu thereof the following:

"2. Corporations. A tax is hereby imposed upon every corporation organized under the laws of this state annually in an amount equivalent to two per cent (2%) of the entire net income as herein defined, received by such corporation from business transacted within the state excluding income arising from interstate commerce during the income year; and upon every foreign corporation doing business in this state annually a tax equivalent to two per cent (2%) of its net income received from business transacted within the state, excluding income arising from interstate commerce".

6. Strike out all of paragraphs "(a)" and "(b)" under subsection "2" of Sec. 4, and insert in lieu thereof the following:

"(a) Allocation and Apportionment of Income. If the trade or business of the corporation is carried on entirely within the state, the tax shall be imposed on the entire income, but if such trade or business is carried on partly within and partly without the state, the tax shall be imposed only on the portion of the income reasonably attributable to the trade or business within the state, excluding income arising from interstate commerce, said income attributable to the State of Iowa to be determined as follows:

(1) Interest, dividends, rents and royalties (less related expenses) received in connection with business in the state, shall be allocated to the state and where received in connection with business outside the state, shall be allocated outside of the state.

(2) Gains from the sale of capital assets or property held, owned or used in connection with the trade or business of the taxpayer but not for sale in the regular course of business shall be allocated to the state, if the property sold is real or tangible personal property situated in the state or intangible property connected with the business in the state; otherwise, such gains shall be allocated outside of the state.

(3) Net income of the above classes having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from business other than the manufacture and sale of tangible personal property, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the board.

Where income is derived from the manufacture or sale of tangible personal property, the portion thereof attributable to business within the state shall be taken to be such percentage of the total of such income as (1) wages and salaries and (2) gross sales within the state, excluding interstate commerce, bears to the total wages and salaries and total gross sales, the percentages of wages and salaries and of gross sales being separately determined as hereinafter provided, and the two percentages averaged.

Wages and salaries shall be measured by the wages, salaries, or other compensation paid to officers, agents, and/or employees in the regular course of business.

The gross sales of the corporation within the state shall be taken to be such percentage as the gross sales from goods sold and delivered within the state, excluding deliveries to a common carrier for transportation out of the state, bear to the total gross sales of the corporation.

For the purpose of this section, the word "sale" shall include exchange and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing.

(b) Allocation in Special Cases. If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed as administered by the board and applied to his business has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to business or sources within the state, he shall be entitled to file with the board a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the board may reasonably prescribe; and if the board shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable, it shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment."

7. In line 4 of Sec. 11, strike out the word "carying", and insert in lieu thereof the word "carrying".

8. In line 57 of Sec. 11, strike out the word "and", and insert in lieu thereof the word "the".

9. In line 62 of Sec. 11, strike out the word "of" and insert in lieu thereof the word "or".

10. Strike out the word "the" in line 1 of Sec. 12.

11. At the end of line 1 of Sec. 12 add the words "of individuals".

12. In line 3 of Sec. 14, strike out the words "fifteen hundred" and insert the words "twelve hundred"; in line 5 of said section strike out the words "twenty-five hundred" and insert in lieu thereof the words "twenty-four hundred".

13. In line 11 of Sec. 14, strike out the words "twenty-five hundred" and insert in lieu thereof the words "two thousand".

14. In line 3 of Sec. 15, strike the words and figures "four (4)", and insert in lieu thereof the words and figures "three (3)".

15. In line 4 of Sec. 15, insert the word "for" after the word "trust".

16. Insert a comma (,) in lieu of the period (.) at the end of paragraph 1 of Sec. 15, and add the words, "if the net income thereof amounts to one thousand dollars or more, or the gross income thereof amounts to two thousand dollars or more".

17. In line 6 of Sec. 15, after the word "deductions" insert the words "and exemptions".

18. Add as subsection 3 at the end of Sec. 15, the following:

"3. Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals".

19. Add as subsections "3" and "4" at the end of Sec. 16 the following:

"3. Any (taxpayer) corporation capable of exercising directly or indirectly substantially the entire control of the business of another corporation doing business in the United States either by ownership or control of substantially the entire capital stock of such other corporation or otherwise may, under regulations to be prescribed by the board, be permitted, and upon demand of the board shall be required, to make a consolidated return, showing the consolidated net income of all of such corporations, and such other information as the board may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned.

"4. The board may permit or require the filing of a consolidated return where substantially the entire control of two or more such corporations liable to taxation under this act is exercised by the same interests."

20. After the word "individual" in line 1 of Sec. 17, insert a comma and the word "partnership".

21. In line 19 of Sec. 20, strike out the word "business", and insert the word "business".

22. In line 11 of Sec. 23, strike the words and figures "one per cent (1%)" and insert in lieu thereof the words and figures "one-half of one per cent ($\frac{1}{2}\%$)".

23. In lines 16 and 17 of Sec. 23, strike the words and figures "one per cent (1%)" and insert in lieu thereof the words and figures "one half of one per cent ($\frac{1}{2}\%$)".

24. In line 28 of subsection 6, Sec. 23, after the word "refunded" insert the following: "with interest from the date of payment at six per cent per annum".

25. Rewrite Sec. 24 to read as follows:

"Sec. 24. Additional Taxes. 1. If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due, compute the tax and give notice to the taxpayer of the proposed assessment, and the taxpayer shall thereupon have an opportunity, within thirty days, to file an appeal with the board and a hearing shall be granted and a final decision thereon shall be made by the board as soon as possible. The limitation of two years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification, if no appeal has been filed or after such hearing if such appeal has been filed, the board shall assess the income of such taxpayer or any portion thereof which it determines has not theretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than five dollars shall be assessed."

26. Strike from line 4 of Sec. 25, the words "hand and".

27. Strike out lines 125 to 153, both inclusive, of Sec. 29.

28. In line 51 of Sec. 29, strike the word "shall" and insert in lieu thereof the words "may in its discretion".

29. Strike out the words "tax commission" in line 1 of Sec. 30, and insert in lieu thereof the word "board".

30. Strike out the period (.) after the word "due" in line 11 of Sec. 30, and insert the words "with interest at six per cent per annum".

31. In line 7 of Sec. 31 strike out the words and figures "thirty (30)" and insert in lieu thereof the words and figures "twenty-three (23) and/or section twenty-nine (29)".

32. After the word "interest" in line 12 of Sec. 31, insert the words "at six per cent per annum".

33. Strike out all of Sec. 32 and insert in lieu thereof the following:

"Sec. 32. The State Board shall administer, enforce, collect, and receipt for the taxes herein imposed. Each member of said board shall give a bond in an amount to be fixed by the Governor. Said bond shall be signed

as surety by an association or an incorporation authorized to do a fidelity insurance business in the State of Iowa, and the reasonable cost of said bond shall be paid by the State. The board may for administrative purposes divide the state into districts, provided, that in no case shall a county be divided in forming a district.

The board is hereby authorized to make such rules and regulations as it may deem necessary to the proper administration and enforcement of this act. Such rules and regulations shall be in full force and effect from and after their publication in two newspapers of general circulation in the state of Iowa."

34. In line 1 of Sec. 34, insert a comma (,) after the word "board".

35. Insert a comma (,) in place of the period (.) at the end of paragraph 1 of Sec. 39, and add the following: "with interest thereon at six per cent (6%) per annum".

35. Insert a comma (,) in place of the period (.) at the end of paragraph 1 of Sec. 39, and add the following: "with interest thereon at six per cent (6%) per annum".

36. Amend Sec. 6 by adding at the close thereof the following:

"(g) Stock dividends of a corporation distributed to its own stockholders."

37. Strike out of Sec. 11 lines 88 to 111, both inclusive, and insert in lieu thereof the following:—

"11. Dividends received within the year from stock in any corporation, the income of which shall have been assessed, and the tax on such income paid by the corporation under the provisions of this act; provided, that when only part of the income of any corporation shall have been assessed and income tax paid under this act only a corresponding part of the dividends received therefrom shall be deducted; provided, further that such deduction shall not exceed the amount of the income tax paid by such corporation under the provisions of this act upon the income represented by such dividends; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each such person during the year."

38. In line 33 of Sec. 6 strike out "(2)" and insert in lieu thereof "(a)".

39. Amend Sec. 29 by inserting after line 90 the following: "shall be guilty of a misdemeanor and punished accordingly".

40. Strike out of lines 98 and 99 of Sec. 29 the words "of the violation of any of the provisions of this subsection".

41. Strike out of line 91 of Sec. 29 the words "or who, with like intent" and insert in lieu thereof the following:

"Any person, corporation, or any officer or employee of a corporation, or member or employee of any partnership, who with intent to evade any of the requirements of this act, or any lawful requirement of the board thereunder,"

42. Amend Sec. 4 by striking out lines 53 to 78, both inclusive.
43. Renumber all sections.

C. F. CLARK, *Chairman.*

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 25, a bill for an act to amend section 4231, of chapter 213, Code 1927, relating to powers and duties of school directors, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"That section four thousand two hundred thirty-one (4231), code 1927, is hereby repealed and the following enacted in lieu thereof:

Section 1. No contract shall be entered into with any teacher to teach a school when the average daily attendance in such school the last preceding term therein was less than five (5) resident pupils of school age, unless a showing is made to the county superintendent that the number of children of school age in such school district has increased so that seven (7) or more will be enrolled in such school and will attend therein.

Nor shall any contract be entered into with any teacher to teach a school for the next ensuing term when it is apparent that the average daily attendance in such school will be less than five (5), or that the enrollment therein will be less than six (6) resident pupils, regardless of the average daily attendance in such school during the last preceding term.

In case such showing is made to the county superintendent, or when natural obstacles to transportation of pupils to another school in the same or in an adjoining district, or other conditions, make it clearly inadvisable that such school be closed, the county superintendent may consent to the maintaining or reopening of such school for the next ensuing term."

Also amend the title by striking all after the figures "(4231)", and substituting in lieu thereof the following: "Code 1927, relating to the non-employment of a teacher, and to enact a substitute therefor.", and by striking out the word "amend" in the first line and substituting in lieu thereof the word "repeal".

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 21, a bill for an act to amend section one (1) of Chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly relating to a tax levy for park improvement purposes for the sole purpose of grading, beautifying and otherwise improving certain lands acquired for park purposes and improving the driveways or boulevards

wards connecting one park with another, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 301, a bill for an act to amend chapter three hundred twelve (312) of the code, 1927, by adding thereto as section sixty-one hundred forty-nine d 1 (6149-d1) relating to bonding powers of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand (75,000), begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 284, a bill for an act to amend Section sixty-seven hundred seventy-eight (6778) Code, 1927, to make provisions of section seven (7) of Senate File One Hundred seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

PIONEER LAWMAKERS

The following speeches were delivered at the meeting of the Iowa Pioneer Lawmakers' Association held in the House Chamber February 18th :

The following address of welcome was given by Representative George M. Hopkins of Guthrie county :

Mr. President, members of the Pioneer Lawmakers Association:

We are mighty glad to have you with us this afternoon. Your work and your lives have been an inspiration to those who followed you. We almost envy you the thrilling experiences that you have had. You were real trail blazers leading the way to better legislation. You wrote some mighty fine laws. The one relating to township rural schools has stood the test of more than eighty years, and is a challenge to present lawmakers to make a better one. You made a very lasting property tax law. It is liked so very well that it will take the united efforts of the suffering taxpayer to improve it. It has been your privilege to work with many of Iowa's great lawmakers, John A. Kasson, James F. Wilson,

J. B. Grinnell, S. J. Kirkwood, James Wilson, John Y. Stone, Samuel Merrill, George D. Perkins, John H. Gear, William Larrabee and many others.

I wish to briefly speak of the life of my boyhood hero, Hon. John A. Kasson. Born in Massachusetts, he acquired a well rounded out education; gave the address of welcome to Louis Kossouth at St. Louis; was one of the founders of the Republican party; located in Des Moines, Iowa, in 1857; was a delegate to the Republican National Convention in Chicago, 1860, and wrote the platform on which Abraham Lincoln was elected president; served as first assistant postmaster general, 1861-62, and served three terms in Congress; was appointed delegate to the international postal parley at Paris, 1863, and was one of the most influential delegates there. This was the first international postal agreement. As minister to Germany, he became one of Bismarck's most respected friends. After returning from Berlin he served three more terms in Congress. His remaining life was devoted to the Department of State as special negotiator of reciprocity treaties, being a worthy successor in that respect of James G. Blaine. During his period of activity he was Iowa's greatest scholar, statesman and orator.

Des Moines wanted a new capitol building. Polk county elected Mr. Kasson to the legislature. He introduced the resolution for a new capitol building and after a terrific parliamentary struggle secured the necessary appropriation. Later the capitol extension program was put over and resulted in giving Iowa's capitol a most beautiful setting.

After the capitol had been completed an appropriation was made by the legislature to get Iowa's most noted men's pictures painted to adorn the walls of the governor's rooms. Word was sent to Kasson, then in Russia, that his picture was wanted. Accordingly he employed an artist to paint it. It was shipped to the state house, C. O. D. The charges amounted to several thousand dollars and further, the painting was so very large that it occupied altogether too much space. This created a great amount of controversy. In order to relieve the situation, Mr. Kasson's picture was taken to the attic of the capitol. When the historical building was completed Mr. Kasson's picture was taken out of the attic and placed in the art gallery to the delight of his admiring friends.

We are very glad to have you here and talk over events of the pioneer lawmaking days, of which we have profitably learned by your good laws and good work. I want you to feel, as your shadows are falling far towards the east, that the lawmakers of the Forty-fourth General Assembly love, honor and respect you.

Senator I. H. Doran also expressed welcome in the following address:

Mr. President, gentlemen of the Forty-fourth General Assembly and Members of the Pioneer Lawmakers Association:

It is indeed an honor this afternoon, on behalf of the Senate of the Forty-fourth General Assembly, to extend to you pioneer lawmakers of Iowa a hearty welcome home. As I stand before you this afternoon

I see many familiar faces of men whom I observed here when I came as a boy to visit the session while my father had the privilege of serving with you. You have labored long and served well. The records of your achievements still live and are apparent here and throughout the state.

When I think of the pioneers of Iowa, I am reminded of that beautiful poem:

“There are loyal hearts; there are spirits brave;
There are souls that are pure and true.
Then give to the world the best you have,
And the best will come back to you.

“For life is the mirror of king and slave.
It is what you are and do.
Then give to the world the best you have,
And the best will come back to you.”

As pioneers, you have given the best you have to the great state of Iowa, and the best has come back to you, because you see evidences on every hand of the results of your labors in this great state of Iowa, which is in the greatest nation of the world.

Since your labors here, the economic structure of the world has been thrown out of balance as a result of the World War. History tells us in that war that over ten million men and women were killed; and a committee recently appointed by the League of Nations, in its report to the league, tells us that as a result of that war there has been lost to the world thirty-seven million unborn. With all the financial depression that we have had, this government is now paying the price of victory in that war. Then, it would seem, great as the problems are that are facing us today as members of this Forty-fourth General Assembly, and other legislative assemblies throughout the United States, the greatest problem confronting all of us is not the problems of taxation or tax revision. Is it not well at this time that each one of us should ask ourselves, “What are we doing in order to prevent another such a catastrophe as the World War?” As a result of that war, the problems confronting this Assembly have been more complex and difficult of solution. In your day and in your grandfathers’ day, it was the desire on the part of everyone at some time to own a home that they could call their own, while today the greatest desire seems to be to own a better and more high-powered car than that of our neighbors. When Henry Ford put the world on wheels and provided a method by which people could pay for their automobile as they ride, it was the means of the springing up of finance companies of various kinds, until today a large per cent of our problems can be traced to the abuse of credit.

However complex and difficult of solution as are the problems confronting this assembly, they are no more difficult than the problems that confronted you gentlemen in these halls when you labored here. We of the Forty-fourth General Assembly realize the value of experience. We not only welcome you as pioneer lawmakers this afternoon; we welcome you here at any time. We need and will appreciate your counsel. We of the Forty-fourth have a rich heritage as a result of

your labors. May we prove faithful to the trust thus imposed upon us. As for you, pioneer lawmakers of Iowa, may the wreaths you have won never wither, nor the star of your glory grow dim.

Hon. George M. Titus of Muscatine gave the following address on behalf of the association:

Mr. President, members of the Pioneer Lawmakers Association and the Forty-fourth General Assembly:

On behalf of the pioneer lawmakers I wish to thank the senator and member of the House who have so ably expressed your cordial welcome to us. We are pleased to be here. We appreciate your stopping the mills of legislation long enough to greet us. For the last two years I have served as the "Kingfish" of this organization. That, you know, is the new name for the presiding officer. While serving in this capacity, I have been asked a great many questions about the association. I find that it is not generally understood. Before introducing the first speaker in our part of this afternoon's program, I will take a few moments to explain the objects and purposes of the association. It was organized in 1886. We are not "incorporated". We are simply an association and have no dues. We are held together by brotherly love and mutual admiration. Requisites for membership are as follows: Twenty years after you first serve in a state office or in the General Assembly, you automatically become a member of this association. Just why that period was established I am unable to say, but I think it probably means that, figuratively speaking, during that period you are to enter into the Chamber of Reflection, where your conscience will be cleared and you will, in twenty years, ripen into the wisest period of your life. By reason of our superior legislative and public office experience, we are sometimes called the third house, or House of Lords. That is the reason you are asked to rise while we enter the House chamber, and remain standing until we are seated. This is a delicate compliment to our superior wisdom. We meet biennially during the session of the General Assembly in order that we may be convenient to give you free counsel and advice. At this point I might say that if the Forty-fourth General Assembly has some very serious legislative problems, we will be most willing to assist you. We think it is quite generally conceded that the pioneer lawmakers are beyond doubt the wisest body of men in the whole state. This being true, it is not surprising that practically all the governors of Iowa are chosen from our association. The present governor, Dan W. Turner, John Hammill, Nate Kendall; I cannot remember when a governor served as such without being a member of our association. This may be a little disappointing to some of our younger men that have ambitions on that line. I am simply mentioning the condition that may be necessary if your ambitions are to be gratified.

I think it will be entirely proper for me to say in this presence that most of the pioneer lawmakers were chosen under the old convention system, when the women did not vote and it was not necessary to consider personal appearance. That probably resulted to our advantage.

At a similar meeting with the Forty-second General Assembly, I stated

I thought it was rather the best looking assembly I ever saw in the Capital. I am forced to admit that the Forty-fourth compares very favorably with them. If it were not for fear of criticism from my Republican brethren, I might say if you had a few more Democrats you might be 100 per cent. I am not in favor of overwhelming majorities. The state of Iowa has suffered politically from its reputation of being rock-rooted Republican. Under other conditions some of the prominent men mentioned by the senator in his address of welcome might have served as President of the United States if they had not lived in Iowa.

As I look over this assembly today, I recall my experience in the other chamber over thirty years ago. That does not mean that I am so very old at this time. I was very young when I came. Some people are embarrassed after middle life when asked their age. I am not. I am past fifty-two and I do not care who knows it. In the days when I served, as well as now, most all the members had young lady secretaries. These young ladies, in their idle moments, constituted themselves a committee to classify the members as to personal appearance, legislative ability, etc. I learned through my secretary that Senator Funk and I were by them placed in Class A on this line. I served on the appropriations committee at both sessions. The responsibility placed upon members of that committee and assisting in spending other people's money served to seriously affect my physical condition. As a result, under the head of personal appearance I think the young ladies reduced me to Class C, and I question whether I ever returned to "normalcy" since.

We have cycles in politics as well as in business. Some forty-two years ago a Democratic cycle swept over Iowa. Governor Boies, a Democrat, was nominated at Sioux City in 1889 and was duly elected. The campaign was on the wet and dry issue, prohibition and anti-prohibition.

We have with us today a gentleman from Muscatine, who served as chairman of the Democratic convention in Sioux City when Governor Boies was nominated. This gentleman was elected to the Twenty-third General Assembly from Muscatine county and was chairman of the Democratic caucus in that General Assembly that was deadlocked for six weeks, being evenly divided. He was also elected to the Twenty-fourth General Assembly. He served as United States consul-general to Switzerland under President Cleveland. Recovering somewhat from all these handicaps, he drifted into the literary field and has written several books that have secured national reputation. Among them is the history of the state of California, the history of Rhode Island, and in a few weeks the history of Iowa, written by him, will appear.

I take great pleasure in introducing to you the Honorable Irving B. Richman, of Muscatine.

Hon. Irving B. Richman of Muscatine was then introduced and addressed the Joint Convention as follows:

President of the Iowa Pioneer Lawmakers Association and Gentlemen of the Forty-fourth General Assembly:

As preliminary to the few words which I am to address to you today, let me quote from a Muscatine County newspaper of the long ago.

"Thursday, October 31, 1889.

"So you are going to vote for I. B. Richman, are you? Can you tell why? Is it because he is a representative Democrat? It can't be that, for you will remember that he's a newcomer in that camp, who didn't climb the fence until he thought the 'cherries were ripe.'

"Because he is a Republican? No, for he tore up his certificate of membership in that organization when he went over after the cherries.

"Because he is a representative man? Please run over the 'elements' which go to make up our citizenship and find, if you can, the one of which he is representative.

"Is it because he is the farmer's friend? the merchant's friend? the friend of the people? or the disinterested friend of his party? You know he is none of these, then why, in the name of common sense, will you cast your ballot to send this specimen of unripe egotism—this fledgling lawyer—this inexperienced boy to Des Moines as the chosen representative of the progressive, pushing, sensible, industrious voters of this grand county of Muscatine? Gentlemen, you won't do it."

But they *did*; wherefor the "boy's" appearance before you this afternoon before you, "boy's" along with himself.

"We're twenty! We're twenty! Who says we are more?

Gray temples at twenty?—Yes! white if we please;

Where the snow flakes fall thickest there's nothing can freeze!

Yes, we're boys,—always playing with tongue or with pen,—

And I sometimes have asked,—Shall we ever be men?

Shall we always be youthful, and laughing and gay,

Till the last dear companion drops smiling away?

Then here's to our boyhood, its gold and its gray!

The stars of its winter, the dews of its May!

And when we have done with our lifelasting toys,

Dear Father, take care of thy children,

THE BOYS!"

My topic, Gentlemen, is:

Pioneer Iowa Lawmakers Who
Were Democrats

I

"Fifty Equals Fifty"

Only once in the political history of Iowa since 1855, when Augustus Caesar Dodge as United States senator was superseded in office by James Larlan, and since 1859, when George Wallace Jones as senator was superseded by James W. Grimes, has it been true that the Democratic party in the State has stood on anything like a legislative equality with the Republicans. The time referred to was 1890 when the lower house of the Iowa General Assembly was equally divided between the two parties, the Democratic membership (helped out by an Independent or two) being fifty which was likewise the membership of the Republicans.

At this time not only was the lower house of the Iowa Assembly half

Democratic but the Democrats had the (for them) unique experience of possessing the Iowa governorship.

For four years prior to 1888 the national democracy had held the presidency of the United States in the person of Grover Cleveland of the state of New York. In 1888, however, Cleveland had been displaced by Benjamin Harrison of Indiana, and the success in Iowa of the Democrats in 1889 marked the interim reaction against the party in power.

In Iowa this reaction was reinforced by a reaction against the prohibitory liquor law of the State effective in 1889. It was as a strong exponent of this particular reaction that in 1889 Horace Boies was made Iowa's governor. Boies, it is unnecessary to remind this gathering, was a distinguished lawyer of Waterloo, a man of the highest character, ability and dignity.

In 1889 it befell your speaker of this afternoon to preside at the preliminary session of the Democratic State Convention, held in Sioux City, which placed Horace Boies in nomination. How far back this event now seems may be realized from the circumstance that the period was that of Gilbert and Sullivan in light opera. When therefore the preliminary chairman of the Sioux City convention (your speaker) made reference in his convention address, to the rapidity with which James S. Clarkson of Iowa (First Assistant Post-Master General under Harrison) was severing the political necks of the holdover Democratic post-masters, and when, in particular, the chairman improvised the Gilbertian stanza—

And you, my dear postmasters all,
(Who yet your places keep),
He's got you on the list,
You'll shortly be dismissed,
You'll shortly be dismissed—

the response in the form of cheers and laughter was all that could be desired.

But to recur to the Iowa House of Representatives in the (for Iowa Democrats) *annus mirabilis* of 1890. The first important business was the election of a Clerk and a Speaker. The Democratic candidate for Clerk was none other than the broad minded and scholarly Frederick W. Lehman of Des Moines, later Solicitor General of the United States.

At this period, too, Albert B. Cummins of Des Moines had political aspirations, and it was common remark that, if the Republicans of Iowa did not soon awaken to this interesting fact, Cummins, infected as he already was, by anti-Republican virus, might have to be reckoned with as a Democrat. The Republican awakening, be it said, took place and what followed for Mr. Cummins, in the way of brilliant political service, is too well known to require mention.

The membership of the Iowa House in 1890 being, then, an even thing as between political parties, the choice of Clerk and Speaker, especially of Speaker, became a protracted struggle. Fifty votes for John T. Hamilton of Linn County, the Democratic candidate; fifty votes for Silas Wilson of Cass County, the Republican candidate; such (without deduction for pairs) was the unvarying outcome of each call of the roll.

One thing only (except fiery declamation) wrought for diversion and

that was influenza which in the winter of 1889-90 (a winter of noxious weather) raged mercilessly in Des Moines, reducing the hall of Representatives to something not unlike a hospital ward.

II

Democrats of the Iowa House of 1890

Just here your speaker may be pardoned reference to an acknowledged fact of the time of the fifty-fifty deadlock, namely, the high standing, in point of character, ability and sartorial correctness, of the fifty who were Democrats. From Linn County there was the handsome, courteous, resolute John T. Hamilton of Cedar Rapids, Speaker of the House. From Iowa County there was the versatile and astute N. B. Holbrook of Marengo. From Allamakee County, the solid yet winning John Dayton of Waukon. From Keokuk County, the upstanding, outstanding J. C. Beem of What Cheer. From Woodbury County, the good looking and worth-while W. G. Clarke of Sioux City, newly graduated from Brown University. From Plymouth County, the alert, faultlessly groomed and sartorially exquisite William H. Dent of LeMars. From Clinton County, the youthful appearing and capable George S. Gardiner of Lyons. As for the Republicans, they as a body (may I whisper the fact) failed to compare with the Democrats, although here and there among them were men not only intellectually capable but also sartorially minded. There was, for example, John W. Luke of Franklin County, long-headed and circumspect; James E. Blythe of Cerro Gordo County, dashing and resourceful; and Daniel Cady Chase of Webster County, young, aggressive, and the wit of the entire House.

But the Democrats of the Iowa House of 1890, how did they break the deadlock, for break it they did. They did it by introducing the following Resolution:

Resolution to End Deadlock

February 18, 1890

"Whereas, it has been demonstrated beyond all cavil by five consecutive weeks of daily balloting that upon the question of organization this house is a tie, and that neither side thereof will voluntarily yield the permanent speakership to the other, and

Whereas, the present deadlock is manifestly being perpetuated to the detriment of the public business and the exhaustion of the public patience, and

Whereas, it is a method provided in the statutes of this State for determining the election in the case of a tie vote, that lots shall be cast, therefore be it

Resolved, that it is the sense of this house, regardless of party, that the question, "to which side shall the speakership fall?" be determined by lot in accordance with some plan to be agreed upon by the Conference Committees."

The Resolution was so fair, giving no advantage to either side, that the Republicans of the Iowa House, fearing the popular voice, felt themselves forced to concede to the Democrats the speakership, and so bring the deadlock to an end.

III

Liquor Control in Iowa

1889—1931

Gathered in Des Moines this February day in 1931 we, members (aforetime) of the Iowa lawmaking body, look back, some of us, forty-one years. We are regarded as legislative pioneers. The term pioneer, however, is relative, no Einstein is needed to tell us that. In 1890 the members of the Iowa General Assembly looked back upon the period of Dodge and Jones, of Harlan and Grimes, as in Iowa the period of the genuine legislative pioneer; and forty years hence, in 1971, it will be ourselves who—dust though we, many of us, will then long have been—will hold the position of pioneers, legislatively, of the genuine breed.

In this connection let me be a bit daring and speak for a moment on a topic which, a living topic in Iowa and the nation in 1889, is even more a living topic in the nation (whether so in Iowa or not) today, I mean liquor control. Today in the nation and in Iowa we have the spectacle of a law absolutely deleting (more absolutely in Iowa than in the nation) the manufacture and use of intoxicants, yet a law, which, whatever of lip service it may command, is by multitudes secretly despised and by multitudes deliberately set at naught.

Today, in a word, conditions in Iowa in respect to the consumption of liquor are surprisingly as they were in 1889. Addressing the Iowa Democratic State Convention of 1889, your speaker said: "We of the Democratic party heartily concur in the dominant sentiment in favor of temperance. We oppose prohibition because we have seen that as a temperance measure it is a consummate failure." And, in 1889, looking back into the time then called pioneer—the time of the 1850's—there were to be met with appraisals of prohibition (for even in the 1850's prohibition was the law in Iowa) such as this from the Muscatine Journal: "Now (1856) that the Supreme court of Iowa has pronounced our prohibitory liquor law constitutional, why is it not enforced? Is it to remain a dead letter upon our statute books? Is the great cause of temperance thus to be scandalized and brought to open shame?"

The aim of prohibition, be it at no time forgotten, is not temperance but total abstinence—an aim never in all likelihood susceptible of attainment by man. Unsuccessful nevertheless as prohibition in Iowa and elsewhere was in the 1850's and again in the 1880's, and little successful as it is in the same quarters today, there is perhaps this to be said for it. By the agitation (agitation, be it noted, not coercion) brought with it, it may have advanced temperance in lands like Great Britain—the latter a land in certain of its classes of a sodden inebriety which now shows signs of abatement.

But—and this, regarding liquor control, is my principal point—were prohibition to be repealed (XVIII Amendment, Volstead Act and all); and were there to be substituted for it the plan of liquor control advocated by Governor Alfred E. Smith or Senator Dwight Morrow; and, furthermore, were the Smith or Morrow plan to prove in practice as little of a success as prohibition; the Smith or Morrow plan, by virtue of the agitation sure to attend it, might well accomplish for temperance all

the little that thus far prohibition itself has accomplished; and this without the meddlesomeness and murderousness of prohibition—a meddlesomeness and murderousness subversive of Anglo-Saxon justice and repellent to the Anglo-Saxon spirit. As I have said, the attainable goal of anti-liquor legislation of any sort is probably never anywhere to be total abstinence. Temperance it may be. Temperance through progressive enlightenment—as in Great Britain.

IV

The Pioneer and the Domination of Private Wealth

Thus far I have spoken chiefly of the pioneer lawmaker in America as a lawmaker of 1890 or earlier. But the pioneer lawmaker may be a lawmaker of 1931. In this role he is giving, and may wisely continue to give, attention to issues known specifically as economic.

As our nation has grown in population and in wealth, there has developed a domination by private capital ("big business," we call it) upon which the pioneer lawmaker,—and for the most part the pioneer lawmaker alone,—has shown a disposition to lay a restraining hand. Among the States of the Union which today, in a sense, are yet pioneer may be named Wisconsin, Iowa, Minnesota, the Dakotas, Nebraska and Kansas. These states, through such representatives of them as, in Wisconsin, the La Follettes; in Minnesota, Henrik Shipstead; in North Dakota, Gerald P. Nye; in Iowa, Smith W. Brookhart; in Nebraska, George W. Norris are making in Congress a stiff fight against domination on the part of private wealth—a domination often ingeniously camouflaged,—which threatens the public weal. Exploitation of national natural resources; the enactment, in favor of high prices, of absurdly high tariffs on manufactured goods, these are some of the things, actual and political, which are now being combatted by lawmakers still to be called pioneer.

V

The Middle West a Holding Concern for the Nation

Having pointed out that yet today in America it is the pioneer—the pioneer lawmaker—who of all lawmakers seeks most ardently the common weal, let us not fail to take account of the fact that the states already named as yet pioneer are states of the middle west. In all our history as a nation, since the rise of the middle west as a distinct factor, this section has operated politically as, so to say, a national holding concern. It was so in the 1840's when Iowa was admitted to the Union; when the great issue was not prohibition but (*absit omen!*) Slavery. It was so in the 1870's when, groaning under tyranny by the railroads, Illinois and Iowa passed their memorable Granger laws. May it not be that a holding concern—a concern moderating between extremes—will the middle west be in the days for America to come? In the matter of exorbitant tariffs the middle west (even Iowa) will not forever support the east. In the matter of liquor control, the middle west (even Iowa) may break with the fanaticism of the south.

Long, therefore, live the middle west—land of the lawmaker still a pioneer! As the heart of the middle west, long live Iowa! As a badly

needed element in the politics of Iowa, long live the Iowa Democrats—and may their tribe increase!

IRVING B. RICHMAN,
Muscatine, Iowa.

Former Senator Leslie E. Francis gave the following address on behalf of the Pioneer Lawmakers:

Mr. Chairman, Gentlemen of the Forty-fourth General Assembly and Members of the Pioneer Lawmakers Association:

I recall with some amusement that twenty years ago when I first attended a meeting of this character and saw those ancient gentlemen march in as we did a few moments ago, I felt that it was a bit reckless for men so advanced in years to be so far from home. Learning that twenty years must pass before I would be eligible for membership in the Pioneer Lawmakers Association I felt that day to be very far indeed in the future, but now that it has passed the time looking backward seems very short. A thousand years in the sight of the Lord is as but a day, and twenty years when it has passed seems as but half a day to the members of this association.

The distinguished gentleman who has just spoken described a deadlock that lasted five weeks. I attended such a deadlock myself. Twenty years ago the death of Senator Dolliver imposed upon the legislature the duty of electing a United States senator. From the opening day of the session to the last day the struggle continued. Every day we marched over here, the Honorable Representative standing in deference to us. At the fifty-ninth minute of the eleventh hour of that last day we elected to the Senate of the United States that distinguished citizen of Iowa, William S. Kenyon.

In all the years since I left the Senate I have been interested in legislative work, and have watched your deliberations, often with envy, for I never enjoyed any work more than that during my years here. Whenever I have been in other states I have always visited their legislatures but I have never found such real interest in their work and such determination to accomplish good for the people as in the legislatures of Iowa.

I may be violating all rules of decorum at a meeting of this kind, but I shall speak briefly upon two public questions of great moment to the people and taxpayers of Iowa. I shall offer you a lot of valuable advice wholly without charge.

Sixteen years ago I presented to the Senate a public utilities bill. After a long struggle it passed the Senate but was defeated in the House. It lost there almost wholly because it contained a provision making franchises indeterminate. The members were afraid of a franchise that did not expire at some specified date.

You have before you at this time a new public utilities bill. It also contains an indeterminate franchise provision. That clause will meet intense opposition and it should unless the bill contains proper safeguards. Those safeguards are three in number and if they are broad and ample the public will be fully protected.

The first is the right given the municipality or state to purchase the

utility. The language used in conferring that right should be carefully considered by the lawyers of the assembly.

The second is the right to regulate the service to be rendered. This is the least important of the three, as self preservation will demand reasonable service and yet it should be carefully provided for.

The third is the most important of all—indeed it is the vital thing in any utility bill. I refer to the fixing of rates. One of the most important questions today is the regulation of rates by public utilities. A species of insanity seems to grip the average man about the time he is placed in control of any form of public utility. He seems obsessed with the idea of milking the public to the very last drop. And if he has a monopoly he is often able to do exactly that. For more than a decade the railroads of our nation have taken advantage of every opportunity to increase rates. The result is competition by bus and truck that is giving alleged captains of industry sleepless nights. But with such utilities as telephone, electric light, gas, water, etc., competition is impossible and regulation of rates is the only protection the public has.

Much litigation has developed over the question of valuation of utility assets and the Supreme Court of the United States has adopted a rule that apparently recognizes replacement cost as an element in fixing values. Of course the value of the utility is vital in fixing rates for the rate so fixed must be such as will give to the utility a fair return (usually 6%) upon such value. It is at once clear therefore that a utility bill to be of any benefit whatsoever to the paying public must be most carefully drawn in the last particular especially. The bill I have before me is wholly defective in this respect. I take the liberty of offering a paragraph covering the question of fixing rates. I have drawn this with the utmost care and believe it covers the entire field. With that paragraph in the bill there will be no occasion to fear the indeterminate franchise, and when the commission acts there is little probability of reversal by the courts. I read the proposed paragraph as follows:

"The commission shall fix a rate that shall bring to the utility furnishing the service a fair and reasonable return upon its investment, giving due consideration to the original cost of all elements and things used and useful in furnishing such service, repairs thereon, depreciation thereof, the then value of such elements and things so used and useful in their condition at the time such rate is fixed, the then replacement cost of such elements and things as under then existing conditions and efficient practice would be used and useful in rendering such service, the just and necessary expense of giving such service, the value of such service so rendered and all other facts and matters required in determining what is in fact such fair and reasonable rate and return, and the finding of the commission shall be presumptively fair and reasonable and the party attacking same shall have the burden of proving that the rate so fixed is not fair and reasonable."

I wish to speak briefly upon another subject close to the hearts and pocket books of the people—TAXATION. Taxes have reached a point making the ownership of property almost prohibitive. In the years since I ceased to be with you taxes have increased many times over. Spending

the public money has ceased to be merely an avocation—it has become an art. Every legislature adds new departments, creates new offices, new judges, new something that costs money, but no departments are ever abolished or consolidated.

The Fish and Game Department collects more than a Hundred Thousand Dollars each year and after twenty years what have you to show for it? You create a Highway Commission and give it autocratic power. It spends around Two Million Dollars each year in salaries—overhead if you please—mostly for engineers, and who gives it a thought?—there is more money where that came from so who should worry? And there are other instances I might mention if time permitted—plenty of them.

You have before you a number of bills the purpose of which is to reduce taxes. Upon those bills I offer no opinion but I do say to you most emphatically that there is just one way to reduce taxes—AND THAT IS TO REDUCE EXPENSES.

Governor Carroll very wisely remarked in his address to us this morning that in his observation almost every man appointed to head any department or project immediately made every effort within his power to secure and increase appropriation. I think I know the reason for this—it is EGOTISM—he feels that he is a bigger man if he has more people under him.

For more than a year the Committee on Retrenchment and Reform created by the 35th General Assembly gave careful consideration and intensive study to reduction of expenses by simplification of governmental affairs. That committee consisted of ten men then well known over the state. A report was prepared and published. Today but one copy remains and I hold it in my hand. The chairman of the committee was Senator J. H. Allen of Pocahontas. I think that report should be preserved for it is even more fitting to conditions today than when it was prepared. I had the pleasure of writing that document and I shall hand it to the son of our chairman, the brilliant young representative from Pocahontas county, with the request that he have it printed in your journal. And I ask that every member of this body read that report. You will find it very difficult, as did we, to legislate any one out of office—much easier to legislate them in—but the people cannot and will not always bear these ever increasing burdens uncomplainingly and a remedy must and will be found and used. And all that is suggested in that report relative to state affairs will apply to county business. And to schools.

I regret that time forbids further discussion. It is a pleasure to appear before you, gentlemen of the 44th General Assembly, and to renew the happy acquaintances of years ago. I wish you unlimited success in your work here this winter. And from your deliberations may there come to the people of Iowa relief from burdens that are too heavy to longer bear.

AMENDMENTS FILED

I move to amend Senate File No. 7, as follows:

Sec. 10. Nothing in this act shall be construed as applying to public utilities located wholly within the jurisdiction of a single county.

M. D. COONEY.

MR. PRESIDENT: I move to amend House File No. 2 as follows:

Repeal all of Sec. 12, and substitute the following:

Sec. 12. Exemptions. There shall be deducted from the tax, after the same shall have been computed as set forth in this act, any direct property tax paid by the tax-payer for the Income taxable year, upon real or personal property situated and contained within the State of Iowa.

A. V. BLACKFORD.

MR. PRESIDENT: I move to amend House File No. 2 as follows:

Amend Section 4, line 25, by striking therefrom "three percent (3%)" and substituting in lieu thereof "two percent (2%)".

A. V. BLACKFORD.

Senator Topping moved to adjourn until 10:00 a. m. Friday.

Senator Clark of Linn moved to amend by making the time 9:30 a. m. Friday.

The amendment was adopted, the motion prevailed and the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 27, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Frank A. Wilder, pastor of the Methodist Church of Moulton.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Klemme for the day, on request of Senator Cooney; Senator Christophel for the day, on request of Senator Gunderson; Senator Kent for the day, on request of Senator Ritchie.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Irwin, from residents of Wheatland, favoring a diversion of primary road funds. Highways.

By Senator Ritchie, from the Iowa department of the American Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Bissell, from residents of Dallas Center, favoring a diversion of primary road funds. Highways.

By Senator Wenner, from residents of La Porte City, favoring the passage of the fish and game commission bill. Fish and game.

By Senator Clearman, from the committee on conservation of Iowa Academy of Science, favoring recommendations coming from the several departments of state as a basis of legislation on conservation. Conservation.

By Senator Lowe, from Osceola business men's association, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Stoddard, from residents of Sioux City, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Gunderson, from residents of McIntire, favoring a diversion of primary road funds. Highways.

By Senator Doran, from Boone central labor assembly, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Clark of Cerro Gordo, from residents of Cerro Gordo county, opposing the reduction in the mileage of county officers. Compensation of public officers.

By Senator Moen, from residents of Ocheydan, favoring a fish and game commission. Fish and game.

By Senator Kimberly, from residents of Davenport, favoring a diversion of primary road funds; and from American Legion of Page county, opposing optional military training in schools. Highways and educational institutions.

By Senator Benson, from Marquette Post No. 305, American Legion, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Stoddard, from Woodbury county bankers association, favoring the encouragement of investments in farm land. Agriculture.

By Senator Patterson, from business and professional men of Emmetsburg, opposing the levy of a tax on theater tickets; and from residents of Estherville, favoring a diversion of primary road funds. Tax revision and highways.

PROOF OF PUBLICATION

I hereby certify, that as Secretary of the Senate, I have received proof of publication of House File No. 247, a proposed action of the Board of Directors of Consolidated School District of Bode, Humboldt county, Iowa.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File No. 297, by committee on compensation of public officers, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10637) of the code, 1927, and chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to the mileage and expenses of boards of supervisors, sheriffs, county superintendents, coroners, con-

stables, county engineers, and of any other public officer or employee.

Read first and second times and placed on the calendar.

Senate File No. 298, by Senators Bennett, Hicklin, Booth and Moen, a bill for an act granting power and authority to cities and towns including cities acting under special charter and the board of trustees of municipal owned utility plants to buy, sell and dispose of electrical, gas, water and heating equipment, fixtures, appliances and merchandise, and to furnish service for the same.

Read first and second times and referred to committee on public utilities.

Senate File No. 299, by committee on claims, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company as refunds for overpayment of taxes.

Read first and second times and referred to committee on appropriations.

Senate File No. 300, by committee on claims, a bill for an act to make an appropriation to Verna P. Marks for damages resulting from an injury due to the negligent maintenance of a highway.

Read first and second times and referred to committee on appropriations.

Senate File No. 301, by Senator Coykendall, a bill for an act to amend the law as it appears in section ten hundred fifty-eight (1058) of the code, 1927, so as to relieve township clerks of the necessity of filing bonds.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 302, by Senators Bennett, Hicklin, Carroll and Doran, a bill for an act to provide for the creation of a public service commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties; to provide for the appointment of employees and their compensation; to provide for the regulation of all public service companies; to define, prescribe, and limit their powers and duties; to impose and provide for the collection of an occupation tax from all public service companies; to fix and prescribe penalties for the violation

of any of the provisions of said act, and to repeal all laws or parts of laws which are inconsistent therewith; and to abolish the railroad commission.

Read first and second times and referred to committee on public utilities.

Senate File No. 303, by Senator Wilson, by request, a bill for an act to prohibit the offering or giving of any inducement in the soliciting of insurance.

Read first and second times and referred to committee on insurance.

Senate File No. 304, by Senator Knudson, a bill for an act to authorize the council of any city or town to enter into the business of acquiring for sale and selling motor fuels, when in the judgment of said council said motor fuels are being sold at an exorbitant price in said city or town.

Read first and second times and referred to committee on cities and towns.

Senate File No. 305, by Senator Knudson, a bill for an act to amend the law regulating the sale of securities as appears in chapter ten (10), acts of the forty-third (43rd) general assembly, relating to sub-section one (1) of section three (3), entitled "definitions" in which the term "security" is defined; to amend sub-section "f" of section four (4) relating to exempt securities; to repeal section five (5) paragraph "c" relating to exempt transactions and to enact a substitute therefor; to amend section eleven (11) relating to registration of dealers and salesmen; to amend section thirteen "a" (13 a) relating to bond and conditions; to repeal section sixteen (16) relating to injunctions and to enact a substitute therefor.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 306, by Senator Clearman, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize the levy, imposition, and collection of a tax annually to pay said indebtedness.

Read first and second times and referred to committee on ways and means.

Senate File No. 307, by Senator Knudson, a bill for an act to amend, revise and recodify the law as it appears in chapter eighty-nine (89) of the code, 1927, relating to the practice of civil engineering and the examination and licensing of civil engineers.

Read first and second times and referred to committee on judiciary No. 1.

REPORTS OF COMMITTEES

Senator Gunderson submitted the following reports:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No. 167, a bill for an act to amend Sections sixty-three hundred ten (6310) and sixty-three hundred fourteen (6314), Code, 1927, relating to pension funds for disabled and retired firemen and policemen by including therein provisions making such pensions applicable to deputy clerks of Municipal Courts in cities having a population of one hundred thousand (100,000) or more, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No. 233, a bill for an act to amend the law as it appears in section fifty-two hundred twenty-five (5225) Code 1927, relating to compensation of county officers, begs leave to report it has had the same under consideration and recommends the same do pass.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Senator Wenner submitted the following reports:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 137, a bill for an act to amend Sec. 11268, Code, 1927, relating to incriminating testimony and to define the term "prosecution" as it relates to such testimony, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 147, a bill for an act to amend, revise, and codify sections 13797 and 13809, of the code, 1927, relating to the sustaining of demurrers to criminal charges and to other rulings pertaining thereto and to the effect and avoidance of such rulings, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 146, a bill for an act to amend, revise, and codify certain sections of the code, 1927, relating to deposits by governmental bodies of public funds, and to so amend certain sections of the code, 1927, relating to the state sinking fund for public deposits and to the duties of the township clerk, etc., begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section one (1), line seven (7), by inserting after the word "corporation" the words and punctuation ", firm, or individual,".

Amend Sec. four (4), line five (5), by inserting after the word "town" the words and punctuation ", but in the event there is no bank in such city or town then in any other bank within the borders of the county in which the city or town is located".

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 135, a bill for an act to amend Sec. 12837 and 12840, Code, 1927, relating to the perfecting of an appeal to the Supreme Court, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 136, a bill for an act to amend Sec. 157, Code, 1927, relative to the legislative recommendations of the code editor, begs

leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 138, a bill for an act to amend Section 10, Chapter 66, Acts of the 43rd general assembly, relating to the investigations, findings, and orders of the state board of eugenics, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 139, a bill for an act to repeal secs. 4686, 4843, Code, 1927, and to amend secs. 4560, 4607, 4608, as amended by 43 G. A., ch. 20, Sec. 67, 4657, 4755-b27, 4831-b1, 4842, 4847, 4862, 5151, 5556, 5585, Code, 1927, and ch. 22, Acts 43 G. A.; and to repeal secs. 4627, 4628, 4629, 4834, 4837, 4838, 4845, 4856, 4857, 4858, Code, 1927, and to enact, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil cases, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 141, a bill for an act to amend section 11291, Code, 1927, relating to the use as evidence of certain records or certified copies thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 142, a bill for an act to amend section 35, ch. 100, Acts of the Forty-third General Assembly, relating to schools and school districts, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 143, a bill for an act to amend section 11055, Code, 1927, relating to the contents of an original notice of suit, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 144, a bill for an act to repeal section 514, Code, 1927, and to enact a substitute therefor, relating to the election and term of office of judges of the supreme court, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 145, a bill for an act to amend secs. 7144, 7208, and 7212, and to repeal section 7213, all of the code, 1927, and relating to the payment and apportionment of road taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision, to which was referred House File No. 208, a bill for an act to amend section 156, Code, 1927, relating to issuance by the Code Editor of annotations of the code,

begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred House File No. 210, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred House File No. 211, a bill for an act to amend section 10305, Code, 1927, relating to the filing of claims growing out of and relating to public improvements, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred House File No. 212, a bill for an act to amend sections 8288 to 8294, inclusive; Code, 1927, and to provide the place of imprisonment when convictions are had under said sections, all relating to offenses involving bills of lading, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred House File No. 209, a bill for an act to repeal sec. 4345, Code, 1927, as amended by 43 G. A., Chap. 110, and to enact a substitute therefor relating to establishment of pension and annuity retirement systems in certain independent school districts, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision, to which was referred House File No. 213, a bill for an act to repeal section 13967 of the Code, 1927, relating to fees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Senator Hill submitted the following reports :

MR. PRESIDENT: Your committee on police regulations, to which was referred Senate File No. 266, a bill for an act authorizing the sheriff of each county, with the cooperation of the Bureau of Investigation, to hold an annual conference and school of instruction for certain peace officers, and authorizing the payment of expenses of all officers attending, begs leave to report it has had the same under consideration and recommends the same do pass.

LAFE HILL, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on police regulations, to which was referred Senate File No. 175, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of the cost thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

LAFE HILL, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 91, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 213, a bill for an act to amend Sections 10299, 10306 and 10313, Code, 1927, relating to labor and material on public improvements, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking all of the first line in sub-section 2 of section 1 and substituting in lieu thereof the following: "By adding to Section 10312:" and by striking the word "section" in line 12 and substituting the word "chapter" and by striking from line 9 in sub-section 2 of Section 3 the words "and form".

F. M. BEATTY, *Chairman.*

Ordered passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Booth called up for consideration Senate File No. 77, amended by the House, and moved that the Senate concur in amendments 1 and 3.

1. Amend section five (5) thereof as follows:

a. By striking from lines one (1) and two (2) the words: "usually dangerous places" and inserting in lieu thereof the words: "places deemed by them unusually dangerous".

b. By striking from line four (4) the word "local".

3. Amend section seven (7) by adding thereto the following: "Whenever practical, said signs shall be purchased from the board of control."

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

Ayes, 32.

Anderson	Clearman	Leonard	Ritchie
Beatty	Cochrane	Lowe	Stanley
Bennett	Cooney	McLeland	Stoddard
Benson	Coykendall	Moen	Tabor
Bissell	Hill	Myers	Topping
Booth	Ickis	Patterson	Wenner
Clark of	Irwin	Quirk	White
Cerro Gordo	Kimberly	Rigby	Wilson
Clark of Marion			

Nays, none.

Absent or not voting, 18.

Baird	Clark of Linn	Hager	Knudson
Blackford	Cole	Hicklin	Langfitt
Carden	Doran	Kent	MacDonald
Carroll	Frailey	Klemme	Stevens
Christophel	Gunderson		

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

Senator Booth moved that the Senate concur in amendment No. 2.

2. Amend section six (6) by inserting after the word "imprisonment" in line four (4) thereof, the following: " , and in case of accident, he shall be prima facie presumed to have been negligent".

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

Ayes, none.

Nays, 30.

Anderson	Clearman	Kimberly	Ritchie
Beatty	Cochrane	Leonard	Stanley
Bennett	Cooney	Lowe	Stoddard
Benson	Coykendall	McLeland	Topping
Booth	Gunderson	Moen	Wenner
Clark of	Hill	Myers	White
Cerro Gordo	Ickis	Quirk	Wilson
Clark of Marion	Irwin	Rigby	

Absent or not voting, 20.

Baird	Christophel	Hager	Langfitt
Bissell	Clark of Linn	Hicklin	MacDonald
Blackford	Cole	Kent	Patterson
Carden	Doran	Klemme	Stevens
Carroll	Frailey	Knudson	Tabor

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

HOUSE FILE NO. 113 RE-REFERRED

By unanimous consent on request of Senator Topping House File No. 113, relating to the construction of bridges, was taken from the committee on railroads and rereferred to the committee on highways.

THIRD READING OF BILLS

By unanimous consent on request of Senator Rigby, House File No. 123, a bill for an act to repeal section ninety-two hundred fifty-eight-b one (9258-b1) of the Code, 1927, and to enact a substitute therefor to prohibit branch banking, but to provide for the establishment of offices for the receipt of deposits, paying of

checks and for other clerical duties other than at the principal place of business of a banking institution, was recalled from the committee, and was taken up and considered.

The bill was read for information.

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

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

Ayes, 33.

Anderson	Clearman	Ickis	Quirk
Beatty	Cochrane	Irwin	Rigby
Bennett	Cole	Kimberly	Ritchie
Benson	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Stoddard
Booth	Gunderson	MacDonald	Tabor
Clark of	Hager	McLeland	Wenner
Cerro Gordo	Hill	Moen	White
Clark of Marion		Myers	

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Kent	Patterson
Blackford	Doran	Klemme	Stevens
Carden	Frailey	Knudson	Topping
Carroll	Hicklin	Langfitt	Wilson
Christophel			

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

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

On motion of Senator Ritchie, House File No. 247, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said school district, was recalled from the committee and was substituted for Senate File No. 176, a companion bill, on which the report of committee recommending passage was adopted, and was taken up and considered.

The bill was read for information.

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

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

Ayes, 35.

Anderson	Clearman	Irwin	Rigby
Beatty	Cochrane	Kimberly	Ritchie
Bennett	Cole	Leonard	Stanley
Benson	Cooney	Lowe	Stoddard
Bissell	Coykendall	MacDonald	Tabor
Booth	Gunderson	McLeland	Topping
Clark of	Hager	Moen	Wenner
Cerro Gordo	Hill	Myers	White
Clark of Marion	Ickis	Quirk	Wilson

Nays, none.

Absent or not voting, 15.

Baird	Christophel	Hicklin	Langfitt
Blackford	Clark of Linn	Kent	Patterson
Carden	Doran	Klemme	Stevens
Carroll	Frailey	Knudson	

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

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

On motion of Senator Clark of Marion, House File No. 301, a bill for an act to amend chapter three hundred twelve (312) of the code, 1927, by adding thereto as section sixty-one hundred forty-nine-d one (6149-d1) relating to bonding powers of trustees of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand (75,000), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Marion moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Beatty	Bissell	Clark of	Clearman
Bennett	Booth	Cerro Gordo	Cochrane
Benson		Clark of Marion	Cole

Cooney	Kimberly	Moen	Stoddard
Coykendall	Kundson	Myers	Tabor
Gunderson	Leonard	Quirk	Topping
Hager	Lowe	Rigby	Wenner
Hill	MacDonald	Ritchie	White
Irwin	McLeland	Stanley	

Nays, none.

Absent or not voting, 17.

Anderson	Christophel	Hicklin	Langfitt
Baird	Clark of Linn	Ickis	Patterson
Blackford	Doran	Kent	Stevens
Carden	Frailey	Klemme	Wilson
Carroll			

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

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

On motion of Senator Hill, Senate File No. 151, a bill for an act to amend the law as it appears in section thirty (30) of chapter fifty-seven (57) of the acts of the forty-third general assembly relating to the carrying of firearms in motor vehicles so as to permit peace officers, while pursuing criminals, to carry loaded guns, rifles, etc., in a motor vehicle, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend line 7 of section 1 by striking the word "of" and inserting the word "or" in lieu thereof.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 36.

Anderson	Bissell	Clark of	Cochrane
Beatty	Blackford	Cerro Gordo	Cole
Bennett	Booth	Clark of Marion	Cooney
Benson		Clearman	Coykendall

Frailey	Leonard	Quirk	Topping
Hager	Lowe	Rigby	Wenner
Hill	MacDonald	Ritchie	White
Irwin	McLeland	Stanley	Wilson
Kimberly	Moen	Stoddard	
Knudson	Myers	Tabor	

Nays, none.

Absent or not voting, 14.

Baird	Clark of Linn	Hicklin	Langfitt
Carden	Doran	Ickis	Patterson
Carroll	Gunderson	Kent	Stevens
Christophel		Klemme	

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

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

On motion of Senator Hill, Senate File No. 155, a bill for an act to repeal the law as it appears in section twelve thousand nine hundred sixty b one (12960-b1) of the code of 1927 relating to the possession of machine guns, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 34.

Anderson	Cochrane	Kimberly	Ritchie
Bennett	Cole	Knudson	Stanley
Benson	Cooney	Leonard	Stoddard
Bissell	Coykendall	Lowe	Tabor
Blackford	Frailey	MacDonald	Topping
Booth	Gunderson	McLeland	Wenner
Clark of	Hager	Moen	White
Cerro Gordo	Hill	Myers	Wilson
Clearman	Irwin	Quirk	

Nays, none.

Absent or not voting, 16.

Baird	Christophel	Hicklin	Langfitt
Beatty	Clark of Linn	Ickis	Patterson
Carden	Clark of Marion	Kent	Rigby
Carroll	Doran	Klemme	Stevens

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

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

On motion of Senator Hill, Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 of section 1 the following words, "or any other weapon, the carrying of which concealed weapon is prohibited,"; and by inserting the word "or" before the words "pocket billy".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 34.

Anderson	Cochrane	Irwin	Ritchie
Beatty	Cole	Kimberly	Stanley
Bennett	Coykendall	Knudson	Stoddard
Benson	Frailey	Leonard	Tabor
Bissell	Gunderson	Lowe	Topping
Blackford	Hager	McLeland	Wenner
Booth	Hill	Moen	White
Clark of Marion	Ickis	Myers	Wilson
Cleaman		Quirk	

Nays, none.

Absent or not voting, 16.

Baird	Clark of	Hicklin	MacDonald
Carden	Cerro Gordo	Kent	Patterson
Carroll	Clark of Linn	Klemme	Rigby
Christophel	Cooney	Langfitt	Stevens
	Doran		

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

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

SENATE FILE NO. 185 WITHDRAWN

By unanimous consent on request of Senator Ickis Senate File No. 185, relative to having firearms in motor vehicles, was withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator Quirk, House File No. 22, a bill for an act to amend section seventy-five hundred thirty-two (7532), Code, 1927, relating to publication of notice of hearing of completion of public drainage improvements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 36.

Anderson	Clearman	Irwin	Quirk
Beatty	Cochrane	Kimberly	Rigby
Bennett	Cole	Knudson	Ritchie
Benson	Coykendall	Leonard	Stoddard
Bissell	Frailey	Lowe	Tabor
Blackford	Gunderson	MacDonald	Topping
Booth	Hager	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Ickis	Myers	Wilson
Clark of Marion			

Nays, none.

*Absent or not voting, 14.

Baird	Clark of Linn	Kent	Patterson
Carden	Cooney	Klemme	Stanley
Carroll	Doran	Langfitt	Stevens
Christophel	Hicklin		

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

Senator Quirk moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson, House File No. 135, a bill for an act providing for a method of execution of stock certificates, and regulating the use of facsimile signatures thereon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

President Pro Tem Wm. E. McLeland took the chair at 10:48 a. m.

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

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

Ayes, 31.

Anderson	Cole	Knudson	Ritchie
Beatty	Coykendall	Leonard	Stanley
Bennett	Frailey	Lowe	Stoddard
Benson	Hager	MacDonald	Tabor
Bissell	Hill	McLeland	Topping
Booth	Ickis	Moen	Wenner
Clearman	Irwin	Myers	Wilson
Cochrane	Kimberly	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of	Doran	Langfitt
Blackford	Cerro Gordo	Gunderson	Patterson
Carden	Clark of Linn	Hicklin	Quirk
Carroll	Clark of Marion	Kent	Stevens
Christophel	Cooney	Klemme	White

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

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

By unanimous consent on request of Senator Wilson Senate File No. 42, a companion bill, was withdrawn from further consideration.

By unanimous consent on request of Senator Leonard, House File No. 202, a bill for an act to amend section thirty-seven hun-

dred eighty-six (3786), code of 1927, providing for parole of prisoners in the penitentiary and reformatories, was substituted for Senate File No. 150, a companion bill upon which the report of committee recommending passage had previously been adopted, and was taken up and considered.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Cochrane	Kimberly	Rigby
Beatty	Cole	Knudson	Ritchie
Bennett	Cooney	Leonard	Stanley
Benson	Coykendall	Lowe	Stoddard
Blackford	Frailey	MacDonald	Tabor
Booth	Gunderson	McLeland	Topping
Clark of	Hager	Moen	Wenner
Cerro Gordo	Hill	Myers	White
Clark of Marion	Ickis	Patterson	Wilson
Clearman	Irwin	Quirk	

Nays, none.

Absent or not voting, 12.

Baird	Carroll	Doran	Klemme
Bissell	Christophel	Hicklin	Langfitt
Carden	Clark of Linn	Kent	Stevens

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

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

On motion of Senator Doran, Senate File No. 70, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 34.

Bennett	Cole	Kimberly	Rigby
Benson	Cooney	Knudson	Ritchie
Bissell	Coykendall	Leonard	Stanley
Blackford	Doran	Lowe	Stoddard
Booth	Frailey	MacDonald	Tabor
Clark of	Gunderson	McLeland	Topping
Cerro Gordo	Hager	Moens	Wenner
Clark of Marion	Hill	Myers	White
Cochrane	Irwin	Quirk	

Nays, none.

Absent or not voting, 16.

Anderson	Carroll	Hicklin	Langfitt
Baird	Christophel	Ickis	Patterson
Beatty	Clark of Linn	Kent	Stevens
Carden	Clearman	Klemme	Wilson

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

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

President Arch W. McFarlane returned to the chair at 11:15 a. m.

On motion of Senator Doran, Senate File No. 194, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the Code, 1927, relating to sheriff's deeds, and making provision for the issuance of sheriff's deed in case of the death of the holder of the certificate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 37.

Anderson	Blackford	Coykendall	Hill
Baird	Booth	Doran	Ickis
Beatty	Clark of Linn	Frailey	Irwin
Bennett	Clark of Marion	Gunderson	Kimberly
Benson	Cochrane	Hager	Knudson
Bissell	Cole	Hicklin	Leonard

Lowe
MacDonald
McLeland
Moen

Myers
Patterson
Quirk
Ritchie

Stanley
Tabor
Topping
Wenner

White

Nays, 1.

Wilson

Absent or not voting, 12.

Carden
Carroll
Christophel

Clark of
Cerro Gordo
Clearman
Cooney

Kent
Klemme
Langfitt

Rigby
Stevens
Stoddard

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

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

By unanimous consent on request of Senator Knudson, House File No. 169, a bill for an act requiring all horse drawn vehicles and all other vehicles not required to have lights, when on the highways of this state, to provide a light on said vehicles to be visible at a distance of two hundred (200) feet from the rear, was substituted for Senate File No. 160, a companion bill, on which the report of committee recommending passage had previously been adopted, and was taken up and considered.

The bill was read for information.

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

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

Ayes, 27.

Baird
Bennett
Benson
Bissell
Blackford
Booth
Clark of
Cerro Gordo

Clark of Marion
Clearman
Cochrane
Cole
Coykendall
Doran
Frailey

Hill
Irwin
Knudson
Leonard
McLeland
Myers
Quirk

Ritchie
Stanley
Topping
Wenner
White
Wilson

Nays, 8.

Anderson
Beatty

Gunderson
Lowe

Moen
Patterson

Rigby
Tabor

Absent or not voting, 15.

Carden	Cooney	Kent	MacDonald
Carroll	Hager	Kimberly	Stevens
Christophel	Hicklin	Klemme	Stoddard
Clark of Linn	Ickis	Langfitt	

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

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

On motion of Senator Baird, Senate File No. 21, a bill for an act to amend section one (1) of chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly relating to a tax levy for park improvement purposes for the sole purpose of grading, beautifying and otherwise improving certain lands acquired for park purposes and improving the driveways or boulevards connecting one park with another, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 32.

Baird	Cole	Leonard	Rigby
Beatty	Coykendall	Lowe	Ritchie
Bennett	Frailey	MacDonald	Stanley
Benson	Gunderson	McLeland	Tabor
Blackford	Hill	Moen	Topping
Booth	Ickis	Myers	Wenner
Clark of Marion	Irwin	Patterson	White
Cochrane	Knudson	Quirk	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Clark of	Doran	Klemme
Bissell	Cerro Gordo	Hager	Langfitt
Carden	Clark of Linn	Hickiin	Stevens
Carroll	Clearman	Kent	Stoddard
Christophel	Coorey	Kimberly	

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

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

SENATE FILE NO. 4 WITHDRAWN

By unanimous consent on request of Senator Clark of Linn, Senate File No. 4 was withdrawn from further consideration as it was a companion bill to House File No. 4, which passed the Senate.

EXTRA COPIES SENATE FILE NO. 175

By unanimous consent on request of Senator Hill, fifteen hundred extra copies of Senate File No. 175 relating to special police radio broadcasting, were ordered printed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 16, 72 and 209 and House Files Nos. 23 and 90.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 16, 72 and 209 and House Files Nos. 23 and 90.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

they have on this 27th day of February, 1931, sent to the governor for his approval, Senate Files Nos. 16, 72 and 209.

E. R. HICKLIN, *Chairman.*

The report was adopted.

STUCKSLAGER MEMORIAL RESOLUTION

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

Whereas, The Honorable Willard C. Stuckslager, who was a member of the Senate in the Thirtieth, Thirty-first, Thirty-second, Thirty-third, and Thirty-fourth General Assemblies, from Linn County, died on the twenty-third day of February, 1931, therefore

Be It Resolved by the Senate of the Forty-fourth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and services to the State.

By unanimous consent the resolution was taken up and adopted, and the President appointed as such committee Senators Clark of Linn, Rigby and Stoddard.

CONCURRENT RESOLUTION NO. 9

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

Whereas, Economic authorities in the United States and Canada, acting officially both as Joint Commissions and severally, have repeatedly and unanimously declared that enlarging the connecting channels of the Great Lakes and the St. Lawrence River to admit uninterrupted movement of ocean borne commerce from and into the Great Lakes, is economically sound and necessary to raise the competitive position, establish economic equality, permit future development and effect the return of prosperity to the vast continental areas of both countries, and

Whereas, Over the past five years diplomatic correspondence has brought the two nations into agreement on the assignment of tasks and division of costs, said correspondence having allocated to the United States the construction and cost of all improvements in international waters—which includes the deepening to 27 feet of the connecting channels of the upper Great Lakes, a new lock at the Soo corresponding in dimensions to the locks in the New Welland Ship Canal and the improvement of the international stretch of the St. Lawrence River from Lake Ontario to the 45th parallel (opposite Cornwall), where the river ceases to form the boundary line between the two countries, and allocating to Canada the

completion of the New Welland Ship Canal and the improvement of the river from the 45th parallel aforesaid to the sea, and

Whereas, Approximately one-half of the tasks assigned to each Government has either been completed, is in process of completion or already authorized by one or other of the two Governments, and approximately one-half of the total cost of the through Seaway has either been expended, in process of being expended or involved in authorizations already made, all of which has been carried out and is capable of being completed without any treaty, and

Whereas, Engineering authorities in Canada and the United States, acting officially both as Joint Boards and severally, have agreed upon engineering plans and costs and unanimously declared that the International Rapids Section (48 miles) of the St. Lawrence River, extending from Ogdensburg to the International Boundary must, for economic reasons, be developed for navigation and power jointly, and

Whereas, The State of New York, with the clear intent of delaying or obviating the completion of a through Seaway, via the St. Lawrence, and advancing a deep water route across the State of New York, has caused to be prepared engineering plans—which if permitted to be carried out—will, under the most favorable conditions postpone through navigation seventeen years, but predictably a generation, and in the meantime afford New York opportunity to transfer its barge canals to the Federal Government and—under the pseudonym “all-American”—embark the Government upon the staggering and almost useless expense of deepening or widening them for the passage of lake ships down to the port of New York for transfer to the ocean carrier, but not admitting the ocean ship to the Great Lakes, thus denying to mid-continental areas direct access to the sea, and

Whereas, No development of this International Rapids Section of the River can be undertaken by either country or any agency in either country without an agreement or treaty appropriate thereto, having first been entered into between Canada and the United States, and

Whereas, The landlocked interior of the United States is deeply concerned and in emergent need of the relief which would accrue to that area by the opening of such Seaway and the citizens of New York State also are directly interested in the improvement and early utilization of the large reservoir of cheap power which would be made available by such joint development, and

Whereas, The need exists for a formula or plan that will effect the development of this section of the river for navigation and power at the earliest possible date, by employing the most practical, the most expeditious and best agency or agencies for that purpose,

Therefore Be It Resolved, By the Senate of the State of Iowa, the House concurring, that the President of the United States be and is hereby memorialized to proceed to a treaty with Canada for the development of

the aforesaid International Rapids Section of the St. Lawrence River at the earliest possible date and in accordance with the plans agreed upon by the Joint Board of Engineers, or such amendment to or changes in said plans as may be subsequently adopted by such Joint Board, and

Be It Resolved, That in such improvement all permanent works such as dams and navigation works be constructed by the Governments of the United States and Canada, along the general lines of assignment of tasks and division of costs outlined in the correspondence between the two countries, but not the power house, super-structures or installation of power machinery, and

Be It Further Resolved, That the Congress of the United States be and is hereby memorialized to enact the necessary preliminary legislation declaring all lands and the entire flow of the St. Lawrence River—extending from the shore to the international boundary line in the river—from Lake Ontario to the 45th parallel, where the river ceases to form the boundary between the two nations, necessary for the purpose of navigation of said waters and the waters connected therewith.

The resolution was adopted.

The Journal of February 26th was 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. 228, a bill for an act relating to the labelling of stock tonics.

Also: 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 relating to creating park boards in certain cities.

Also: 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 relating to teachers' employment bureau.

SAM C. RAGAN, *Chief Clerk.*

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 10 by striking lines

7 and 8 of section 40, and insertitng in lieu thereof the following: "Relief of Marjorie Ball.....200.00".

B. M. STODDARD.

MR. PRESIDENT: Your committee on tax revision submit the following amendment to House File No. 2:

Amend the title by striking out the last line thereof.

C. F. CLARK, *Chairman.*

Senator Ritchie moved that the Senate adjourn, which motion prevailed.

In accordance with concurrent resolution adopted the Senate adjourned until 2:00 p. m. Monday, March 9th.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 9, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. A. A. Howe, pastor of the Methodist Church of Buffalo Center.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Patterson for the day, on request of Senator Anderson.

By unanimous consent on request of Senator Stoddard, Senators MacDonald, Booth, and Carroll, members of appropriations sub-committee, were excused for today and tomorrow to visit state institutions.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Myers, from residents of Jasper county, favoring the levy of a tax on butter substitutes, the removal of the compulsory provisions of the bovine tuberculin test law, and regulation of trucks and busses; and opposing the county assessor bill and the issuance of depositor's tax debentures to depositors of insolvent banks. Tax revision, agriculture, motor vehicles, and banks and banking.

By Senator McLeland, from residents of LeGrand, favoring a diversion of primary road funds, and from residents of Marshall county, favoring restriction of busses and trucks. Highways and motor vehicles.

By Senator Anderson, from residents of Ft. Dodge, favoring the appointment of a fish and game commission. Fish and game.

By Senator Gunderson, from residents of Winnebago county, favoring a driver's license law. Motor vehicles.

By Senator Clearman, from residents of Lone Tree, favoring a diversion of primary road funds. Highways.

By Senator Clark of Marion, from residents of Pella, Harvey, and Otley, opposing the county assessor bill; from residents of Pella, Harvey, and Swan, favoring the regulation of motor trucks and busses; from residents of Otley, favoring a thorough investigation of the University of Iowa and the taxation of public utilities; from residents of Marion county, opposing the issuance of depositor's tax debentures to depositors of insolvent banks; from residents of Pella and Harvey, favoring the levy of a tax on all substitutes for butter, lard and eggs; from residents of Summit township, opposing the county assessor bill and favoring the levy of a tax on substitutes for butter; and from the residents of Knoxville, favoring additional tax on busses. Tax revision, motor vehicles, and banks and banking.

By Senator Iekis, from Burlington Kiwanis club, opposing the state income tax bill; from the Railroad Employees of Creston, favoring a tax on gas lines and trucks; from Burlington Chamber of Commerce, favoring taxation of busses. Tax revision.

By Senator Moen, from residents of Little Rock, Melvin and Ashton, opposing the levy of a tax on theater tickets; from residents of Calumet, favoring a diversion of primary road funds. Tax revision and highways.

By Senator Rigby, from residents of Cedar county, favoring optional military training in schools. Educational institutions.

By Senator Stoddard, from Farmer's Union of Anthon, favoring a tax on oleomargarine and making testing for bovine optional. Tax revision and agriculture.

By Senator Clark of Cerro Gordo, from boards of supervisors of Franklin and Hancock counties, favoring a limitation of length and weight of motor vehicles. Motor vehicles.

By Senator Kimberly, from residents of Scott county, opposing the county assessor bill and compulsory military training, and

favoring the continuance of Station K. T. N. T. and the Baker hospital at Muscatine. Tax revision and educational institutions.

By Senator Irwin, from residents of Grand Mound, favoring a diversion of primary road funds; and from residents of Clinton county, favoring a driver's license law. Highways and motor vehicles.

By Senator Christophel, from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers after fifteen years of successful teaching experience; and from residents of Bristow, favoring a diversion of primary road funds. Educational institutions and highways.

By Senator Bissell, from residents of Dallas county, favoring a driver's license law; and from residents of Guthrie county favoring the appointment of a fish and game commission. Motor vehicles and fish and game.

By Senator Wilson, from residents of Des Moines, favoring a diversion of primary road funds; from residents of Polk county, favoring a state driver's license law; from residents of Polk county, favoring regulation of trucks; from residents of Des Moines, favoring optional military training; from residents of Polk county, favoring the appointment of a fish and game commission; and from Firemen's association of Council Bluffs, favoring the appointment of chiefs of fire departments and police departments by the mayor. Highways, motor vehicles, educational institutions and fish and game.

By Senator Benson, from residents of Edgewood, favoring the levy of a tax on oleomargarine. Tax revision.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and invited the Senate to join with them in listening to an address by Hon. Smith W. Brookhart, at 2:45 p. m.

INTRODUCTION OF BILLS

Senate File No. 308, by Senator Clark of Linn, a bill for an act to amend section eleven thousand six hundred twenty-nine (11629), Code 1927, relating to taxation of jury fees as costs.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 309, by Senator Stanley, a bill for an act to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to school elections.

Read first and second times and referred to committee on public schools.

Senate File No. 310, by Senator Hill, a bill for an act to legalize the proceedings relating to an election held in the City of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 311, by Senator Wilson, a bill for an act to amend Section eight thousand three hundred sixty-five (8365) of the Code of 1927, relating to the conditions for the renewal of corporations.

Read first and second times and referred to committee on corporations.

Senate File No. 312, by Senator Clark of Cerro Gordo, a bill for an act to amend section thirty-six hundred twelve (3612) of the code, 1927, relating to probation officers.

Read first and second times and referred to committee on code revision.

Senate File No. 313, by Senator Cooney, by request, a bill for an act providing for the adoption of the managerial form of county government.

Read first and second times and referred to committee on county and township affairs.

SENATE CONCURRENT RESOLUTION NO. 12

Senator Stoddard offered the following resolution:

Whereas, The Congress of the United States in the Rivers and Harbors Act of 1927 authorized a navigation project on the Missouri River from Kansas City, Missouri, to Sioux City, Iowa, and the sum of twenty-seven million (27,000,000) dollars authorized appropriation has already been approved for such development and

Whereas, The lower Missouri River project from St. Louis to Kansas City will be completed and open for barges at the end of the present year, or in any event in 1932, and

Whereas, While great relief will be given to both the agriculture and industry of the lower part of the Missouri Valley with the completion of the navigation project to Kansas City, we regard it as a matter of economic justice and necessity for the government to speedily carry forward in a larger way than at present, the upper Missouri River development work, and concurrently with the work on the lower Missouri River.

Therefore, Be It Resolved by the Senate, the House concurring, That in the interest of transportation relief and the future development of both the agriculture and industry of the upper Missouri River Valley, which has the longest haul and the highest freight rate of any agricultural country in the world, we urge upon the Administration at Washington, the Secretary of War, and the Army Engineers to immediately make sufficient allotments and provide for immediate expenditure thereof as will carry out the mandate of Congress contained in the Rivers and Harbors Act of 1930, that at least five million (5,000,000) dollars a year shall be expended for this part of the approved national system of inland waterways.

Be It Further Resolved, That in addition to said expenditure of at least five million (5,000,000) dollars annually on the upper Missouri River as directed by Congress, and in pursuance of the declared policy of the Administration expressed in an interview of the Honorable Patrick J. Hurley, Secretary of War, in December, 1930, additional allotments should be provided for the upper river improvement as fast as the requirements of the lower river project are diminished.

Be It Further Resolved, That this resolution, duly certified, be transmitted to the President of the United States, to the Secretary of War, and to the Chief of the United States Army Engineers.

By unanimous consent the resolution was taken up, and was adopted.

Senator Stoddard moved that the vote by which the resolution was adopted be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Kimberly, Senate File No. 284, a bill

for an act to amend Section Sixty-seven Hundred Seventy-eight (6778), of the Code, 1927, to make provisions of Section Seven (7) of Senate File One Hundred Seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 30.

Anderson	Cochrane	Kimberly	Ritchie
Bennett	Cole	Knudson	Stanley
Benson	Cooney	Langfitt	Stevens
Bissell	Hager	McLeland	Stoddard
Christophel	Hill	Moen	Tabor
Clark of Linn	Ickis	Myers	White
Clark of Marion	Irwin	Quirk	Wilson
Clearman		Rigby	

Nays, none.

Absent or not voting, 20.

Baird	Clark of	Gunderson	Lowe
Beatty	Cerro Cordo	Hicklin	MacDonald
Blackford	Coykendall	Kent	Patterson
Booth	Doran	Klemme	Topping
Carden	Frailey	Leonard	Wenner
Carroll			

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

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

The Journal of February 27th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 10, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. J. A. Farnham, pastor of the M. E. Church of Odebolt.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard, from Ladies' Aid Society of St. James M. E. Church, favoring optional military training in schools; from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers after fifteen years of successful teaching experience; from residents of Smithland, favoring a diversion of primary road funds; from Sioux City women's church and missionary federation, favoring optional military training in schools; and from residents of Sioux City, opposing the state income tax bill. Educational institutions, highways, and tax revision.

By Senator Hager, from the conservation committee of the Iowa Federation of Women's Clubs, opposing the appointment of a fish and game commission; from citizens of Oelwein, opposing the appointment of a fish and game commission; from West Union Post No. 15, American Legion, favoring compulsory military training; from Order of Benefit Association of Railway Employees, favoring regulation and taxation of trucks and busses; and from the Izaak Walton League of America of Maquoketa, opposing the appointment of a fish and game commission. Fish and game, educational institutions, and motor vehicles.

By Senator Leonard, from Ourcq Post No. 117, American

Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Coykendall, from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers after fifteen years of successful teaching experience; from residents of Shenandoah, favoring the fish and game commission bill. Educational institutions and fish and game.

By Senator Quirk, from residents of Auburn, favoring a diversion of primary road funds. Highways.

By Senator Stanley, from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers after fifteen years of successful teaching experience; and from employees of the C. B. & Q. and C. R. I. & P. railroads in Mahaska county, favoring taxation and limitation of trucks and busses. Educational institutions and motor vehicles.

By Senator Bissell, from citizens of Dallas county, relative to appointments to the state board of education; and from residents of Guthrie county, favoring the appointment of a fish and game commission. Special committee, and fish and game.

By Senator White, from residents of the forty-fifth district of Iowa, opposing a separate license for hunting and fishing, and compulsory restraint of dogs. Fish and game.

By Senator Doran, from Arthur D. Lantz Post No. 56, American Legion, opposing optional military training in schools; from Y. W. C. A. of Iowa State College, favoring optional military training in schools; from residents of Story and Boone counties, favoring additional tax and regulation of trucks and busses; and from residents of Nevada, Cambridge, and Madrid, opposing the levy of a tax on theater tickets. Educational institutions, motor vehicles, and tax revision.

By Senator Clark of Linn, from residents of Linn county, favoring the appointment of a fish and game commission. Fish and game.

By Senator Wenner, from Burlington Kiwanis club, opposing the state income tax bill; and from Waterloo Kiwanis club opposing the state income tax bill. Tax revision.

By Senator Wilson, from residents of Polk county, favoring the appointment of a fish and game commission. Fish and game.

By Senator Kimberly, from residents of Scott county, opposing the county assessor bill and favoring a tax on oleomargarine. Tax revision.

By Senator Clark of Marion, from the Albia Commercial Club, opposing the levy of a tax on theater tickets; from citizens of Pleasantville, favoring optional military training in schools; from railroad employees of Marion county, favoring additional taxation of trucks and busses; from residents of Melrose, favoring the appointment of a fish and game commission. Tax revision, educational institutions, and fish and game.

By Senator Klemme, from residents of Calmar, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Anderson, from residents of Ft. Dodge, favoring the appointment of a fish and game commission. Fish and game.

By Senator Christophel, from residents of Readlyn, favoring a diversion of primary road funds; and from residents of Butler county, favoring a driver's license law. Highways and motor vehicles.

By Senator McLeland, from residents of Liscomb, Laurel, and Clemons, favoring additional taxation of trucks and busses. Motor vehicles.

By Senator Myers, from Burlington Chamber of Commerce, favoring additional taxation and restriction of trucks and busses; and from Newton W. C. T. U., favoring optional military training in schools. Motor vehicles and educational institutions.

By Senator Gunderson, from Second Highway District, favoring standardization of gasoline and appointment of county assessors. Tax revision.

By Senator Clark of Cerro Gordo, from citizens of Rockwell, Faulkner, Hampton and Sheffield, favoring additional taxation of trucks and busses. Tax revision.

By Senator Stevens, from residents of Ottunwa, opposing the levy of an additional tax on cigarettes or tobacco. Tax revision.

By Senator Knudson, from Webster City chapter Will H. Dilg

League, Izaak Walton League, and Hunting Club, favoring the appointment of a fish and game commission; from the Hamilton county farm bureau, favoring a reduction in the proposed appropriations to the various state departments. Fish and game, and appropriations.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on March 2, 1931, approved the following bills:

Senate File No. 209, governing approval of plats in cities.

Senate File No. 72, relating to the distribution of early laws.

Senate File No. 16, relating to the use of secondary road construction fund.

Senate File No. 56, relating to the office of coroner.

INTRODUCTION OF BILLS

Senate File No. 314, by Senator Myers, a bill for an act to amend sections ninety-four hundred and four (9404) and ninety-four hundred and five (9405) of the Code of Iowa, 1927, to reduce the rate of interest.

Read first and second times and referred to committee on banks and banking.

Senate File No. 315, by Senator Bennett, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage districts.

Read first and second times and referred to committee on drainage.

Senate File No. 316, by Senator Cole, a bill for an act to amend the law as it appears in section thirty-two hundred thirty-six (3236) of the code of Iowa, 1927, relating to the sale of food commodities by weight or in United States standard containers.

Read first and second times and referred to committee on dairy and food.

Senate File No. 317, by Senator Stoddard, a bill for an act to amend section thirty-two hundred sixty-seven (3267), Code of 1927, relating to inspection fees for the inspection of scales.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 318, by Senator Stoddard, a bill for an act to repeal section eleven hundred seventy-three (1173), of the Code, 1927, and to enact a substitute therefor, relating to the sale of bonds of public corporations.

Read first and second times and referred to committee on cities and towns.

Senate File No. 319, by Senator Stoddard, a bill for an act to authorize and to require the repayment to counties from the primary road fund of the amount paid by said counties by direct taxation in order to retire bonds issued for the hard surfacing of primary roads in said counties, said payments by direct taxation being made necessary by the fact that the county's allotment of the primary road fund and the assessments on benefited property were insufficient to pay the principal and interest of said bonds as they matured.

Read first and second times and referred to committee on highways.

Senate File No. 320, by Senator Anderson, a bill for an act to repeal section five hundred twenty-six a one (526a1) of the code, 1927, relating to the organizing and constituting the state into nine (9) congressional districts and to enact a substitute therefore.

Read first and second times and referred to committee on political and judicial districts.

Senate File No. 321, by Senator Stanley, a bill for an act dividing the state of Iowa into nine (9) congressional districts, and repealing chapter thirty-five-A one (35-A1) of the code, 1927.

Read first and second times and referred to committee on political and judicial districts.

Senate File No. 322, by Senator Bennett, a bill for an act to legalize certain indebtedness and warrants issued in payment

thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 323, by Senator Hill, a bill for an act to amend the law as it appears in section forty-nine hundred twenty (4920) of the code, 1927, relating to license fees for motor vehicle trailers.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 324, by Senator Cooney, a bill for an act to provide that all penalties on delinquent motor vehicle license fees collected by any county treasurer shall be credited to and paid by him into the secondary road construction fund of his county, and to amend the law as it appears in section forty-nine hundred twenty-six (4926) of the code, 1927, relative to diverting penalties to the reimbursement fund.

Read first and second times and referred to committee on highways.

Senate File No. 325, by Senator Wenner, a bill for an act to amend Section six thousand six hundred sixty-nine (6669) of the Code of 1927, relating to the duties of city manager.

Read first and second times and referred to committee on cities and towns.

Senate File No. 326, by Senator Wenner, a bill for an act to amend Section twelve thousand five hundred forty-three (12543) of the Code of 1927, relating to punishment for contempts.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 327, by Senator Clark of Linn, a bill for an act to provide for the financing in any city or town of the management, construction, maintenance, and operation of main sanitary sewers, intercepting sanitary sewers, outfall or outlet sanitary sewers, sanitary pumping stations, and sanitary sewage treatment of purifying works by a system of sewer rentals.

Read first and second times and referred to committee on cities and towns.

Senate File No. 328, by Senator Myers, a bill for an act to amend the law as it appears in section sixty-nine hundred eighty-eight (6988), of the Code of Iowa, 1927, relating to deduction of debts in listing and assessment of money or credits, and other property.

Read first and second times and referred to committee on judiciary No. 1.

HOUSE MESSAGES CONSIDERED

House File No. 228, a bill for an act to amend sections thirty-one hundred thirteen (3113) and thirty-one hundred fifteen (3115) of the code, 1927, pertaining to the definition and labeling of stock tonics.

Read first and second times and referred to committee on dairy and food.

House File No. 261, a bill for an act to repeal section thirty-eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau.

Read first and second times and referred to committee on public schools.

House File No. 302, a bill for an act creating a park board in cities having a population of one hundred twenty-five thousand (125,000) or more and providing the powers and duties of such board.

Read first and second times and referred to committee on cities and towns.

SENATE FILE NO. 188 WITHDRAWN

By unanimous consent on request of Senator Myers, Senate File No. 188, relating to pipe lines, was withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator McLeland, Senate File No. 163, a bill

for an act to repeal the law as it appears in section thirty-three hundred sixty-six (3366), Code of 1927, and to enact a substitute therefor, relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Clearman	Kent	Quirk
Beatty	Cochrane	Kimberly	Stanley
Bennett	Cole	Klemme	Stevens
Benson	Cooney	Knudson	Stoddard
Bissell	Coykendall	Langfitt	Tabor
Christophel	Gunderson	Leonard	Topping
Clark of	Hager	Lowe	Wenner
Cerro Gordo	Hill	McLeland	White
Clark of Linn	Ickis	Moen	Wilson
Clark of Marion	Irwin	Myers	

Nays, none.

Absent or not voting, 12.

Baird	Carden	Frailey	Patterson
Blackford	Carroll	Hicklin	Rigby
Booth	Doran	MacDonald	Ritchie

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

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

On motion of Senator Stanley, House File No. 149, a bill for an act to amend section twenty-four hundred forty-four (2444), code of 1927, relating to the display of licenses by practitioners of certain professions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Beatty	Cochrane	Kimberly	Quirk
Bennett	Cole	Klemme	Stanley
Benson	Cooney	Knudson	Stevens
Bissell	Coykendall	Langfitt	Stoddard
Christophel	Gunderson	Leonard	Tabor
Clark of Cerro Gordo	Hager	Lowe	Topping
Clark of Linn	Hill	McLeland	Wenner
Clark of Marion	Ickis	Moen	White
Clearman	Irwin	Myers	Wilson
	Kent	Patterson	

Nays, none.

Absent or not voting, 12.

Anderson	Booth	Doran	MacDonald
Baird	Carden	Frailey	Rigby
Blackford	Carroll	Hicklin	Ritchie

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

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

On motion of Senator Benson, Senate File No. 202, a bill for an act to amend section seventy-seven hundred ninety-six (7796) Code, 1927, relating to the erection of dams which affect state-owned land, and to provide for the protection of highways which may be affected by the erection of such dams, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 39.

Anderson	Christophel	Clearman	Gunderson
Beatty	Clark of Cerro Gordo	Cochrane	Hager
Bennett	Clark of Linn	Cole	Hill
Benson	Clark of Marion	Cooney	Ickis
Bissell		Coykendall	Irwin

Kent	Leonard	Patterson	Tabor
Kimberly	Lowe	Quirk	Topping
Klemme	McLeland	Stanley	Wenner
Knudson	Moen	Stevens	White
Langfitt	Myers	Stoddard	Wilson

Nays, none.

Absent or not voting, 11.

Baird	Carden	Frailey	Rigby
Blackford	Carroll	Hicklin	Ritchie
Booth	Doran	MacDonald	

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

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

On motion of Senator Benson, Senate File No. 90, a bill for an act to amend the provisions of Chapter twenty-one (21) Acts of the Forty-Third (43) General Assembly relating to the improvement, maintenance, relocation or establishment of primary roads and the purchase or condemnation of right of way therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Strike out the word "period" (.) in line three (3) and substitute in lieu thereof the word "semicolon" (;).
2. Strike out the word "the" in line ten (10) and substitute in lieu thereof the article "a".
3. Strike out the word "and" in line ten (10) and substitute in lieu thereof the words "and/or".
4. Insert a comma (,) in line eleven (11) after the word "therewith".
5. Strike out the word "building" in line thirteen (13) and substitute in lieu thereof the words "such dwelling, lawn, or ornamental trees".
6. Strike out the word "building" from line sixteen (16) and insert in lieu thereof the words "such dwelling, lawn, or ornamental trees".
7. Strike out of lines seventeen and eighteen, (17) and (18), the phrase "the building is".

By unanimous consent on request of Senator Benson the word

“A” was inserted before the word “building” in amendment No. 6.

The committee amendments as amended were adopted.

The bill was read for information.

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

On the question “Shall the bill pass?” the vote was:

Ayes, 36.

Anderson	Cochrane	Klemme	Rigby
Beatty	Cole	Knudson	Stanley
Bennett	Cooney	Langfitt	Stevens
Benson	Coykendall	Leonard	Stoddard
Bissell	Hager	Lowe	Tabor
Christophel	Hill	Moen	Topping
Clark of	Ickis	Myers	Wenner
Cerro Gordo	Kent	Patterson	White
Clark of Marion	Kimberly	Quirk	Wilson
Clearman			

Nays, none.

Absent or not voting, 14.

Baird	Carroll	Gunderson	MacDonald
Blackford	Clark of Linn	Hicklin	McLeland
Booth	Doran	Irwin	Ritchie
Carden	Frailey		

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

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

On motion of Senator Anderson, Senate File No. 189, a bill for an act to amend the law as it appears in sections forty-one hundred nineteen (4119), forty-one hundred twenty (4120), and forty-one hundred twenty-one (4121), code, 1927, relating to the county board of education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Correct the title by striking therefrom the following: “forty-one hundred twenty (4120), and forty-one hundred twenty-one (4121)”.

The committee amendment was adopted.

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

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

Ayes, 38.

Anderson	Clearman	Kent	Patterson
Beatty	Cochrane	Kimberly	Quirk
Bennett	Cole	Klemme	Rigby
Benson	Cooney	Knudson	Stanley
Bissell	Coykendall	Langfitt	Stevens
Christophel	Gunderson	Leonard	Stoddard
Clark of	Hager	Lowe	Tabor
Cerro Gordo	Hill	McLeland	Topping
Clark of Linn	Ickis	Moen	Wenner
Clark of Marion	Irwin	Myers	

Nays, none.

Absent or not voting, 12.

Baird	Carden	Frailey	Ritchie
Blackford	Carroll	Hicklin	White
Booth	Doran	MacDonald	Wilson

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

On motion of Senator Anderson, Senate File No. 25, a bill for an act to amend section four thousand two hundred thirty-one (4231) of chapter two hundred thirteen (213) Code of 1927, relating to powers and duties of school directors, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

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

"That section four thousand two hundred thirty-one (4231), code 1927, is hereby repealed and the following enacted in lieu thereof:

Section 1. No contract shall be entered into with any teacher to teach a school when the average daily attendance in such school the last preceding term therein was less than five (5) resident pupils of school age, unless a showing is made to the county superintendent that the number of children of school age in such school district has increased so that seven (7) or more will be enrolled in such school and will attend therein.

Nor shall any contract be entered into with any teacher to teach a school for the next ensuing term when it is apparent that the average

daily attendance in such school will be less than five (5), or that the enrollment therein will be less than six (6) resident pupils, regardless of the average daily attendance in such school during the last preceding term.

In case such showing is made to the county superintendent, or when natural obstacles to transportation of pupils to another school in the same or in an adjoining district, or other conditions, make it clearly inadvisable that such school be closed, the county superintendent may consent to the maintaining or reopening of such school for the next ensuing term."

Also amend the title by striking all after the figures "(4231)", and substituting in lieu thereof the following: "Code 1927, relating to the non-employment of a teacher, and to enact a substitute therefor.", and by striking out the word "amend" in the first line and substituting in lieu thereof the word "repeal".

The committee amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking the word "may" from line 5 of the last paragraph and inserting in lieu thereof the word "shall".

The amendment was lost.

The bill was read for information.

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

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

Ayes, 32.

Anderson	Cochrane	Leonard	Stanley
Bennett	Cole	Lowe	Stevens
Bissell	Cooney	McLeland	Stoddard
Christophel	Gunderson	Moen	Tabor
Clark of	Irwin	Myers	Topping
Cerro Gordo	Kent	Patterson	Wenner
Clark of Linn	Kimberly	Quirk	White
Clark of Marion	Knudson	Rigby	Wilson
Clearman			

Nays, 6.

Benson	Hill	Klemme	Langfitt
Coykendall	Ickis		

Absent or not voting, 12.

Baird	Booth	Doran	Hicklin
Beatty	Carden	Frailey	MacDonald
Blackford	Carroll	Hager	Ritchie

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

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

On motion of Senator Wenner, Senate File No. 245, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the Code, 1927, relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 35.

Anderson	Clearman	Klemme	Quirk
Beatty	Cochrane	Knudson	Rigby
Bennett	Cole	Langfitt	Stevens
Benson	Cooney	Leonard	Stoddard
Christophel	Gunderson	Lowe	Tabor
Clark of	Hill	McLeland	Topping
Cerro Gordo	Ickis	Moen	Wenner
Clark of Linn	Kent	Myers	White
Clark of Marion	Kimberly	Patterson	Wilson

Nays, none.

Absent or not voting, 15.

Baird	Carden	Frailey	MacDonald
Bissell	Carroll	Hager	Ritchie
Blackford	Coykendall	Hicklin	Stanley
Booth	Doran	Irwin	

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

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

On motion of Senator Wilson, House File No. 56, a bill for an act to amend section fifty-nine hundred thirty-eight (5938), code

of 1927, so as to authorize cities and towns to establish and improve parks and playgrounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 37.

Anderson	Cochrane	Kent	Quirk
Beatty	Cole	Kimberly	Rigby
Bennett	Cooney	Klemme	Stanley
Benson	Coykendall	Langfitt	Stoddard
Bissell	Gunderson	Leonard	Tabor
Christophel	Hager	Lowe	Topping
Clark of	Hill	McLeland	Wenner
Cerro Gordo	Ickis	Moen	White
Clark of Linn	Irwin	Myers	Wilson
Clearman		Patterson	

Nays, none.

Absent or not voting, 13.

Baird	Carroll	Frailey	MacDonald
Blackford	Clark of Marion	Hicklin	Ritchie
Booth	Doran	Knudson	Stevens
Carden			

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

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

On motion of Senator Patterson, House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the code of 1927, and section one (1) of chapter one hundred sixteen (116) of the laws of the 43d G. A., relating to the destruction of weeds and the appointment of a weed commissioner, and to repeal section forty-eight hundred twenty (4820) of the code of 1927, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Topping moved to defer action, which motion prevailed.

REPORTS OF COMMITTEES

Senator Ickis submitted the following reports:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 75, a bill for an act to amend section 27, of chapter 57, Acts of the Forty-third General Assembly, relating to petitions for open season on imported game birds, and to grant the right to kill ring-neck pheasants at any time under certain conditions, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting in Section one (1), line fourteen (14), after the word "may" the following: "for the purpose of propagating or re-stocking other parts of the state."

Also: by striking in Section two (2), line three (3), "at any time" and inserting in lieu thereof, the following: "during the months of May and June of each year".

FRANK D. ICKIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 102, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the fees received for fishing and hunting licenses, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK D. ICKIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred Senate File No. 154, a bill for an act to create a Sanitary Water Board; to prescribe the duties of said board; to authorize and direct said board to enter upon investigations relative to the cause of the pollution of the waters of the state and to buy materials for the purpose of eradicating the causes of said pollution, and to make an appropriation for said purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK D. ICKIS, *Chairman.*

Ordered passed on file.

The Journal of March 9th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 2 as passed by the House of Representatives, as follows:

1. Strike all of paragraphs two (2) and three (3) of section two (2).
2. Strike the word "corporation" from paragraph two (2) of section three (3).
3. Strike the words "'Taxable income' so far as a corporation is concerned means all net income" from paragraph three (3) of section three (3).
4. Strike all of paragraphs five (5), six (6) and seven (7) of section three (3).
5. Strike paragraph two (2) and paragraph three (3) of section four (4).
6. Strike from paragraph eleven (11) of section eleven (11) the words "and corporations" found in line eighty-eight (88), and the words "or corporation" in line ninety-one (91), and the words "or corporations" in line ninety-six (96).
7. Strike all of paragraph twelve (12) of section eleven (11).
8. Strike all of section sixteen (16) of said bill.
9. Strike paragraphs six (6), seven (7), eight (8), nine (9) and thirteen (13) of section twenty-nine (29).
10. Renumber the sections.

W. E. MCLELAND.

MR. PRESIDENT: I move to amend Senate File No. 41, and as a substitute for said Senate File No. 41 and all pending amendments, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"Sec. 1. Section fifty-eight hundred thirty-five (5835) of the Code, 1927, is hereby repealed".

C. F. CLARK.

MR. PRESIDENT: I move to amend Senate File No. 297 by striking line 4 of section 7 and substituting in lieu thereof the following: "in excess of seven (7) cents per mile of actual and necessary travel."

O. E. GUNDERSON.

MR. PRESIDENT: I move to amend Senate File No. 51 by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section fifty-one hundred six (5106), Code, 1927, is repealed and the following is enacted in lieu thereof, to wit:

"5106. The board of supervisors in each county shall consist of three qualified electors, be elected as herein provided by the qualified voters

of their respective counties or of their respective districts, and hold office for three years, except as otherwise provided."

Sec. 2. The term of office of the present members of the board of supervisors in all counties having more than three members on said board, shall terminate on the first secular day in January, 1933, and at the general election in 1932 there shall be elected in said counties three members of said board. One member shall be elected for two (2) years, one for three (3) years, and one for four (4) years from the first secular day in January, 1933.

Sec. 3. Said members may be elected by the voters of the entire county, or by the voters of supervisor districts as the board may determine by order adopted and entered of record in its proceedings not later than January 1, 1932.

Sec. 4. If said members be ordered elected by district, the present board shall, not later than January 1, 1932, divide its county into three (3) supervisor districts each of which shall be composed of undivided and contiguous townships and of substantially equal population except that one or more townships containing a city or part thereof may constitute one district.

Sec. 5. In case of election by districts, the board shall, not later than January 1, 1932, determine, by lot, which district shall elect a supervisor for two (2) years, which for three (3) years and which for four (4) years, and immediately enter said determination in the record of its proceedings.

Sec. 6. When said supervisors are elected at large the length of term for which any person is a candidate shall be stated on the ballot.

Sec. 7. When, in nominating or electing supervisors at large, two or more candidates residing in the same township each receive a majority of all the votes cast in the county, the candidate receiving the largest number of votes shall be deemed nominated or elected, as the case may be, and the votes for other candidates residing in such township shall be wholly rejected.

Sec. 8. Section five hundred twenty-two (522), Code, 1927, is amended by striking out all of paragraph two (2) of said section.

Sec. 9. Section fifty-one hundred eleven (5111), Code, 1927, is repealed and the following is enacted in lieu thereof, to wit:

"5111. Supervisor districts. The board of supervisors may at its regular meeting in 1937 and each five years thereafter reform its existing supervisor districts, or at such regular meeting it may abolish such districts and provide for electing supervisors for the county at large.

Sec. 10. Section fifty-one hundred twelve (5112), Code, 1927, is repealed and the following is enacted in lieu thereof, to wit:

"5112. How formed. Supervisor districts shall be composed of undivided and contiguous townships, and be substantially equal in population except that one or more townships containing a city or part thereof may constitute one district. Each of said districts shall be entitled to one member of such board, which member shall be elected by the electors of said district. No change in districts shall have the effect of lengthening or diminishing the term of office of any member of said board."

Sec. 11. Section fifty-one hundred seven (5107) to fifty-one hundred ten (5110), inclusive, and sections fifty-one hundred thirteen (5113), and fifty-one hundred fourteen (5114), Code, 1927, are hereby repealed.

Also amend the title by striking all of said title and substituting in lieu thereof the following:

An act to repeal sections fifty-one hundred six (5106), fifty-one hundred eleven (5111), and fifty-one hundred twelve (5112), and to enact substitutes therefor; to amend section five hundred twenty-two (522); to repeal sections fifty-one hundred seven (5107) to fifty-one hundred ten (5110), inclusive, and sections fifty-one hundred thirteen (5113), and fifty-one hundred fourteen (5114), all of the Code, 1927; and to provide for a board of supervisors of three members in each county throughout the state.

F. D. ICKIS.

MR. PRESIDENT: I move to amend Senate File No. 158 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby imposed, levied and assessed, an inspection fee and excise tax of three (3) cents upon each pound or minimum package of cooking oil or any substitutes for lard sold, offered or exposed for sale or given or delivered to a consumer; said fee to be paid to the secretary of agriculture prior to any such sale, gift or delivery. Nothing in this law shall apply to pure, refined corn oil in liquid or solid form.

Sec. 2. All such cooking oil or substitutes for lard offered or exposed for sale or for distribution in any manner in this state shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon and the stamp or stamps shall be properly cancelled prior to the removal from said package or carton of such cooking oil or substitutes for lard. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of such cooking oil or substitutes for lard, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps—delivery to secretary of agriculture—sale—accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture

shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of such cooking oil or substitutes for lard in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Spoiled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 4. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of such cooking oil or substitutes for lard by the manufacturer or importer of any such cooking oil or substitutes for lard, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of such cooking oil or substitutes for lard.

Sec. 5. Unused Stamps—Refund. Upon the written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 6. Any person violating any of the provisions of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or by imprisonment for not more than thirty (30) days in the county jail.

Sec. 7. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

Sec. 8. Appropriation. There is hereby appropriated out of any unappropriated funds in the state treasury a sum sufficient to carry out the provisions of this act.

O. E. GUNDERSON.

Senator Kimberly moved that the Senate adjourn until 9:30 a. m. Wednesday.

Senator Benson moved to amend by making the time 9 a. m.

Senator Cooney moved as a substitute to make the time 10 a. m. Wednesday.

The substitution was made.

The motion as substituted was adopted and the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 11, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. I. Halleen, pastor of the First Evangelical Free Church of Boone.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Booth, from residents of Cass and Shelby counties and the Burlington Kiwanis club, opposing a state income tax; and from residents of Tennant, favoring a diversion of primary road funds. Tax revision and highways.

By Senator Myers, from Colfax commercial club, favoring regulation of motor vehicles. Motor vehicles.

By Senator Cochrane, from residents of Mills county, opposing the appointment of a fish and game commission. Fish and game.

By Senator Hill, from business men of Charles City, opposing the state income tax law. Tax revision.

By Senator Stanley, from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers after fifteen years of successful teaching experience; and from C. B. & Q. railroad employees of Oskaloosa and residents of Taintor, favoring regulation and taxation of trucks and busses. Motor vehicles.

By Senator Gunderson, from residents of Northwood and Lake Mills, favoring regulation of trucks and busses. Motor vehicles.

By Senator Lowe, from residents of Woodburn, Lacona, and Truro, favoring regulation of trucks and busses. Motor vehicles.

By Senator Patterson, from residents of Palo Alto county, opposing the appointment of a fish and game commission; and from members of the bar of the fourteenth Judicial District, favoring an increase in compensation allowed court reporters. Fish and game, and compensation of public officers.

By Senator Doran, from residents of Story City, favoring the appointment of a fish and game commission. Fish and game.

By Senator Quirk, from residents of Jefferson, favoring the appointment of a fish and game commission. Fish and game.

By Senator Stevens, from employees of the C. B. & Q. railroad at Ottumwa, favoring regulation of trucks and busses. Motor vehicles.

By Senator Ritchie, from American Legion at Havelock, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Knudson, from board of supervisors of Wright county, favoring a property tax on pipe line companies; from Hardin county farm bureau and from legislative committee in Hardin county, favoring an income tax law. Tax revision.

By Senator Carden, from residents of New London, favoring the appointment of a fish and game commission; from residents of Hillsboro, favoring a diversion of primary road funds; from residents of Ainsworth, favoring a driver's license law; from residents of Henry county, opposing the county assessor bill and favoring a tax on oleomargarine, investigation of the University of Iowa, and optional bovine testing; and from residents of Brighton, Olds, Winfield, and Hillsboro, favoring regulation and taxation of trucks and busses. Fish and game, highways, tax revision, agriculture, and motor vehicles.

By Senator Rigby, from residents of Cedar county, favoring optional military training. Educational institutions.

By Senator McLeland, from residents of Marshalltown, favoring regulation of trucks and busses. Motor vehicles.

By Senator Clark of Cerro Gordo, from residents of Mason City, favoring regulation of trucks and busses. Motor vehicles.

By Senator Wenner, from the Illinois Central club of Waterloo, favoring regulation of trucks and busses. Motor vehicles.

By Senator Topping, from Burlington chamber of commerce and employees of West Burlington shops, favoring regulation and taxation of trucks and busses. Motor vehicles.

By Senator Wilson, from residents of Des Moines, favoring a diversion of primary road funds. Highways.

Senator Clark of Linn asked unanimous consent to have House File No. 2, relating to the income tax, made a special order for Wednesday, March 18th, at 10 a. m.

Objection was raised by several Senators.

Senator Clark of Linn moved to make House File No. 2 a special order for Wednesday, March 18th, at 10 a. m.

Roll call was demanded.

Rule 8 was invoked.

Senator Clark of Linn asked that the two members of the investigating committee be requested to appear in the Senate Chamber to vote.

Senator Frailey raised the point of order that unless there is a call of the Senate on the bill and the Senators have not been excused, a Senator cannot demand that the absent Senators appear and vote.

The President held the point of order well taken.

On the question, "Shall the motion to make House File No. 2 a special order prevail?" the vote was:

Ayes, 24.

Anderson	Clearman	Leonard	Rigby
Bennett	Coykendall	Lowe	Ritchie
Bissell	Gunderson	MacDonald	Stanley
Christophel	Hill	Moen	White
Clark of	Kent	Myers	
Cerro Gordo	Knudson	Patterson	
Clark of Linn	Langftt	Quirk	

Nays, 24.

Baird	Clark of Marion	Hicklin	Stevens
Beatty	Cochrane	Ickis	Stoddard
Benson	Cole	Irwin	Tabor
Blackford	Cooney	Kimberly	Topping
Booth	Frailey	Klemme	Wenner
Carden	Hager	McLeland	Wilson

Absent or not voting, 2.

Carroll

Doran

The motion was lost, having failed to receive a two-thirds vote.

HOUSE FILE NO. 124 RE-REFERRED

Senator Ickis asked unanimous consent to have House File No. 124, relating to fish and game commission, re-referred to the committee on fish and game.

Consent was granted.

HOUSE FILE NO. 151 MADE SPECIAL ORDER

By unanimous consent on request of Senator Hicklin, House File No. 151, relating to public utility plants, was made a special order for Friday, March 13th, at 10 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 concurred in Senate amendments to House File No. 4, a bill for an act relating to and defining the powers and duties of the state board of assessment and review.

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

Senate Concurrent Resolution No. 12, relative to speedily carrying forward the navigation project on the upper Missouri river concurrently with that on the lower Missouri River.

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

Senate Concurrent Resolution No. 9, relating to enlarging the connecting channels of the Great Lakes and the St. Lawrence River.

Also: That the House recedes from its amendment to Section Six (6) of Senate File No. 77.

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

House File No. 96, a bill for an act relating to examination for positions and promotions by the Civil Service Commission.

Also: 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 an appropriation for expenses incurred in Maneor-Berry contest.

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

House File No. 17, a bill for an act relating to jurisdiction of district judges.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 49, a bill for an act relating to the practice of barbering to provide additional qualifications.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 49

1. By striking all of Section 1 and inserting in lieu thereof the following:

Section 1. Section twenty-five hundred eighty-five-b twelve (2585-b12), code, 1927, is amended by inserting after the word "barber" in line 18 thereof, the following:

"or students in a barber school approved by the board of barber examiners or registered barber apprentice while pursuing a regular course of study of barbering".

Also, by adding after the word "study" in line twelve (12) of said section the following:

"or students attending schools approved by the barber examiners".

2. By inserting after the word "course" in line six (6) of Section Three (3) the following:

"both of theory and practice".

3. By inserting after the word "college" in the last line of Section Three (3), the following:

"by a student during the first three months of his course".

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 22, 135, 169, 202, 247, 301 and 123.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 22, 135, 169, 202, 247, 301, and 123.

THIRD READING OF BILLS

On motion of Senator Clark of Linn, Senate File No. 19, a bill for an act to amend chapter one hundred sixty-five (165) Acts of the Forty-third General Assembly relating to swimming pools, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Clark of Linn asked for a roll call.

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

Ayes, 22.

Baird	Cooney	Irwin	Stoddard
Bennett	Frailey	Kent	Tabor
Christophel	Hager	Kimberly	Topping
Clark of Marion	Hicklin	Knudson	Wilson
Cochrane	Hill	Stanley	
Cole	Ickis	Stevens	

Nays, 25.

Anderson	Clark of	Langfitt	Quirk
Beatty	Cerro Gordo	Leonard	Rigby
Benson	Clark of Linn	Lowe	Ritchie
Bissell	Clearman	McLeland	Wenner
Blackford	Coykendall	Moen	White
Booth	Gunderson	Myers	
Carden	Klemme	Patterson	

Absent or not voting, 3.

Carroll Doran MacDonald

The report of the committee was rejected and the bill was placed on the calendar.

On motion of Senator McLeland the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate refused to confirm the appointment of Frank Miles and Max R. Hueschen as members of the state board of education.

The Senate arose from executive session and resumed regular session.

SENATE FILE NO. 59 RE-REFERRED

By unanimous consent on request of Senator Wilson Senate File No. 59, relating to waterworks trustees, was re-referred to the committee on cities and towns.

The Journal of March 10th was corrected and approved.

On motion of Senator Hager the Senate recessed until 4:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Pro Tem Wm. E. McLeland presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 43, a bill for an act relating to interest on special assessment and to advertising for bids for street improvements.

Also: 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 relating to legal help and payment

of same in connection with court action which involves the state highway commission.

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

House File No. 282, a bill for an act relating to the collection of delinquent personal taxes.

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

House File No. 33, a bill for an act relating to tax-free lands.

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

House File No. 106, a bill for an act relating to the sale of oleomargarine.

SAM C. RAGAN, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate File No. 329, by Senator Wilson, a bill for an act to amend section twelve thousand eight hundred nineteen (12819), Code, 1927, relating to fees of the clerk of the Supreme Court.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 330, by Senator Moen, a bill for an act to amend section twelve thousand eighty-eight (12088), of the Code 1927, relating to bonds in attachment proceedings.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 331, by Senator Moen, a bill for an act to repeal section nine thousand four hundred and twenty (9420), Code 1927, relating to Chattel Mortgages in Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 332, by Senator Wenner, a bill for an act to amend Section five hundred forty-seven (547) of the Code of 1927, relating to the filing of nomination papers by candidates for office in any subdivision of a county, including the office of party committeeman.

Read first and second times and referred to committee on elections.

Senate File No. 333, by Senator Wenner, a bill for an act to amend Section five thousand eight hundred eighteen (5818) of the Code of 1927, and Section five thousand eight hundred twenty-two (5822) of the Code of 1927, relating to River Front Improvement Commission.

Read first and second times and referred to committee on cities and towns.

Senate File No. 334, by Senator Kimberly, by request, a bill for an act to provide funds to be administered by the state department of health for the demonstration and maintenance of full time county health units.

Read first and second times and referred to committee on public health.

Senate File No. 335, by Senator Kent, a bill for an act to amend section five thousand five hundred sixty-six (5566) of the code, 1927, relating to cemeteries.

Read first and second times and referred to committee on cities and towns.

Senate File No. 336, by Senators Cooney, Kimberly and Bennett, a bill for an act providing that the possession of certain mechanical devices shall be prima facie evidence of the practice of optometry and further prohibiting the sale, solicitation or disposal of spectacles, eye glasses and lenses by any other than a licensed optometrist, and to amend section twenty-five hundred seventy-five (2575), code 1927, by striking out paragraph two (2) of said section and amending the same to read: "licensed physicians and surgeons licensed under chapter one hundred sixteen (116), code 1927".

Read first and second times and referred to committee on public health.

Senate File No. 337, by Senator Cooney, a bill for an act to amend section seven hundred eighteen-b twenty (718-b20) of the code, 1927, as amended by chapter thirty-seven (37), acts of the forty-third (43rd) general assembly, relating to permanent registration of voters, and certificates of registration.

Read first and second times and referred to committee on cities and towns.

Senate File No. 338, by Senators Carroll and MacDonald, a bill for an act to repeal section nine hundred thirty-five (935) of the code of Iowa, 1927, and enact a substitute therefor, and to amend the law as it appears in section nine hundred sixty (960) of the code of Iowa, 1927, relating to absent voter's ballots.

Read first and second times and referred to committee on elections.

Senate File No. 339, by Senator Wilson, a bill for an act to enable cities and towns, by ordinance, to examine, license and bond persons, firms and corporations installing or altering electrical apparatus, conductors and equipment for the utilization of light, heat and power.

Read first and second times and referred to committee on cities and towns.

Senate File No. 340, by Senator Rigby, a bill for an act to amend section six thousand nine hundred forty-four (6944) and six thousand nine hundred fifty-three (6953) of the Code of Iowa, 1927, relating to the exemption of property from taxation; and providing for the taxation of property owned, operated or leased by any city or town, for the purpose of supplying electricity, water, gas or heat to the inhabitants thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 341, by Senator Baird, a bill for an act to amend Section seven thousand two hundred eleven (7211) Code 1927, reference to the payment of delinquent taxes by tax purchases.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 342, by Senator Baird, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying

of such tax and the anticipation of the collection of such tax by the issuance of said certificates.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 343, by Senator Bennett, a bill for an act to amend Chapter 228 of the Acts of the 43rd General Assembly, relating to the investment of funds of insurance companies other than life.

Read first and second times and referred to committee on insurance.

Senate File No. 344, by Senator Bennett, a bill for an act to amend Chapter two hundred twenty-nine (229) of the Acts of the Forty-Third General Assembly, relating to insurance other than life, and to permit insurance of buildings and other property against loss or damage caused by railroad equipment and motor vehicles.

Read first and second times and referred to committee on insurance.

Senate File No. 345, by Senator Bennett, a bill for an act to amend section nine thousand ten (9010) of the Code of Iowa, 1927, relating to unlawful combinations of insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 346, by committee on reduction of expenditures, a bill for an act to amend sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), Code, 1927, relating to school census and section forty-three hundred thirteen (4313), Code, 1927, relating to reporting school census.

Read first and second times and placed on the calendar.

Senate File No. 347, by Senator Frailey, a bill for an act to amend Chapter 6, Acts of the Forty-third General Assembly, regulating the issuing of shares of stock of corporations without par value.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 348, by Senator Irwin, a bill for an act to amend sections four thousand five (4005), four thousand eight (4008), four thousand nine (4009), and four thousand twelve (4012), Code, 1927, relating to medical and surgical treatment, in the hospital of the college of medicine of the state university, of indigent persons.

Read first and second times and referred to committee on code revision.

Senate File No. 349, by Senator Knudson, a bill for an act to regulate and license fortune tellers, astrologers, phrenologists and others who for compensation pretend to predict future events, and providing for a penalty for a violation thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 350, by Senator Clark of Marion, a bill for an act to amend section five thousand ninety-three-a-eight (5,093-a8) of the Code, 1927, relative to the time for making applications for reimbursements of gasoline tax.

Read first and second times and referred to committee on agriculture.

Senate File No. 351, by committee on reduction of expenditures, a bill for an act to amend sections forty-one hundred seventy-nine (4179) to forty-one hundred eighty-two (4182), inclusive, Code, 1927, relating to transportation of children to and from schools in consolidated districts and to provide that such transportation shall be optional with the board of directors.

Read first and second times and placed on the calendar.

Senate File No. 352, by Senator Wenner, a bill for an act to amend Section seven thousand one hundred seventy-one (7171) of the Code of 1927, relating to county revenue and to the poll tax.

Read first and second times and referred to committee on ways and means.

Senate File No. 353, by Senator Hicklin, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held

in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation therefor.

Read first and second times and referred to committee on appropriations.

Senate File No. 354, by Senator Wilson, a bill for an act to amend section eight thousand three hundred fifty-nine (8359) of the Code, 1927, relating to the procedure in the organization of corporations.

Read first and second times and referred to committee on corporations.

HOUSE MESSAGES CONSIDERED

House File No. 265, a bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor vs. Berry.

Read first and second times and referred to committee on appropriations.

House File No. 96, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696) of the code of 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty thousand (50,000) once in two years instead of annually.

Read first and second times and referred to committee on cities and towns.

House File No. 17, a bill for an act to amend the law relating to the signing of orders by judges of the district court in vacation.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 121, a bill for an act to provide legal help in court actions to which the state highway commission is a party, to authorize payment from the primary road fund of attorneys' compensation and court costs in connection with legal work of the state highway commission, and to relieve the general revenue of the state therefrom.

Read first and second times and referred to committee on highways.

House File No. 282, a bill for an act to provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 33, a bill for an act to repeal the law as it appears in chapter two hundred fifteen-B one (215-B1), code, 1927, as amended by chapter one hundred seven (107), acts of the forty-third general assembly and also chapter one hundred fifteen (115), acts of the forty-third general assembly relating to tax free lands; and to enact a substitute therefor.

Read first and second times and referred to committee on ways and means.

House File No. 106, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture.

Read first and second times and referred to committee on ways and means.

By unanimous consent on request of Senator Clark of Linn, House File No. 106 was substituted for Senate File No. 9, relating to oleomargarine.

By unanimous consent on request of Senator Clark of Linn, Senate File No. 9 was withdrawn from further consideration.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 194, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 251, a bill for an act to make appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland and Dorothy Zein, for damages to automobiles by reason of collision with highway equipment in the highways, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 236, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following report :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 310, a bill for an act to legalize the proceedings relating to an election held in the City of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center and issuing and selling bonds for such purpose, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Senator Wenner submitted the following report :

MR. PRESIDENT: Your committee on code revision, to which was referred Senate File No. 312, a bill for an act to amend section thirty-six hundred twelve (3612) of the code, 1927, relating to probation officers, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following reports :

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 191, a bill for an act authorizing the destruction of weeds and grasses in certain cities, and prescribing notices therefor,

begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 238, a bill for an act authorizing boards of water-works trustees in cities having a population of one hundred thousand (100,000) inhabitants, or more, including cities under commission plan of government, to retire employees upon an annuity and to procure group insurance for employees, creating a fund for such purposes and a board to administer the same, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 50, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982), of the code, 1927, relating to connections under water works trustees, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 235, a bill for an act to amend section five thousand three hundred eleven (5311), of the code, 1927, relating to the acquiring of settlement by poor persons, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 234, a bill for an act to amend section three thousand six hundred forty-one b one (3641-b1) of the code, 1927, as amended by chapter ninety-two (92) of the Acts of the Forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 261, a bill for an act to amend the law as it appears in chapter three hundred and twelve (312), of the code of Iowa, 1927, by adding thereto section sixty-one hundred fifty-one, b four (6151-b4), relating to the use of surplus earned from the operation of municipal water works plants in cities of over forty thousand population, having a Board of Water Works Trustees, for the purpose of acquiring property and erecting a building or buildings thereon for its use, and authorizing rental to other city departments, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Lowe submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File No. 175, a bill for an act to empower the board of trustees of county hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals, to amend section 5359, code, 1927, begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, *Chairman.*

Ordered passed on file.

Senator Rigby submitted the following reports:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 157, a bill for an act to amend Chapter 332 of the Code of Iowa by adding thereto Sections 6989-C1, 6989-C2 and 6989-C3 prohibiting the deduction by a corporation of debts owing by it to any affiliated corporation in making up the amount of money or credits which a corporation is required to list, or to have listed or assessed, and defining affiliated corporations, and providing that in certain cases debts owing by an affiliated corporation shall be disregarded as assets of the lending corporation in arriving at the assessable value of its shares, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 288, a bill for an act to amend Section eleven (11), Chapter thirty (30) of the Acts of the Forty-third General Assembly relating to Bank drafts and Cashiers' Checks given for clearings or drafts given for the transportation of funds, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 286, a bill for an act to amend Section nine thousand four hundred ten (9410) of Chapter four hundred nineteen (419) of the Code, 1927, relating to chattel loans, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Senator Gunderson submitted the following reports :

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred House File No. 40, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties, to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff, begs leave to report it has had the same under consideration and recommends the same do pass.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred House File No. 41, a bill for an act to amend Section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in Counties having a population of more than Sixty thousand (60,000) and making such salary the full and only compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

AMENDMENT FILED

I move to amend Senate File No. 108 by striking out the word "such" in Line 11 and by striking out all the subject matter in said bill beginning with the words "provided further" in Line 14.

E. W. CLARK.

On motion of Senator Tabor the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 12, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. George W. Dunn, pastor of the Methodist Church of Ida Grove.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator MacDonald; Senator Irwin for the day, on account of illness, on request of Senator Hicklin.

By unanimous consent of the Senate, Senators Doran, Baird and Carroll were excused to act on the special investigation committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wilson, from residents of Des Moines and Walker, favoring a diversion of primary road funds. Highways.

By Senator Bissell, from residents of Dallas Center, favoring restriction of motor vehicles. Motor vehicles.

By Senator Tabor, from residents of Lamotte, favoring a diversion of primary road funds. Highways.

By Senator Coykendall, from residents of Page county, favoring the fish and game commission bill. Fish and game.

By Senator Lowe, from railroad employees of Warren county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Patterson, from residents of Terril, favoring restriction of motor vehicles. Motor vehicles.

By Senator Stanley, from residents of Mahaska county, favoring a driver's license law; from O'Brien county school master and teachers of Beacon schools, opposing a reduction in teachers' wages. Motor vehicles and public schools.

By Senator Gunderson, from residents of Kensett, favoring restriction of motor vehicles. Motor vehicles.

By Senator Leonard, from Corning board of education, favoring expansion of the present vocational program. Appropriations.

By Senator Clearman, from committee on conservation of Iowa Academy of Science, favoring conservation of natural resources. Conservation.

By Senator Clark of Cerro Gordo, from residents of Mason City, favoring restriction of motor vehicles. Motor vehicles.

By Senator Hager, from American Legion of Oelwein, favoring the present policy of military training in schools. Educational institutions.

By Senator Doran, from residents of Pilot Mound and Zeiring, favoring restriction of motor vehicles. Motor vehicles.

By Senator Quirk, from residents of Carroll county, favoring the appointment of a fish and game commission. Fish and game.

By Senator Carden, from residents of Henry county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Benson, from residents of Littleport, favoring a driver's license law. Motor vehicles.

By Senator McLeland, from residents of Marshalltown, favoring the restriction of motor vehicles. Motor vehicles.

By Senator Hager, from the board of Center Valley creamery association, favoring a tax on oleomargarine and opposing the county assessor bill. Tax revision.

By Senator Wenner, from residents of Waterloo, favoring the appointment of a fish and game commission; and from the board of supervisors of Black Hawk county favoring restriction of motor vehicles. Fish and game, and motor vehicles.

By Senator Myers, from committee on conservation of Iowa Academy of Science, favoring conservation of natural resources;

from residents of Sully, favoring restriction of motor vehicles; and from the Keokuk chamber of commerce, opposing the state income tax. Conservation, motor vehicles, and tax revision.

By Senator Hicklin, from town council of Columbus Junction, favoring purchase and extension of municipal public utility plants to be paid for out of earnings; from residents of Muscatine, opposing an additional tax on cigarettes and tobacco; from residents of Muscatine county, opposing the state income tax; from fire department of Muscatine, favoring appointments of chiefs of police and fire departments under civil service; and from residents of Muscatine county, opposing the appointment of a fish and game commission. Public utilities, tax revision, cities and towns, and fish and game.

INTRODUCTION OF BILLS

Senate File No. 355, by committee on reduction of expenditures, a bill for an act providing that no proposition to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty per cent (60%) of the votes cast thereon.

Read first and second times and placed on the calendar.

Senate File No. 356, by committee on banks and banking, a bill for an act to amend section four (4) of chapter thirty (30) of the acts of the Forty-Third (43rd) General Assembly and specifying Iowa census figures.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Myers, Senate File No. 91, a bill for an act to amend section ten thousand one hundred and nine (10109) of the Code of 1924, relating to indexes kept by the county recorder, and to provide for the keeping of a numerical, section or tract index, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Myers asked for a roll call.

Senator Clark of Linn moved the previous question which motion prevailed.

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

Ayes, 20.

Bennett	Clearman	Hicklin	Stevens
Bissell	Cochrane	Kimberly	Stoddard
Blackford	Cole	Knudson	Topping
Clark of	Gunderson	Quirk	Wenner
Cerro Gordo	Hager	Stanley	Wilson
Clark of Marion			

Nays, 23.

Anderson	Coykendall	Leonard	Patterson
Benson	Doran	Lowe	Rigby
Booth	Hill	MacDonald	Ritchie
Carden	Kent	McLeland	Tabor
Christophel	Klemme	Moen	White
Clark of Linn	Langfitt	Myers	

Absent or not voting, 7.

Baird	Carroll	Frailey	Irwin
Beatty	Cooney	Ickis	

The report of the committee was refused and the bill placed on the calendar.

On motion of Senator Wenner Senate File No. 137, a bill for an act to amend section eleven thousand two hundred sixty-eight (11268), Code, 1927, relating to incriminating testimony and to define the term "prosecution" as it relates to such testimony, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted and the bill was indefinitely postponed.

On motion of Senator Wenner House File No. 213, a bill for an act to repeal section thirteen thousand nine hundred sixty-seven (13967) of the Code, 1927, relating to fees, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted and the bill was indefinitely postponed.

On motion of Senator Wenner House File No. 209, a bill for an act to repeal section forty-three hundred forty-five (4345), Code, 1927, as amended by the forty-third (43rd) general assembly, chapter one hundred ten (110), and to enact a substitute

therefor relating to the establishment of pension and annuity retirement systems in certain independent school districts, and to legalize the establishment of such systems under the laws herein repealed, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted and the bill was indefinitely postponed.

On motion of Senator Wenner Senate File No. 147, a bill for an act to amend, revise, and codify sections thirteen thousand seven hundred ninety-seven (13797) and thirteen thousand eight hundred nine (13809) of the code, 1927, relating to the sustaining of demurrers to criminal charges and to other rulings pertaining thereto and to the effect and avoidance of such rulings, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted and the bill was indefinitely postponed.

On motion of Senator Wilson Senate File No. 167, a bill for an act to amend sections sixty-three hundred ten (6310) and sixty-three hundred fourteen (6314), Code, 1927, relating to pension funds for disabled and retired firemen and policemen by including therein provisions making such pensions applicable to deputy clerks of Municipal Courts in cities having a population of one hundred thousand (100,000) or more, with report of committee recommending indefinite postponement, was taken up and considered.

The report of the committee was adopted and the bill was indefinitely postponed.

On motion of Senator Doran Senate File No. 111, a bill for an act to repeal sections forty-nine hundred forty-three (4943) to forty-nine hundred sixty (4960), inclusive, Code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide for the revocation

and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999), relating to the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), Code, 1927, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend Section 13, Sub-division 5, by changing in line 6, "fifty cents (50c)" to "twenty-five cents (25c)".

Further amend said section, sub-division 6, by changing the fee for an operator's license from One Dollar (\$1.00) to fifty cents (50c).

The committee amendments were adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by inserting a "comma" after the word "school" in line 6 of section 6.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 37.

Bennett	Clark of Marion	Ickis	Moen
Benson	Clearman	Kent	Myers
Bissell	Cochrane	Kimberly	Quirk
Blackford	Cole	Klemme	Ritchie
Carden	Coykendall	Knudson	Stanley
Christophel	Doran	Leonard	Stevens
Clark of	Gunderson	Lowe	Stoddard
Cerro Gordo	Hager	MacDonald	Topping
Clark of Linn	Hicklin	McLeland	Wenner
	Hill		White

Nays, 6.

Anderson	Booth	Langfitt	Tabor
Beatty		Patterson	

Absent or not voting, 7.

Baird
Carroll

Cooney
Frailey

Irwin
Rigby

Wilson

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

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

On motion of Senator Stevens Senate File No. 126, a bill for an act to amend Chapter Two (2), Acts Regular Session Forty-Third General Assembly of the State of Iowa, relating to the reduction of the salaries of state officers; Chapter Two Hundred Thirty-six (236) of said Act relating to the reduction of the salary of highway commission attorney; Chapter Two Hundred Fifty-Two (252) of said Act relating to the reduction of salaries of district judges, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Strike from the title all after the word attorney in the fifth (5) line thereof.

Strike out all after the enacting clause and substitute in lieu thereof the following:

Section 1. That Section One (1) of Chapter Two (2), Acts Forty-third General Assembly of the State of Iowa is hereby amended as follows:

1. Strike out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) of said section and substitute in lieu thereof the words "Four Thousand" and figures "\$4,000.00".

2. That Section Two (2) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) and substitute in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

3. That Section Three (3) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) and substitute in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

4. That Section Four (4) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Six Thousand" appearing in line five (5) and the figures "\$6,000.00" appearing in line six (6) and substitute in lieu thereof the words "Five Thousand" and the figures "\$5,000.00".

5. That Section Five (5) of Chapter Two (2), of said Acts is hereby amended by striking out the words "Five Thousand" appearing in line four (4) and the figures "\$5,000.00" appearing in line five (5) and substitute in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

6. That Section Six (6) of Chapter Two (2), of said Acts is hereby repealed.

Sec. 2. That Section One (1) of Chapter Two Hundred Thirty-six (236) of said Acts is hereby amended by striking out the words "Forty-five Hundred" and the figures "\$4,500.00" appearing in line nine (9) of said section and substituting in lieu thereof the words "Four Thousand" and the figures "\$4,000.00".

Senator Benson offered the following amendment to the amendments and moved its adoption:

Amend the committee amendments by striking section 2.

The amendment to the committee amendments was adopted.

The committee amendments as amended were adopted.

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

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

Ayes, 16.

Anderson	Coykendall	Moen	Stevens
Benson	Gunderson	Myers	Tabor
Bissell	Leonard	Ritchie	Wenner
Christophel	McLeland	Stanley	White

Nays, 26.

Baird	Clark of Linn	Hicklin	Patterson
Beatty	Clark of Marion	Hill	Quirk
Bennett	Clearman	Ickis	Rigby
Blackford	Cochrane	Kent	Stoddard
Booth	Cole	Kimberly	Topping
Clark of	Frailey	Klemme	Wilson
Cerro Gordo	Hager	Lowe	

Absent or not voting, 8.

Carden	Cooney	Irwin	Langfitt
Carroll	Doran	Knudson	MacDonald

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

On motion of Senator Hill Senate File No. 162, a bill for an act creating a sanitary water board for the State of Iowa; providing for their duties by making investigations and controlling the pollution of streams and other bodies of water within the state; and amending the law as it appears in section twenty-one hundred ninety-eight (2198), section twenty-one hundred ninety-nine (2199), section twenty-two hundred one (2201), section twenty-two hundred three (2203), section twenty-two hundred four (2204), section twenty-two hundred five (2205), section twenty-two hundred six (2206), and section twenty-two hundred seven (2207), of the code of Iowa 1927, relating to stream pollution, and changing said sections to conform with the creation of said sanitary board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 45.

Anderson	Clark of Linn	Ickis	Patterson
Baird	Clark of Marion	Kent	Quirk
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Knudson	Stevens
Bissell	Coykendall	Langfitt	Stoddard
Blackford	Frailey	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carden	Hager	MacDonald	Wenner
Christophel	Hicklin	McLeland	White
Clark of	Hill	Moen	Wilson
Cerro Gordo		Myers	

Nays, none.

Absent or not voting, 5.

Carroll	Doran	Irwin	Rigby
Cooney			

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

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

On motion of Senator Patterson House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight VIII of the code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by inserting at the end of paragraph five the following: "A Podiatrist may use the prefix "Dr." but shall add after his name the word "Podiatrist".

The committee amendment was adopted.

The bill was read for information.

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

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

Ayes, 39.

Anderson	Clark of Marion	Ickis	Myers
Baird	Clearman	Kent	Patterson
Beatty	Cochrane	Kimberly	Quirk
Bennett	Coykendall	Klemme	Ritchie
Benson	Frailey	Knudson	Stanley
Blackford	Gunderson	Leonard	Stevens
Booth	Hager	Lowe	Tabor
Carden	Hicklin	MacDonald	Topping
Christophel	Hill	McLeland	Wenner
Clark of Cerro Gordo		Moen	White

Nays, 1.

Bissell

Absent or not voting, 10.

Carroll	Cooney	Irwin	Stoddard
Clark of Linn	Doran	Langfitt	Wilson
Cole		Rigby	

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

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

On motion of Senator Frailey House File No. 160, a bill for an act to repeal section fifty-five hundred fifty-seven (5557), Code, 1927, relating to the refusal of a township officer to qualify, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 44.

Anderson	Clark of Linn	Kent	Patterson
Baird	Clark of Marion	Kimberly	Quirk
Beatty	Clearman	Klemme	Rigby
Bennett	Cochrane	Knudson	Ritchie
Benson	Coykendall	Langfitt	Stanley
Bissell	Frailey	Leonard	Stevens
Blackford	Gunderson	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Carden	Hicklin	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Cerro Gordo	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 6.

Carroll	Cooney	Doran	Stoddard
Cole		Irwin	

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

On motion of Senator Frailey House File No. 157, a bill for an act to repeal sections eleven thousand thirty-one (11031) to eleven thousand thirty-three (11033), inclusive, Code, 1927, relating to actions against persons in the military or naval service of the government of the United States, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 45.

Baird	Clark of Marion	Kent	Quirk
Beatty	Clearman	Kimberly	Rigby
Bennett	Cochrane	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Doran	Langfitt	Stevens
Blackford	Frailey	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Ickis	Myers	Wilson
Clark of Linn		Patterson	

Nays, none.

Absent or not voting, 5.

Anderson	Cole	Cooney	Irwin
Carroll			

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

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 49, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend by striking all of Section 1 and inserting in lieu thereof the following:

Section 1. Section twenty-five hundred eighty-five-b twelve (2585-b12), code, 1927, is amended by inserting after the word "barber" in line 18 thereof, the following:

"or students in a barber school approved by the board of barber examiners or registered barber apprentice while pursuing a regular course of study of barbering".

Also, by adding after the word "study" in line twelve (12) of said section the following:

"or students attending schools approved by the barber examiners".

2. Amend by inserting after the word "course" in line six (6) of Section Three (3) the following:

"both of theory and practice".

3. Amend by inserting after the word "college" in the last line of Section Three (3), the following".

"by a student during the first three months of his course".

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

Ayes, 31.

Anderson	Clark of	Hicklin	Quirk
Baird	Cerro Gordo	Hill	Rigby
Bennett	Clark of Marion	Kent	Stanley
Bissell	Clearman	Kimberly	Stevens
Blackford	Coykendall	Knudson	Stoddard
Booth	Doran	Lowe	Tabor
Carden	Frailey	Myers	Topping
Christophel	Hager	Patterson	Wenner

Nays, 1.

Klemme

Absent or not voting, 18.

Beatty	Cole	Irwin	Moen
Benson	Cooney	Langfitt	Ritchie
Carroll	Gunderson	Leonard	White
Clark of Linn	Ickis	MacDonald	Wilson
Cochrane		McLeland	

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

Senator Stoddard moved that the vote by which the House amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 170, a bill for an act to provide for the education of handicapped children, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on appropriations.

F. C. STANLEY, *Chairman.*

The report was adopted and the bill was referred to the committee on appropriations.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 60, a bill for an act to provide for uniting certain

school districts, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Senator Clark of Linn submitted the following report:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 94, a bill for an act to regulate outdoor advertising and tax outdoor advertising, begs leave to report it has had the bill under consideration and recommends amendment and passage, and that the proposed amendments be printed in bill form and not in the Journal.

C. F. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision, to which was referred House File No. 2, relating to income tax, begs leave to report that it has had the bill under consideration and recommends amendment and passage, by substitution for all pending amendments and everything after the enacting clause, and that the proposed amendments be printed in bill form and not in the Journal.

C. F. CLARK, *Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 77 and 43 and House Files Nos. 56 and 149.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 77 and 43 and House Files Nos. 56 and 149.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 12th day of March, 1931, sent to the governor for his approval, Senate Files Nos. 77 and 43.

E. R. HICKLIN, *Chairman.*

The report was adopted.

SENATE FILE NO. 243 WITHDRAWN

By unanimous consent on request of Senator Myers, Senate File No. 243, relating to examination of accounts in cities and towns, was withdrawn from further consideration.

COPIES HOUSE FILE NO. 2 ORDERED PRINTED

By unanimous consent on request of Senator Clark of Linn, one thousand copies were ordered printed of House File No. 2 as proposed to be amended by the Senate committee on taxation.

HOUSE FILE NO. 4 REQUESTED RETURNED

By unanimous consent on request of Senator Clark of Linn the House was requested to return House File No. 4 for correction.

AMENDMENT TO SENATE FILE NO. 122 WITHDRAWN

By unanimous consent on request of Senator Hicklin, his amendment to Senate File No. 122 was withdrawn from further consideration.

The Journal of March 11th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I wish to amend House File No. 106 by striking all after the enacting clause and substituting the following:

Section 1. There is hereby imposed, levied, and assessed an inspection fee of one cent a pound upon each pound of oleomargarine sold, offered, or exposed for sale, or given or delivered to a consumer within this state; provided, however, that upon each pound of oleomargarine containing less than fifty per cent of animal oil offered or exposed for sale or given or

delivered to a consumer within this state, there is hereby imposed, levied, and assessed an excise tax of four cents a pound in addition to said inspection fee of one cent a pound, said fee and tax to be paid to the Secretary of Agriculture prior to such sale, gift, or delivery.

Sec. 2. All oleomargarine offered or exposed for sale, or for distribution in any manner in this state, shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon, and stamp or stamps shall be properly cancelled prior to the removal from said package or carton of any oleomargarine. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of oleomargarine, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps. Delivery to Secretary of Agriculture. Sale. Accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of the oleomargarine in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Sec. 4. Spoiled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 5. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of oleomargarine by the manufacturer or importer of any oleomargarine, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of oleomargarine.

Sec. 6. Unused Stamps. Refund. Upon written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 7. Any person violating any of the provisions of the preceding sections of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five

dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days in the county jail.

Sec. 8. **Tax Paid to General Fund.** The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

Sec. 9. **Appropriations.** There is hereby appropriated out of any unappropriated funds in the state treasury a sum sufficient to carry out the provisions of this act.

C. L. RIGBY.

MR. PRESIDENT: I move to amend Senate File No. 5 as follows:

To Section 2 add the following:

When a sales contract is entered into for the sale of real estate whereby the purchaser either assumes or agrees to purchase subject to a mortgage already on said real estate as a part of the purchase price thereof said contract shall be exempt from such registration fee to the extent of said mortgage upon which the registration fee has been paid.

C. H. TOPPING.

MR. PRESIDENT: I move to amend House File No. 151 as follows:

Amend subsection 2-c thereof by adding thereto the following:

"And such proposition when submitted to an election shall state the total amount proposed to be expended for the establishment, construction or acquisition of such plant. No greater amount shall be expended for such purpose than is voted upon."

Amend Section 1 as follows:

Insert after the period (.) in line 28 thereof the following:

"Such notice shall be given for the purpose of securing competitive bids from the manufacturers or vendors of machinery and equipment and shall also permit competitive bids for the furnishing of electrical energy."

O. P. BENNETT.

E. R. HICKLIN.

Amend House File No. 205 by striking the words and figures "two hundred fifty (250)" in line nine and inserting in lieu thereof the words and figures "one hundred (100)".

J. H. HAGER.

MR. PRESIDENT: Your committee on tax revision moves as a substitute for House File No. 2 and all pending amendments to strike out all of said House File No. 2 after the enacting clause and substitute in lieu thereof the following: (Printed in bill form.)

C. F. CLARK, *Chairman.*

On motion of Senator Klemme the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 13, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Ira D. Halvorsen, pastor of the First Baptist Church of Goldfield.

By unanimous consent of the Senate, Senators Carroll, Baird and Doran were excused to act on the special investigation committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Booth, from residents of Westphalia, favoring a diversion of primary road funds. Highways.

By Senator Clearman, from board of supervisors of Johnson county, favoring certain refunds to counties wherein county roads have been added to primary road system. Highways.

By Senator Anderson, from residents of Burnside and Callender, favoring regulation of motor vehicles. Motor vehicles.

By Senator Clark of Cerro Gordo, from Franklin county board of supervisors, favoring certain refunds to counties wherein county roads have been added to primary road system. Highways.

By Senator Quirk, from residents of Dana, favoring regulation of motor vehicles. Motor vehicles.

By Senator Wenner, from American Legion of Waterloo, opposing optional military training. Educational institutions.

By Senator Hicklin, from railroad employees of Louisa county, favoring regulation of trucks and busses. Motor vehicles.

By Senator McLeland, from residents of Marshall county, favoring regulation of motor vehicles. Motor vehicles.

By Senator Coykendall, from Fremont county board of supervisors, favoring certain refunds to counties wherein county roads have been added to primary road system. Highways.

By Senator Doran, from brotherhood of maintenance of way employees, C. & N. W. system, favoring regulation and taxation of bus, truck and pipe lines. Tax revision and motor vehicles.

By Senator Stevens, from residents of Ottumwa, favoring regulation of motor vehicles. Motor vehicles.

By Senator Stanley, from mayor and council members of Oskaloosa, favoring a diversion of automobile license fees; from Corning board of education, favoring expansion of the present vocational program; from board of supervisors of Mahaska county, opposing a reduction in the mileage for county officers; from Oskaloosa chamber of commerce, opposing the state income tax; and from residents of Mahaska county, favoring regulation of motor trucks and busses. Highways, appropriations, county and township affairs, tax revision, and motor vehicles.

By Senator MacDonald, from Pilot Rock chapter D. A. R., favoring a teacher's oath of allegiance; from residents of Cherokee county, favoring a state driver's license law; from Holstein chapter, Will H. Dilg league and Holstein community club, favoring the appointment of a fish and game commission; from Ida county farmers' union, favoring optional military training in schools; from residents of Plymouth county and Ida county farmers' union, opposing the county assessor plan; from business and professional men of Holstein, the Ida Grove Commercial club, residents of Le Mars and Plymouth county, and residents of Battle Creek, opposing the levy of a tax on theater tickets; and from the Ida Grove Commercial club, opposing the state income tax. Public schools, fish and game, educational institutions, and tax revision.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 310, a proposed bill to legalize the proceedings relating to an election held in New Hampton, Chickasaw county, Iowa.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File No. 357, by committee on departmental affairs, a bill for an act to consolidate the office of Director of the Budget with the office of the State Board of Assessment and Review; to create a State Department of Taxation and Budget; to create an official board to administer the said Department of Taxation and Budget; to define the rights, duties and powers of the said board, and the officers thereof, and of other public officials with reference to said subject matter; to co-ordinate and harmonize the existing statutes with this act, in order to carry out the manifest purpose of said consolidation; to repeal Sections Three hundred nine (309), Three hundred eleven (311), Three hundred thirteen (313), Three hundred fourteen (314), Three hundred seventeen (317), Three hundred eighteen (318), Three hundred nineteen (319), Three hundred sixty (360), One thousand sixty-three (1063) and Chapter Twenty-two (22) Code of 1927; to amend sections Three hundred twenty-five (325), Three thousand seven hundred fifty-seven (3757) and Eleven thousand two hundred sixty-eight (11268) Code of 1927; to repeal sections one (1), Two (2), Three (3), Five (5), Six (6), Seven (7), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), and Sixteen (16) of Chapter Two hundred five (205); and all of Chapter Two hundred six (206), Acts of the Forty-third General Assembly; to amend Section Seventeen (17) of Chapter two hundred five (205) Acts of the Forty-third General Assembly; all relating to the said Board of Assessment and Review and to the Director of the Budget; to provide for the appointment and designation of the said official board; to provide for a Bureau of the State Tax Commission, and for a Bureau of Director of the Budget; to transfer to said Department of Taxation and Budget, to the official board, and the Bureaus thereof, the powers and duties of the State Board of Assessment and Review and the powers and duties of the Director of the Budget; to terminate the term of office of the present director of the Budget; and to make an appropriation for the purpose of carrying out the provisions of this act.

Read first and second times and referred to the committee on appropriations.

REPORTS OF COMMITTEES

Senator Patterson submitted the following reports:

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 190, a bill for an act to amend chapter sixty-four (64), acts of the forty-third (43rd) general assembly, relating to the inspector in the state department of health, and providing for an assistant to said inspector, and compensation and expense of said inspectors, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 223, a bill for an act to amend section twenty-five hundred thirty-eight (2538) of the code, 1927, pertaining to the practice of medicine and surgery, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out lines 6 and 7 and substituting in lieu thereof the following:

"3. Persons who act as representatives of any person in doing any of the things mentioned in this section."

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Senator Leonard submitted the following report:

MR. PRESIDENT: Your committee on elections, to which was referred Senate File No. 195, a bill for an act to amend Chapter Thirty-six (36) Code of 1927, relating to nominations by primary election by amending section six hundred thirty-nine (639) and section six hundred forty-three (643), begs leave to report it has had the same under consideration and recommends the same do pass.

ARTHUR LEONARD, *Chairman.*

Ordered passed on file.

Senator Moen submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 280, a bill for an act to amend section thirty-two hundred sixty-seven (3267) code 1927, relating to inspection fees for the inspection of scales, begs leave to report it has had the same under consideration and recommends the same do pass.

T. E. MOEN, *Chairman.*

Ordered passed on file.

Senator Ickis submitted the following reports:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 124, a bill for an act relating to Fish, Game, Fur-

Bearing Animals and Protected Birds; Creating a Fish and Game Commission, Prescribing its Powers and Duties, and Transferring Funds for the use of such Commission, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend House File No. 124 by striking the word "three" in line five (5) Section two (2). Also amend by striking lines six (6), seven (7), and eight (8) of said Section and inserting in lieu thereof the following: "not more than three from one Zone, and".
2. Strike the amendment in line nine (9) Section two (2).
3. Amend line ten (10) Section two (2) by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".
4. Amend line twelve (12) of Section two (2) by striking the words "two for four (4) years and two" and substituting in lieu thereof the words "and three".
5. Amend line thirteen (13) Section two (2) by striking the word and figure "(6) years" and substituting in lieu thereof the words and figure "four (4) years".
6. Strike out amendment to line eight (8) Section three (3).
7. Amend Section six (6) by striking lines five (5), six (6), and seven (7) of said Section and inserting a period after the word "furniture".
8. Insert in line seven (7) Section ten (10) a period immediately following the word "Commission" and by striking therefrom the amendment to said line found in the House Journal of February 16.
9. Strike out the period immediately after the word "State" and insert in lieu thereof a semi-colon; and insert in line twelve (12) Section ten (10) "provided, however, the State Fish and Game Warden shall serve his unexpired term to March 1, 1933."
10. Amend line two (2) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden"; and insert immediately following the word "employ" the following: "not to exceed fifty".
11. Amend line three (3) Section eleven (11) by striking the words "in such numbers as it deems necessary".
12. Amend lines five (5) and eleven (11) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".
13. Amend line eight (8) Section eleven (11) by striking the words and figures "One Thousand (\$1,000.00) Dollars" and inserting in lieu thereof the words and figures "Five Hundred (\$500.00) Dollars".

14. Amend line fifteen (15) of Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

15. Amend line twenty-three (23) Section ten (10) by striking the word "Commission" and inserting in lieu thereof the word "Warden", and by striking the word "their" in line twenty-four (24) and inserting in lieu thereof the word "his".

16. Amend line five (5) Section fourteen (14) by striking the period following the word "Commission" and inserting in lieu thereof a comma and adding the following: "excepting as provided for in Sections ten (10) and eleven (11)."

F. D. ICKIS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 200, a bill for an act to amend section seventeen (17), chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the sale by game wardens of undesirable fish, begs leave to report it has had the same under consideration and recommends the same do pass.

F. D. ICKIS, *Chairman*.

Ordered passed on file.

Senator Carroll submitted the following report:

MR. PRESIDENT: Your committee on educational institutions, to which was referred Senate File No. 114, a bill for an act to repeal section three hundred ninety-seven (397), of the Code of Iowa, 1927, and to enact a substitute therefor, relating to the duty of the State Board of Audit in connection with the institutions under the government of the State Board of Education and the State Board of Control, begs leave to report it has had the same under consideration and recommends the same do pass.

H. B. CARROLL, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Clark of Linn, House File No. 7, a bill for an act to amend the law as it appears in sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the code of Iowa 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment of the property of every individual, co-partnership, corporation or association operating for profit, water-works or gas works or

pipe lines, electric light or power plant, railways operated by cable or electricity, and elevated street railways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Clearman	Kent	Quirk
Bennett	Cochrane	Kimberly	Rigby
Benson	Cole	Klemme	Ritchie
Bissell	Cooney	Knudson	Stanley
Blackford	Coykendall	Langfitt	Stevens
Booth	Frailey	Leonard	Tabor
Carden	Gunderson	Lowe	Wenner
Christophel	Hager	MacDonald	White
Clark of	Hicklin	McLeland	Wilson
Cerro Gordo	Hill	Moen	
Clark of Linn	Ickis	Myers	
Clark of Marion	Irwin	Patterson	

Nays, none.

Absent or not voting, 6.

Baird	Carroll	Stoddard	Topping
Beatty	Doran		

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

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 49.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 49.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 13th day of March, 1931, sent to the governor for his approval, Senate File No. 49.

E. R. HICKLIN, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 156, a bill for an act relating to the levying of a tax to pay pensions to widowed mothers.

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

House File No. 335, a bill for an act relating to the election and appointment of city and town officers.

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

House File No. 218, a bill for an act relating to the destruction of certain papers and records.

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

House File No. 377, a bill for an act relating to specifications for motor vehicle fuel.

Also: 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 relating to the refunding of the tax on gasoline.

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

House File No. 203, a bill for an act relating to transfer of township funds.

Also: 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 relating to reporting school census.

Also: That the House returns herewith for correction, as requested, House File No. 4, relative to defining the powers and duties of the State Board of Assessment and Review.

SAM C. RAGAN, *Chief Clerk.*

The Journal of March 12th was corrected and approved.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate on House File No. 151:

O. E. GUNDERSON
E. W. CLARK
E. J. WENNER
ARTHUR LEONARD
LAFE HILL
WM. H. KLEMME
M. D. COONEY
LEW MACDONALD

GEO. W. TABOR
H. B. CARROLL
T. E. MOEN
C. E. ANDERSON
G. W. PATTERSON
ROY E. STEVENS
I. H. KNUDSON
GEO. W. CHRISTOPHEL

The roll call revealed the presence of all Senators.

On motion of Senator Hicklin, House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of chapter three hundred eleven (311) of the code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof, and to provide for publishing of notice of intention to enter into contract for purchase of a plant, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by striking out Section 2-d and substituting in lieu thereof the following:

2-d. Before any municipality shall enter into any such contract, as provided in Section 2-A hereof, for the establishment of a plant, or for

the extension or improvement of an existing plant, to cost Five Thousand (\$5,000.00) Dollars, or more, the Council shall adopt plans and specifications so drafted as to permit competitive bidding by and between manufacturers of engines, generators, and other equipment, and between contractors. It shall give at least Thirty (30) days notice of the time, place and purpose of a meeting to be held for consideration thereof, by publication once each week for two consecutive weeks in some newspaper of general circulation in the municipality, and also in some newspaper of general circulation in the State of Iowa; the first publication of which shall be at least thirty (30) days prior to the time fixed in said notice. Such notice shall state as nearly as practicable the extent of the work; the kinds of materials, for which bids will be received; when the work shall be done; and the time the proposals will be acted upon. At the meeting held pursuant to said notice, bids shall be received and such contract shall be let to the lowest responsible bidder or bidders, or all bids may be rejected. The Council may make such contract in such form as may be for the best interest of the municipality, but no such contract shall become effective until it has been submitted to and approved by a majority of the electors voting thereon at a general or special election, as provided in Sections 6131, 6132, and 6133, of the Code.

Senators Bennett and Hicklin offered the following amendments and moved their adoption:

Amend subsection 2-c thereof by adding thereto the following:

"And such proposition when submitted to an election shall state the total amount proposed to be expended for the establishment, construction or acquisition of such plant. No greater amount shall be expended for such purpose than is voted upon."

Amend Section 1 as follows:

Insert after the period (.) in line 28 thereof the following:

"Such notice shall be given for the purpose of securing competitive bids from the manufacturers or vendors of machinery and equipment and shall also permit competitive bids for the furnishing of electrical energy."

Senators Wenner, Stanley, Knudson and Booth offered the following as a substitute for all existing amendments and moved their adoption:

Amend sub-section 2-c thereof by adding thereto the following:

"And such proposition when submitted to an election shall state the maximum amount which may be expended for the establishment, construction, or acquisition of such plant."

Amend section 1 as follows:

Strike the period (.) in line 28 thereof, and insert in lieu thereof a comma (,) and add "such notice shall state as nearly as practicable the

extent of the work; the kind of materials for which bids will be received; when the work shall be done; the time when the proposals will be acted upon; and shall also provide for competitive bids for the furnishing of electrical energy, gas, water or heat."

Amend section 2-d as follows:

Insert after the comma (,) the word "therewith" in line 32 of said section 1 the following: "also any bids for the furnishing of electrical energy, gas, water, or heat,".

Senator Hicklin moved to change the words "existing amendments" to the words "pending amendments", which motion prevailed.

Senator Moen moved the previous question, which motion prevailed.

Senator Wenner demanded a roll call on the substitute amendment.

By unanimous consent on request of Senator Wilson, Senator Baird was excused from voting.

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

Ayes, 31.

Anderson	Clark of	Hill	Myers
Beatty	Cerro Gordo	Ickis	Patterson
Bennett	Clearman	Kent	Quirk
Bissell	Coykendall	Knudson	Ritchie
Booth	Doran	Langfitt	Stanley
Carden	Gunderson	Leonard	Stevens
Carroll	Hager	McLeland	Wenner
Christophel	Hicklin	Moen	White

Nays, 18.

Benson	Cole	Klemme	Tabor
Blackford	Cooney	Lowe	Topping
Clark of Linn	Frailey	MacDonald	Wilson
Clark of Marion	Irwin	Rigby	
Cochrane	Kimberly	Stoddard	

Absent or not voting, 1.

Baird

The substitution was made.

The amendment as substituted was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend by striking the period at the end of line 37 and adding the following: "not exceeding the maximum amount authorized at the election."

Senator Clark of Linn offered the following as a substitute for the Patterson amendment and moved its adoption:

Amend by striking from lines 36 and 37 the following: ", with such changes and modifications therein, as may be agreed upon".

The substitution was made.

The amendment as substituted was adopted.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking the period (.) after the word "plant" at the end of paragraph (a), Section 2 and substituting in lieu thereof a semi-colon (;) and add the following:

"provided however, that any such plant, improvement or extension thereof, under the terms of this act, be taxed the same as other personal property until completely paid for by the City or Town and title rests in the City or Town".

Senator MacDonald moved the previous question, which motion prevailed.

Senator Hicklin asked for a roll call on the amendment.

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

Ayes, 23.

Baird	Clark of Marion	Kent	Stoddard
Beatty	Cochrane	Kimberly	Tabor
Benson	Cooney	Klemme	Topping
Blackford	Frailey	Lowe	White
Carden	Hill	MacDonald	Wilson
Clark of Linn	Irwin	Rigby	

Nays, 27.

Anderson	Clearman	Ickis	Patterson
Bennett	Cole	Knudson	Quirk
Bissell	Coykendall	Langfitt	Ritchie
Booth	Doran	Leonard	Stanley
Carroll	Gunderson	McLeland	Stevens
Christophel	Hager	Moen	Wenner
Clark of Cerro Gordo	Hicklin	Myers	

Absent or not voting, none.

The amendment was lost.

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

AFTERNOON SESSION

The Senate reconvened, President McFarlane presiding, and action on House File No. 151 was resumed.

Senator Beatty offered the following amendment and moved its adoption:

Amend by adding after the word "taxation" in line 12 of Section 1, the following:

"Such contract shall specify the maximum rate that may be charged the consumers, including the municipality, and the city shall not increase or fix any rate beyond such maximum. Under no circumstances shall the city be in any manner liable by reason of the failure of the earnings being sufficient for the payments provided in the contract. Such contract shall also specify the rate of interest to be charged."

The amendment was adopted.

By unanimous consent on request of Senator Beatty the word "net" was inserted before the word "earnings" in line 5 of his amendment.

Senator Frailey offered the following amendment and moved its adoption:

Amend Section 1 after the substitute amendment by adding thereto the following:

"The plans and specifications shall be so drawn so as to provide free competitive bidding and the contract shall be let to the lowest responsible bidder."

Senator Hicklin asked for a roll call.

Rule 8 was invoked.

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

Ayes, 16.

Baird	Clark of Marion	Irwin	Stoddard
Benson	Cochrane	Kimberly	Tabor
Blackford	Cooney	MacDonald	Topping
Clark of Linn	Frailey	Rigby	Wilson

Nays, 34.

Anderson	Clearman	Klemme	Ritchie
Beatty	Cole	Knudson	Stanley
Bennett	Coykendall	Langfitt	Stevens
Bissell	Doran	Leonard	Wenner
Booth	Gunderson	Lowe	White
Carden	Hager	McLeland	
Carroll	Hicklin	Moen	
Christophel	Hill	Myers	
Clark of	Ickis	Patterson	
Cerro Gordo	Kent	Quirk	

Absent or not voting, none.

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by adding to Section 2-d thereof the following:

“No such contract shall become finally effective until at least fifteen days after its execution by the municipality, and if within such fifteen days a petition shall be filed with the Mayor signed by twenty-five property owners of each voting precinct of a city, or of fifty property owners of any incorporated town, the Mayor shall submit the entire contract as executed to a vote at an election called for that purpose and no such contract shall be of any force or effect if a majority of the voters voting at such election shall fail to approve such contract.”

Senator Knudson raised the point of order that this amendment was of the same subject matter as that in the amendment previously defeated and thus out of order.

The President held the point of order not well taken.

Roll call was demanded on the amendment.

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

Ayes, 17.

Baird	Cochrane	Klemme	Topping
Benson	Cooney	Lowe	Wilson
Blackford	Frailey	Rigby	
Clark of Linn	Irwin	Stoddard	
Clark of Marion	Kimberly	Tabor	

Nays, 32.

Anderson	Carroll	Cole	Hicklin
Beatty	Christophel	Coykendall	Hill
Bennett	Clark of	Doran	Ickis
Bissell	Cerro Gordo	Gunderson	Kent
Booth	Clearman	Hager	Knudson

Langfitt	Moen	Quirk	Stevens
Leonard	Myers	Ritchie	Wenner
MacDonald	Patterson	Stanley	White
McLeland			

Absent or not voting, 1.

Carden

The amendment was lost.

Senator Beatty offered the following amendment and moved its adoption:

Amend by inserting the word "net" before the word "earnings" in line 12 of Section 1.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 37.

Anderson	Clark of	Hicklin	Myers
Baird	Cerro Gordo	Hill	Patterson
Beatty	Clark of Marion	Ickis	Quirk
Bennett	Clearman	Kent	Rigby
Bissell	Cochrane	Knudson	Ritchie
Booth	Cole	Langfitt	Stanley
Carden	Coykendall	Leonard	Stevens
Carroll	Doran	Lowe	Wenner
Christophel	Gunderson	McLeland	White
	Hager	Moen	

Nays, 13.

Benson	Frailey	MacDonald	Wilson
Blackford	Irwin	Stoddard	
Clark of Linn	Kimberly	Tabor	
Cooney	Klemme	Topping	

Absent or not voting, none.

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

Senator Hicklin moved to strike out the title as it appears and substitute the following in lieu thereof:

"A bill for an Act to amend section sixty-one hundred thirty-four (6134) of Chapter three hundred twelve (312) of the Code of Iowa, 1927, relating to public utility plants, and to provide additional methods of paying for said plants, improvements, or extensions thereof, and to provide for publication of notice of intention to enter into such contracts for the purchase of plants, extensions thereof or equipment; to provide for the submission and consideration of bids, plans, specifications and contracts for plants, extensions thereof, and/or equipment and the furnish-

ing of electrical energy, heat, water and/or gas; to provide for fixing the terms, rates, and interest in said contracts; to provide for limiting of liability of municipalities thereon in such contracts; to provide for a record of the proceedings in connections with hearing thereon; to provide that this act does not affect pending litigation and to provide that this act be made applicable to special charter cities."

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

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

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. 54, a bill for an act relating to the granting of a permit to construct a dam and to provide for the diversion of a stream.

SAM C. RAGAN, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate File No. 358, by committee on code revision, a bill for an act to amend chapter seventy-eight (78), Code, 1927, relating to permits to sell cigarettes or cigarette papers and to the tax relating thereto, and to provide for refunds of tax in certain cases.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File No. 334, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1927, relating to the refunding of the tax on gasoline.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 203, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township funds.

Read first and second times and referred to committee on county and township affairs.

House File No. 328, a bill for an act to repeal sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code, 1927, relating to school census and to enact substitutes therefor to provide for a biennial school census, and to amend section forty-three hundred thirteen (4313), code, 1927, relating to reporting school census.

Read first and second times and referred to committee on public schools.

House File No. 335, a bill for an act to repeal chapter one hundred sixty-two (162), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to the election and appointment of city and town officers, and to amend section fifty-six hundred thirty-nine (5639), Code, 1927, relating to the power of a mayor to hold police court.

Read first and second times and referred to committee on cities and towns.

House File No. 218, a bill for an act to amend section fifty-one hundred thirty-nine (5139) of the code, 1927, relating to the power of the board of supervisors to order the destruction of certain papers and records.

Read first and second times and referred to committee on county and township affairs.

House File No. 377, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act.

Read first and second times and referred to committee on commerce and trade.

REPORT OF COMMITTEE

Senator Benson submitted the following report:

211

MR. PRESIDENT: Your committee on public libraries, to which was referred House File No. 271, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Vice-Chairman.*

Ordered passed on file.

RECONSIDERATION OF HOUSE FILE NO. 209

Senator Wenner moved that the vote by which House File No. 209 was indefinitely postponed, be reconsidered.

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

Ayes, 39.

Anderson	Clark of Linn	Kent	Patterson
Baird	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Stevens
Bissell	Coykendall	Leonard	Stoddard
Blackford	Frailey	Lowe	Tabor
Booth	Gunderson	MacDonald	Topping
Christophel	Hager	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Irwin	Myers	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Clark of Marion	Hicklin	Ritchie
Carden	Cooney	Ickis	Stanley
Carroll	Doran	Langfitt	

The motion to reconsider prevailed and the bill was placed on the calendar.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 110 by striking out Section four (4) and substituting in lieu thereof the following:

Sec. 4. The word "physician", whether modified or not, or its equivalent, wheresoever found in any existing law or statute, shall, as to duty, obligation and privilege be enlarged to include Osteopath Physician with like effect and as though the words "Osteopath Physician" were written out in such statute, the purpose of this enactment being to restore to the Code the last sentence of Section fifteen (15), Chapter seventy-seven (77), Acts of the thirty-ninth (39th) General Assembly which was inadvertently omitted therefrom; provided, however, that the language in this Section shall not be so construed as to grant or give to Osteopathic

Physicians the right or franchise either to practice medicine, or perform major surgery, as licensed under Chapter One Hundred Sixteen (116), of the Code.

F. D. ICKIS.

MR. PRESIDENT: I move to amend the amendment to House File No. 106 by striking the word "one" in line 2 of Section 1 and substituting the word "two".

Also by striking the word "four" in line 7 of Section 1 and substituting the word "three".

O. E. GUNDERSON.

On motion of Senator Wilson the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 14, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Fred A. Smith, pastor of the Federated Church of State Center.

By unanimous consent of the Senate, Senators Carroll, Doran and Baird were excused to act on the special investigating committee.

On request of Senator Benson, all other absent Senators were excused for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hill, from residents of Fredericksburg, favoring a diversion of primary road funds. Highways.

By Senator Benson, from residents of Farmersburg, favoring regulation of motor vehicles. Motor vehicles.

By Senator Ritchie, from Fort Dodge chamber of commerce, opposing the abolishment of the office of commerce counsel; from residents of Gilmore City and Sioux Rapids, favoring restriction of motor vehicles. Departmental affairs and motor vehicles.

By Senator Stanley, from residents of Mahaska county, opposing the appointment of a fish and game commission; and from the Fort Dodge chamber of commerce, opposing the abolishment of the office of commerce counsel. Fish and game, and departmental affairs.

By Senator Anderson, from members of Izaak Walton league

and American Legion of Lohrville, favoring the appointment of a fish and game commission; and from residents of Clare, favoring restriction of motor vehicles. Fish and game, and motor vehicles.

By Senator Kimberly, from residents of Scott county, opposing the county assessor bill, compulsory military training, and the issuance of depositor's tax debentures to depositors of insolvent banks; and favoring optional bovine testing, levy of a tax on oleomargarine, and the continuance of Station K. T. N. T. and the Baker hospital. Tax revision, banks and banking, and agriculture.

By Senator Stevens, from residents of Ottumwa, favoring regulation of motor vehicles. Motor vehicles.

By Senator Beatty, from residents of Sigourney, favoring optional military training in schools; and from residents of Grinnell, favoring restriction of motor vehicles. Educational institutions and motor vehicles.

By Senator Blackford, from residents of Van Buren county, opposing the appointment of a fish and game commission; and from residents of Lockridge, favoring restriction of motor vehicles. Fish and game, and motor vehicles.

By Senator Myers, from Fort Dodge chamber of commerce, opposing the abolishment of the office of commerce counsel. Departmental affairs.

By Senator Wilson, from residents of Des Moines, favoring a diversion of primary road funds and restriction of motor vehicles. Highways and motor vehicles.

By Senator McLeland, from residents of Marshall county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Patterson, from residents of Luverne, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clark of Cerro Gordo, from residents of Mason City, Chapin, and Burdette, favoring restriction of motor vehicles. Motor vehicles.

By Senator Cole, from Hopkinton fish and game protective association, opposing the appointment of a fish and game commission. Fish and game.

By Senator MacDonald, from Hoschler Post No. 186 of Akron, and residents of Ida Grove, opposing an additional tax on amusements and theatres. Tax revision.

By Senator Wilson, from citizens of Des Moines, favoring a diversion of the motor vehicle license fee. Highways.

By Senator Cole, from the Buchanan County Medical society, approving sentiment expressed by the legislative committee of the Iowa state medical society; from the Fort Dodge chamber of commerce, opposing the merger of the commerce counsel and the Attorney General. Public health and departmental affairs.

INTRODUCTION OF BILLS

Senate File No. 359, by committee on tax revision, a bill for an act to amend section four thousand three hundred eighty-six (4386) of the Code, 1927, relating to school taxes for the general fund.

Read first and second times and placed on the calendar.

Senate File No. 360, by committee on reduction of expenditures, a bill for an act to amend sections fifty-eight hundred thirty-five (5835) and fifty-eight hundred thirty-eight (5838), Code, 1927, relating to the levying of a tax for the maintenance or employment of a bond for municipal purposes.

Read first and second times and placed on the calendar.

HOUSE FILE NO. 124 ORDERED PRINTED

By unanimous consent on request of Senator Ickis House File No. 124, regarding the fish and game commission, was ordered reprinted as proposed to be amended by the committee.

SENATE FILE NO. 110 RE-REFERRED

By unanimous consent on request of Senator Ickis, Senate File No. 110, relating to the regulation of osteopathy and surgery, was re-referred to the committee on public health.

SENATE FILE NO. 110 REDRAFTED

By unanimous consent on request of Senator Patterson Senate File No. 110 was ordered redrafted, as the original bill was lost.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 160 and 157, and Senate File No. 156.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 160 and 157, and Senate File No. 156.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 14th day of March, 1931, sent to the governor for his approval, Senate File No. 156.

E. R. HICKLIN, *Chairman.*

The report was adopted.

REPORTS OF COMMITTEES

Senator Doran submitted the following reports:

MR. PRESIDENT: Your committee on political and judicial districts, to which was referred House File No. 238, a bill for an act to amend sections 526-b1 and 526-b2 of the Code, 1927, relating to state representative districts, begs leave to report it has had the same under consideration and recommends the same do pass.

L. H. DORAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on political and judicial districts, to which was referred Senate Joint Resolution No. 8, a resolution for an act

proposing an amendment to sections thirty-four (34), thirty-five (35) and thirty-six (36) of Article three (III) of the constitution of the state of Iowa, relating to the apportionment of representatives in the General Assembly, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

L. H. DORAN, *Chairman*.

Ordered passed on file.

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on highways, to which was referred House File No. 113, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more, where the houses or business houses average less than two hundred (200) feet apart, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred House File No. 172, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out in line four (4) of Section one (1) the word "fifty-one" and substitute therefor the word "thirty-five".

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 242, a bill for an act to amend section five thousand five hundred eighty-five (5585) of the code, 1927, relating to the payment of license fees received under provisions of chapter two hundred eighty-five (285), into the township road fund, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 230, a bill for an act to amend section five thousand thirty-

three (5033) chapter two hundred fifty-one (251) of the code, 1927, relating to the turning to right or left into highways, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike the word and figure "eight (8)" from line three (3), Section one (1), and substitute in lieu thereof the word and figure "seven (7)".

C. A. BENSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 95, a bill for an act to provide legal help in court actions to which the State Highway Commission is a party, to authorize payment of attorneys' compensation and court costs in connection with legal work of the State Highway Commission from the primary road fund, and to relieve the general revenue of the state therefrom, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

Senator Klemme submitted the following report:

MR. PRESIDENT: Your committee on public buildings and lands, to which was referred Senate Joint Resolution No. 11, a resolution authorizing the executive council to improve and construct office space in that part of the capitol building now known as the south gallery of the Senate Chamber, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

WM. H. KLEMME, *Chairman.*

Ordered passed on file.

Senator Ickis submitted the following reports:

MR. PRESIDENT: Your committee on fish and game, to which was referred Senate File No. 128, a bill for an act to amend section two (2), chapter fifty-eight (58), acts of the forty-third General Assembly, relating to the open season for killing, trapping or ensnaring furbearing animals; to provide for an open season on red fox, begs leave to report it has had the same under consideration and recommends the same do pass.

F. D. ICKIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred Senate File No. 257, a bill for an act to prohibit the killing, trap-

ping or ensnaring of beavers, begs leave to report it has had the same under consideration and recommends the same do pass.

F. D. ICKIS, *Chairman.*

Ordered passed on file.

Senator Topping submitted the following report:

MR. PRESIDENT: Your committee on railroads, to which was referred Senate File No. 108, a bill for an act to amend the law so as to provide that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route for said shipment, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out the word "such" in line 11 and strike out all the subject matter in said bill beginning with the words "provided further" in line 14.

C. H. TOPPING, *Chairman.*

Ordered passed on file.

Senator Christophel submitted the following reports:

MR. PRESIDENT: Your committee on dairy and food, to which was referred Senate File No. 250, a bill for an act to amend section 3058, establishing a minimum weight for ice cream, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. W. CHRISTOPHEL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on dairy and food, to which was referred Senate File No. 281, a bill for an act to amend section 3112-b1, Code, 1927, relating to the grades of eggs; to establish retail grades of eggs; to establish optional grades for the purchase of eggs from producers; to provide rules and tolerances for the enforcement thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. W. CHRISTOPHEL, *Chairman.*

Ordered passed on file.

Senator Lowe submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 270, a bill for an act authorizing the formation of fire departments in rural communities and granting exemption from poll tax and jury service to the members of such departments,

begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 265, a bill for an act to repeal Secs. 5483, 5486, 5489, 4606, and to amend certain sections, and to repeal certain sections and make substitutions therefor, all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the code, 1927, begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, *Chairman.*

Ordered passed on file.

Senator Kent submitted the following report :

MR. PRESIDENT: Your committee on building and loan, to which was referred Senate File No. 134, a bill for an act to repeal Sections seventy hundred fifteen (7015), seventy hundred sixteen (7016), seventy hundred seventeen (7017), and seventy hundred twenty (7020), of the Code of 1927, relating to the assessment of shares of stock of a mutual building and loan or savings and loan association; to provide for the assessment of the shares of stock of a mutual building and loan or savings and loan association against said association, and to provide for the levy, imposition and collection of a tax on the shares of stock of all mutual building and loan or savings and loan associations doing business within the state in accordance with the provisions of chapter four hundred seventeen (417) of the Code of Iowa 1927, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN W. KENT, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following report :

MR. PRESIDENT: Your committee on public schools, to which was referred House File No. 136, a bill for an act to amend section forty-two hundred fifty-two (4252) of the code 1927, relating to courses of study in common schools, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Benson, Senate File No. 82, a bill for an

act to provide for the vacation of roads, parts thereof, and railroad crossings which have been a part of the primary roads, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption :

Amend line 3 of Section 3 by striking the word and figure "ten (10)" therefrom and inserting in lieu thereof the word and figure "twenty (20)".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption :

Amend by inserting after the word "final" and before the period, the following: "except as to the amount of damages".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption :

Amend by adding after the period in line 3 of section 5, the following:

"Any person owning land abutting a road which it is proposed to vacate shall have the right to file a claim for damages at any time on or before the date fixed for hearing."

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption :

Amend by adding as Section 7, the following:

Sec. 7. All damages allowed shall be paid from the primary road fund. Any claimant, may, by service of written notice upon the State Highway Commission within thirty (30) days after the award of damages, appeal to the District Court of the county in which the land is located.

The amendment was adopted.

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

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

Ayes, 34.

Bennett	Clark of Marion	Irwin	Patterson
Benson	Clearman	Kent	Quirk
Bissell	Cochrane	Kimberly	Rigby
Blackford	Cole	Klemme	Stanley
Booth	Coykendall	Leonard	Stevens
Christophel	Gunderson	Lowe	Tabor
Clark of Cerro Gordo	Hager	MacDonald	White
Clark of Linn	Hill	Moen	Wilson
	Ickis	Myers	

Nays, 1.

Ritchie

Absent or not voting, 15.

Anderson	Carroll	Hicklin	Stoddard
Baird	Cooney	Knudson	Topping
Beatty	Doran	Langfitt	Wenner
Carden	Frailey	McLeland	

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

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

On motion of Senator Benson, Senate File No. 253, a bill for an act to amend the law as it appears in section fifty-eight hundred fifty-nine (5859) of the code, 1927, and to enact a substitute therefor, relating to the power of the board of supervisors to contract with trustees of free public libraries and to permit the establishment of free county libraries, a committee bill, was taken up and considered.

Action was deferred.

On motion of Senator Hill, Senate File No. 310, a bill for an act to legalize the proceedings relating to an election held in the City of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 37.

Anderson	Clark of Linn	Ickis	Myers
Bennett	Clark of Marion	Irwin	Patterson
Benson	Clearman	Kent	Quirk
Bissell	Cochrane	Kimberly	Rigby
Blackford	Cole	Klemme	Ritchie
Booth	Coykendall	Leonard	Stevens
Carden	Gunderson	Lowe	Tabor
Christophel	Hager	MacDonald	White
Clark of	Hill	McLeland	Wilson
Cerro Gordo		Moen	

Nays, none.

Absent or not voting, 13.

Baird	Doran	Knudson	Stoddard
Beatty	Frailey	Langfitt	Topping
Carroll	Hicklin	Stanley	Wenner
Cooney			

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

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

On motion of Senator Rigby, Senate File No. 356, a bill for an act to amend section four (4) of chapter thirty (30) of the acts of the Forty-Third (43rd) General Assembly and specifying Iowa census figures, a committee bill, was taken up and considered.

The bill was read for information.

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

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

Ayes, 39.

Anderson	Clark of	Coykendall	Kent
Bennett	Cerro Gordo	Gunderson	Kimberly
Benson	Clark of Linn	Hager	Klemme
Blackford	Clark of Marion	Hicklin	Knudson
Booth	Clearman	Hill	Leonard
Carden	Cochrane	Ickis	Lowe
Christophel	Cole	Irwin	MacDonald

McLeland	Patterson	Ritchie	Tabor
Moen	Quirk	Stanley	White
Myers	Rigby	Stevens	Wilson

Nays, none.

Absent or not voting, 11.

Baird	Carroll	Frailey	Topping
Beatty	Cooney	Langfitt	Wenner
Bissell	Doran	Stoddard	

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

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

On motion of Senator Clark of Cerro Gordo, Senate File No. 234, a bill for an act to amend section three thousand six hundred forty-one b-one (3641-b1) of the code, 1927, as amended by chapter ninety-two (92) of the acts of the forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Clark of Marion	Ickis	Moen
Bennett	Clearman	Irwin	Myers
Benson	Cochrane	Kent	Patterson
Blackford	Cole	Kimberly	Quirk
Booth	Coykendall	Klemme	Rigby
Carden	Gunderson	Knudson	Ritchie
Christophel	Hager	Leonard	Stevens
Clark of	Hicklin	Lowe	Tabor
Cerro Gordo	Hill	MacDonald	Wilson
Clark of Linn		McLeland	

Nays, none.

Absent or not voting, 13.

Baird	Cooney	Langfitt	Topping
Beatty	Doran	Stanley	Wenner
Bissell	Frailey	Stoddard	White
Carroll			

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

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

HOUSE FILE NO. 4 RECONSIDERED

Senator Clark of Linn moved that the motion to reconsider House File No. 4, as passed by the Senate, be taken off the table.

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

Ayes, 36.

Bennett	Clark of Marion	Kent	Myers
Benson	Clearman	Kimberly	Patterson
Bissell	Cochrane	Klemme	Quirk
Blackford	Cole	Knudson	Rigby
Booth	Coykendall	Leonard	Ritchie
Carden	Hager	Lowe	Stanley
Christophel	Hicklin	MacDonald	Stevens
Clark of Cerro Gordo	Hill	McLeland	Tabor
Clark of Linn	Irwin	Moen	Wilson

Nays, none.

Absent or not voting, 14.

Anderson	Cooney	Ickis	Wenner
Baird	Doran	Langfitt	White
Beatty	Frailey	Stoddard	
Carroll	Gunderson	Topping	

The motion to take from the table prevailed.

Senator Clark of Linn moved that the vote by which House File No. 4 passed the Senate be reconsidered.

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

Ayes, 35.

Anderson	Clark of Linn	Hill	McLeland
Bennett	Clark of Marion	Ickis	Moen
Benson	Clearman	Irwin	Myers
Blackford	Cochrane	Kent	Quirk
Booth	Cole	Kimberly	Rigby
Carden	Coykendall	Klemme	Ritchie
Christophel	Gunderson	Knudson	Stevens
Clark of Cerro Gordo	Hager	Leonard	Tabor
	Hicklin	Lowe	Wilson

Nays, none.

Absent or not voting, 15.

Baird	Cooney	MacDonald	Topping
Beatty	Doran	Patterson	Wenner
Bissell	Frailey	Stanley	White
Carroll	Langfitt	Stoddard	

The motion to reconsider prevailed.

Senator Clark of Linn moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Senator Clark of Linn offered the following amendments and moved their adoption:

Amend by inserting at the beginning of amendment No. 2 the following:

“Further amend House File No. 4 by adding to Sec. 3 the following:”

Also amend the Senate amendments by inserting at the beginning of amendment No. 3 the following:

“Further amend House File No. 4 by adding to Sec. 3 the following:”

Also amend Senate amendment No. 2 by inserting the word “the” before the word “county” in line 7.

The amendments were adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 38.

Anderson	Clark of Linn	Ickis	Myers
Bennett	Clark of Marion	Irwin	Patterson
Benson	Clearman	Kent	Quirk
Bissell	Cochrane	Kimberly	Rigby
Blackford	Cole	Klemme	Ritchie
Booth	Coykendall	Knudson	Stanley
Carden	Gunderson	Leonard	Stevens
Christophel	Hager	Lowe	Tabor
Clark of	Hicklin	McLeland	Wilson
Cerro Gordo	Hill	Moen	

Nays, none.

Absent or not voting, 12.

Baird	Cooney	Langfitt	Topping
Beatty	Doran	MacDonald	Wenner
Carroll	Frailey	Stoddard	White

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

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

SENATE FILE NO. 12 WITHDRAWN

By unanimous consent on request of Senator Clark of Linn Senate File No. 12, relating to general property tax, was withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator Booth, Senate File No. 122, a bill for an act to amend section five thousand twenty-one (5021), Code, 1927, relating to vehicles turning to the right when overtaken, and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike out Section 1 and substitute in lieu thereof the following:

"Section 1. Section five thousand twenty-one (5021), Code of Iowa, 1927, is amended by adding thereto the following:

"and in the event the operator of such overtaken vehicle shall increase its speed for the purpose of hindering the following vehicle from passing it, the operator of such overtaken vehicle shall be guilty of a misdemeanor."

The committee amendment was adopted.

Action was deferred.

On motion of Senator Clark of Cerro Gordo, Senate File No. 235, a bill for an act to amend section five thousand three hundred and eleven (5311), paragraph one (1), of the code, 1927, relating to the acquiring of settlement by poor persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Clark of Linn	Ickis	Moen
Bennett	Clearman	Irwin	Myers
Benson	Cochrane	Kent	Patterson
Bissell	Cole	Kimberly	Quirk
Blackford	Coykendall	Klemme	Ritchie
Booth	Doran	Knudson	Stevens
Carden	Hager	Leonard	Tabor
Christophel	Hicklin	McLeland	Wilson
Clark of Cerro Gordo	Hill		

Nays, none.

Absent or not voting, 16.

Baird	Cooney	Low	Stoddard
Beatty	Frailey	MacDonald	Topping
Carroll	Gunderson	Rigby	Wenner
Clark of Marion	Langfitt	Stanley	White

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

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

On motion of Senator Hager, House File No. 205, a bill for an act to amend chapter fifty-eight (58), acts of the forty-third (43rd) general assembly, relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hager offered the following amendment and moved its adoption:

Amend by striking the words and figures "two hundred fifty (250)" in line nine and inserting in lieu thereof the words and figures "one hundred (100)".

The amendment was adopted.

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

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

Ayes, 34.

Anderson	Clark of Linn	Kent	Myers
Bennett	Clearman	Kimberly	Patterson
Benson	Cochrane	Klemme	Quirk
Blackford	Cole	Knudson	Rigby
Booth	Coykendall	Leonard	Ritchie
Carden	Hager	Lowe	Stanley
Christophel	Hill	MacDonald	Stevens
Clark of Cerro Gordo	Ickis Irwin	McLeland Moen	Tabor

Nays, none.

Absent or not voting, 16.

Baird	Clark of Marion	Gunderson	Topping
Beatty	Cooney	Hicklin	Wenner
Bissell	Doran	Langfitt	White
Carroll	Frailey	Stoddard	Wilson

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

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

On motion of Senator Bennett, House File No. 91, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Anderson	Blackford	Clark of	Cole
Bennett	Booth	Cerro Gordo	Coykendall
Benson	Carden	Clark of Linn	Gunderson
Bissell	Christophel	Cochrane	Hager

Hicklin	Klemme	Moen	Stanley
Hill	Knudson	Myers	Stevens
Ickis	Leonard	Patterson	Tabor
Irwin	Lowe	Quirk	White
Kent	MacDonald	Rigby	Wilson
Kimberly	McLeland	Ritchie	

Nays, none.

Absent or not voting, 12.

Baird	Clark of Marion	Doran	Stoddard
Beatty	Clearman	Frailey	Topping
Carroll	Cooney	Langfitt	Wenner

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

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

By unanimous consent on request of Senator Bennett, Senate File No. 97, a companion bill, was withdrawn from further consideration.

By unanimous consent on request of Senator Bennett, House File No. 92, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file Articles of Incorporation or other instrument of similar import with the Secretary of State or otherwise to comply with the law relating to the organization of corporations, and/or to renew its corporate existence within the period limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal, was substituted for Senate File No. 98, a companion bill, on which the report of the committee was adopted, and was taken up and considered.

The bill was read for information.

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

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

Ayes, 35.

Anderson	Clearman	Kent	Myers
Bennett	Cochrane	Kimberly	Quirk
Benson	Cole	Klemme	Rigby
Bissell	Coykendall	Knudson	Ritchie
Blackford	Gunderson	Leonard	Stanley
Booth	Hager	Lowe	Tabor
Carden	Hill	MacDonald	White
Christophel	Ickis	McLeland	Wilson
Clark of Cerro Gordo	Irwin	Moen	

Nays, none.

Absent or not voting, 15.

Baird	Clark of Marion	Hicklin	Stoddard
Beatty	Cooney	Langfitt	Topping
Carroll	Doran	Patterson	Wenner
Clark of Linn	Frailey	Stevens	

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

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

By unanimous consent on request of Senator Bennett, Senate File No. 98, a companion bill, was withdrawn from further consideration.

On motion of Senator Bennett, Senate File No. 99, a bill for an act providing for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 35.

Anderson	Benson	Blackford	Carden
Bennett	Bissell	Booth	Christophel

Clark of Cerro Gordo	Hill Ickis	Leonard Lowe	Rigby Ritchie
Cochrane	Irwin	MacDonald	Stanley
Cole	Kent	McLeland	Stevens
Coykendall	Kimberly	Moen	Tabor
Gunderson	Klemme	Myers	White
Hager	Knudson	Quirk	Wilson

Nays, none.

Absent or not voting, 15.

Baird	Clark of Marion	Frailey	Stoddard
Beatty	Clearman	Hicklin	Topping
Carroll	Cooney	Langfitt	Wenner
Clark of Linn	Doran	Patterson	

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

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

On motion of Senator Bennett, House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend as follows:

That the period at the end of Section 3 be changed to a comma, and the following be added thereto: "without expense to the state."

The committee amendment was adopted.

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

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

Ayes, 32.

Anderson	Cochrane	Irwin	Quirk
Bennett	Cole	Kent	Rigby
Benson	Coykendall	Kimberly	Ritchie
Bissell	Gunderson	Klemme	Stanley
Blackford	Hager	Leonard	Stevens
Booth	Hicklin	Lowe	Tabor
Carden	Hill	McLeland	White
Clearman	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 18.

Baird	Clark of	Frailey	Patterson
Beatty	Cerro Gordo	Knudson	Stoddard
Carroll	Clark of Linn	Langfitt	Topping
Christophel	Clark of Marion	MacDonald	Wenner
	Cooney	Moen	
	Doran		

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

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

By unanimous consent on request of Senator Bennett, Senate File No. 100, a companion bill, was withdrawn from further consideration.

On motion of Senator Clark of Cerro Gordo, Senate File No. 230, a bill for an act to amend section five thousand thirty-three (5033) chapter two hundred fifty-one (251) of the code, 1927, relating to the turning to right or left into highways, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

The following committee amendment was considered:

Amend by striking the word and figure "eight (8)" from line three (3) Section one (1), and substituting in lieu thereof, the word and figure "seven (7)".

The committee amendment was adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Clark of	Coykendall	Klemme
Bennett	Cerro Gordo	Hager	Knudson
Benson	Clark of Linn	Hicklin	Leonard
Blackford	Clark of Marion	Hill	Lowe
Booth	Clearman	Ickis	MacDonald
Carden	Cochrane	Irwin	McLeland
Christophel	Cole	Kimberly	Moen

Myers
Patterson
Quirk

Rigby
Ritchie
Stanley

Stevens
Tabor

White
Wilson

Nays, none.

Absent or not voting, 13.

Baird
Beatty
Bissell
Carroll

Cooney
Doran
Frailey

Gunderson
Kent
Langfitt

Stoddard
Topping
Wenner

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

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

The Journal of March 13th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate Joint Resolution No. 10, by Conservation Committee, as follows:

Amend by striking Section 3 therefrom, and renumbering section 4 and section 5 as section 3 and section 4 respectively.

J. H. HAGER.

MR. PRESIDENT: I move to amend Section 32 of House File No. 2, as passed by the House, by adding thereto, at the end thereof, the following sentence:

"All taxpayers who raise a substantial portion of their food supply shall keep an accurate record of that portion which they use for family or personal purposes; and the board shall prepare for the convenience and use of such taxpayers a suitable blank upon which can be conveniently recorded each week during the year the kind, quantity, unit price and total value of each and all of such food products so used, which record when verified by the taxpayer shall be attached to and filed with his income tax return; and the board shall provide and furnish these blanks in adequate quantities to the several county auditors of the respective counties of the state from whom they can be obtained by and without cost to such taxpayers."

D. W. KIMBERLY.

On motion of Senator Wilson the Senate adjourned until 2:00 p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 16, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. James O. Simon, D.D., pastor of the Memorial Lutheran Church of Nevada.

By unanimous consent of the Senate, Senators Carroll, Baird and Doran were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Patterson, from residents of Ayrshire, St. Benedict, Ruthven, and Algona, favoring restriction of motor vehicles. Motor vehicles.

By Senator Wilson, from residents of Des Moines and Toronto, favoring a diversion of primary road funds. Highways.

By Senator Stoddard, from railroad employees of Woodbury county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Stanley, from committee on legislative measures of the county officials organization in Des Moines, Louisa, Muscatine, Washington, Keokuk, Mahaska, Davis, Van Buren, Jefferson, Henry, Lee and Wapello counties, opposing a change in the distribution of road funds; and from residents of New Sharon, favoring restriction of motor vehicles. Highways and motor vehicles.

By Senator Kimberly, from residents of Scott county, opposing the county assessor bill and compulsory military training, and

favoring optional bovine testing and radio station K. T. N. T. Tax revision, educational institutions, and agriculture.

By Senator McLeland, from residents of Marshalltown, favoring restriction of motor vehicles. Motor vehicles.

By Senator Blackford, from residents of Van Buren county, opposing the appointment of a fish and game commission. Fish and game.

By Senator Hill, from residents of Lawler, favoring restriction of motor vehicles. Motor vehicles.

INTRODUCTION OF BILL

Senate File No. 361, by committee on appropriations, a bill for an act to amend Chapter 134, Acts of the 43rd General Assembly, relating to the registration of graves of soldiers and sailors of the United States Army and Navy and to provide appropriation therefor.

Read first and second times and placed on the calendar.

COMMUNICATION FROM THE GOVERNOR

Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:

I herewith submit for your attention and consideration a message received by The Executive Office on March 6, 1931, from Honorable William Tyler Page, Clerk of the House of Representatives of the United States which reads as follows:

"I, Wm. Tyler Page, Clerk of the House of Representatives of the United States, Hereby Certify, pursuant to Section 22, Subdivision (B), of the Act of the Congress of the United States of America entitled 'An Act to Provide for the Fifteenth and subsequent Decennial Censuses and to provide for apportionment of Representatives in Congress', approved June 18, 1929, that the State of Iowa shall be entitled, in the Seventy-third Congress and in each Congress thereafter until the taking effect of a reapportionment under said Act of subsequent statute, to Nine (9) Representatives in the House of Representatives of the Congress of the United States."

Respectfully submitted,

DAN W. TURNER.

March 16, 1931.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on March 16, 1931, approved the following bills:

Senate File No. 156, relating to the levying of a tax to pay pensions to widowed mothers.

Senate File No. 43, relating to interest on special assessments and to advertising for bids for street improvements.

Senate File No. 77, relating to right of way on secondary roads.

REPORTS OF COMMITTEES

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools, to which was referred House File No. 111, a bill for an act to amend section forty-two hundred seventy-four (4274) of the code, 1927, relating to attending school in another corporation, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 276, a bill for an act relating to the subdivision of independent districts and to enact a law fixing a minimum limitation upon the size of independent school districts, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 309, a bill for an act to amend section three, chapter 100, acts of the 43d General Assembly, relating to school elections, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 236, a bill for an act to amend sections 3876 and

3877, code 1927, relating to teachers' certificates, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 279, a bill for an act to amend sections 4317 and 4403, code, 1927, relating to school funds, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Senator Beatty submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 247, a bill for an act to amend sections ten thousand four hundred seventy-four (10474), and ten thousand four hundred seventy-five (10475), Code, 1927, relating to the grounds for divorce and to the proofs thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike all of Sec. 2. thereof.

F. M. BEATTY, *Chairman*.

Ordered passed on file.

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 252, a bill for an act to make appropriations to the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Show or Farmers Institute, and the Johnson County Poultry Show, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 265, a bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor vs. Berry, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

SENATE FILE NO. 133 ORDERED PRINTED

By unanimous consent on request of Senator Booth, one thousand copies of Senate File No. 133, as passed by the Senate, relating to motor vehicles, were ordered printed.

SENATE FILE NO. 225 WITHDRAWN

By unanimous consent on request of Senator Gunderson, Senate File No. 225, relating to rate paid for use of autos, was withdrawn from further consideration.

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. 4, a bill for an act relating to and defining the powers and duties of the state board of assessment and review.

Also: That the House has concurred in Senate amendments to House File No. 151, a bill for an act relating to public utility plants.

Also: That the House has concurred in Senate amendment to Section One (1), paragraph five (5) of House File No. 225, a bill for an act relating to titles used by certain practitioners.

Also: 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 relating to the county board of education.

Also: 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 relating to teachers' employment bureau.

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

Senate File No. 82, a bill for an act providing for the vacation of roads, parts thereof and railroad crossings which have been a part of the primary roads.

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

Senate File No. 38, a bill for an act relating to the chiefs of police and fire departments in cities under the manager plan.

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

Senate File No. 310, a bill for an act legalizing certain proceedings relating to an election held in the city of New Hampton.

Also: 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 relating to the collection of poll taxes so as to impose a penalty for the delinquent payment thereof.

Also: 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 making an appropriation for legal services incurred in defending suit against Iowa State Highway Commission.

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

House File No. 320, a bill for an act making an appropriation to Mrs. K. E. Anderson.

Also: 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 making an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto.

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

House File No. 131, a bill for an act relating to the general duties of health officers of the local board of health.

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

House File No. 339, a bill for an act amending sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), and repealing section twenty-five hundred eighty-two, and enacting a substitute therefor.

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

House File No. 288, a bill for an act relating to state aid to short courses in counties where no county or district fairs are held.

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

House File No. 267, a bill for an act relating to teachers' examinations.

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

House File No. 373, a bill for an act legalizing certain proceedings of the city of Council Bluffs.

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

House File No. 421, a bill for an act legalizing certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley.

Also: 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 relating to bonds required for commercial fishermen.

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

House File No. 365, a bill for an act making it an offense to destroy serial numbers on manufactured products.

Also: 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 relating to appeals to the Supreme Court.

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

House File No. 341, a bill for an act relating to heating plants, water or gas works and electric plants.

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

House File No. 304, a bill for an act relating to publication of notice in civil actions.

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

House File No. 57, a bill for an act to provide for the declaration of abandonment of rights to unoccupied and abandoned cemetery lots and reversion of ownership after abandonment.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 356, a bill for an act relating to the specification of Iowa census figures.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 356

Amend Senate File No. 356 by inserting the word "latest" after the word "the" in line six (6) of Section One (1).

HOUSE MESSAGE CONSIDERED

House File No. 57, a bill for an act to provide for the declaration of abandonment of rights to unoccupied and abandoned cemetery lots and reversion of ownership after abandonment.

Read first and second times.

THIRD READING OF BILLS

By unanimous consent on request of Senator Stanley, House File No. 57, a bill for an act to provide for the abandonment of rights to unoccupied and abandoned cemetery lots and reversion of ownership after abandonment, was substituted for Senate File No. 88, a companion bill on which the report of the committee recommending passage was adopted, was taken up and considered.

By unanimous consent on request of Senator Stanley the rules were suspended by which no bill may be read the second and third times the same day.

The bill was read for information.

By unanimous consent on request of Senator Topping action was deferred.

On motion of Senator Patterson, House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the code of 1927, and section one (1) of chapter one hundred sixteen (116) of the laws of the 43d G. A., relating to the destruction of weeds and the appointment of a weed commissioner, and to repeal section forty-eight hundred twenty (4820) of the code of 1927, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Anderson offered the following amendment and moved its adoption:

Amend by striking the words "noxious weeds" from lines 4 and 5 and by inserting in lieu thereof the words, "Canadian thistle, sow thistle, and quack grass". Also amend by striking the words "noxious weeds"

from line 6 and inserting the words "Canadian thistle, sow thistle, and quack grass".

By unanimous consent on request of Senator Clark of Linn, the word "Canadian" was changed to "Canada" in both instances.

The amendment was adopted.

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

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

Ayes, 32.

Anderson	Clark of Marion	Langfitt	Quirk
Bennett	Cochrane	Leonard	Rigby
Benson	Gunderson	Lowe	Ritchie
Bissell	Hill	MacDonald	Stanley
Booth	Kent	McLeland	Stevens
Carden	Kimberly	Moen	Stoddard
Christophel	Klemme	Myers	Tabor
Clark of Linn	Knudson	Patterson	White

Nays, 12.

Beatty	Clearman	Hager	Topping
Blackford	Coykendall	Hicklin	Wenner
Clark of	Frailey	Irwin	Wilson
Cerro Gordo			

Absent or not voting, 6.

Baird	Cole	Cooney	Ickis
Carroll		Doran	

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

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

On motion of Senator Booth, Senate File No. 122, a bill for an act to amend section five thousand twenty-one (5021), Code, 1927, relating to vehicles turning to the right when overtaken, and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway, was taken up and considered, the report of the committee having been adopted March 14th.

The committee amendment was adopted March 14th.

Senator Booth offered the following amendment to the committee amendment and moved its adoption:

Amend by striking after the word "be" in the third line the rest of the sentence and inserting in lieu thereof the following: "punished according to Section five thousand eighty-nine (5089) of the Code of 1927."

By unanimous consent on request of Senator Booth action was deferred.

On motion of Senator Beatty, Senate File No. 207, a bill for an act to amend section forty-seven hundred forty-five-b twenty-nine (4755-b29) of the Code of 1927, relative to the maintenance of primary roads, reported back without recommendation, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 29.

Beatty	Clark of Marion	Ickis	Rigby
Bennett	Clearman	Kimberly	Stanley
Benson	Cochrane	Knudson	Stevens
Blackford	Cooney	Langfitt	Stoddard
Booth	Coykendall	Lowe	Topping
Carden	Frailey	McLeland	Wenner
Christophel	Gunderson	Myers	White
Clark of Linn			

Nays, 7.

Bissell	Irwin	Klemme	Tabor
Hill	Kent	Ritchie	

Absent or not voting, 14.

Anderson	Clark of	Hager	Moen
Baird	Cerro Gordo	Hicklin	Patterson
Carroll	Cole	Leonard	Quirk
	Doran	MacDonald	Wilson

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

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

On motion of Senator Gunderson, Senate File No. 158, a bill for an act to regulate the sale of substitutes for lard or cooking oil by providing an inspection fee and excise tax and the manner

in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the Secretary of Agriculture, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Gunderson offered the following amendment as a substitute for the committee amendment and moved its adoption:

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

Section 1. There is hereby imposed, levied and assessed, an inspection fee and excise tax of three (3) cents upon each pound or minimum package of cooking oil or any substitutes for lard sold, offered or exposed for sale or given or delivered to a consumer; said fee to be paid to the secretary of agriculture prior to any such sale, gift or delivery. Nothing in this law shall apply to pure, refined corn oil in liquid or solid form.

Sec. 2. All such cooking oil or substitutes for lard offered or exposed for sale or for distribution in any manner in this state shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon and the stamp or stamps shall be properly cancelled prior to the removal from said package or carton of such cooking oil or substitutes for lard. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of such cooking oil or substitutes for lard, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps—delivery to secretary of agriculture—sale—accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of such cooking oil or substitutes for lard in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Spoiled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the

same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 4. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of such cooking oil or substitutes for lard by the manufacturer or importer of any such cooking oil or substitutes for lard, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of such cooking oil or substitutes for lard.

Sec. 5. Unused Stamps—Refund. Upon the written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 6. Any person violating any of the provisions of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or by imprisonment for not more than thirty (30) days in the county jail.

Sec. 7. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

Sec. 8. Appropriation. There is hereby appropriated out of any unappropriated funds in the state treasury a sum sufficient to carry out the provisions of this act.

The substitution was made.

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

Amend by striking Sec. 8, the appropriation clause.

The amendment to the amendment was adopted.

President Pro Tem Wm. E. McLeland took the chair at 3:25 p. m.

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

Amend by inserting after the word "oil" in the last line of section 1 the words "or soy bean oil".

The amendment to the amendment was adopted.

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

Amend by inserting after the words " , soy bean oil" in the last line of section 1, the words " , or suet or beef fats".

The amendment to the amendment was adopted.

The substitute amendment as amended was adopted.

The bill was read for information.

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

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

Ayes, 34.

Anderson	Clark of	Hill	Patterson
Beatty	Cerro Gordo	Irwin	Quirk
Bennett	Clark of Linn	Knudson	Ritchie
Benson	Clark of Marion	Langfitt	Stanley
Bissell	Clearman	Lowe	Stevens
Blackford	Cochrane	MacDonald	Tabor
Booth	Coykendall	McLeland	Wenner
Carden	Gunderson	Moen	White
Christophel	Hager	Myers	

Nays, 9.

Cooney	Kent	Klemme	Topping
Frailey	Kimberly	Stoddard	Wilson
Ickis			

Absent or not voting, 7.

Baird	Cole	Hicklin	Rigby
Carroll	Doran	Leonard	

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

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

By unanimous consent on request of Senator Lowe, ex-Senator A. V. Proudfoot was escorted to the President's chair, and spoke briefly.

HOUSE AMENDMENT CONSIDERED

Senator Rigby called up for consideration Senate File No. 356, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 356 by inserting the word "latest" after the word "the" in line six (6) of section one (1).

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

Ayes, 41.

Anderson	Cochrane	Kimberly	Patterson
Bennett	Cooney	Klemme	Quirk
Benson	Coykendall	Knudson	Rigby
Bissell	Frailey	Langfitt	Ritchie
Blackford	Gunderson	Leonard	Stanley
Booth	Hager	Lowe	Stevens
Carden	Hicklin	MacDonald	Stoddard
Christophel	Hill	McLeland	Tabor
Clark of Linn	Ickis	Moen	Wenner
Clark of Marion	Kent	Myers	White
Clearman			

Nays, none.

Absent or not voting, 9.

Baird	Clark of	Cole	Topping
Beatty	Cero Gordo	Doran	Wilson
Carroll		Irwin	

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

The Journal of March 16th was corrected and approved.

HOUSE MESSAGES CONSIDERED

House File No. 42, a bill for an act to amend the law as it appears in section fifty-seven a5 (57-a5) of chapter twenty (20) of the Acts of the Forty-third General Assembly relating to the collection of poll taxes so as to impose a penalty for the delinquent payment thereof.

Read first and second times and referred to committee on ways and means.

House File No. 321, a bill for an act to make appropriation to the Metz Construction Company, Springfield, Nebr., for legal services incurred in defending suit brought against the said company and the Iowa State Highway Commission.

Read first and second times and referred to committee on appropriations.

House File No. 320, a bill for an act to make an appropriation

to Mrs. K. E. Anderson for services rendered to the state by her deceased husband.

Read first and second times and referred to committee on appropriations.

House File No. 276, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto.

Read first and second times and referred to committee on appropriations.

House File No. 131, a bill for an act to repeal section twenty-two hundred thirty-six (2236) of the code, 1927, and to enact a substitute therefor, relating to the general duties of health officers of the local board of health.

Read first and second times and referred to committee on public health.

House File No. 339, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof.

Read first and second times and referred to committee on pharmacy.

House File No. 288, a bill for an act to amend sections twenty-nine hundred twenty-one (2921), code, 1927, and twenty-nine hundred twenty-three, (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held.

Read first and second times and referred to committee on agriculture.

House File No. 267, a bill for an act to amend section thirty-eight hundred seventy-three (3873), code, 1927, and to repeal section thirty-eight hundred seventy-four (3874), code, 1927, relating to teachers' examinations.

Read first and second times and referred to committee on public schools.

House File No. 373, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying of such tax and the anticipation of the collection of such tax by the issuance of said certificates.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 249, a bill for an act to amend section seventeen hundred forty-seven (1747) of the code, 1927, relating to bonds required for commercial fishermen.

Read first and second times and referred to committee on fish and game.

House File No. 365, a bill for an act to make it an offense for any person to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 454, a bill for an act to amend section twelve thousand eight hundred twenty-three (12823), Code, 1927, relating to appeals to the supreme court.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 341, a bill for an act to amend the law as it appears in chapter three hundred twelve (312) of the code of Iowa, 1927, relating to heating plants, water or gas works and electric plants; to provide for and authorize the use of surplus

earned from the operation of municipal water plants in cities of forty thousand (40,000) or over, having a board of trustees managing such plant; to authorize the use of said surplus earnings in said cities for the purpose of acquiring property and erecting a building or buildings thereon for its use and for the use of other city departments or agencies.

Read first and second times and referred to committee on cities and towns.

House File No. 304, a bill for an act to amend section (11081) of the code, 1927, relating to publication of notice in civil actions.

Read first and second times and referred to committee on judiciary No. 2.

SENATE FILE NO. 121 SPECIAL ORDER

By unanimous consent on request of Senator Hicklin, Senate File No. 121, relating to chattel mortgages, was made a special order for Thursday morning, March 19th, at 10:30 a. m.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 75 by striking in Section two (2), in line three (3), the words, "at any time" and substituting in lieu thereof, the following: "during the months of April, May and June of each year."

O. E. GUNDERSON.

MR. PRESIDENT: I move to amend House File No. 2 as follows:

1. By inserting immediately after section ten (10), a new section as follows:

"Sec. 10-a1. General deductions. There shall be deducted from the gross income of an individual taxpayer, in addition to other deductions herein authorized, the following:

\$1500 if the taxpayer was, during the tax year, or during the major part thereof, an unmarried person.

\$3500 if the taxpayer was, during the tax year, or during the major part thereof, the head of a family, or a married person living with husband or wife; and in addition \$400 for each person (other than husband or wife) dependent upon and receiving his chief support from said taxpayer if such dependent person is under 18 years of age, or is incapable of selfsupport because mentally or physically defective.

A husband and wife living together shall not both be entitled to said deductions. If said husband and wife make separate returns said deductions may be taken by either or divided between them.

The term "head of a family" means an individual who maintained, during the tax year or during the major part thereof, a household and supported therein himself and one or more persons who were dependent upon him for support."

2. By striking out section thirteen (13) of said House File.

3. By striking from line one hundred seventy (170) of section four (4) the word "exemptions" and by inserting in lieu thereof the word "deductions".

4. By striking from lines one hundred seventy (170) and one hundred seventy-one (171) of section four (4) the words and figures "thirteen (13)" and by inserting in lieu thereof the words and figures, "ten-a1 (10-a1)".

L. H. DORAN.

MR. PRESIDENT: In order to clarify House File 124, Fish and Game Commission Bill, I submit the following amendments:

1. In Section 2, line 4, strike word and figures "six (6)" and substitute in lieu thereof the word and figures "five (5)".

2. Section 2, line 9, strike word "four" and substitute in lieu thereof the word "three".

3. Section 2, lines 15, 16, 17, 18, strike the sentence beginning with "Thereafter" and all of lines 16-17 and first word of line 18.

4. Section 5, line 13, strike first word "Four" and substitute in lieu word "Three".

5. Section 10, line 12, strike last two lines of amendment to line 12, filed in Senate Journal on page 700, and substitute the following, "provided, however, the present State Fish and Game Warden shall serve his unexpired term to March 1st, 1933."

6. Section 10, strike lines 23, 24, 25, and 26.

7. Section 11, line 5, strike second word "Warden" and substitute word "Wardens."

8. Section 11 add the following:

All appointments of deputy game wardens and other employes made after the taking effect of this act, shall be with the advice and approval of the commission; provided, however, that such approval shall not be required for the deputy game wardens now in the service.

F. D. ICKIS.

MR. PRESIDENT: I move to amend House File No. 57 as follows:

Strike out of line 2 of section 1 the phrase "or part thereof" and substitute in lieu thereof the phrase "or half lot".

Amend section 2 by inserting after the word "lot" in line 6 thereof the words "or half lot" and by inserting after the word "lots" in line 7 thereof "or half lots".

Strike the word "portion" from line 9 thereof and insert the word "half" in lieu thereof.

E. R. HICKLIN.

MR. PRESIDENT: I move to amend Senate File No. 122 and submit the following amendments in lieu of all pending amendments:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Section fifty hundred twenty-one (5021) of the Code of 1927 is amended by adding thereto the following:

"and it shall be unlawful for the operator of such overtaken vehicle to increase its speed for the purpose of hindering the overtaking vehicle from passing it."

Sec. 2. The state highway commission shall designate such portions of the primary roads within the limits of which the view of the drivers of motor vehicles along said highways is not clear and unobstructed for a distance of five hundred (500) feet and shall cause such portions of said roads to be marked by suitable signs or markings; and it shall be unlawful within the limits of such signs or markings for the drivers of motor vehicles to pass another motor vehicle proceeding in the same direction.

Sec. 3. Any person violating the provisions of this act shall be punished in accordance with Section fifty eighty-nine (5089) of the Code of 1927.

Amend the title to read as follows:

"A bill for an Act to amend section fifty hundred twenty-one (5021) of the Code of 1927 relating to vehicles turning to the right when overtaken and to prohibit the drivers of overtaken vehicles from increasing their speed for the purpose of hindering the overtaking vehicle; and to provide for the designation and marking of portions of the primary road by the state highway commission, and to make it unlawful for vehicles

to pass within such designated portions and to provide for penalties therefor and violations thereof.

CHAS. D. BOOTH.

E. R. HICKLIN.

On motion of Senator Frailey the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 17, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Dorothy Dornon, pastor of the Church of Christ at Yale, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hicklin indefinitely, on request of Senator Clark of Linn.

By unanimous consent of the Senate, Senators Baird, Carroll and Doran were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wilson, from Woodland parent-teacher association, favoring optional military training in schools; from residents of Des Moines, favoring diversion of primary road funds; from United Mine workers of America and Des Moines association of Fire Fighters, favoring the old age pension bill; and from Iowa federation of women's clubs, favoring optional military training in schools. Educational institutions, highways, and judiciary No. 2.

By Senator Quirk, from residents of Grand Junction, favoring restriction of motor vehicles. Motor vehicles.

By Senator Blackford, from county officers group of the Fifth District, opposing a diversion of revenue realized from the auto license tax; from railroad employees of Jefferson county and Lockridge, favoring restriction of motor vehicles; and from Jef-

erson county Will Dilg league, favoring the appointment of a fish and game commission. Highways, motor vehicles, and fish and game.

By Senator Cooney, from United Spanish war veterans of Dubuque, favoring compulsory military training in schools. Educational institutions.

By Senator Rigby, from residents of Martelle, favoring optional military training in schools. Educational institutions.

By Senator Carden, from citizens of New London, favoring the purchase by cities and towns of utility plants. Public utilities.

By Senator Coykendall, from Shenandoah post of the American Legion, favoring compulsory military training in schools. Educational institutions.

By Senator Hill, from residents of Nora Springs, favoring restriction of motor vehicles. Motor vehicles.

By Senator Kimberly, from parent-teacher association of Sheridan township and residents of Davenport, opposing compulsory military training in schools. Educational institutions.

By Senator Gunderson, from residents of Forest City, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clark of Cerro Gordo, from residents of Cerro Gordo county, favoring restriction of motor vehicles. Motor vehicles.

By Senator McLeland, from residents of Marshalltown, favoring restriction of motor vehicles. Motor vehicles.

By Senator Cole, from residents of Buchanan and Delaware counties, favoring the levy of a tax on oleomargarine; from the Third District of the American Legion, favoring compulsory military training in schools; and from members of the Delhi game club, opposing the appointment of a fish and game commission. Tax revision, educational institutions, and fish and game.

By Senator McLeland, from board of supervisors of Marshall county, favoring the reimbursing of counties from the primary road system. Highways.

INTRODUCTION OF BILLS

Senate File No. 362, by committee on printing, a bill for an act relating to payment of publication fees.

Read first and second times and placed on the calendar.

Senate File No. 363, by committee on agriculture, a bill for an act to amend, revise, and codify chapter two hundred seventy-six (276), Code, 1927, and to enact a substitute therefor, relating to dogs, to the taxation thereof, to the right to kill dogs, to the liability for damages done by dogs, and to require dogs to be restrained during the night time, and to provide a penalty of fine or imprisonment for a violation of such requirement.

Read first and second times and placed on the calendar.

Senate File No. 364, by committee on agriculture, a bill for an act to require the owner of stallions, jacks, bulls, boars, and bucks to restrain such animals from running at large, to define such ownership, to fix and declare the liability for allowing such animals to be at large, to authorize the distraint of such animals, and to provide methods for the recovery of damages in such cases.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Bennett submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File No. 345, a bill for an act to amend section nine thousand ten (9010) of the Code of Iowa, 1927, relating to unlawful combinations of insurance companies, begs leave to report it has had the same under consideration and recommends the same do pass.

O. P. BENNETT, *Chairman.*

Ordered passed on file.

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution No. 3, proposing an amendment to the Constitution of the State of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, relocation and improvement of waterways, and reservations

in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Senator Moen submitted the following reports:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 184, a bill for an act to amend section twenty-nine hundred two (2902), Code of 1927, relating to state aid for county and district fair associations so as to correct the form of the section, begs leave to report it has had the same under consideration and recommends the same do pass.

T. E. MOEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 170, a bill for an act to amend Sec. 3114, code, 1927; to provide for the classifying and labeling of poultry shells, and relating to the labeling of commercial feeds and stock tonics, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1., by striking out the word "ash" as it appears in line 4 of said section, and insert in lieu thereof the following: "The actual per cent of added mineral matter".

Amend section 2 in line 4, by inserting after the word "shells" as it appears secondly in said line the following, "or poultry limestone".

Also by inserting after the word "shells" as it appears in line 6 thereof the following, "or ingredients".

T. E. MOEN, *Chairman.*

Ordered passed on file.

SENATE JOINT RESOLUTION NO. 3 WITHDRAWN

By unanimous consent on request of Senator Wilson, Senate Joint Resolution No. 3, proposing an amendment to the constitution, was withdrawn from further consideration.

SENATE FILE NO. 83 WITHDRAWN

By unanimous consent on request of Senator Benson, Senate

File No. 83, relating to paving connection between cities and towns and primary roads, was withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator Stanley, House File No. 57, a bill for an act to provide for the declaration of abandonment of rights to unoccupied and abandoned cemetery lots and reversion of ownership after abandonment, was taken up and considered, the bill having been read for information March 16th.

President Pro Tem Wm. E. McLeland took the chair at 9:40 a. m.

The following amendments filed by Senator Hicklin were considered:

Strike out of line 2 of section 1 the phrase "or part thereof" and substitute in lieu thereof the phrase "or half lot".

Amend section 2 by inserting after the word "lot" in line 6 thereof the words "or half lot" and by inserting after the word "lots" in line 7 thereof "or half lots".

Strike the word "portion" from line 9 thereof and insert the word "half" in lieu thereof.

The amendments were adopted.

President Arch W. McFarlane returned to the chair at 9:45 a. m.

Senator Stanley moved that the reading had yesterday be considered the third reading, which motion prevailed.

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

Ayes, 38.

Beatty	Clark of Linn	Irwin	Patterson
Bennett	Clark of Marion	Kent	Quirk
Benson	Clearman	Kimberly	Rigby
Bissell	Cochrane	Klemme	Ritchie
Blackford	Cole	Knudson	Stanley
Booth	Cooney	Langfitt	Stevens
Carden	Coykendall	Lowe	Stoddard
Christophel	Gunderson	McLeland	Tabor
Clark of	Hill	Moen	Wenner
Cerro Gordo	Ickis	Myers	

Nays, none.

Absent or not voting, 12.

Anderson	Doran	Hicklin	Topping
Baird	Frailey	Leonard	White
Carroll	Hager	MacDonald	Wilson

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

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

By unanimous consent on request of Senator Stanley, Senate File No. 88, a companion bill, was withdrawn from further consideration.

On motion of Senator Benson, Senate File No. 93, a bill for an act to authorize the State Highway Commission to employ persons to enforce the law relating to traffic on primary roads, to designate such persons as peace officers, and to provide for the payment of the compensation and expense of such persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendments and moved their adoption:

Amend by inserting after the word "the" and before the word "use" in line 4 of section 1 the words "use and protection of primary roads and the". Also amend by inserting after the word "shall," and before the word "in" in line 6, the words "in connection with such duties".

The amendments were adopted.

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

Amend by inserting after the word "roads" in line 5 the following: "and the state department of justice shall have the right to commandeer the services of such highway patrolmen in cases of emergency in the pursuit of criminals and fugitives from justice".

Senator Bennett moved to defer action until tomorrow.

Senator Anderson moved the previous question on motion to defer action, which motion prevailed.

Roll call was demanded on the motion to defer action.

On the question "Shall action be deferred?" the vote was:

Ayes, 19.

Bennett	Coykendall	Leonard	Stevens
Bissell	Gunderson	Lowe	Wenner
Blackford	Hager	Moen	White
Clark of Linn	Irwin	Quirk	Wilson
Cochrane	Knudson	Stanley	

Nays, 24.

Anderson	Clearman	Kent	Patterson
Benson	Cole	Klemme	Rigby
Booth	Cooney	Langfitt	Ritchie
Carden	Doran	MacDonald	Stoddard
Christophel	Hill	McLeland	Tabor
Clark of Marion	Ickis	Myers	Topping

Absent or not voting, 7.

Baird	Carroll	Frailey	Kimberly
Beatty	Clark of Cerro Gordo	Hicklin	

The motion to defer action was lost.

The amendment offered by Senator Clark of Linn was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking the words, "state highway commission" from line one of section 1 and inserting in lieu thereof the words "executive council".

Also amend by striking the words "and designate" from line 2 and inserting the words "and assign to the motor vehicle department".

Roll call was demanded.

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

Ayes, 21.

Anderson	Cochrane	Kent	Quirk
Bennett	Coykendall	Leonard	Stanley
Bissell	Gunderson	Lowe	Wenner
Blackford	Hill	McLeland	White
Clark of Cerro Gordo	Irwin	Moen	Wilson
		Patterson	

Nays, 22.

Baird	Clark of Marion	Hager	Ritchie
Benson	Clearman	Ickis	Stevens
Booth	Cole	Klemme	Stoddard
Carden	Cooney	Knudson	Tabor
Christophel	Doran	Langfitt	Topping
Clark of Linn		Myers	

Absent or not voting, 7.

Beatty Carroll	Frailey Hicklin	Kimberly MacDonald	Rigby
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The amendment was lost.

The bill was read for information.

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

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

Ayes, 29.

Baird	Clearman	Ickis	Rigby
Benson	Cochrane	Kent	Stanley
Blackford	Cole	Knudson	Stevens
Booth	Coykendall	Langfitt	Stoddard
Carden	Doran	Leonard	Topping
Christopher	Hager	McLeland	Wenner
Clark of Linn	Hill	Myers	White
Clark of Marion			

Nays, 17.

Anderson	Cooney	Klemme	Quirk
Bennett	Gunderson	Lowe	Ritchie
Bissell	Irwin	MacDonald	Tabor
Clark of Cerro Gordo	Kimberly	Moen	Wilson
		Patterson	.

Absent or not voting, 4.

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

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

On motion of Senator Booth, Senate File No. 122, a bill for an act to amend section five thousand twenty-one (5021), Code, 1927, relating to vehicles turning to the right when overtaken, and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway, was taken up and considered, the report of the committee having been adopted March 14th.

The committee amendment was adopted March 14th.

Senators Booth and Hicklin offered the following amendments in lieu of all pending amendments and moved their adoption:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Section fifty hundred twenty-one (5021) of the Code of 1927 is amended by adding thereto the following:

"and it shall be unlawful for the operator of such overtaken vehicle to increase its speed for the purpose of hindering the overtaking vehicle from passing it."

Sec. 2. The state highway commission shall designate such portions of the primary roads within the limits of which the view of the drivers of motor vehicles along said highways is not clear and unobstructed for a distance of five hundred (500) feet and shall cause such portions of said roads to be marked by suitable signs or markings; and it shall be unlawful within the limits of such signs or markings for the drivers of motor vehicles to pass another motor vehicle proceeding in the same direction.

Sec. 3. Any person violating the provisions of this act shall be punished in accordance with Section fifty eighty-nine (5089) of the Code of 1927.

Amend the title to read as follows:

"A bill for an Act to amend section fifty hundred twenty-one (5021) of the Code of 1927 relating to vehicles turning to the right when overtaken and to prohibit the drivers of overtaken vehicles from increasing their speed for the purpose of hindering the overtaking vehicle; and to provide for the designation and marking of portions of the primary road by the state highway commission, and to make it unlawful for vehicles to pass within such designated portions and to provide for penalties therefor and violations thereof.

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

Amend by striking out of line 1 the words "all after the enacting clause" and inserting in lieu thereof the words "Section one (1)".

Also amend by inserting after Section 1 the following line "Add the following sections: ", and renumber the sections to be added.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill was read for information.

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

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

Ayes, 40.

Baird	Clark of Marion	Irwin	Quirk
Beatty	Clearman	Kent	Rigby
Bennett	Cochrane	Kimberly	Ritchie
Benson	Cole	Klemme	Stevens
Bissell	Cooney	Knudson	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Gunderson	MacDonald	Topping
Carden	Hager	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Cerro Gordo	Ickis	Myers	Wilson

Nays, 1.

Coykendall

Absent or not voting, 9.

Anderson	Frailey	Langfitt	Patterson
Carroll	Hicklin	Leonard	Stanley
Clark of Linn			

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

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

On motion of Senator Stoddard, Senate File No. 222, a bill for an act to amend section sixty-one hundred (6100), Code, 1927, relating to the levy of taxes to pay the cost of work designed for protection from floods, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 40.

Anderson	Benson	Carden	Clark of Linn
Baird	Bissell	Christophel	Clark of Marion
Beatty	Blackford	Clark of Cerro Gordo	Clearman
Bennett	Booth		Cole

Cooney	Klemme	McLeland	Stoddard
Coykendall	Knudson	Quirk	Tabor
Hager	Langfitt	Rigby	Topping
Hill	Leonard	Ritchie	Wenner
Ickis	Lowe	Stanley	White
Irwin	MacDonald	Stevens	Wilson
Kimberly			

Nays, 1.

Myers

Absent or not voting, 9.

Carroll	Frailey	Hicklin	Moen
Cochrane	Gunderson	Kent	Patterson
Doran			

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

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

On motion of Senator Benson, Senate File No. 253, a bill for an act to amend the law as it appears in section fifty-eight hundred fifty-nine (5859) of the code, 1927, and to enact a substitute therefor, relating to the power of the board of supervisors to contract with trustees of free public libraries and to permit the establishment of free county libraries, a committee bill, was taken up and considered.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by striking all after the comma in line 20 of Section 1.

The amendment was adopted.

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

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

Ayes, 17.

Benson	Clark of Marion	Coney	Stoddard
Blackford	Clearman	Coykendall	Topping
Christophel	Cochrane	Kimberly	Wenner
Clark of	Cole	Langfitt	Wilson
Cerro Gordo		Lowe	

Nays, 23.

Anderson	Gunderson	Leonard	Quirk
Beatty	Hill	MacDonald	Rigby
Bissell	Ickis	McLeland	Ritchie
Booth	Irwin	Moen	Tabor
Carden	Kent	Myers	White
Clark of Linn	Klemme	Patterson	

Absent or not voting, 10.

Baird	Doran	Hager	Stanley
Bennett	Frailey	Hicklin	Stevens
Carroll		Knudson	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

On motion of Senator Rigby, House File No. 98, a bill for an act to co-ordinate and harmonize various sections of the code, 1927, with the state appropriation act provided by section three hundred thirty-three (333) of said code, to avoid duplicate appropriations in said code and act, and to this end to repeal sections fourteen hundred twenty-six (1426), seventeen hundred twelve (1712), and twenty-seven hundred eighty-one (2781), and to amend sections sixteen hundred fifty-five (1655), twenty-five hundred thirty-three (2533), thirty-nine hundred forty-one (3941), forty hundred twenty-eight (4028), and forty-five hundred fifty-nine (4559), all of said code, and relating to appropriations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

Senator Benson moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Action was deferred.

On motion of Senator Christophel, House File No. 106, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of

the administration and enforcement thereof by the secretary of agriculture, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting the following:

Section 1. There is hereby imposed, levied, and assessed an inspection fee of one cent a pound upon each pound of oleomargarine sold, offered, or exposed for sale, or given or delivered to a consumer within this state; provided, however, that upon each pound of oleomargarine containing less than fifty per cent of animal oil offered or exposed for sale or given or delivered to a consumer within this state, there is hereby imposed, levied, and assessed an excise tax of four cents a pound in addition to said inspection fee of one cent a pound, said fee and tax to be paid to the Secretary of Agriculture prior to such sale, gift, or delivery.

Sec. 2. All oleomargarine offered or exposed for sale, or for distribution in any manner in this state, shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon, and stamp or stamps shall be properly cancelled prior to the removal from said package or carton of any oleomargarine. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of oleomargarine, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps. Delivery to Secretary of Agriculture. Sale. Accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of the oleomargarine in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Sec. 4. Spoiled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 5. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of oleomargarine by the manufacturer or importer of any oleomargarine, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of oleomargarine.

Sec. 6. Unused Stamps. Refund. Upon written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 7. Any person violating any of the provisions of the preceding sections of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days in the county jail.

Sec. 8. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

Sec. 9. Appropriations. There is hereby appropriated out of any unappropriated funds in the state treasury a sum sufficient to carry out the provisions of this act.

Senator Gunderson offered the following amendments to the amendment and moved their adoption:

Amend the amendment to House File No. 106 by striking the word "one" in line 2 of Section 1 and substituting the word "two".

Also by striking the word "four" in line 7 of Section 1 and substituting the word "three".

Also amend by striking the word "one" from line 8 of section 1 and substituting therefor the word "two".

The amendments to the amendment were adopted.

Senator Christophel offered the following amendment to the Rigby amendment and moved its adoption:

Amend the Rigby amendment as amended by striking out Section 1 thereof and inserting in lieu thereof the following:

"Section 1. There is hereby imposed, levied, and assessed, an inspection fee and excise tax of five cents upon each pound of oleomargarine sold, offered or exposed for sale, or given or delivered to a consumer,

said fee and tax to be paid to the secretary of agriculture prior to any such sale, gift, or delivery."

Roll call was demanded.

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

Ayes, 26.

Beatty	Clark of	Doran	Leonard
Bennett	Cerro Gordo	Gunderson	Lowe
Benson	Clark of Marion	Hager	MacDonald
Bissell	Clearman	Hill	Moen
Blackford	Cochrane	Kent	Myers
Christophel	Cole	Knudson	Stanley
	Coykendall	Langfitt	Wilson

Nays, 19.

Anderson	Cooney	Quirk	Tabor
Booth	Irwin	Rigby	Topping
Carden	Klemme	Ritchie	Wenner
Carroll	McLeland	Stevens	White
Clark of Linn	Patterson	Stoddard	

Absent or not voting, 5.

Baird	Hicklin	Ickis	Kimberly
Frailey			

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking from Section 2 the following:

"in the manner required by the federal regulations relative thereto".

The amendment was lost.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by striking section 9, the appropriation clause.

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 44.

Anderson	Clark of Linn	Irwin	Myers
Beatty	Clearman	Kent	Patterson
Bennett	Cochrane	Kimberly	Quirk
Benson	Cole	Klemme	Rigby
Bissell	Cooney	Knudson	Ritchie
Blackford	Coykendall	Langfitt	Stanley
Booth	Doran	Leonard	Stevens
Carden	Gunderson	Lowe	Tabor
Carroll	Hager	MacDonald	Wenner
Christophel	Hill	McLeland	White
Clark of Cerro Gordo	Ickis	Moен	Wilson

Nays, 1.

Stoddard

Absent or not voting, 5.

Baird	Frailey	Hicklin	Topping
Clark of Marion			

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

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 38, 82, 189, 200, 310 and 356.

LEW MACDONALD,
Acting Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 7, 225, 4, and 151.

LEW MACDONALD,
Acting Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 7, 225, 4, and 151, and Senate Files Nos. 38, 82, 189, 200, 310, and 356.

BILLS SENT TO THE GOVERNOR

Senator MacDonald, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 17th day of March, 1931, sent to the governor for his approval, Senate Files Nos. 38, 82, 189, 200, 310, and 356.

LEW MACDONALD, *Acting Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the governor announcing that he had on the 16th day of March, 1931, approved the following bill:

Senate File No. 49, relating to the practice of barbering.

APPROPRIATION BILLS RECOMMENDED BY COMMITTEE

In accordance with the provisions of rule 23, of the rules of the Forty-fourth General Assembly, the committee on appropriations presents the following itemized schedule of all appropriations recommended by the committee on appropriations:

S. F. 53	To defray the expense of the inaugural ceremonies....	\$ 472.20
S. F. 55	To aid the blind students attending institutions of higher learning	1,000.00

H. F. 242 To pay the expenses of the investigation of the affairs of the State University of Iowa.....	
S. F. 251 To Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein, for damages to automobiles by reason of collisions with highway maintenance equipment.....	246.10
S. F. 252 To aid the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Corn Show or Farmers Institute, and the Johnson County Poultry Show	311.00
H. F. 236 To defray the expenses incurred in the election contest of Hatter vs. Gallagher.....	447.80
H. F. 194 To defray the expenses incurred in the election contest of Hall vs. Fabritz.....	496.78
H. F. 265 To defray the expenses incurred in the election contest of Maneor vs. Berry.....	430.47
S. F. 361 To provide an appropriation for the registration of graves of soldiers and sailors of the United States Army and Navy	3,000.00

B. M. STODDARD, *Chairman.*

The Journal of March 16th was corrected and approved.

AMENDMENT FILED

Substitute amendment for amendment number 3 to House File No. 124 found on page 754 of the Journal of March 16th:

3. Strike from section 2 the sentence beginning with the word "Therefore" in line 15 and ending with the word "term" in line 18 and insert in lieu thereof the following: "Thereafter, during February in each odd-numbered year, beginning in 1933, two (2) or three (3) members, as the number to be appointed may be, shall be likewise appointed and approved for a full term."

C. H. TOPPING.

Senator White moved to adjourn until 9:00 a. m. Wednesday.

Senator Topping moved to amend by making the time 9:30.

The amendment was adopted, the motion prevailed, and the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 18, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. L. W. Inman, pastor of the Federated Churches of Shellsburg.

By unanimous consent of the Senate, Senator Langfitt was excused on account of illness; also Senators Doran, Baird and Carroll were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wenner, from the business men of Waterloo, opposing any income tax levy; from Waterloo chapter of D. A. R. favoring compulsory military training in schools and teachers' oath of allegiance to the constitution; from Waterloo chamber of commerce and Fort Dodge chamber of commerce, opposing the plan to discontinue the commerce counsel's office; from the La Porte City American legion, favoring compulsory military training in schools; from residents of Reinbeck, favoring optional bovine testing; from residents of Voorhies, favoring restriction of motor vehicles; and from residents of Black Hawk county, favoring optional military training in schools. Tax revision, educational institutions, departmental affairs, agriculture and motor vehicles.

By Senator Ritchie, from Farm Bureaus of the third farm district, favoring the county assessor plan and the income tax law. Tax revision.

By Senator Ickis, from brotherhood of Railroad trainmen of Creston, favoring restriction of motor vehicles; and from resi-

dents of Des Moines, opposing the appointment of a fish and game commission. Motor vehicles, and fish and game.

By Senator Wilson, from residents of Des Moines, favoring diversion of primary road funds. Highways.

By Senator Clearman, from residents of Ladora, favoring diversion of primary road funds. Highways.

By Senator Blackford, from railroad employees of Fairfield, favoring restriction of motor vehicles. Motor vehicles.

By Senator Cochrane, from the Glenwood American legion, favoring establishment of a two-year state normal school at Tabor. Educational institutions.

By Senator Doran, from Fifth District farm bureaus, favoring the county assessor plan and the income tax law. Tax revision.

By Senator Cochrane, from Glenwood chamber of commerce, favoring establishment of a two-year state normal school at Tabor. Educational institutions.

By Senator Anderson, from residents of Badger, favoring restriction of motor vehicles. Motor vehicles.

By Senator Stevens, from residents of Wapello county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Quirk, from Carroll chamber of commerce, opposing the levy of a special tax on natural gas carried in pipe lines. Tax revision.

By Senator Bissell, from residents of Audubon, favoring the band tax. Tax revision.

By Senator Carden, from Henry county board of supervisors, favoring a refund to counties wherein improved county roads have been made a part of the primary road system. Highways.

By Senator White, from the American Legion auxiliary of Vinton, favoring compulsory military training in schools. Educational institutions.

By Senator Christophel, from residents of Tripoli, favoring a state driver's license law. Motor vehicles.

By Senator Bennett, from the American Legion of Dunlap, favoring compulsory military training in schools; from residents of Boyer, favoring restriction of motor vehicles; from residents of Monona county, favoring a state driver's license law; from Monona county board of supervisors, favoring a refund to counties wherein improved county roads have been made a part of the primary road system; from Fifth District Farm Bureaus, favoring the county assessor bill and state income tax levy; from the D. A. R. of Sanborn and Burlington, favoring teacher's oath of allegiance to the constitution. Educational institutions, motor vehicles, highways, and tax revision.

By Senator Clark of Cerro Gordo, from the American Legion of Garner, favoring compulsory military training in schools; and from the Modern Brotherhood of America of Mason City, relative to the length of the present session. Educational institutions and fish and game.

By Lieutenant Governor McFarlane, from Council Bluffs Kiwanis Club, opposing the income tax bill. Tax revision.

INTRODUCTION OF BILLS

Senate File No. 365, by committee on motor vehicles, a bill for an act to amend chapter one hundred thirty-one (131) of the laws of the forty-third general assembly relating to the operation of motor trucks and trailers on the public highways of this state.

Read first and second times and placed on the calendar.

Senate File No. 366, by committee on motor vehicles, a bill for an act to amend section four thousand eight hundred and sixty-three (4863), chapter two hundred and fifty-one (251) of the Code of 1927, to define the term "semi-trailer".

Read first and second times and placed on the calendar.

Senate File No. 367, by committee on motor vehicles, a bill for an act to amend Section 5105-a1 and Section 5105-a39, Chapter 252-a1, Code of Iowa, 1927, amending the definition of the term "motor vehicle" and changing penalty for the violation of the provisions of said chapter.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Rigby submitted the following reports:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 291, a bill for an act to provide that the requirements of Chapter ten (10) of the Acts of the 43rd General Assembly shall not apply to State and Savings Banks and Trust Companies and National Banks subject to the jurisdiction of the Banking Department of the respective State or Federal Government, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 206, a bill for an act to amend section ninety-four hundred four (9404) section ninety-four hundred five (9405) of the Code, 1927, relating to and providing the rate of interest on contracts and judgments, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 290, a bill for an act relating to stopping payment on checks and drafts, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File No. 289, a bill for an act to amend Section seven thousand two (7002) of the Code, 1927, and to amend Section twenty-three (23), Chapter thirty (30), of the Acts of the 43rd General Assembly, to clarify the law relating to the deduction of real estate of Banks for purposes of taxation and prohibiting any offset against Surplus and Undivided Profits for losses, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. RIGBY, *Chairman.*

Ordered passed on file.

Senator Booth submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 232, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), of the Code, 1927, relating to the collection of motor vehicle license fees, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. Amend section forty-eight hundred seventy-five (4875) of the Code, 1927, by striking the word "January" in line three (3) and substituting in lieu thereof the word "February".

Sec. 2. Amend section forty-nine hundred (4900) of the Code, 1927, by striking the word "January" in line two (2) and substituting in lieu thereof the word "February".

Sec. 3. Amend section forty-nine hundred one (4901) of the Code, 1927, by striking the word "January" in line three (3) and substituting in lieu thereof the word "February".

Sec. 4. Amend section forty-nine hundred five (4905) of the Code, 1927, as follows:

1. Strike the word "November" in line four (4) and substitute in lieu thereof the word "December".

2. Strike the word "December" in line fourteen (14) and substitute in lieu thereof the word "January".

Sec. 5. Amend section forty-nine hundred twenty-four (4924) of the Code, 1927, by striking the word "January" in line ten (10) and substituting in lieu thereof the word "February".

Sec. 6. Amend section forty-nine hundred twenty-nine (4929) by striking the word "January" in line five (5) and substituting in lieu thereof the word "February".

Sec. 7. Amend section forty-nine hundred thirty-one (4931) of the Code, 1927, by striking the word "January" in line one (1) and substituting in lieu thereof the word "February".

Sec. 8. Amend section forty-nine hundred thirty-three (4933) of the Code, 1927, by striking the word "May" as it appears in lines two (2), five (5), and fourteen (14) and substituting in lieu thereof the word "June" in each of the said lines.

Sec. 9. Amend section forty-nine hundred thirty-six (4936) of the Code, 1927, by striking the word "May" in line two (2) and substituting in lieu thereof the word "June".

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 279, a bill for an act to authorize the issuance of a patent to certain land in Jones County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 117, a bill for an act to amend section eleven (11), chapter two hundred fourteen (214), acts of the forty-third (43rd) general assembly, relating to guardianships of veterans, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 248, a bill for an act to amend section ten thousand four hundred eighty-one (10481) Code, 1927, relating to final orders in divorce proceedings relative to the maintenance of parties and children, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 308, a bill for an act to amend section eleven thousand six hundred twenty-nine (11629), Code, 1927, relating to taxation of jury fees as costs, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 177, a bill for an act to amend section thirty-eight

hundred seventeen (3817) of the Code, 1927, relating to conditions prerequisite to a pardon, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 277, a bill for an act to make it an offense for any person without the consent of the manufacturer, to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 293, a bill for an act to repeal the law as it appears in sections ten thousand four hundred sixty-two (10462), ten thousand four hundred sixty-three (10463) and ten thousand four hundred sixty-four (10464) of the Code, 1927, relating to actions for damages on account of personal injuries or death to women, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 282, a bill for an act to provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 340, a bill for an act to amend section six thousand nine hundred forty-four (6944) and six thousand nine hundred fifty-three (6953) of the Code, 1927, relating to the exemption of property from taxation; and providing for the taxation of property owned, operated or leased by any city or town, for the purpose of supplying electricity, water,

gas or heat to the inhabitants thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 275, a bill for an act to provide a school of instruction for county officers and their deputies and employees, on call of the auditor of state, and to provide for the payment of the resulting expense, and to repeal section fifty-two hundred sixty (5260), Code, 1927, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Senator Christophel submitted the following report:

MR. PRESIDENT: Your committee on dairy and food, to which was referred Senate File No. 316, a bill for an act to amend the law as it appears in Section 3236 of the Code of Iowa, 1927, relating to the sale of food commodities by weight or in the United States standard containers, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. W. CHRISTOPHEL, *Chairman.*

Ordered passed on file.

Senator White submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred House File No. 28, a bill for an act to amend section three hundred ninety-three (393) and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control, to which was referred Senate File No. 285, a bill for an act to amend section 3762 Code, 1927, relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Wilson Senate File No. 191, a bill for an act authorizing the destruction of weeds and grasses in certain cities, and prescribing notices therefor, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Wilson Senate File No. 238, a bill for an act authorizing boards of waterworks trustees in cities having a population of one hundred thousand (100,000) inhabitants, or more, including cities under commission plan of government, to retire employees upon an annuity and to procure group insurance for employees, creating a fund for such purposes and a board to administer the same, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill was indefinitely postponed.

On motion of Senator Rigby Senate File No. 286, a bill for an act to amend Section nine thousand four hundred ten (9410) of Chapter four hundred nineteen (419) of the Code, 1927, relating to chattel loans; to provide that State Savings and National Banks, and Trust Companies shall have authority to loan any sum of money not exceeding in amount the sum of three hundred dollars (\$300.00) and may charge, contract for, and receive thereon interest at a rate not to exceed two per cent (2%) per month; to prohibit additional or excessive charges; to provide for examination, control and supervision; and to provide penalty for violation thereof, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Anderson Senate Joint Resolution No. 8, a joint resolution proposing an amendment to sections thirty-four (34), thirty-five (35) and thirty-six (36) of Article three (III) of the constitution of the state of Iowa, relating to the apportionment of representatives in the general assembly, with report of committee recommending indefinite postponement, was taken up and considered.

Roll call was demanded.

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

Ayes, 33.

Beatty	Clearman	Irwin	Patterson
Bennett	Cochrane	Kent	Quirk
Benson	Cole	Kimberly	Stanley
Bissell	Cooney	Klemme	Stevens
Blackford	Gunderson	Knudson	Stoddard
Booth	Hager	Leonard	Topping
Carden	Hill	Lowe	Wenner
Christophel	Ickis	McLeland	Wilson
Clark of Marion			

Nays, 8.

Anderson	Coykendall	Myers	Tabor
Clark of Cerro Gordo	Moen	Ritchie	White

Absent or not voting, 9.

Baird	Doran	Hicklin	MacDonald
Carroll	Frailey	Langftt	Rigby
Clark of Linn			

The report was adopted and the resolution was indefinitely postponed.

Senator Anderson moved that the vote by which the resolution was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Senator Benson raised the point of order that the Senator did not vote with the prevailing side, so could not make the motion.

The President held the point of order well taken.

Senator Stoddard moved that the vote by which the resolution was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Anderson Senate Joint Resolution No. 11, a joint resolution authorizing the executive council to improve and construct office space in that part of the capitol building now known as the south gallery of the Senate Chamber, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Anderson asked for a roll call.

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

Ayes, 34.

Beatty	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Gunderson	Leonard	Stoddard
Bissell	Hager	Lowe	Tabor
Booth	Hill	MacDonald	Topping
Carden	Irwin	McLeland	Wenner
Clark of Marion	Kent	Moen	White
Clearman	Kimberly	Myers	Wilson
Cochrane		Quirk	

Nays, 6.

Anderson	Clark of Cerro Gordo	Coykendall Ickis	Patterson Stevens
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Absent or not voting; 10.

Baird	Christophel	Doran	Langfitt
Blackford	Clark of Linn	Frailey	Stanley
Carroll		Hicklin	

The report was adopted and the resolution was indefinitely postponed.

On motion of Senator Rigby House File No. 98, a bill for an act to co-ordinate and harmonize various sections of the code, 1927, with the state appropriation act provided by section three hundred thirty-three (333) of said code, to avoid duplicate appropriations in said code and act, and to this end to repeal sections fourteen hundred twenty-six (1426), seventeen hundred twelve (1712), and twenty-seven hundred eighty-one (2781), and to amend sections sixteen hundred fifty-five (1655), twenty-five hundred thirty-three (2533), thirty-nine hundred forty-one (3941), forty hundred twenty-eight (4028), and forty-five hundred fifty-nine (4559), all of said code, and relating to appropriations, with report of committee recommending passage, was taken up and considered. The report of the committee was adopted March 17th.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 1 the words and figures, "seventeen hundred twelve (1712),".

The amendment was adopted.

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

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

Ayes, 40.

Anderson	Clark of Linn	Irwin	Myers
Beatty	Clark of Marion	Kent	Patterson
Bennett	Clearman	Kimberly	Quirk
Benson	Cochrane	Klemme	Rigby
Bissell	Cole	Knudson	Ritchie
Blackford	Cooney	Leonard	Stevens
Booth	Coykendall	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Christophel	Hill	McLeland	Wenner
Clark of Cerro Gordo	Ickis	Moen	Wilson

Nays, none.

Absent or not voting, 10.

Baird	Frailey	Hicklin	Stoddard
Carroll	Gunderson	Langfitt	White
Doran		Stanley	

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

By unanimous consent on request of Senator Wilson, the title was corrected by striking from lines 6 and 7 the words and figures "seventeen hundred twelve (1712)," and the title as amended was agreed to.

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

By unanimous consent on request of Senator Carden, House File No. 339, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof, a committee bill, was substituted for Senate File No. 274 and was taken up and considered.

By unanimous consent on request of Senator Benson action was deferred.

On motion of Senator Stoddard Senate File No. 41, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the Code, 1927, relating to municipal bands to provide for municipal appropriation of funds, with report of committee

recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

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

Section 1. Section fifty-eight hundred thirty-five (5835) of the Code, 1927, is amended by adding thereto the following: Cities having a population of over forty thousand and not more than one hundred twenty-five thousand may, when authorized as hereinafter provided, levy a tax of not to exceed one-half mill for the purpose of providing for the maintenance or employment of a band for musical purposes.

Senator Clark of Linn offered the following as a substitute for the pending amendment, and moved its adoption:

Strike out all after the enacting clause and insert in lieu thereof the following:

"Sec. 1. Section fifty-eight hundred thirty-five (5835) of the Code, 1927, is hereby repealed".

Senator Cooney moved the previous question, which motion prevailed.

Senator Irwin invoked Rule 12, limiting the time of speech to ten minutes.

Roll call was demanded on the amendment.

Senator Patterson invoked Rule 8.

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

Ayes, 11.

Bissell	Gunderson	McLeland	Ritchie
Christophel	Leonard	Myers	White
Clark of Linn	MacDonald	Patterson	

Nays, 34.

Anderson	Clark of Marion	Hill	Quirk
Baird	Clearman	Ickis	Stanley
Beatty	Cochrane	Irwin	Stevens
Bennett	Cole	Kent	Stoddard
Benson	Cooney	Kimberly	Tabor
Blackford	Coykendall	Klemme	Topping
Booth	Doran	Knudson	Wenner
Carden	Hager	Lowe	Wilson
Clark of Cerro Gordo		Moen	

Absent or not voting, 5.

Carroll Frailey	Hicklin	Langfitt	Rigby
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The motion to substitute was lost.

Senator Stoddard offered the following amendment as a substitute for the committee amendment and moved its adoption:

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. Section fifty-eight hundred thirty-five (5835) of the Code, 1927, is amended by adding thereto the following:

“Cities having a population of over forty thousand and not more than one hundred twenty-five thousand may, when authorized as hereinafter provided, levy each year a tax of not to exceed one-half mill for the purpose of providing for the maintenance or employment of a band for musical purposes.”

The substitution was made.

The amendment as substituted was adopted.

The bill was read for information.

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

On the question “Shall the bill pass?” the vote was:

Ayes, 33.

Baird	Clearman	Ickis	Stanley
Bennett	Cochrane	Irwin	Stevens
Benson	Cole	Kimberly	Stoddard
Blackford	Cooney	Klemme	Tabor
Booth	Coykendall	Knudson	Topping
Carden	Doran	Lowe	Wenner
Clark of	Hager	MacDonald	White
Cerro Gordo	Hill	Moen	Wilson
Clark of Marion		Quirk	

Nays, 10.

Anderson	Clark of Linn	Kent	Patterson
Bissell	Gunderson	McLeland	Ritchie
Christophel		Myers	

Absent or not voting, 7.

Beatty	Frailey	Langfitt	Rigby
Carroll	Hicklin	Leonard	

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

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

On motion of Senator Ickis Senate File No. 192, a bill for an act to amend sections twelve (12), thirteen (13), fourteen (14), seventeen (17), twenty-six (26), twenty-eight (28), twenty-nine (29), thirty-two (32), and thirty-three (33) of chapter fifty-seven (57) of the acts of the forty-third (43rd) general assembly; and sections one (1), three (3), and four (4) of chapter fifty-eight (58) of the acts of the forty-third (43rd) general assembly; and sections seventeen hundred nine (1709), seventeen hundred fifteen (1715), seventeen hundred twenty-two (1722), seventeen hundred fifty-four (1754), and seventeen hundred seventy-nine (1779), Code, 1927, relating to fish, game, and fur bearing animals; and to enact additional provisions relating to and regulating the propagation and protection of fish, game, wild birds and animals, including the regulation of the time when hunting dogs may not be permitted to be afield for the purpose of training, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by striking from line 3, section 2, the words "except trout" and inserting in lieu thereof the following: ", except trout,".
2. Amend by striking from line 25, section 7, the word "ducks" and inserting in lieu thereof the word "waterfowl".
3. Amend by striking the words "game birds" in line 4, section 8, and inserting in lieu thereof the following: ", game birds".
4. Amend by striking the words "game birds" in line 6, section 8, and inserting in lieu thereof the following: ", game birds".
5. Amend by striking the words "game birds" in line 8, section 8, and inserting in lieu thereof the following: ", game birds".

The committee amendments were adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend section 1, line 6, by inserting after the word "person" the word "knowingly".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 41.

Anderson	Clark of Marion	Kent	Quirk
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Knudson	Stevens
Bissell	Cooney	Leonard	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Carden	Hill	McLeland	Wenner
Christophel	Ickis	Moen	White
Clark of	Irwin	Myers	Wilson
Cerro Gordo		Patterson	

Nays, none.

Absent or not voting, 9.

Baird	Doran	Gunderson	Langfitt
Carroll	Frailey	Hicklin	Rigby
Clark of Linn			

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

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

HOUSE FILE NO. 121 SUBSTITUTED

By unanimous consent on request of Senator Clark of Marion, House File No. 121 was recalled from the committee on highways and substituted for Senate File No. 95 on the calendar.

The Journal of March 17th was corrected and approved.

Senator Cooney moved to adjourn until 10:00 a. m. Thursday.

Senator MacDonald moved to amend by making the time 9:30 a. m.

Senator Clark of Linn moved to amend the amendment by making the time 9:00 a. m.

Senator Clark of Marion moved as a substitute for all pending amendments that the Senate adjourn until 9:45 a. m. Thursday.

Senator McLeland asked for a roll call.

Senator Clark of Marion invoked Rule 8.

On the question "Shall the Senate adjourn until 9:45 a. m. Thursday?" the vote was:

Ayes, 14.

Bennett	Clearman	Ickis	Topping
Clark of	Cole	Irwin	Wenner
Cerro Gordo	Cooney	K'mberly	Wilson
Clark or Marion	Hager	Knudson	

Nays, 26.

Anderson	Clark of Linn	Klemme	Patterson
Benson	Cochrane	Leonard	Quirk
Bissell	Coykendall	Lowe	Ritchie
Blackford	Doran	MacDonald	Stanley
Booth	Gunderson	McLeland	Tabor
Carden	Hill	Moen	White
Christophel		Myers	

Absent or not voting, 10.

Baird	Frailey	Langfitt	Stevens
Beatty	Hicklin	Rigby	Stoddard
Carroll	Kent		

The substitute motion was lost.

The amendment to the amendment was adopted, and the Senate adjourned until 9:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 19, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Walter A. Morgan, of Indianola, district superintendent of the Methodist Episcopal Church.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stevens, from the Wapello county Bar, opposing the limitation of sheriff's fees. Compensation of public officers.

By Senator Anderson, from residents of Fort Dodge, favoring restriction of motor vehicles. Motor vehicles.

By Senator Wenner, from Veterans of Foreign Wars of Waterloo, opposing compulsory military training in schools. Educational institutions.

By Senator Myers, from United Mine Workers at Colfax, favoring the old age pension bill; from Iowa federation women's clubs, favoring optional military training; and from Farm Bureaus of the Fifth district, favoring the state income tax and county assessor plan. Judiciary No. 2, educational institutions, and tax revision.

By Lieutenant Governor McFarlane, adopted by the 32nd conference of the D. A. R., favoring a continuance of military training as provided by the National Defense Act. Educational institutions.

By Senator Topping, from residents of Burlington, opposing the levy of a tax on outdoor advertising; from officers, stockholders and employees of the Iowa Soap company, opposing the levy of

an income tax; and from taxpayers of Burlington, opposing the enactment of further tax measures. Tax revision.

By Senator Quirk, from board of supervisors of Greene county, opposing a reduction of mileage of county officers under eight cents. County and township affairs.

By Senator Baird, from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers of fifteen years successful experience; from Layton township farm bureau and from residents of Walnut, favoring restriction of motor vehicles; and from Council Bluffs Kiwanis club, opposing the state income tax bill. Educational institutions, motor vehicles, and tax revision.

By Senator Stanley, from residents of Oskaloosa, favoring regulation of motor vehicles; and from Kiwanis club of Oskaloosa, opposing the payment of an income tax by corporations. Motor vehicles and tax revision.

By Senator Carden, from residents of Wayland, favoring restriction of motor vehicles. Motor vehicles.

By Senator Leonard, from the American Legion at Bedford and the Bedford Lions club, favoring the establishment of a two-year state normal school at Tabor. Educational institutions.

By Senator Booth, from Monroe township farm bureau, favoring personal and corporate income tax. Tax revision.

INTRODUCTION OF BILL

Senate File No. 368, by committee on highways, a bill for an act to amend the law as it appears in section four thousand six hundred thirty-three (4633) of the Code of 1927, relative to the maintenance and improvement of highways on lands of the state and highways on which such lands abut.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 321, a bill for an act to make appropriation to the

Metz Construction Company, Springfield, Nebr., for legal services incurred in defending suit against said company and the Iowa State Highway Commission, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Benson submitted the following reports:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 87, a bill for an act to amend, revise, and codify sections forty-seven hundred forty-five (4745), forty-seven hundred forty-five-a one (4745-a1), forty-seven hundred forty-six (4746) to forty-seven hundred fifty-three (4753), inclusive, and forty-seven hundred fifty-three-a one (4753-a1) to forty-seven hundred fifty-three-a nine (4753-a9), inclusive, all of the Code, 1927, relating to special assessments for the improvement of secondary roads, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File No. 229, a bill for an act to amend the law as it appears in section one (1) chapter twenty-seven (27) of the acts of the forty-third (43) General Assembly, relating to the members of the Highway Commission, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. A. BENSON, *Chairman.*

Ordered passed on file.

Senator Anderson submitted the following report:

MR. PRESIDENT: Your committee on suppression of intemperance, to which was referred House File No. 227, a bill for an act to amend section nineteen hundred sixty-four (1964), code, 1927; to repeal section nineteen hundred sixty-five (1965), code, 1927, and to enact a substitute therefor, relating to second and subsequent convictions of violations of laws relating to intoxicating liquors; to broaden the present provisions of law relative to such convictions; and to prescribe the duties of county attorneys and of the courts with reference to said subject matter, begs leave to report it has had the same under consideration and recommends the same do pass.

C. E. ANDERSON, *Chairman.*

Ordered passed on file.

Senator Cole submitted the following reports:

MR. PRESIDENT: Your committee on public utilities, to which was referred Senate File No. 109, a bill for an act to amend sections (8300) and (8303) of chapter (382) Code, 1927, relating to telegraph and telephone lines and companies, and to provide for pipe lines, begs leave to report it has had the same under consideration and returns the bill without recommendation.

C. G. COLE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public utilities, to which was referred Senate File No. 264, a bill for an act to provide for the licensing of pipe line Companies engaged in the business of transporting or transmitting gas, gasoline, oils or motor fuels within or through this state, providing a license fee therefor, and providing for the regulation of the method of construction, location and inspection of pipe lines, and amending Sec. 4858, Code, 1927, relating to grants for the use of highways outside of cities and towns, begs leave to report it has had the same under consideration and returns the bill without recommendation.

C. G. COLE, *Chairman.*

Ordered passed on file.

Senator Clark of Linn submitted the following report:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 263, a bill for an act to repeal the law as it appears in sections sixty-nine hundred eighty-eight (6988), sixty-nine hundred eighty-nine (6989), and sixty-nine hundred ninety-three (6993), Code of Iowa, 1927, relating to deductions of debts in listing and assessment of money or credits, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. F. CLARK, *Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 91, 92, 21 and 205.

LEW MACDONALD,
Acting Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 91, 92, 21 and 205.

THIRD READING OF BILLS

On motion of Senator Carden, House File No. 339, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof, a committee bill, substituted for Senate File No. 274, was taken up and considered.

The bill was read for information.

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

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

Ayes, 32.

Anderson	Cochrane	Langfitt	Quirk
Baird	Cooney	Leonard	Rigby
Benson	Coykendall	Lowe	Stanley
Bissell	Hill	MacDonald	Stevens
Blackford	Ickis	McLeland	Tabor
Booth	Irwin	Moen	Topping
Carden	Kimberly	Myers	Wenner
Christophel	Klemme	Patterson	White

Nays, 7.

Bennett	Clark of Marion	Hager	Stoddard
Clark of Cerro Gordo	Clearman	Kent	

Absent or not voting, 11.

Beatty	Cole	Gunderson	Ritchie
Carroll	Doran	Hicklin	Wilson
Clark of Linn	Frailey	Knudson	

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

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

On motion of Senator Benson, House File No. 234, a bill for an act to amend section five thousand thirteen (5013), Code, 1927, and chapter one hundred twenty-seven (127), acts of the forty-third (43rd) general assembly, relating to the motor vehicle department and the funds and records thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 42.

Baird	Clark of Marion	Kent	Quirk
Beatty	Clearman	Kimberly	Rigby
Bennett	Cochrane	Klemme	Ritchie
Benson	Cole	Langfitt	Stevens
Bissell	Cooney	Leonard	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Gunderson	MacDonald	Topping
Carden	Hager	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of	Ickis	Myers	Wilson
Cerro Gordo	Irwin	Patterson	

Nays, none.

Absent or not voting, 8.

Anderson	Clark of Linn	Frailey	Knudson
Carroll	Doran	Hicklin	Stanley

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

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

On motion of Senator Clark of Marion, House File No. 156, a bill for an act to amend chapter one hundred seventy-six (176), acts of the forty-third (43rd) general assembly, and sections fifty-nine hundred seventy-eight (5978), sixty hundred two (6002), sixty hundred three (6003), sixty hundred twenty-four (6024), sixty hundred twenty-six (6026) and sixty hundred thirty-two (6032), code of 1927, relating to the authorization of cities and towns to improve streets by the use of shale, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 43.

Baird	Clark of Linn	Irwin	Quirk
Beatty	Clark of Marion	Kent	Rigby
Bennett	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Langfitt	Stevens
Blackford	Cooney	Leonard	Stoddard
Booth	Coykendall	Lowe	Tabor
Carden	Gunderson	MacDonald	Topping
Christophel	Hager	McLeland	Wenner
Clark of	Hill	Myers	White
Cerro Gordo	Ickis	Patterson	Wilson

Nays, none.

Absent or not voting, 7.

Anderson	Doran	Hicklin	Moen
Carroll	Frailey	Knudson	

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

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

On motion of Senator Hager, Senate Joint Resolution No. 10, a joint resolution providing for the employment by the State Board of Conservation of a park and regional planning engineer to make a comprehensive, statewide, twenty-five year program for the acquisition, conservation, maintenance, and construction of a system of parks, recreational grounds, beauty and scenic spots, scenic highways, fish, game, and bird refuges and sanctuaries with plans, specifications, and estimated cost which shall serve as a guide for the conservation activities of the state, and specifying the funds out of which to pay the cost of such plans and program, a committee resolution, was taken up and considered.

Senator Hager offered the following amendment and moved its adoption:

Amend by striking Section 3 therefrom and renumbering section 4 and section 5 as section 3 and section 4 respectively.

The amendment was adopted.

Senator Gunderson offered the following amendment and moved its adoption :

Amend by striking from line 4 of section 1 the words “, nationally known”.

The amendment was adopted.

The bill was read for information.

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

On the question “Shall the bill pass?” the vote was :

Ayes, 42.

Anderson	Clark of Linn	Ickis	Quirk
Baird	Clark of Marion	Irwin	Rigby
Beatty	Cochrane	Kent	Ritchie
Bennett	Cole	Kimberly	Stevens
Benson	Cooney	Klemme	Stoddard
Bissell	Coykendall	Langfitt	Tabor
Blackford	Doran	Leonard	Topping
Booth	Gunderson	Lowe	Wenner
Carden	Hager	MacDonald	White
Christophel	Hicklin	McLeland	Wilson
Clark of Cerro Gordo		Patterson	

Nays, 2.

Moen Myers

Absent or not voting, 6.

Carroll	Frailey	Hill	Stanley
Clearman		Knudson	

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

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

On motion of Senator Wenner Senate File No. 146, a bill for an act to amend, revise, and codify sections one hundred thirty-nine (139), one hundred forty (140), ten hundred ninety-a twenty (1090-a20), ten hundred ninety-b two (1090-b2), forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548),

fifty-five hundred forty-nine (5549), fifty-six hundred fifty-one (5651), fifty-six hundred fifty-three (5653), seventy-four hundred four (7404), and seventy-four hundred seven (7407), Code, 1927, relating to deposits by governmental bodies of public funds, and to so amend sections ten hundred ninety-a six (1090-a6), ten hundred ninety-a seven (1090-a7), and fifty-five hundred forty-seven (5547), Code, 1927, relating to the state sinking fund for public deposits and to the duties of the township clerk, as to coordinate and harmonize said sections with this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President Pro Tem Wm. E. McLeland took the chair at 10:15 a. m.

The following committee amendments were considered:

Amend Section one (1), line seven (7), by inserting after the word "corporation" the words and punctuation " , firm, or individual,".

Amend Sec. four (4), line five (5), by inserting after the word "town" the words and punctuation " , but in the event there is no bank in such city or town then in any other bank within the borders of the county in which the city or town is located".

The committee amendments were adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking the period at the end of line 4, section 6, and inserting a comma in lieu thereof and by adding the following: "provided that no interest shall be payable on said deposits for the months of March, April, September and October."

The amendment was adopted.

President McFarlane returned to the chair at 10:30 a. m.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by adding to section 4 the following: "Provided, however, that deposits may be made in banks outside of Iowa for the purpose of paying principal and interest on bonded indebtedness of any municipality when such deposit is made not more than ten days before the date such principal or interest becomes due."

CONSIDERATION OF SENATE FILE NO. 121

The time having arrived for the consideration of Senate File No. 121, a special order, and there being a call of the Senate on file, the roll call revealed the presence of all Senators and the call was declared complete.

On motion of Senator Anderson Senate File No. 121, a bill for an act to amend section nine thousand four hundred twenty (9420) of the code, 1927, relating to Chattel Mortgages in Iowa, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

Senator Anderson offered the following amendment and moved its adoption:

Amend by striking from the end of section one (1), the word "one" and inserting in lieu thereof the word "two".

Senator Clark of Linn offered the following as a substitute for the pending amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting therefor the following:

Section 1. Amend section ninety-four hundred twenty (9420) of the code, 1927, by striking from line six (6) the words "three and one-half" and inserting in lieu thereof the word "three".

Senator Clark of Cerro Gordo moved the previous question on the substitute amendment, which motion prevailed.

Senator Clark of Linn asked for a roll call.

Senator Stoddard moved that Senator Anderson be allowed five minutes on the substitute amendment, which motion prevailed.

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

Ayes, 24.

Booth	Coykendall	Kimberly	Rigby
Carden	Frailey	Langfitt	Stanley
Carroll	Hicklin	Moens	Stevens
Clark of Linn	Ickis	Myers	Stoddard
Clearman	Irwin	Patterson	Tabor
Cooney	Kent	Quirk	White

Nays, 26.

Anderson	Christophel	Gunderson	MacDonald
Baird	Clark of	Hager	McLeland
Beatty	Cerro Gordo	Hill	Ritchie
Bennett	Clark of Marion	Klemme	Topping
Benson	Cochrane	Knudson	Wenner
Bissell	Cole	Leonard	Wilson
Blackford	Doran	Low	

Absent or not voting, none.

The substitution was lost.

Roll call was demanded on the Anderson amendment.

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

Ayes, 20.

Anderson	Clearman	Leonard	Patterson
Beatty	Doran	MacDonald	Rigby
Bissell	Gunderson	McLeland	Ritchie
Clark of Linn	Hill	Moen	Stanley
Clark of Marion	Kent	Myers	White

Nays, 29.

Baird	Clark of	Hicklin	Low
Bennett	Cerro Gordo	Ickis	Quirk
Benson	Cochrane	Irwin	Stevens
Blackford	Cole	Kimberly	Stoddard
Booth	Cooney	Klemme	Tabor
Carden	Coykendall	Knudson	Topping
Carroll	Frailey	Langfitt	Wenner
	Hager		Wilson

Absent or not voting, 1.

Christophel

The amendment was lost.

Senator Patterson moved the previous question, which motion prevailed.

Senator Patterson raised the point of order that the previous question had been voted upon and debate could not continue.

The President held the point of order well taken.

Senator Frailey raised the point of order that the previous question had been voted upon and that Senator Anderson only might make the closing argument.

The President held the point of order not well taken as there were several filed requests to talk.

Senator Patterson raised the point of order that Senator Hicklin had already spoken on the bill.

The President held the point of order well taken.

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

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

Ayes, 12.

Anderson	Doran	Leonard	Myers
Beatty	Gunderson	MacDonald	Ritchie
Bissell	Hill	Moen	Tabor

Nays, 38.

Baird	Clark of Linn	Ickis	Quirk
Bennett	Clark of Marion	Irwin	Rigby
Benson	Clearman	Kent	Stanley
Blackford	Cochrane	Kimberly	Stevens
Booth	Cole	Klemme	Stoddard
Carden	Cooney	Knudson	Topping
Carroll	Coykendall	Langfitt	Wenner
Christophel	Frailey	Lowe	White
Clark of Cerro Gordo	Hager	McLeland	Wilson
	Hicklin	Patterson	

Absent or not voting, none.

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

The Journal of March 18th was 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 House was asked:

Senate File No. 73, a bill for an act legalizing the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and providing for the renewal and extension of the period of corporate existence of said company.

Also: 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 amending chapter one hundred ninety-seven (197) of the code, 1927, entitled "psychopathic Hospital".

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

House File No. 415, a bill for an act relating to civil service.

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

House File No. 54, a bill for an act relating to the exemption from taxation of real estate owned by educational institutions.

Also: 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 relating to fishing with trot-lines.

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

House File No. 407, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol.

Also: That the House has concurred in Senate amendment to Section One (1) of House File No. 98, a bill for an act relating to appropriations.

Also: That the House has concurred in Senate amendments to House File No. 106, a bill for an act relating to the sale of oleomargarine.

Also: That the House has concurred in Senate amendment to Section three (3) of House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk and Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence.

Also: That the House has concurred in Senate amendment to Section One (1) of House File No. 205, a bill for an act relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes.

Also: That the House has concurred in Senate amendment to Section One (1) of House File No. 21, a bill for an act relating to the destruction of weeds.

Also: That the House has concurred in Senate amendment to Sections one (1) and two (2) of House File No. 57, a bill for an act to provide for the declaration of abandonment of rights to unoccupied and abandoned cemetery lots.

SAM C. RAGAN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 415, a bill for an act to amend section fifty-seven hundred twelve (5712), code, 1927, relating to civil service.

Read first and second times and referred to committee on cities and towns.

House File No. 54, a bill for an act to amend section sixty-nine hundred forty-four (6944), code, 1927, so as to provide for the taxation of annuity contracts.

Read first and second times and referred to committee on ways and means.

House File No. 52, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the acts of the forty-third general assembly so as to authorize fishing with trot-lines, or throw-lines.

Read first and second times and referred to committee on fish and game.

House File No. 407, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol.

Read first and second times and referred to committee on commerce and trade.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on March 19th, 1931, approved the following bills:

Senate File No. 356, specifying Iowa census figures.

Senate File No. 189, relating to the county board of education.

AMENDMENTS FILED

MR. PRESIDENT: Amend House File No. 41 by striking out all of lines 6 and 7 of section 1 and inserting in lieu thereof the following:

"8. Sixty thousand (60,000) and under eighty thousand (80,000) thirty-five hundred dollars (\$3500)."

M. D. COONEY.

MR. PRESIDENT: I move to amend House File No. 121 by striking all after the Enacting Clause and substituting the following:

Section 1. The Attorney General may appoint local attorneys to assist in any legal actions brought for or against the State Highway Commission. The compensation of such local attorneys and the special assistant attorney general appointed to look after the legal work of the State Highway Commission shall be fixed by the Attorney General and said Commission, and together with all court costs assessed against the said Commission, shall be payable from the primary road fund.

Sec. 2. All laws or parts of laws inconsistent with this act are hereby repealed.

Sec. 3. This act being deemed of immediate importance shall take effect from and after its publication as provided by law.

W. A. CLARK.

MR. PRESIDENT: I move to amend Senate File No. 146 by inserting in line three (3) of section one (1) after the word "clerk" the words, "and each county recorder, auditor, sheriff, and clerk of the district court, and each secretary of a school board".

Also amend said Senate File by striking the word "treasurer" in line three (3) of section four (4) and by inserting in lieu thereof, the word "officer".

Also amend said Senate File by inserting in line five (5) of section four (4) immediately after the word "treasurer" the words, "or by a school secretary".

Also amend said Senate File by inserting in line (1) of section eight (8) following the word "treasurer" the words "or other county officer".

B. M. STODDARD.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 20, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. Orville W. Morrow, pastor of the Methodist Church of Guthrie Center.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Cochrane, from Ninth Farm Bureau district, favoring a state income tax and county assessor bill; from Malvern community club and American Legion of Malvern, favoring the establishment of a two-year state normal school at Tabor; from Mills county Farm Bureau, favoring a state income tax; and from Brotherhood of Railroad Trainmen of Creston, favoring restriction of motor vehicles. Tax revision, educational institutions, and motor vehicles.

By Senator Clark of Marion, from residents of Maxon and Albia, favoring restriction of motor vehicles. Motor vehicles.

By Senator Leonard, from the American Legion of Corning, favoring the establishment of a two-year state normal school at Tabor. Educational institutions.

By Senator Wenner, from Brotherhood of Maintenance of Way Employes of Mason City, favoring restriction of motor vehicles. Motor vehicles.

By Senator Coykendall, from Hamburg chamber of commerce, the American Legion of Hamburg, the American Legion of Clarinda, the Clarinda chamber of commerce, the Farragut community club, the Shenandoah chamber of commerce, the American Legion

of Shenandoah, the Sidney community club, and the Tabor progressive club, favoring the establishment of a two-year state normal school at Tabor. Educational institutions.

By Senator Blackford, from the chamber of commerce of Fairfield, opposing the state income tax law; and from residents of Pleasant Plaine, favoring the osteopathic profession. Tax revision and public health.

By Senator Quirk, from residents of Rippey, favoring restriction of motor vehicles. Motor vehicles.

By Senator Baird, from residents of Council Bluffs, opposing the granting of additional privileges to the members of the osteopathic profession. Public health.

By Senator Christophel, from residents of Butler county, favoring optional bovine testing. Agriculture.

By Senator Wilson, from United Mine Workers of America, local 1139, favoring old age pension. Judiciary No. 2.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Clearman for the day, on request of Senator Ickis.

INTRODUCTION OF BILLS

Senate File No. 369, by committee on appropriations, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith.

Read first and second times and placed on the calendar.

Senate File No. 370, by committee on public health, a bill for an act to repeal section thirty-six hundred twelve (3612), Code of 1927, and to enact a substitute therefor providing for appointment of probation officers of the juvenile court; to amend section thirty-six hundred thirteen (3613), code of 1927, providing psychiatric service for juvenile courts; to amend section thirty-six hundred sixteen (3616), code of 1927, relating to salaries of probation officers; to repeal section thirty-six hundred seventeen (3617), code of 1927, and to enact a substitute therefor, defining

class of children to which chapter one hundred eighty (180) is applicable; to repeal section thirty-six hundred twenty-one (3621), code of 1927, and to enact a substitute therefor relating to filing petitions in juvenile court; to amend section thirty-six hundred thirty-one (3631), code of 1927, by adding new sections thereto providing for appointment, powers and compensations of referees in juvenile court; to repeal section thirty-six hundred thirty-two (3632), code of 1927, and to enact a substitute therefor relating to powers of juvenile courts; to amend section thirty-six hundred thirty-three (3633), code of 1927, relating to detention of children by authority of juvenile courts; to amend section thirty-six hundred forty-one (3641), code of 1927, relating to aid of widow having custody of children under jurisdiction of juvenile court; to amend section thirty-six hundred forty-one-b1 (3641-b1), code of 1927, relating to tax levy for widows' pension in certain counties; to amend section thirty-six hundred fifty-three (3653), code of 1927, relating to payment for boarding out of children detained by authority of juvenile courts, and to amend section thirty-six hundred fifty-four (3654), code of 1927, relating to compensation of attaches of juvenile courts; to repeal section thirty-six hundred sixty-one (3661), code of 1927, and to enact a substitute therefor, relating to the jurisdiction over adults in juvenile delinquency matters.

Read first and second times and placed on the calendar.

Senate File No. 371, by committee on tax revision, a bill for an act to regulate vending machines, weight machines and other mechanical devices which dispense merchandise and goods which are operated for amusement or information, and to require and provide for the issuing of licenses and permits to persons, firms, and corporations for the construction and maintenance and to license, tax and regulate the same, and to provide for the administration and collection of the tax by the State Board of Assessment and Review.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Gunderson submitted the following reports:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No. 273, a bill for an act to repeal sec-

tions fifty-one hundred twenty-five (5125) to fifty-one hundred twenty-seven (5127), inclusive, Code, 1927, relating to the compensation and mileage of members of the board of supervisors, and to enact a substitute therefor on the same subject, and to amend chapter two hundred fifty-three (253) of the Code, 1927, relating to the meetings of said board, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

"Amend Section two (2), sub-section one (1) by striking out the figures "\$1,500.00" in line five (5) and substituting in lieu thereof the figures "\$1,200.00."

"Amend Section two (2) sub-section two (2) by striking out the figures "\$2000.00" in line seven (7) and substituting in lieu thereof the figures "\$1700.00."

"Amend Section two (2) sub-section three (3) by striking out the figures "\$3,000.00" in line nine (9) and substituting in lieu thereof the figures "\$2,500.00."

"Amend section three (3) by striking all of said section and substituting in lieu thereof the following:

"Mileage. In addition to the said compensation, each member of said board shall be entitled to mileage as provided by law for every mile traveled in going to and from the place of performing committee service. When the board is in continuous session, mileage for only one trip in going to and from the session shall be allowed."

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers, to which was referred Senate File No. 226, a bill for an act to amend section one (1) chapter one (1) of the Acts of the forty-third (43rd) General Assembly, relating to the expenses of the members of the General Assembly, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Senator Clark of Linn submitted the following report:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 296, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review

to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out section five (5) and substitute in lieu thereof the following:

"Sec. 5. For the purpose of making reports to the state board of assessment and review, the gross earnings of a pipe line company, owning or operating a line or lines within this state, shall be computed and reported by said company upon such basis as the board may by rule require."

Amend section six (6) by striking from line five (5) thereof the words "earnings as aforesaid", and by substituting in lieu thereof the following:

"the accounts and the information to be reported".

Strike all of sections seven (7), ten (10), and sixteen (16).

Amend section fourteen (14) by striking from line nine (9) thereof the word "taxable" and by substituting the word "assessed".

C. F. CLARK, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate Joint Resolution No. 9, providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, etc. and providing an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 276, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Baird submitted the following reports:

MR. PRESIDENT: Your committee on ways and means, to which was referred House File No. 46, a bill for an act to amend paragraph one of section 211 in the Code of Iowa, 1927, relating to the levy of taxes for

grading purposes, reports it has had the same under consideration and recommends the same do pass.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File No. 306, a bill for an act relating to indebtedness for township road purposes and to provide for and substitute the levy, imposition, and collection of a tax annually to pay said indebtedness, reports it has had the same under consideration and recommends the same do pass.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Senator Patterson submitted the following reports :

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 30, a bill for an act to amend sections two thousand one hundred thirty-six (2136) and two thousand one hundred thirty-seven (2137), code, 1927, relating to applications for permits to wholesale druggists, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 129, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305), twenty-three hundred six (2306) and twenty-three hundred nine (2309), of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code, 1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 147, a bill for an act to amend section twenty-two hundred forty-seven (2247) and to repeal twenty-two hundred sixty-six (2266) of the code, 1927, and to enact a substitute therefor, relating to isolation of persons having communicable diseases and determination of such isolation of quarantine; and to repeal section twenty-two hundred

sixty-seven (2267) of the code, 1927, relating to the report of termination of quarantine, and to amend sections twenty-two hundred sixty-eight (2268), twenty-two hundred seventy-four (2274) and twenty-two hundred seventy-five (2275) of the code, 1927, relating to fumigation, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 131, a bill for an act to repeal section twenty-two hundred thirty-six (2236) of the code, 1927, and to enact a substitute therefor, relating to the general duties of health officers of the local board of health, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Senator Christophel submitted the following report:

MR. PRESIDENT: Your committee on dairy and food, to which was referred House File No. 228, a bill for an act to amend sections 3113 and 3115 of the code, 1927, pertaining to the definition and labeling of stock tonics, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. W. CHRISTOPHEL, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 327, a bill for an act to provide for the financing in any city or town of the management, construction, maintenance, and operation of main sanitary sewers, outfall or outlet sanitary sewers, sanitary pumping stations, and sanitary sewage treatment or purifying works by a system of sewer rentals, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 302, a bill for an act creating a park board in cities having a population of one hundred twenty-five thousand (125,000) or more and providing the powers and duties of such board, begs leave to

- report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 133, a bill for an act to amend section fifty-eight hundred twenty-nine a twelve (5829-a12) of the Code, 1927, relating to the approval of plats so as to require the recommendation of the city plan commission with reference to proposals to vacate any street, alley or public ground, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Wenner, Senate File No. 146, a bill for an act to amend, revise, and codify sections one hundred thirty-nine (139), one hundred forty (140), ten hundred ninety-a twenty (1090-a20), ten hundred ninety-b two (1090-b2), forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548), fifty-five hundred forty-nine (5549), fifty-six hundred fifty-one (5651), fifty-six hundred fifty-three (5653), seventy-four hundred four (7404), and seventy-four hundred seven (7407), code, 1927, relating to deposits by governmental bodies of public funds, and to so amend sections ten hundred ninety-a six (1090-a6), ten hundred ninety-a seven (1090-a7), and fifty-five hundred forty-seven (5547), Code, 1927, relating to the state sinking fund for public deposits and to the duties of the township clerk, as to coordinate and harmonize said sections with this act, was taken up and considered.

The report of the committee was adopted March 19th.

The committee amendment and an amendment offered by Senator Benson had been adopted March 19th.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by adding to section 4 the following: "Provided, however, that deposits may be made in banks outside of Iowa for the purpose of paying principal and interest on bonded indebtedness of any municipality when

such deposit is made not more than ten days before the date such principal or interest becomes due."

The amendment was adopted.

Senator Stoddard offered the following amendments and moved their adoption:

Amend by inserting in line three (3) of section one (1) after the word "clerk" the words, "and each county recorder, auditor, sheriff, and clerk of the district court, and each secretary of a school board".

Also amend by striking the word "treasurer" in line three (3) of section four (4) and by inserting in lieu thereof, the word "officer".

Also amend by inserting in line five (5) of section four (4) immediately after the word "treasurer" the words, "or by a school secretary".

Also amend by inserting in line (1) of section eight (8) following the word "treasurer" the words "or other county officer".

The amendments were adopted.

Senator Benson moved to reconsider the vote by which his amendment was adopted March 19th, which motion prevailed.

Senator Benson offered as a substitute for the pending amendment the following, and moved its adoption:

Amend by striking the period at the end of line 4, section 6, inserting a comma in lieu thereof and adding the following: "provided that no interest shall be required on such funds deposited by any treasurer of a school, city or town corporation by a county treasurer or by a township clerk for the months of March, April, September and October."

Senator Clark of Cerro Gordo offered the following as an amendment to the substitute amendment and moved its adoption:

Amend the amendment by striking out the words "no interest" in the fourth line and substituting therefor the words "interest at the rate of 1 per cent per annum on ninety per cent of the daily balance".

The amendment to the substitute amendment was adopted.

The substitution was made.

Roll call was demanded on adoption of the amendment as substituted.

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

Ayes, 37.

Beatty	Cochrane	Ickis	McLeland
Bennett	Cole	Irwin	Rigby
Benson	Cooney	Kent	Ritchie
Bissell	Coykendall	Kimberly	Stanley
Blackford	Doran	Klemme	Stevens
Carden	Gunderson	Knudson	Tabor
Christophel	Hager	Langfitt	Topping
Clark of	Hicklin	Leonard	White
Cerro Gordo	Hill	Lowe	Wilson
Clark of Linn		MacDonald	

Nays, 7.

Booth	Moen	Patterson	Wenner
Clark of Marion	Myers	Quirk	

Absent or not voting, 6.

Anderson	Carroll	Clearman	Stoddard
Baird		Frailey	

The substitute amendment as amended was adopted.

By unanimous consent on request of Senator Hicklin, section 5, line 1, was amended by striking therefrom the word "a" and inserting the word "the" in lieu thereof; also by striking the word "banks" from line 4 and inserting the word "bank".

Senator Hicklin moved that the vote by which the amendment was adopted be reconsidered, which motion prevailed.

Senator Benson offered the following as a substitute for the amendments and moved their adoption:

Amend section 5 as follows:

1. Strike the word "a" from line 1 and insert the words "none of the".
2. Strike the word "bank" from line 2 and substitute the word "banks".
3. Strike the word "not" from line 2 between the words "will" and "except".
4. Insert in line 4 between the words "approved" and "banks" the words "bank or".

Senator Doran moved to defer action until 2 p. m. Monday, March 23d.

Roll call was demanded on the motion to defer action.

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

Ayes, 20.

Beatty	Clark of Linn	Hill	Patterson
Bennett	Clark of Marion	Leonard	Quirk
Bissell	Cole	MacDonald	Ritchie
Booth	Coykendall	Moen	Stevens
Carroll	Doran	Myers	Wenner

Nays, 25.

Anderson	Clark of	Irwin	McLeland
Baird	Cerro Gordo	Kent	Rigby
Benson	Cochrane	Kimberly	Stoddard
Blackford	Gunderson	Klemme	Tabor
Carden	Hager	Langfitt	Topping
Christophel	Hicklin	Lowe	White
	Ickis		Wilson

Absent or not voting, 5.

Clearman	Frailey	Knudson	Stanley
Cooney			

The motion to defer action was lost.

The Benson substitution was made.

The amendment as substituted was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

Roll call was demanded.

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

Ayes, 15.

Anderson	Clark of Marion	McLeland	Ritchie
Bissell	Coykendall	Moen	Stanley
Booth	Hill	Myers	Wenner
Carroll	MacDonald	Quirk	

Nays, 28.

Baird	Cole	Kent	Rigby
Benson	Doran	Kimberly	Stevens
Blackford	Gunderson	Klemme	Stoddard
Carden	Hager	Knudson	Tabor
Christophel	Hicklin	Langfitt	Topping
Clark of	Ickis	Leonard	White
Cerro Gordo	Irwin	Lowe	Wilson
Cochrane			

Absent or not voting, 7.

Beatty	Clark of Linn	Cooney	Patterson
Bennett	Clearman	Frailey	

The amendment was lost.

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

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

Ayes, 33.

Baird	Cochrane	Kent	Ritchie
Bennett	Cole	Kimberly	Stanley
Benson	Doran	Klemme	Stevens
Blackford	Gunderson	Knudson	Stoddard
Booth	Hager	Langfitt	Tabor
Carden	Hicklin	Leonard	Topping
Christophel	Ickis	Lowe	White
Clark of Cerro Gordo	Irwin	MacDonald	Wilson
		Rigby	

Nays, 9.

Anderson	Clark of Marion	Moen	Quirk
Bissell	Coykendall	Myers	Wenner
Carroll			

Absent or not voting, 8.

Beatty	Clearman	Frailey	McLeland
Clark of Linn	Cooney	Hill	Patterson

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

By unanimous consent on request of Senator Benson, the Secretary was instructed to make the necessary corrections to the title to conform with the bill, and the title so amended be agreed to.

The title was amended by inserting after the word "bodies" in line 8 the words "and officers"; also by inserting after the word "funds" in line 9 the words "and to interest thereon".

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

On motion of Senator Ickis, Senate File No. 51, a bill for an act to amend the law as it appears in section five hundred twenty-two (522), chapter thirty-five (35) of the Code of 1927, relating to the limitation on the number of members of county boards of supervisors and the number of such members to be elected from the same township; and to amend the law as it appears in section fifty-one hundred six (5106), chapter two hundred fifty-three (253), of the Code of 1927, pertaining to the number of members to be elected to the county board of supervisors and limiting the membership to three (3) and providing for the re-

duction in those counties now having more than three (3) members on the board of supervisors; and to repeal the law as it appears in sections fifty-one hundred seven (5107), fifty-one hundred eight (5108), fifty-one hundred nine (5109), fifty-one hundred ten (5110), fifty-one hundred eleven (5111), fifty-one hundred twelve (5112), fifty-one hundred thirteen (5113), and fifty-one hundred fourteen (5114), of said code, all of which said sections relate to the matter of increasing and reducing of the number of members of the board of supervisors, providing of board of supervisors' districts and how formed, and the redistricting of the county in board of supervisors' districts, returned by the committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Ickis offered the following as a substitute for the amendment as found on page 656 of the Senate Journal of March 10th, and moved its adoption:

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

'Section 1. This act shall apply solely to counties having a population of less than ninety thousand (90,000).

Sec. 2. Membership of board. The board of supervisors in each county, having a population of less than ninety thousand (90,000), shall consist of three qualified electors and no more, be elected as herein provided by the qualified voters of their respective counties or of their respective districts, and hold office for three years, except as otherwise provided.

Sec. 3. Term of office terminated. The term of office of the present members of the board of supervisors in all said counties having more than three members on said board, shall terminate on the first secular day in January, 1933, and at the general election in 1932 there shall be elected in said counties three members of said board. One member shall be elected for two (2) years, one for three (3) years, and one for four (4) years from the first secular day in January, 1933.

Sec. 4. Election. Said members may be elected by the voters of the entire county, or by the voters of supervisor districts as the board may determine by order adopted and entered of record in its proceedings not later than January 1, 1932.

Sec. 5. Districts. If said members be ordered elected by district, the present board shall, not later than January 1, 1932, divide its county into three (3) supervisor districts each of which shall be composed of undivided and contiguous townships and of substantially equal population

except that one or more townships containing a city or part thereof may constitute one district.

Sec. 6. Term of office determined. In case of election by districts, the board shall, not later than January 1, 1932, determine, by lot, which district shall elect a supervisor for two (2) years, which for three (3) years and which for four (4) years, and immediately enter said determination in the record of its proceedings.

Sec. 7. Term stated on ballot. When said supervisors are elected at large the length of term for which any person is a candidate shall be stated on the ballot.

Sec. 8. Determination of election. When, in nominating or electing supervisors at large, two or more candidates residing in the same township each receive a majority of all the votes cast in the county, the candidate receiving the largest number of votes shall be deemed nominated or elected, as the case may be, and the votes for other candidates residing in such township shall be wholly rejected.

Sec. 9. Supervisor districts. The board of supervisors in said counties may at its regular meeting in 1937 and each five years thereafter reform its existing supervisor districts, or at such regular meeting it may abolish such districts and provide for electing supervisors for the county at large.

Sec. 10. How formed. Supervisor districts shall be composed of undivided and contiguous townships, and be substantially equal in population except that one or more townships containing a city or part thereof may constitute one district. Each of said districts shall be entitled to one member of such board, which member shall be elected by the electors of said district. No change in districts shall have the effect of lengthening or diminishing the term of office of any member of said board.

Sec. 11. The successors of the members elected under section three (3) shall be elected as provided in section five hundred twenty-one (521), Code, 1927."

I also move to strike out the title to said Senate File No. 51 as it appears in the pending bill and also the proposed title as it appears on page 658 of the Senate Journal and to substitute therefor the following, to wit:

"An act to fix and prescribe the membership of boards of supervisors in counties having a population less than ninety thousand (90,000), to terminate the term of office of members of said boards in said counties having more than three members, to provide for the election of their successors at large or by districts, and to provide for such districts and for changes therein."

By unanimous consent on request of Senator Doran action was deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 44 and 73.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tem of the Senate announced that, as President pro tem of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 44 and 73.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 20th day of March, 1931, sent to the governor for his approval, Senate Files Nos. 44 and 73.

E. R. HICKLIN, *Chairman.*

Report adopted.

The Journal of March 19th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 363, by striking therefrom all of Section 6 following the word "misdemeanor", and substituting "and be punished by a fine not to exceed ten dollars (\$10.00) for the killing of said dog or dogs".

ARTHUR LEONARD.

MR. PRESIDENT: I move to amend Senate File No. 250 by adding after the word "ice-cream" in line four (4) thereof, the words "in factory filled packages".

Further amend by inserting after the period and before the quotation mark in line five (5) thereof, the following: "The bacterial count at the

factory shall not exceed two hundred fifty thousand (250,000) to the cubic centimeter."

F. C. STANLEY.

On motion of Senator Baird, the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Dr. Arthur E. Bennett, minister in the Methodist Episcopal Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Booth for the day, on request of Senator Blackford; Senator Quirk for the day, on request of Senator Stevens; Senator Benson moved that all other absent Senators be excused for the day, which motion prevailed.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Quirk, from Carroll county Farm Bureau, favoring the state income tax as a replacement tax. Tax revision.

By Senator Doran, from Boone county Bankers association, favoring police radio broadcasting system. Police regulation.

By Senator Myers, from residents of Reasnor, favoring restriction of motor vehicles. Motor vehicles.

By Senator Benson, from board of directors of Luana Consolidated School district, opposing optional transportation of pupils in consolidated school districts. Reduction of expenditures.

By Senator Hicklin, from board of supervisors of Muscatine county, favoring a refund to counties wherein improved county roads have been made a part of the primary road system; and from residents of Morning Sun, favoring restriction of motor vehicles. Highways and motor vehicles.

INTRODUCTION OF BILLS

Senate File No. 372, by committee on horticulture and forestry, a bill for an act providing for the licensing and bonding of peddlers of fresh fruits and vegetables and imposing penalties for violation or noncompliance.

Read first and second times and placed on the calendar.

Senate File No. 373, by committee on public schools, a bill for an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools.

Read first and second times and placed on the calendar.

Senate File No. 374, by committee on board of control, a bill for an act to authorize and empower the superintendent of the Iowa Juvenile Home to execute assignment of bonds issued by the government of the United States and owned by, and registered in the name of the committed inmates of said home, who are minors, and to provide for the preservation of funds arising from such assignments.

Read first and second times and placed on the calendar.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on March 20, 1931, approved the following bills:

Senate File No. 38, relating to the chiefs of police and fire departments.

Senate File No. 200, relating to teachers' employment bureau.

Senate File No. 310, legalizing the proceedings relating to an election held in the city of New Hampton.

Senate File No. 82, relating to the vacation of roads.

REPORTS OF COMMITTEES

Senator Blackford submitted the following reports:

MR. PRESIDENT: Your committee on corporations, to which was referred Senate File No. 354, a bill for an act to amend section 8359 of the

Code, 1927, relating to the procedure in organization of corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

A. V. BLACKFORD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on corporations, to which was referred Senate File No. 311, a bill for an act to amend section eight thousand three hundred sixty-five, (8365), Code 1927, relating to the conditions for the renewal of corporations, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one as follows:

Strike out all after the word "renewal" in the ninth line thereof and place a period after the word "renewal."

A. V. BLACKFORD, *Chairman.*

Ordered passed on file.

Senator Bennett submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File No. 344, a bill for an act to amend Chapter two hundred twenty-nine (229) of the Acts of the Forty-third General Assembly, relating to insurance other than life, and to permit insurance of buildings and other property against loss or damage caused by railroad equipment and motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

O. P. BENNETT, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 342, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill tax for an airport and in issuing airport certificates, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 48, a bill for an act to amend section ten thousand eight hundred nine (10809), section ten thousand eight hundred ten (10810), section ten thousand eight hundred twelve (10812) and section

ten thousand eight hundred thirteen (10813) of the Code, 1927, relating to compensation of shorthand reporters of the district courts, and taxation of costs for shorthand reporting, begs leave to report it has had the same under consideration and returns the bill without recommendation.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 330, a bill for an act to amend section twelve thousand eighty-eight (12088) of the Code, 1927, relating to bonds in attachment proceedings, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 258, a bill for an act to provide for the punishment of persons commonly known as short change artists, or who defraud persons by short changing or the manipulation of currency or legal tender of the United States, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 454, a bill for an act to amend section twelve thousand eight hundred twenty-three (12823) of the Code, 1927, relating to appeals to the supreme court, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 189, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across lands of the Iowa School for the Deaf, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 101, a bill for an act to repeal section thirteen thousand eight hundred forty-two (13842) of the code, 1927, relating to the trial of defendants jointly indicted, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 334, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1927, relating to the refunding of the tax on gasoline, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 237, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth Livestock Shipping Association of Portsmouth, Iowa, and to provide for the reinstatement of said corporation, thereby entitling said corporation to continue to act as a corporation for the unexpired portion of its corporate period as fixed by the articles of incorporation and limitations prescribed by law, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 71, a bill for an act to legalize the acts of the board of supervisors of Decatur County on January 23, 1931, in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the pauper's fund of said county, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 341, a bill for an act to amend section seven thou-

sand two hundred eleven (7211) Code 1927, reference to the payment of delinquent taxes by tax purchases, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 208, a bill for an act to amend section thirty-eight-b one (38-b1), Code, 1927, relating to confirmations by the Senate of appointments to public office; to fix the vote necessary to effect such confirmation, and to amend sections 311, 1511, 2182, 3276, 3914, 4623, 7913, 8605, 9131, Code, 1927, and sections two (2) of chapter 205 Acts of the 43rd General Assembly as to coordinate said sections with the change therein made in said section 38-b1, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 67, a bill for an act to readjust the terms of office of certain of the members of the Board of Supervisors of Hancock County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 347, a bill for an act to amend Chapter six (6), acts of the Forty-third General Assembly, regulating the issuing of shares of stock of corporations without par value, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 328, a bill for an act to amend the law as it appears in section sixty-nine hundred eighty-eight (6988), of the Code, of Iowa, 1927, relating to deduction of debts in listing and assessment of money

or credits, and other property, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 127, a bill for an act to repeal the law as it appears in section eleven thousand three hundred fifty-nine (11359) of the code, 1927, relating to the taking of depositions, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 210, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keeper's lien, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Senator Lowe submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File No. 218, a bill for an act to amend section fifty-one hundred thirty-nine (5139) of the code, 1927, relating to the power of the board of supervisors to order the destruction of certain papers and records, begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File No. 203, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township funds, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting after the word "districts" and before the quotation mark, in paragraph two (2) of Section one (1) the words "pro rata".

WESLEY C. LOWE, *Chairman*.

Ordered passed on file.

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools, to which was referred House File No. 267, a bill for an act to amend section thirty-eight hundred seventy-three (3873), code, 1927, and to repeal section thirty-eight hundred seventy-four (3874), code, 1927, relating to teachers' examinations, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 197, a bill for an act relating to annual financial statement, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File No. 112, a bill for an act regulating the sale of school textbooks in the public schools of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out all following the enacting clause and substitute therefor the following:

Section 1. That no person, firm, company or corporation engaged in the publication and sale of school textbooks, and hereinafter referred to as "publisher", shall offer any school textbook or supplementary books for adoption, contract, sale or exchange to any board of directors in the State of Iowa, until said publisher shall have complied with the following conditions:

(a) Said publisher shall file, within thirty days after this act takes effect, and every five years thereafter, in the office of the state superintendent of public instruction, a sworn statement of the usual list price, the lowest net wholesale price, and the lowest net exchange price at which said book is sold or exchanged for an old book on the same subject, of like grade and kind but of a different series displaced by the introduction of said publisher's book.

(b) Said publisher shall file with the state superintendent of public instruction a bond running to the State of Iowa with a responsible surety company authorized to do business in the State of Iowa as surety thereon, in a penal sum to be determined by the state superintendent of public instruction, not less than two thousand dollars nor more than ten thousand dollars, conditioned as follows:

(1) That said publisher will furnish for a period of five years any of the books listed in the statement as outlined in Section 1 of this act, and, for the unexpired period of the filing, any of the supplementary and abridged and special editions of all books listed in any annual statement subsequently filed by said publisher within the five year filing period, to the board of directors of any school district or its authorized agents in the State of Iowa at the lowest net prices contained in said statements and that said publisher will maintain said prices uniformly throughout the state.

(2) That such publisher will reduce such net prices in Iowa whenever reductions are made elsewhere in the United States, and that said publisher shall file in the office of the state superintendent of public instruction, within ten days, a sworn statement of such reductions made elsewhere, so that at no time shall any book so filed and listed, be sold in the State of Iowa at a higher net price than such book is sold for elsewhere in the United States under contract or sales made subsequent to this filing.

(3) That said publisher shall not enter into any understanding, agreement or combination to control the prices or to restrict competition in the sale of school textbooks.

Sec. 2. When the aforesaid bond shall have been approved by the attorney general, said publisher shall be authorized by the state superintendent of public instruction to offer for adoption, contract, sale and exchange in the State of Iowa, the books so listed with the state superintendent of public instruction as provided for in this act. Such bond shall continue in force for the period of five years after its filing, at or before the expiration of which period a new bond shall be given, or the right to continue business within the state shall be forfeited.

Sec. 3. The state superintendent of public instruction shall, within sixty days after the taking effect of this act, publish a list of all books and prices filed in his office by publishers and shall send a copy of said list to all county superintendents, city superintendents and school authorities in each district in the state, and shall annually thereafter, on the first day of July, publish a list of all new books and prices filed during the preceding school year, including a list of all books previously listed, the prices of which have been reduced elsewhere below the said filed prices by the publishers during the school year, and shall send a copy of said list to all county superintendents and city superintendents and to the school authorities in each district in the state.

Sec. 4. It shall be the duty of the board of education or the board of directors of each district of this state wherein the textbooks listed under the provisions of this act have been adopted to notify the superintendent of public instruction of any violation of any of the conditions contained in said bond. The superintendent of public instruction shall thereupon notify the publisher guilty of such violation and if the said publisher so notified shall disregard the notification and fail to comply with the re-

quirements of the contract, then the superintendent of public instruction shall institute legal proceedings for the forfeiture of the bond of said publisher.

Sec. 5. No publisher shall secure or attempt to secure the adoption or sale of any school textbooks in any school district in this state by rewarding or promising to reward or to secure promotion or another position for any teacher in any school in the state. No publisher or agent of such publisher shall offer or give any emolument, money or other valuable thing, promise of work or any other inducement to any teacher or school officer in any school district for any vote or promise of vote or for the use of personal influence to secure the adoption of any school textbook to be used in the public schools of this state.

Provided, that nothing in this section shall be so construed as to prevent any publisher from submitting, or any school officer or teacher from receiving a sample of any school textbook for examination with a view of obtaining information concerning the merits of any book or series of books offered for adoption or sale.

Sec. 6. Any member of a board of directors or any publisher violating any of the provisions of this act, shall be guilty of a misdemeanor and shall on conviction thereof be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment not to exceed three (3) months, or by both such fine and imprisonment.

Sec. 7. All acts or parts of acts inconsistent or contrary to the provisions of this act are hereby repealed.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Doran House File No. 237, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa, and to provide for the reinstatement of said corporation, thereby entitling said corporation to continue to act as a corporation for the unexpired portion of its corporate period as fixed by the articles of incorporation and limitations prescribed by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 30.

Benson	Coykendall	Klemme	Stanley
Bissell	Doran	Knudson	Stevens
Blackford	Gunderson	Leonard	Stoddard
Christophel	Hager	Lowe	Tabor
Clark of Cerro Gordo	Hill	McLeland	Wenner
Clark of Marion	Irwin	Moen	White
Clearman	Kent	Myers	Wilson
	Kimberly	Patterson	

Nays, none.

Absent or not voting, 20.

Anderson	Carden	Cooney	MacDonald
Baird	Carroll	Frailey	Quirk
Beatty	Clark of Linn	Hicklin	Rigby
Bennett	Cochrane	Ickis	Ritchie
Booth	Cole	Langfitt	Topping

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

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

On motion of Senator Wenner Senate File No. 145, a bill for an act to amend sections seventy-one hundred forty-four (7144), seventy-two hundred eight (7208), and seventy-two hundred twelve (7212), and to repeal section seventy-two hundred thirteen (7213), all of the Code, 1927, and relating to the payment and apportionment of road taxes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 32.

Benson	Cole	Kimberly	Patterson
Bissell	Coykendall	Klemme	Stanley
Blackford	Doran	Knudson	Stevens
Carroll	Gunderson	Leonard	Stoddard
Christophel	Hager	Lowe	Tabor
Clark of Cerro Gordo	Hill	McLeland	Wenner
Clark of Marion	Irwin	Moen	White
Clearman	Kent	Myers	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Carden	Frailey	Quirk
Baird	Clark of Linn	Hicklin	Rigby
Beatty	Cochrane	Ickis	Ritchie
Bennett	Cooney	Langfitt	Topping
Booth		MacDonald	

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

On motion of Senator Clark of Cerro Gordo Senate File No. 312, a bill for an act to amend section thirty-six hundred twelve (3612) of the code, 1927, relating to probation officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 32.

Anderson	Clearman	Kent	Myers
Benson	Cole	Kimberly	Patterson
Bissell	Coykendall	Klemme	Stanley
Blackford	Doran	Knudson	Stevens
Carroll	Gunderson	Leonard	Tabor
Christophel	Hager	Lowe	Wenner
Clark of Cerro Gordo	Hill	McLeland	White
Clark of Marion	Irwin	Moen	Wilson

Nays, none.

Absent or not voting, 18.

Baird	Clark of Linn	Ickis	Rigby
Beatty	Cochrane	Langfitt	Ritchie
Bennett	Cooney	MacDonald	Stoddard
Booth	Frailey	Quirk	Topping
Carden	Hicklin		

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

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

On motion of Senator Kimberly Senate File No. 285, a bill for an act to amend section thirty-seven hundred sixty-two (3762),

Code, 1927, relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 32.

Anderson	Clark of Marion	Irwin	Patterson
Bennett	Clearman	Kimberly	Stanley
Benson	Cole	Klemme	Stevens
Bissell	Coykendall	Knudson	Stoddard
Blackford	Doran	Leonard	Tabor
Carroll	Gunderson	Lowe	Wenner
Christophel	Hager	McLeland	White
Clark of	Hill	Moen	
Cerro Gordo		Myers	

Nays, none.

Absent or not voting, 18.

Baird	Cochrane	Kent	Rigby
Beatty	Cooney	Langfitt	Ritchie
Booth	Frailey	MacDonald	Topping
Carden	Hicklin	Quirk	Wilson
Clark of Linn	Ickis		

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

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

On motion of Senator Benson House File No. 113, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more, where the houses or business houses average less than two hundred (200) feet apart, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Action was deferred.

On motion of Senator Stevens Senate File No. 232, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), of the Code, 1927, relating to the collection of motor vehicle license fees, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered.

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. Amend section forty-eight hundred seventy-five (4875) of the Code, 1927, by striking the word "January" in line three (3) and substituting in lieu thereof the word "February".

Sec. 2. Amend section forty-nine hundred (4900) of the Code, 1927, by striking the word "January" in line two (2) and substituting in lieu thereof the word "February".

Sec. 3. Amend section forty-nine hundred one (4901) of the Code, 1927, by striking the word "January" in line three (3) and substituting in lieu thereof the word "February".

Sec. 4. Amend section forty-nine hundred five (4905) of the Code, 1927, as follows:

1. Strike the word "November" in line four (4) and substitute in lieu thereof the word "December".

2. Strike the word "December" in line fourteen (14) and substitute in lieu thereof the word "January".

Sec. 5. Amend section forty-nine hundred twenty-four (4924) of the Code, 1927, by striking the word "January" in line ten (10) and substituting in lieu thereof the word "February".

Sec. 6. Amend section forty-nine hundred twenty-nine (4929) by striking the word "January" in line five (5) and substituting in lieu thereof the word "February".

Sec. 7. Amend section forty-nine hundred thirty-one (4931) of the Code, 1927, by striking the word "January" in line one (1) and substituting in lieu thereof the word "February".

Sec. 8. Amend section forty-nine hundred thirty-three (4933) of the Code, 1927, by striking the word "May" as it appears in lines two (2), five

(5), and fourteen (14) and substituting in lieu thereof the word "June" in each of the said lines.

Sec. 9. Amend section forty-nine hundred thirty-six (4936) of the Code, 1927, by striking the word "May" in line two (2) and substituting in lieu thereof the word "June".

The committee amendment was adopted.

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

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

Ayes, 35.

Anderson	Clark of Marion	Irwin	Myers
Bennett	Clearman	Kent	Patterson
Benson	Cole	Kimberly	Stanley
Bissell	Coykendall	Klemme	Stevens
Blackford	Doran	Knudson	Stoddard
Carroll	Gunderson	Leonard	Tabor
Christophel	Hager	Lowe	Wenner
Clark of	Hicklin	McLeland	White
Cerro Gordo	Hill	Moen	Wilson

Nays, none.

Absent or not voting, 15.

Baird	Clark of Linn	Ickis	Rigby
Beatty	Cochrane	Langfitt	Ritchie
Booth	Cooney	MacDonald	Topping
Carden	Frailey	Quirk	

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

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

Senator Stanley moved that the Senate adhere to the bills on the calendar.

Senator Wenner moved to amend the motion as follows: That the Senate adhere to the order of bills on the calendar.

The amendment was adopted.

The motion as amended was adopted.

On motion of Senator Wenner Senate File No. 143, a bill for an act to amend section eleven thousand fifty-five (11055), Code, 1927, relating to the contents of an original notice of suit, with

report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 30.

Anderson	Cole	Kimberly	Myers
Bennett	Coykendall	Klemme	Patterson
Benson	Doran	Knudson	Stanley
Bissell	Gunderson	Leonard	Tabor
Blackford	Hicklin	Lowe	Wenner
Carroll	Hill	McLeland	White
Clark of Marion	Irwin	Moen	Wilson
Clearman	Kent		

Nays, none.

Absent or not voting, 20.

Baird	Clark of	Hager	Rigby
Beatty	Cerro Gordo	Ickis	Ritchie
Booth	Clark of Linn	Langfitt	Stevens
Carden	Cochrane	MacDonald	Stoddard
Christophel	Cooney	Quirk	Topping
	Frailey		

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

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

On motion of Senator Wenner Senate File No. 144, a bill for an act to repeal section five hundred fourteen (514), Code, 1927, and to enact a substitute therefor, relating to the election and term of office of judges of the supreme court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 34.

Anderson	Bissell	Christophel	Clark of Marion
Bennett	Blackford	Clark of	Clearman
Benson	Carroll	Cerro Gordo	Cole

Coykendall	Kent	McLeland	Stoddard
Doran	Kimberly	Moen	Tabor
Gunderson	Klemme	Myers	Wenner
Hicklin	Knudson	Patterson	White
Hill	Leonard	Stanley	Wilson
Irwin	Lowe	Stevens	

Nays, none.

Absent or not voting, 16.

Baird	Clark of Linn	Hager	Quirk
Beatty	Cochrane	Ickis	Rigby
Booth	Cooney	Langfitt	Ritchie
Carden	Frailey	MacDonald	Topping

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

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

On motion of Senator Wenner, House File No. 208, a bill for an act to amend section one hundred fifty-six (156), Code, 1927, relating to the issuance by the Code Editor of annotations to the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 33.

Anderson	Clark of Marion	Irwin	Patterson
Bennett	Clearman	Kent	Stanley
Benson	Cole	Kimberly	Stevens
Bissell	Coykendall	Knudson	Stoddard
Blackford	Doran	Leonard	Tabor
Carroll	Gunderson	Lowe	Wenner
Christophel	Hicklin	McLeland	White
Clark of	Hill	Moen	Wilson
Cerro Gordo		Myers	

Nays, none.

Absent or not voting, 17.

Baird	Cochrane	Ickis	Quirk
Beatty	Cooney	Klemme	Rigby
Booth	Frailey	Langfitt	Ritchie
Carden	Hager	MacDonald	Topping
Clark of Linn			

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

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

On motion of Senator Wenner House File No. 211, a bill for an act to amend section ten thousand three hundred five (10305), Code, 1927, relating to the filing of claims growing out of and relating to public improvements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 31.

Anderson	Clark of Marion		Moen
Bennett	Clearman	Irwin	Myers
Benson	Cole	Kent	Patterson
Bissell	Coykendall	Kimberly	Stanley
Blackford	Doran	Klemme	Stevens
Carroll	Gunderson	Knudson	Tabor
Christophel	Hicklin	Leonard	Wenner
Clark of Cerro Gordo	Hill	McLeland	White

Nays, none.

Absent or not voting, 19.

Baird	Cochrane	Langfitt	Ritchie
Beatty	Cooney	Lowe	Stoddard
Booth	Frailey	MacDonald	Topping
Carden	Hager	Quirk	Wilson
Clark of Linn	Ickis	Rigby	

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

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

On motion of Senator Wenner House File No. 212, a bill for an act to amend sections eighty-two hundred eighty-eight (8288) to eighty-two hundred ninety-four (8294), inclusive, Code, 1927, and to provide the place of imprisonment when convictions are

had under said sections, all relating to offenses involving bills of lading, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 1 the words "each" and "therefrom", and inserting in lieu of the word "therefrom" the words "from each".

The amendment was adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Clark of	Gunderson	McLeland
Bennett	Cerro Gordo	Hicklin	Moen
Benson	Clark of Marion	Hill	Myers
Bissell	Clearman	Kimberly	Patterson
Blackford	Cole	Klemme	Stevens
Carroll	Coykendall	Knudson	Wenner
Christophel	Doran	Lowe	White

Nays, none.

Absent or not voting, 23.

Baird	Cooney	Langfitt	Stanley
Beatty	Frailey	Leonard	Stoddard
Booth	Hager	MacDonald	Tabor
Carden	Ickis	Quirk	Topping
Clark of Linn	Irwin	Rigby	Wilson
Cochrane	Kent	Ritchie	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 142, a bill for an act to amend section thirty-five (35), chapter one hundred (100), acts of the forty-third (43) general assembly, relating to schools and school districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Clark of	Hill	Moen
Bennett	Cerro Gordo	Irwin	Myers
Benson	Clark of Marion	Kent	Patterson
Bissell	Clearman	Kimberly	Stanley
Blackford	Cole	Klemme	Tabor
Carroll	Coykendall	Knudson	Wenner
Christophel	Doran	Lowe	White
	Gunderson	McLeland	
	Hicklin		

Nays, none.

Absent or not voting, 20.

Baird	Cochrane	Langfitt	Ritchie
Beatty	Cooney	Leonard	Stevens
Booth	Frailey	MacDonald	Stoddard
Carden	Hager	Quirk	Topping
Clark of Linn	Ickis	Rigby	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 141, a bill for an act to amend section eleven thousand two hundred ninety-one (11291), Code, 1927, relating to the use, as evidence, of certain records or certified copies thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clearman	Irwin	Myers
Bennett	Cole	Kent	Patterson
Benson	Coykendall	Kimberly	Stanley
Bissell	Doran	Klemme	Stevens
Blackford	Gunderson	Knudson	Tabor
Carroll	Hager	Lowe	Wenner
Christophel	Hicklin	McLeland	White
Clark of Marion	Hill	Moen	

Nays, none.

Absent or not voting, 19.

Baird	Clark of Linn	Langfitt	Ritchie
Beatty	Cochrane	Leonard	Stoddard
Booth	Cooney	MacDonald	Topping
Carden	Frailey	Quirk	Wilson
Clark of Cerro Gordo	Ickis	Rigby	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 139, a bill for an act to repeal sections forty-six hundred eighty-six (4686), and forty-eight hundred forty-three (4843), Code, 1927, and to amend sections forty-five hundred sixty (4560), forty-six hundred seven (4607), forty-six hundred eight (4608), as amended by the forty-third (43rd) general assembly, chapter twenty (20), section sixty-seven (67), forty-six hundred fifty-seven (4657), forty seven hundred fifty-five-b twenty-seven (4755-b27), forty-eight hundred thirty-one-b one (4831-b1), forty-eight hundred forty-two (4842), forty-eight hundred forty-seven (4847), forty-eight hundred sixty-two (4862), fifty-one hundred fifty-one (5151), fifty-five hundred fifty-six (5556), fifty-five hundred eighty-five (5585), Code, 1927, and chapter twenty-two (22), acts of the forty-third (43rd) general assembly, and to repeal sections forty-six hundred twenty-seven (4627), forty-six hundred twenty-eight (4628), forty-six hundred twenty-nine (4629), forty-eight hundred thirty-four (4834), forty-eight hundred thirty-seven (4837), forty-eight hundred thirty-eight (4838), forty-eight hundred forty-five (4845), forty-eight hundred fifty-six (4856), forty-eight hundred fifty-seven (4857), forty-eight hundred fifty-eight (4858), Code, 1927, and to enact substitutes therefor, relating to the establishment, vacation, alteration, change, construction, use, and maintenance of highways and to the funds and donations set apart and expended for highway purposes, to the duties of the state highway commission and other public officers and public employees with reference to highways, to obstructions in and along highways and the removal of such obstructions, and to coordinate and harmonize the law of this state on the subject of highways, with report of

committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Clearman	Hill	Myers
Bennett	Cole	Irwin	Patterson
Benson	Coykendall	Kent	Stanley
Bissell	Doran	Kimberly	Stevens
Blackford	Gunderson	Klemme	Tabor
Carroll	Hager	Lowe	Wenner
Christophel	Hicklin	McLeland	White
Clark of Marion			

Nays, none.

Absent or not voting, 21.

Baird	Clark of Linn	Knudson	Rigby
Beatty	Cochrane	Langfitt	Ritchie
Booth	Cooney	Leonard	Stoddard
Carden	Frailey	MacDonald	Topping
Clark of Cerro Gordo	Ickis	Moen	Wilson
		Quirk	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 138, a bill for an act to amend section ten (10), chapter sixty-six (66), acts of the forty-third (43) general assembly, relating to the investigations, findings, and orders of the state board of eugenics, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Christophel	Clearman	Gunderson
Bennett	Clark of	Cole	Hager
Benson	Cerro Gordo	Coykendall	Hicklin
Blackford	Clark of Marion	Doran	Hill

Irwin	Leonard	Myers	Stoddard
Kent	Lowe	Patterson	Tabor
Kimberly	McLeland	Stanley	Wenner
Klemme	Moen	Stevens	White
Knudson			

Nays, none.

Absent or not voting, 18.

Baird	Carroll	Frailey	Rigby
Beatty	Clark of Linn	Ickis	Ritchie
Bissell	Cochrane	Langfitt	Topping
Booth	Cooney	MacDonald	Wilson
Carden		Quirk	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 136, a bill for an act to amend section one hundred fifty-seven (157), Code, 1927, relative to the legislative recommendations of the code editor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clark of	Irwin	Myers
Bennett	Cerro Gordo	Kent	Patterson
Benson	Clearman	Kimberly	Stanley
Bissell	Coykendall	Klemme	Stevens
Blackford	Doran	Leonard	Stoddard
Carroll	Gunderson	Lowe	Tabor
Christophel	Hager	McLeland	Wenner
	Hicklin	Moen	White
	Hill		

Nays, none.

Absent or not voting, 19.

Baird	Clark of Marion	Ickis	Rigby
Beatty	Cochrane	Knudson	Ritchie
Booth	Cole	Langfitt	Topping
Carden	Cooney	MacDonald	Wilson
Clark of Linn	Frailey	Quirk	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 135, a bill for an act to amend sections twelve thousand eight hundred thirty-seven (12837) and twelve thousand eight hundred forty (12840), Code, 1927, relating to the perfecting of an appeal to the Supreme Court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Wenner moved that the vote by which the bill passed the third reading be reconsidered, which motion prevailed.

Further action was deferred.

On motion of Senator Wenner Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendments and moved their adoption:

Amend section 1, line 9, by striking the word "testimony" and inserting in lieu thereof the word "evidence".

Also amend by striking the word "on" as it appears secondly and inserting in lieu thereof the words "in accordance with".

The amendments were adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Christophel	Coykendall	Kimberly
Bennett	Clark of	Doran	Klemme
Benson	Cerro Gordo	Gunderson	Knudson
Bissell	Clark of Marion	Hill	Leonard
Blackford	Clearman	Irwin	Lowe
Carroll	Cole	Kent	McLeland

Moen
Myers
Patterson

Stanley
Stevens

Stoddard
Tabor

Wenner
White

Nays, 1.

Hager

Absent or not voting, 17.

Baird
Beatty
Booth
Carden
Clark of Linn

Cochrane
Cooney
Frailey
Hicklin

Ickis
Langfitt
MacDonald
Quirk

Rigby
Ritchie
Topping
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 175, a bill for an act to empower the board of trustees of county public hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals, and to this end to amend section fifty-three hundred fifty-nine (5359), code, 1927, relating to such hospitals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson
Bennett
Benson
Bissell
Blackford
Carroll
Christophel
Clark of
Cerro Gordo

Clark of Marion
Clearman
Cole
Coykendall
Doran
Gunderson
Hager
Hicklin

Irwin
Kent
Kimberly
Klemme
Knudson
Leonard
Lowe
McLeland

Moen
Myers
Patterson
Stanley
Tabor
Wenner
White
Wilson

Nays, none.

Absent or not voting, 18.

Baird	Cochrane	Ickis	Ritchie
Beatty	Cooney	Langfitt	Stevens
Booth	Frailey	MacDonald	Stoddard
Carden	Hill	Quirk	Topping
Clark of Linn		Rigby	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin House File No. 102, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the fees received for fishing and hunting licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

By unanimous consent on request of Senator Hicklin, action was deferred and the bill retained its place on the calendar.

On motion of Senator Wilson, House File No. 50, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982) of the code, 1927, relating to connections under water works 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 Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Cole	Kimberly	Patterson
Bennett	Coykendall	Klemme	Stanley
Benson	Gunderson	Knudson	Stevens
Bissell	Hager	Leonard	Stoddard
Blackford	Hicklin	Lowe	Tabor
Christophel	Hill	McLeland	Wenner
Clark of Marion	Irwin	Moen	White
Clearman	Kent	Myers	Wilson

Nays, none.

Absent or not voting, 18.

Baird	Clark of	Doran	Quirk
Beatty	Cerro Gordo	Frailey	Rigby
Booth	Clark of Linn	Ickis	Ritchie
Carden	Cochrane	Langfitt	Topping
Carroll	Cooney	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 94, 57, 106, 234, 156, and 339.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tem of the Senate announced that, as President pro tem of the Senate, he had signed in the presence of the Senate, House Files Nos. 94, 57, 106, 234, 156, and 339.

AMENDMENTS FILED

I amend Senate File No. 277 as follows by adding as Section 2-A thereof:

Section 2-A. It shall be presumed that such serial number, or distinguishing number or identification mark, or portion thereof, was unlawfully removed, altered, defaced, mutilated, concealed, covered or destroyed by said person in violation of the provisions of this act, if it shall appear that said person has had possession or control of any such machine, musical instrument or other goods, wares or merchandise with such serial number or distinguishing number or identification mark, or portion

thereof removed, altered, defaced, mutilated, concealed, covered or destroyed, but such presumption shall not be conclusive.

O. P. MYERS.

MR. PRESIDENT: I move to amend Senate File No. 290 as follows:

1. Strike from line 10 of Section 1 the figures 30 and insert in lieu thereof the word and figures, "sixty (60)".

2. Strike from line 5 of Section 2 the figures 30 and insert in lieu thereof the word and figures, "sixty (60)".

C. A. BENSON.

MR. PRESIDENT: I amend Senate File No. 264 as follows:

1. Amend section one (1) by inserting after the comma (,) in line four (4) the following:

"or owning pipe lines for any such purpose".

2. Strike section two (2) and substitute in lieu thereof the following:

"Pipe line company" insofar as this act is concerned, shall include and mean any person, firm, co-partnership, association, corporation or syndicate engaged in or organized for the purpose of owning pipe lines for the transportation or transmission of gas, gasoline, oils or motor fuels within or through this state, or, for the purpose of engaging in the transportation or transmitting of gas, gasoline, oils or motor fuels in or through pipe lines within or through this state."

3. Amend section three (3) by inserting following the comma (,) in line five (5) the following:

"nor any private property in this state,".

4. Amend section four (4) by inserting before the comma (,) in line five (5) thereof the following:

"located in this state".

5. Insert following section five (5) the following section:

"Sec. 5-a. Before any permit or license is granted under the provisions of this act, the applicant must satisfy the board of railroad commissioners that the applicant has, or will have within a reasonable time, property in this state other than the pipe lines themselves, subject to execution, of a value in excess of fifty thousand dollars (\$50,000.00), or, said applicant must file and maintain with the board a surety bond in the penal sum of fifty thousand dollars (\$50,000.00) with surety approved by the board, conditioned that the applicant will pay any and all damages caused by the applicant."

6. Strike sections seven (7) and ten (10).

7. Amend section nine (9) by striking from line eight (8) thereof the

words "such power" and by substituting in lieu thereof the words "a license".

8. Strike section fourteen (14) and substitute in lieu thereof the following:

"Every pipe line company doing business in the state of Iowa at the time of the taking effect of this act must obtain a license to operate any pipe line or lines from the board of railroad commissioners of this state, and must comply with all of the requirements and regulations prescribed under this act, and make any changes or alterations in construction ordered by the board of railroad commissioners before any such license shall be granted."

9. Strike section fifteen (15) and substitute in lieu thereof the following:

"Any license or franchise granted to any pipe line company as defined herein shall not be construed as granting to any such company a vested right to operate or to do business in this state, or to use any public property for pipe line purposes; and any license or permit issued under this Chapter shall not extend for a longer period than twenty (20) years.

O. P. MYERS.

The Journal of March 20th was corrected and approved.

On motion of Senator Stoddard, the Senate adjourned until 1:15 p. m. Monday, March 23d.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 23, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Ella K. Sours, pastor of the Church of Christ of Iowa Falls.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the day, on account of illness, on request of Senator Hicklin; Senator Wenner for the day, on request of Senator Clark of Marion.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator White, from residents of Chelsea, opposing a state income tax. Tax revision.

By Senator McLeland, from residents of Marshalltown, favoring restriction of motor vehicles. Motor vehicles.

By Senator Coykendall, from Hubert Woodward post of American Legion, opposing optional military training in schools. Educational institutions.

By Senator Doran, from the Lions Club of Ogden and the city council of Ogden, opposing the levy of a sales tax on natural gas carried through pipe lines; from the Christian church of Madrid, favoring requirement of persons convicted of intoxication to disclose source of liquor; and from Boone county board of supervisors, favoring a refund to counties wherein improved county roads have been made a part of the primary road system. Ways and means, crime and suppression of intemperance, and highways.

By Senator Leonard, from the Corning commercial club, favoring the establishment of a two-year state normal school at Tabor. Educational institutions.

By Senator Kent, from residents of Lucas county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clark of Cerro Gordo, from members of the Franklin county fair board, favoring extension of aid to 4-H Club work; and from residents of Garner, favoring the Anderson redistricting plan. Agriculture, and political and judicial districts.

By Senator MacDonald, from the Ida Grove commercial club, opposing the levy of a sales tax on natural gas carried through pipe lines. Ways and means.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 468, a proposed bill to legalize the proceedings of the town of Traer, Iowa, and the town council thereof.

WALTER H. BEAM, *Secretary.*

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 482, a proposed bill to legalize the payment of funds by Johnson county, Iowa, from the court expense fund.

WALTER H. BEAM, *Secretary.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on March 23, 1931, approved the following bills:

Senate File No. 44, relating to psychopathic hospitals.

Senate File No. 73, legalizing the acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa.

INTRODUCTION OF BILLS

Senate File No. 375, by committee on compensation of public officers, a bill for an act to place a maximum upon the compensation or salary to be paid any person employed by the state board of education or any of the institutions under the control of the state board of education.

Read first and second times and placed on the calendar.

Senate File No. 376, by committee on claims, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts.

Read first and second times and referred to committee on appropriations.

Senate File No. 377, by committee on claims, a bill for an act to make an appropriation to Matilda Blaise, executrix of the estate of A. M. Blaise, for balance due for rental on an armory erected and constructed for and leased to Troop E. First Iowa Cavalry, Iowa National Guard.

Read first and second times and referred to committee on appropriations.

Senate File No. 378, by committee on claims, a bill for an act to make an appropriation to the Olson Construction Company for damages due to delay in the performance of a contract for bridge construction.

Read first and second times and referred to committee on appropriations.

Senate File No. 379, by committee on county and township affairs, a bill for an act to create rural street and road lighting districts; to locate rural lines and provide service therefor; and to levy a tax on the taxable property within the district for payment for such service.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House requests the Senate to furnish an engrossed copy of Senate File No. 90 to take the place of the original bill which has been lost.

Also: 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 to authorize the issuance of a patent to certain lands in Clayton County, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 305, a bill for an act relating to the costs and expenses incident to disbarment proceedings.

Also: 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 relating to the use and operation of motor vehicles of this state.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 316, a bill for an act relating to the buying and selling of the skins or hides of fur-bearing animals.

Also: 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 relating to the classification of land within drainage districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 380, a bill for an act relating to the free distribution of codes and session laws.

Also: 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 relating to the management of public utilities in cities acting under special charters.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 338, a bill for an act relating to the legalizing of an act of the Independent School District of Monona, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 424, a bill for an act relating to the subdivision of independent school districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 441, a bill for an act relating to common school libraries.

Also: 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 relating to listing delinquent special assessments.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 453, a bill for an act relating to proclamations for elections.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 429, a bill for an act relating to the sale of lands in actions for partition at private sale.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 392, a bill for an act relating to partition procedure.

Also: 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 relating to the sale of food commodities by weight, or in United States standard containers.

Also: 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 relating to the appointment of administrators of estates.

Also: 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 relating to the meeting of the local board of health.

Also: 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 relating to meetings of the township trustees.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act relating to the arraignment and trial of the defendant and authorizing the waiver of jury trial in criminal actions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 290, a bill for an act relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads.

Also: 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 providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 284, a bill for an act to make provisions of Section Seven (7) of Senate File No. 179 of the Fortieth Extra General Assembly applicable to special charter cities.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 106, a bill for an act relating to the issuance by trust companies of debentures or bonds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 20, a bill for an act relating to tax levy for park purposes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 116, a bill for an act removing from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and public service utilities corporations.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 116

Amend the title so as to read as follows:

An Act to amend the law as it appears in section four (4) of chapter ten (10), of the acts of the Forty-third General Assembly so as to remove from the exemption of the provisions of the Iowa securities law certain securities issued by public service utility corporations.

Strike all of Section One (1) of the bill and substitute the following:

Section 1. That the law as it appears in section four (4) of chapter ten (10) of the acts of the Forty-third General Assembly be, and the same is, hereby amended by striking therefrom all of sub-section d, and by enacting in lieu thereof the following:

"d. Any security issued or guaranteed either as to principal, interest, or dividend by a corporation owning or operating a railroad, provided that such corporation is subject to regulation or supervision as to the issue of its own securities by the Interstate Commerce Commission."

THIRD READING OF BILLS

On motion of Senator Iekis, Senate File No. 51, a bill for an act to amend the law as it appears in section five hundred twenty-two (522), chapter thirty-five (35) of the Code of 1927, relating to the limitation on the number of members of county boards of supervisors and the number of such members to be elected from the same township; and to amend the law as it appears in section fifty-one hundred six (5106), chapter two hundred fifty-three (253), of the Code of 1927, pertaining to the number of members to be elected to the county board of supervisors and limiting the membership to three (3) and providing for the reduction in those counties now having more than three (3) members on the board of supervisors; and to repeal the law as it appears in sections fifty-one hundred seven (5107), fifty-one hundred eight (5108), fifty-one hundred nine (5109), fifty-one hundred ten (5110), fifty-one hundred eleven (5111), fifty-one hundred twelve (5112), fifty-one hundred thirteen (5113), and fifty-one hundred fourteen (5114), of said code, all of which said sections relate to the matter of increasing and reducing of the number of members of the board of supervisors, providing of board of supervisors' districts and how formed, and the redistricting of the county in board of supervisors' districts, was taken up and considered. The report of the committee returning the bill without recommendation was adopted March 20th.

The amendment offered by Senators Iekis and Doran as found on page 819 of the Journal of March 20th was adopted as a substitute for the pending amendment.

Senator Clark of Marion offered the following amendment and moved its adoption:

Strike all after the word "county" in line 2 of Section 2 up to and including the figure "90,000".

Senator Benson offered the following as a substitute for the pending amendment and moved its adoption:

Amend by inserting between the words "more," and "be" in line 4 of

Section 2 the words "who shall"; also insert between the words "and" and "hold" in line 6 of Section 2 the word "shall".

Senator Wilson raised the point of order that as the amendment had already been adopted, the only way to proceed would be by reconsideration of the vote by which it had passed.

The President held that the amendment as adopted struck out all after the enacting clause and is subject to amendment as a new bill.

The substitution was made.

The amendment as substituted was adopted.

The bill was read for information.

Senator Doran moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Benson	Clearman	Hicklin	McLeland
Bissell	Cochrane	Ickis	Myers
Blackford	Cole	Irwin	Stanley
Carden	Coykendall	Kent	Tabor
Christophel	Doran	Klemme	Topping
Clark of	Gunderson	Langfitt	White
Cerro Gordo	Hager	Lowe	Wilson
Clark of Linn			

Nays, 15.

Anderson	Cooney	MacDonald	
Booth	Frailey	Moen	Stevens
Clark of	Hill	Patterson	Stoddard
Marion	Kimberly	Quirk	
	Leonard	Ritchie	

Absent or not voting, 7.

Baird	Bennett	Knudson	Wenner
Beatty	Carroll	Rigby	

The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, was agreed to.

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File No. 354, a bill for an act to authorize the issuance of a patent to certain lands in Clayton county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 305, a bill for an act to amend section ten thousand nine hundred thirty-four-b nine (10934-b9) of the code, 1927, relating to the costs and expenses incident to disbarment proceedings.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 372, a bill for an act to regulate the use and operation of motor vehicles in this state on the public highways thereof by nonresidents of this state; to fix and declare the legal effect of such use and operation; and to prescribe the procedure for serving original notices of suit on nonresidents for damages arising out of the use and operation in this state of such vehicles by nonresidents.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 316, a bill for an act to amend chapter fifty-eight (58), acts of the forty-third (43rd) general assembly, relating to the buying and selling of the skins or hides of fur-bearing animals.

Read first and second times and referred to committee on fish and game.

House File No. 427, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage districts.

Read first and second times and referred to committee on drainage.

House File No. 380, a bill for an act to repeal chapter three (3) acts of the forty-third (43rd) general assembly, and to amend section two hundred thirty-five (235) code, 1927, relating to the free distribution of codes and session laws.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 364, a bill for an act to amend section seven (7), chapter one hundred ninety-two (192), acts of the forty-third (43) general assembly, relating to the management of public utilities in cities acting under special charters.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 338, a bill for an act to legalize a certain deed executed in the name of the independent school district of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said independent school district, on January 12, 1931, conveying to Carl G. Schultz certain real estate situated in the town of Monona, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 424, a bill for an act to amend the law as it appears in section forty-one hundred fifty-two (4152), code of 1927, relating to the subdivision of independent school districts.

Read first and second times and referred to committee on public schools.

House File No. 441, a bill for an act to amend sections forty-three hundred twenty-two (4322) and forty-three hundred twenty-three (4323), code of 1927, relating to common school libraries.

Read first and second times and referred to committee on public schools.

House File No. 268, a bill for an act to amend chapter three hundred forty-six (346) of the code, 1927, relieving the county treasurer from listing delinquent special assessments upon the tax list, as required in section seventy-one hundred ninety-three (7193) of the code, 1927, and to require the county auditor to list the respective special assessments within the respective counties in books known as special assessment tax lists, and to require the treasurer to refer thereto on the respective tax lists each year.

Read first and second times and referred to committee on county and township affairs.

House File No. 453, a bill for an act to amend section five hundred six (506), Code, 1927, relating to proclamations for elections.

Read first and second times and referred to committee on elections.

House File No. 429, a bill for an act to amend Section twelve thousand three hundred and forty-three (12,343) of the code of 1927, relating to the sale of lands in actions for partition at private sale.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 392, a bill for an act to amend chapter five hundred twenty-two (522) of the code, 1927, relating to partition procedure.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 422, a bill for an act to amend section thirty-two hundred thirty-six (3236) of the code, 1927, relating to the sale of food commodities by weight, or in United States standard containers.

Read first and second times and referred to committee on dairy and food.

House File No. 314, a bill for an act to amend section eleven thousand eight hundred eighty-three (11883) code, 1927, relating to the appointment of administrators of estates.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 332, a bill for an act to repeal section twenty-two hundred thirty-three (2233), code of 1927, and to enact a substitute therefor, relating to meetings of the local board of health.

Read first and second times and referred to committee on public health.

House File No. 333, a bill for an act to amend section fifty-five hundred forty-three (5543), code of 1927, relating to meetings of the township trustees.

Read first and second times and referred to committee on county and township affairs.

House File No. 476, a bill for an act to amend chapter six hundred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645) of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 290, a bill for an act to amend the law as it appears in section forty-seven hundred forty-six (4746) of the code, 1927, relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads.

Read first and second times and referred to committee on highways.

REPORTS OF COMMITTEES

Senator Lowe submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File No. 280, a bill for an act to amend Section fifty-two hundred forty-one (5241) Chapter two hundred sixty-two (262) of the Code, 1927 to authorize the giving of either a bond or a liability policy by deputies, begs leave to report it has had the same under consideration and recommends the same do pass.

WESLEY C. LOWE, Chairman.

Ordered passed on file.

Senator Clark of Linn submitted the following report:

MR. PRESIDENT: Your committee on tax revision, to which was referred Senate File No. 117, a bill for an act to amend the law as it appears in section sixty-nine hundred forty-four (6944) of the code of 1927 relative to exemptions from taxation of the shares of capital stock of telegraph and telephone companies, freight line and equipment companies, transmission line companies as defined in section 7089, and express companies, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting after Sec. 2 the following:

“Sec. 3. Section ~~eventy~~ hundred thirty-four (7034) of the code, 1927,

is amended by striking all after the word "business" in line twenty-three (23), and changing the semicolon (;) to a period (.).

"Sec. 4. Section seventy-one hundred (7100) of the code, 1927, is amended by adding after the word "chapter" in line seven (7), the following:

"Provided this section shall not affect the taxation of the capital stock of any company owning any such transmission line".

Further amend said Senate File No. 117 by renumbering the remaining section.

Also amend the title by inserting after the figures "(6944)" the following:

" , section seventy hundred thirty-four (7034) and section seventy-one hundred (7100)".

C. F. CLARK, *Chairman.*

Ordered passed on file.

The Journal of March 21st was corrected and approved.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate on House File No. 2:

E. W. CLARK

L. H. DORAN

ARTHUR LEONARD

LAFE HILL

C. F. CLARK

H. C. WHITE

O. E. GUNDERSON

GEO. W. CHRISTOPEL

F. C. STANLEY

L. T. QUIRK

C. E. ANDERSON

G. W. PATTERSON

WILLIAM CARDEN

FRANK BISSELL

WESLEY C. LOWE

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 40 by inserting in line one of Section 4 immediately after the word "may" the following words, "with the approval of the Board of Supervisors".

Also amend said House File No. 40 by striking all of Section 5 and all of Section 15 and renumbering the other sections accordingly.

O. E. GUNDERSON.

MR. PRESIDENT: I move to amend House File No. 102 as follows:

By adding at the end thereof the following:

"Provided that no County Recorder shall retain more than five hundred (\$500) dollars per year from such fees.

E. R. HICKLIN.

MR. PRESIDENT: We move to amend House File No. 124 as amended by the Senate Fish and Game Committee as follows:

1. Strike the period (.) at the end of Section 1 and insert in lieu thereof a comma (,) and add the following:

"and to consolidate the Department of Fish and Game and the State Board of Conservation under one Commission and to invest such Commission with all the rights, powers and duties now pertaining to both of such departments".

2. Strike all of Sec. 2 and substitute in lieu thereof the following:

"Sec. 2. Commission. Members. Appointment. Term. Qualification. The State Board of Conservation shall hereafter be known as the State Conservation Commission, and its members shall be increased to six (6). The members of said Commission shall be appointed by the Governor and confirmed by the Senate by a two-thirds ($\frac{2}{3}$) majority vote, and the term of office of the said members shall be for four (4) years. No more than three (3) of the members of said Commission shall hereafter be from the same zone as defined in Section 1730 of the Code of 1927, and no more than five (5) of said Commission shall be from the same political party. The members of the present State Board of Conservation shall serve until the expiration of their present term of office. New members of the Commission when appointed shall be citizens of the State and persons having a knowledge of and an interest in conservation. No person appointed as a member of such Commission shall during the term of his office hold any other State or Federal office. In case of death, resignation, removal from office or loss of citizenship, or inability to act on the part of any of said commissioners, the Governor shall appoint a successor who shall be confirmed by the Senate in the same manner as the original appointee."

3. Strike out Sec. 3 and substitute in lieu thereof the following:

"Sec. 3. The members of the State Conservation Commission shall receive as compensation for their services the sum of ten (\$10) dollars per diem, for time actually spent in the discharge of their official duties and in addition thereto shall be re-imbursed for their actual and necessary traveling and hotel expenses while absent from their homes in attendance upon such duties, as delegated and authorized by the Commission; said compensation and expenses to be paid from the State Conservation Commission Fund, and such expenses to be charged against and paid from the respective departments incurring or creating the same."

4. Amend Sec. 4 by striking out of line 9 thereof the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

5. Strike out Sec. 5 and substitute in lieu thereof the following:

"Sec. 5. The Commission shall meet regularly on the first Tuesday of January, April, July and October of each year and at such other times and places as the Commission shall deem necessary. Meetings may be called by the Chairman and shall be called on the request of any two (2) members. Four (4) members of said Commission shall constitute a quorum to transact the business thereof at any meeting. At the first meeting of said Commission after the passage of this act, the Chairman thereof shall divide the duties of said Commission into four (4) departments and shall select and designate as Chairman for each of said departments some member of the Commission. One department shall be devoted to the propagation and protection of game, fur-bearing animals and wild life; one department shall be devoted to the promotion, development and/or control of fish, fisheries, fish hatcheries, fishing and to rescue work and stream pollution; one department shall be devoted to the acquisition, development, control and preservation of state parks, forests and playgrounds; one department shall be devoted to the superintending of wardens to the enforcement of the laws in regard to fish, game and state parks. The Chairman of such departments shall devote so much time as is necessary to the proper discharge of the duties thereof and shall report thereon to the regular or called meeting of the Commission".

6. Amend Sec. 7 by inserting before line 2 the following:

"All of the rights, powers and duties given to the State Board of Conservation in Chapter eighty-seven (87) of the Code of 1927 and the laws amendatory thereto shall be vested in the State Conservation Commission and in addition thereto".

7. Strike out from lines 13 and 14 of Sec. 7 the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

8. Strike out of line 17 of Sec. 7 the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

9. Strike out of line 57 of Sec. 7 the words "Fish and Game" and substitute in lieu thereof the word, "Conservation".

10. Amend Sec. 8 by striking out of line 2 thereof the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

22. Amend Sec. 10 by striking out of lines 16 and 17 the words, "Fish and Game" and substituting in lieu thereof the word, "Conservation".

12. Strike from Sec. 10 line 16 the words, "administrative head" and substituting in lieu thereof the words, "executive officer".

13. Amend Sec. 10 by striking from line 22 thereof the words, "in the interim of its meeting".

14. Strike out Sec. 12 and substitute in lieu thereof the following:

"Sec. 12. The State Conservation Commission shall at the first of each month make a return of all monies received by it, from any source, to the State Treasurer which shall be deposited in a State Conservation Commission Fund. All funds received by the Commission from any source, shall be expended and used for the purpose, and in the department for which said funds were respectively received, and the State Commission shall not be authorized to transfer or use fees or funds from one department under its control to another."

15. Amend Sec. 14 by striking from line 5 the words, "Fish and Game" and substituting in lieu thereof the word, "Conservation".

16. Strike all of sub-section (b) of Sec. 14 after the word, "office" in line 12 thereof.

17. Amend Sec. 15 by striking from lines 1, 2, 3, and 4 thereof the words "State Fish and Game Commission" and insert in lieu thereof in both instances the words, "State Conservation Commission".

E. R. HICKLIN
C. G. COLE
A. V. BLACKFORD
C. L. RIGBY
H. C. WHITE

MR. PRESIDENT: I move to amend House File No. 2 as follows:

By striking out Section 40 thereof and substituting the following in lieu thereof:

"Sec. 40. Sections 7182 and 7183 of the Code of Iowa, 1927 are hereby repealed."

E. R. HICKLIN.

MR. PRESIDENT: I move to amend the substitute amendment filed by the Senate Committee on Tax Revision as a substitute for House File No. 2, as follows:

1. By adding after the word "person" in line eight (8) of subsection three (3) of section two (2) the words "or corporation"; by adding a period (.) after the word "income" in line nine (9) of said subsection and striking the rest of said subsection.

2. By striking all of subsection seventeen (17) of section two (2).

3. By striking the period (.) in line twenty (20) of section six (6) and inserting in lieu thereof a semi-colon (;) and adding the following:

"but when the partner's net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the

net income of the partnership is computed, then his share of the net income of the partnership for any accounting period of such partnership ending within the fiscal or calendar year upon the basis of which such partner's net income is computed."

4. By striking out lines twenty-six (26) and twenty-seven (27) of section seven (7), and inserting in lieu thereof the following:

"e. Any distribution to the taxpayer of the assets of a corporation in partial or complete liquidation thereof shall be treated as a sale of".

5. By adding after the word "corporation" in line sixteen (16) of subsection one (1) of section eight (8) the words "for stock and securities in the corporation"; and by inserting a period (.) after the word "ownership" in line seventeen (17) of said subsection and by striking the rest of said subsection.

6. By striking in line four (4) of subsection one (1) of section ten (10) the following:

"in case of report on an accrual basis";

by inserting a semi-colon (;) after the word "year" in line thirty-nine (39) of subsection eight (8) of section ten (10) and adding the following:

"provided, however, that such deduction shall not exceed the value of such debt on January 1, 1931." and by striking out all between the semi-colon (;) in line eighty-eight (88) and the semi-colon (;) in line ninety-four (94) of section ten (10) and substituting in lieu thereof the following:

"provided, however, that the taxpayer shall not be allowed a credit upon his income tax in excess of the amount of the tax paid by the corporation upon the earnings from which the dividend was paid".

7. By striking all of subsection four (4) of section sixteen (16).

8. By striking from line eleven (11) of section twenty-three (23) the words "or additional tax".

C. F. CLARK.

GEO. W. PATTERSON.

SENATE FILE NO. 90 REDRAFTED

By unanimous consent on request of Senator Benson the Secretary was authorized to redraft Senate File No. 90 as requested by the House.

On motion of Senator Wilson the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 24, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Carrie V. A. Lucas, minister of the Congregational Church of Colwell.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Knudson for the forenoon, on account of illness, on request of Senator Hicklin.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Clark of Cerro Gordo, from residents of Cerro Gordo county, favoring requirement of persons convicted of intoxication to disclose the source of liquor. Crime and suppression of intemperance.

By Senator Ritchie, from residents of Plover, favoring restriction of motor vehicles. Motor vehicles.

By Senator Irwin, from International association of Machinists of Clinton, favoring an old age pension law, a prevailing wage bill, and a change in the workmen's compensation act. Judiciary No. 2 and labor.

By Senator Quirk, from residents of Coon Rapids, favoring requirement of persons convicted of intoxication to disclose the source of liquor. Crime and suppression of intemperance.

COMMUNICATION FROM THE GOVERNOR

Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:

In my first message to the Legislature I called attention to the vital necessity of obtaining in this General Assembly thorough revision of our ancient tax system. In my closing statement on that subject I said,

"In the face of the present exigency, thorough and genuine tax revision is demanded. It is a 'condition and not a theory' confronting us. If I am any judge of the temper of the people nothing less than a thorough revision of the entire tax system will meet with their approval. To fail them now would be plain evasion of our duty. Half-hearted revision is little better than no revision. Let us be sure when we have finished in this session with this great undertaking that wealth and income now escaping are required to make their fair contribution to the cost of government."

There has been no change in conditions or in public sentiment that would justify us if we permit the session to come to a close having failed in our duty in this respect.

Enact legislation here that will lift part of the ever increasing burden of taxation from visible property and you will have accomplished more for the economic welfare of your constituents than can be accomplished in any other way.

We are aware that certain selfish organized interests are using every means at their disposal to defeat the state Income Tax. Their assault does not alter the fact that this is a fair principle of taxation and the responsibility is now on the Senate to co-operate with the House in the passage of an Income Tax bill. There is no merit to the argument that an Income Tax will not become a replacement tax. It will reduce the state levy by the amount collected by way of Income Tax thus reducing the property tax on all property in the state of Iowa.

All the arguments made against the Income Tax resolve into mere obstructive tactics. They come largely from individuals and organizations who are not carrying their share of the tax burden and who seem to conclude that the people will acquiesce in a situation where one-half of the wealth of the state, represented by visible property, pays more than ninety-six per cent of all the taxes. The people have spoken as plainly on this matter of tax revision as they have ever spoken on any question of needed legislation in our state.

Iowa is one of the few states that has no business tax. Therefore, we should have a corporation Income Tax, justly applied to reach the profits of corporations, gained within the borders of our state. The argument that it will discourage manufacturing industry is without merit. Certain lines of business may attempt to escape but business generally does not fear an Income Tax, for the reason that an Income Tax is based on

the principle that no tax is paid unless and until the business is a success and then not in a measure to hurt the business, but only in sufficient amount to permit the corporation to contribute fairly to the cost of government. It is a significant fact, that states having a corporation Income Tax, have more than held their own in the development of manufacturing industries. In the number of men employed in factories and in factory production, the corporation Income Tax states show a percentage of increase, greater than that enjoyed by surrounding states.

I believe the state Income Tax should be applied only to those individuals who are subject to the Federal Income Tax. In this connection if we accept the Federal basis and Federal check it will greatly reduce the cost of administering the law.

I am in favor of exempting the smaller incomes and raising the rate on the higher incomes and provide an Income Tax on corporations. By so doing you will have taken a long step toward fulfilling the expectation of the people in providing a method of reaching wealth that heretofore has escaped taxation.

In formulating the individual Income Tax it has always been my opinion that the exemptions should be substantially higher than those granted in the bill that is under consideration. We must agree that there should be exempted from the Income Tax, wages and earnings needed to maintain the family in necessities and to educate the children. I am opposed to any provision whereby a person not subject to a tax shall be required to make a return.

If we address ourselves earnestly to this problem we can bring about legislation that will be fair to every individual and every interest; that will spread out the tax burden equitably among our people; that will revive hope and bring a measure of justice to the farmers, laborers, home owners, to business, and in fact, to the overwhelming majority of the people of our state.

Respectfully submitted,

DAN W. TURNER, *Governor.*

March 24th, 1931.

INTRODUCTION OF BILLS

Senate File No. 380, by committee on conservation, a bill for an act to repeal the law as it appears in Chapter Sixty-five (65) of the Code of 1927, relating to inspector of passenger boats and to enact a substitute therefor relating to inspection of boats, licensing of pilots and engineers, and regulating the operation of boats on inland Iowa lakes and streams.

Read first and second times and placed on the calendar.

Senate File No. 381, by committee on conservation, a bill for

an act prohibiting the erection, construction or maintenance of certain structures and the carrying on of certain business for commercial gain within two hundred (200) yards of a public entrance to a State Park, declaring same to constitute a nuisance and providing punishment for violations.

Read first and second times and placed on the calendar.

Senate File No. 382, by committee on claims, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company for damages growing out of contracts to build bridges, under the Iowa State Highway Commission.

Read first and second times and referred to committee on appropriations.

Senate File No. 383, by committee on agriculture, a bill for an act to amend the law as it appears in section eighteen hundred twenty-nine (1829) of the code, 1927, relating to partition fences so as to prescribe the portion thereof each owner shall build and maintain.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Leonard submitted the following reports:

MR. PRESIDENT: Your committee on elections, to which was referred Senate File No. 254, a bill for an act to provide for a presidential primary election in this State, and also to provide directions and instructions for delegates to the National Convention of any political party in accordance with the expressed will of the voters of that party at said presidential primary election, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ARTHUR LEONARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections, to which was referred Senate File No. 332, a bill for an act to amend Section five hundred forty-seven (547) of the Code of 1927, relating to the filing of nomination papers by candidates for office in any subdivision of a county, including

the office of party committeeman, begs leave to report it has had the same under consideration and recommends the same do pass.

ARTHUR LEONARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections, to which was referred Senate File No. 338, a bill for an act to repeal section nine hundred thirty-five (935) of the Code of Iowa, 1927, and enact a substitute therefor, and to amend the law as it appears in section nine hundred sixty (960) of the Code of Iowa, 1927, relating to absent voters' ballots, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ARTHUR LEONARD, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 96, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696), code, 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty thousand (50,000) once in two years instead of annually, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 304, a bill for an act to authorize the council of any city or town to enter into the business of acquiring for sale and selling motor fuels, when in the judgment of said council said motor fuels are being sold at an exorbitant price in said city or town, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 239, a bill for an act to amend section sixty-one hundred eighty (6180), Code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned waterworks acquired and operated under and pursuant to Chapter three hundred fourteen

(314), Code, 1927, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from Section 1 the sub-section (a) and inserting in lieu thereof subsection (b) as subsection (a).

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 278, a bill for an act to repeal section fifty-six hundred ninety-nine (5699), code, 1927, relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 335, a bill for an act to amend section five thousand five hundred sixty-six (5566), Code, 1927, relating to cemeteries, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 337, a bill for an act to amend section seven hundred eighteen b twenty (718-b20), Code 1927, as amended by chapter thirty-seven (37), acts of the forty-third general assembly, relating to permanent registration of voters, and certificates of registration, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 415, a bill for an act to amend section fifty-seven hundred twelve (5712), Code, 1927, relating to civil service, begs leave

to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File No. 196, a bill for an act to amend section sixty-six hundred eighty-seven (6687), Code, 1927 relating to special elections to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the Code, 1927, and become a city or town under the general law governing cities and towns, or resume special charter, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Senator Ritchie submitted the following report:

MR. PRESIDENT: Your committee on commerce and trade, to which was referred House File No. 407, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol, begs leave to report it has had the same under consideration and recommends the same do pass.

W. R. RITCHIE, *Chairman*.

Ordered passed on file.

Senator MacDonald submitted the following report:

MR. PRESIDENT: Your committee on labor, to which was referred House File No. 105, a bill for an act to amend section eleven hundred seventy-one-b one (1711-b1) of the Code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b-three (1171-b3) of the Code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements, and to provide a penalty for violation, begs leave to report it has had the same under consideration and recommends the same do pass.

LEW MACDONALD, *Chairman*.

Ordered passed on file.

Senator Ritchie submitted the following report:

MR. PRESIDENT: Your committee on commerce and trade, to which was referred House File No. 377, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regu-

lating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File No. 377 by striking all of section 10 and substituting in lieu thereof the following:

Sec. 10. Pipe lines. No wholesale dealer, retail dealer or other person shall, within this state, use the same pipe line, for transferring motor vehicle fuel from one container to another, as that used for transferring kerosene or other inflammable product used for open flame illuminating or heating purposes.

W. R. RITCHIE, *Chairman.*

Ordered passed on file.

Senator Clark of Linn submitted the following report:

MR. PRESIDENT: Your committee tax revision to which was referred Senate File No. 115, a bill for an act imposing a tax and penalties upon admission fees to public amusements conducted for pecuniary profit; providing means, methods, and regulations for the collection thereof and the accounting therefor, and providing for the apportionment of the taxes so collected among the school districts of the state, and providing penalties for violation of the terms thereof begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section one (1) by striking the words "league or professional baseball" from lines six and seven.

Amend Section two (2) by striking from line 3 thereof the word "twenty" and substituting in lieu thereof the word "thirty-five".

Amend Section five (5) by inserting immediately after the word "card" in line 1 the words "for a sum in excess of thirty-five cents".

Amend Section six (6) by striking in line 3 the words "a monthly" and substituting in lieu thereof "at the end of each month a".

Amend by striking all of Section nine (9) and substituting in lieu thereof the following:

Sec. 9. On or before the first Monday of March of each year the superintendent of public instruction shall certify to the auditor of state the amounts due the several school corporations of the state in the proportion that the total number of teacher units allotted to each school corporation in a manner hereinafter provided bears to the total number of teacher units so allotted to all the school corporations of the state. Whereupon the auditor of state shall apportion the amount on hand to the several school corporations and shall draw a warrant on the treasurer of state payable to each school corporation in the amount to which it is entitled, and forward same to the secretary of said school corporations.

Upon receipt of such funds the secretary of the school corporation shall cause same to be deposited to the general fund of said school corporation.

Amend by striking Section ten (10) and substituting the following:

Sec. 10. Method of Allocation. The number of elementary teacher units which shall be allotted to each school corporation in the state shall be determined by the superintendent of public instruction in the following manner:

A school employing but one teacher for grades one to eight inclusive shall be considered as a teacher unit, regardless of its average daily attendance. In a district having an average daily attendance in grades one to eight inclusive, of forty or less, not to exceed two teachers shall be counted. In a district having an average daily attendance in grades one to eight inclusive, of more than forty, two teachers shall be counted for the first forty of such pupils in average daily attendance, and one teacher for each additional twenty-eight pupils.

The number of high school teacher units which shall be allotted to each school corporation in the state shall be determined by the superintendent of public instruction in the following manner:

In a district having an average daily attendance of less than twenty-five in grades nine to twelve, inclusive, the superintendent of public instruction may use the actual number of teachers employed by such district, not to exceed two. In such a district having an average daily attendance of forty or less in grades nine to twelve inclusive, two teachers shall be counted for the first twenty-five of such pupils in average daily attendance and one teacher for an additional fifteen. In such a district having an average daily attendance of more than forty, three teachers shall be counted for the first forty and one teacher for each additional twenty-three pupils.

Provide that if in any school corporation, the number of teachers actually employed is less than the number of teacher units allotted to that school, the superintendent of public instruction shall use the number actually employed in determining the number of teacher units to be allotted to that school.

Amend by striking Section eleven (11) and substituting the following:

"Sec. 11. Replacement Tax. No school districts shall be eligible for an allotment as herein provided in which the levy for the general fund together with the amount apportioned and received under this act exceeds the amount of such levy and allotment of the previous year; excepting, however, in cases of emergency where for good cause shown upon application to a board composed of the Director of the Budget, the Superintendent of Public Instruction, and the chairman of the Board of Review, such increase may be approved by such board. This act is designed as a replacement tax measure, and the tax hereby imposed is for the purpose of providing revenues in aid of the common schools of the state in such

manner as to relieve the burden of taxation heretofore imposed upon the taxable real estate and tangible personal property of the state.

C. F. CLARK, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Clark of Marion, Senate File No. 206, a bill for an act to amend section ninety-four hundred four (9404) and section ninety-four hundred five (9405) of the code 1927, relating to and providing the rate of interest on contracts and judgments, with report of committee recommending indefinite postponement was taken up and considered.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 16.

Benson	Clark of	Ickis	Quirk
Bissell	Cerro Gordo	Irwin	Stanley
Blackford	Cole	Lowe	Topping
Carden	Gunderson	MacDonald	Wilson
	Hager		

Nays, 25.

Anderson	Cooney	Klemme	Patterson
Baird	Coykendall	Langfitt	Ritchie
Beatty	Doran	Leonard	Stoddard
Christophel	Hill	McLeland	Tabor
Clark of Marion	Kent	Moen	Wenner
Clearman	Kimberly	Myers	White
Cochrane			

Absent or not voting, 9.

Bennett	Clark of Linn	Hicklin	Rigby
Booth	Frailey	Knudson	Stevens
Carroll			

The report of the committee was rejected and the bill was placed on the calendar.

On motion of Senator Benson Senate File No. 275, a bill for an act to provide a school of instruction for county officers and their deputies and employees, on call of the auditor of state, and to provide for the payment of the resulting expense, and to repeal

section fifty-two hundred sixty (5260), Code, 1927, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

On motion of Senator Anderson Senate File No. 229, a bill for an act to amend the law in section one (1) chapter twenty-seven (27) of the acts of the forty-third (43) General Assembly, relating to the members of the Highway Commission, with report of committee recommending indefinite postponement, was taken up and considered.

Roll call was demanded.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 23.

Baird	Clark of Marion	Frailey	Stevens
Beatty	Clearman	Hager	Stoddard
Benson	Cochrane	Ickis	Topping
Blackford	Cole	Irwin	White
Booth	Cooney	Kimberly	Wilson
Clark of Cerro Gordo	Coykendall	Lowe	

Nays, 22.

Anderson	Gunderson	Leonard	Quirk
Bissell	Hill	MacDonald	Ritchie
Carden	Kent	McLeland	Stanley
Christophel	Klemme	Moen	Tabor
Clark of Linn	Langfitt	Myers	Wenner
Doran		Patterson	

Absent or not voting, 5.

Bennett	Hicklin	Knudson	Rigby
Carroll			

The report was adopted and the bill indefinitely postponed.

On motion of Senator Myers Senate File No. 263, a bill for an act to repeal the law as it appears in sections sixty-nine hundred eighty-eight (6988), sixty-nine hundred eighty-nine (6989), and sixty-nine hundred ninety-three (6993), of the Code of Iowa, 1927, relating to deductions of debts in listing and assessment of money or credits, with report of committee recommending indefinite postponement, was taken up and considered.

Roll call was demanded.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 35.

Baird	Clark of Marion	Ickis	Quirk
Benson	Clearman	Irwin	Rigby
Bissell	Cochrane	Kent	Stanley
Blackford	Cole	Kimberly	Stevens
Carden	Cooney	Klemme	Stoddard
Christophel	Coykendall	Langfitt	Topping
Clark of	Gunderson	Lowe	Wenner
Cerro Gordo	Hager	MacDonald	White
Clark of Linn	Hill	Patterson	Wilson

Nays, 7.

Anderson	McLeland	Myers	Tabor
Doran	Moen	Ritchie	

Absent or not voting, 8.

Beatty	Booth	Frailey	Knudson
Bennett	Carroll	Hicklin	Leonard

The report was adopted and the bill indefinitely postponed.

On motion of Senator Anderson Senate File No. 226, a bill for an act to amend section one (1) chapter one (1) of the Acts of the forty-third (43) General Assembly, relating to the expenses of the members of the General Assembly, with report of committee recommending indefinite postponement, was taken up and considered.

Senator MacDonald moved to re-refer the bill to the committee on compensation of public officers.

Roll call was demanded.

On the question "Shall the bill be re-referred?" the vote was:

Ayes, 21.

Baird	Clearman	Klemme	Stanley
Benson	Cooney	MacDonald	Tabor
Blackford	Doran	Patterson	Topping
Booth	Gunderson	Quirk	Wenner
Carden	Kimberly	Ritchie	Wilson
Christophel			

Nays, 24.

Anderson	Cochrane	Ickis	McLeland
Beatty	Cole	Irwin	Moen
Bissell	Coykendall	Kent	Myers
Clark of	Frailey	Langfitt	Rigby
Cerro Gordo	Hager	Leonard	Stevens
Clark of Linn	Hill	Lowe	Stoddard
Clark of Marion			

Absent or not voting, 5.

Bennett Carroll	Hicklin	Knudson	White
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The motion to re-refer was lost.

Roll call was demanded on the adoption of the committee report.

Rule 8 was invoked.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 29.

Baird	Cochrane	Ickis	Rigby
Blackford	Cole	Irwin	Stanley
Booth	Cooney	Kent	Tabor
Carden	Frailey	Kimberly	Topping
Christophel	Gunderson	Klemme	Wenner
Clark of Linn	Hager	McLeland	White
Clark of Marion	Hicklin	Quirk	Wilson
Clearman			

Nays, 18.

Anderson	Clark of	Langfitt	Myers
Beatty	Cerro Gordo	Leonard	Patterson
Benson	Coykendall	Lowe	Ritchie
Bissell	Doran	MacDonald	Stevens
	Hill	Moen	Stoddard

Absent or not voting, 3.

Bennett	Carroll	Knudson
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The report was adopted and the bill indefinitely postponed.

By unanimous consent on request of Senator Doran action on Senate File No. 328, reported out for indefinite postponement, was deferred.

On motion of Senator Coykendall House File No. 101, a bill for an act to repeal section thirteen thousand eight hundred and forty-two (13842) of the code, 1927, relating to the trial of defendants jointly indicted, and to enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up and considered.

The report was adopted and the bill indefinitely postponed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 237, 98, 175, 208, 211 and Senate Files Nos. 20, 106, 211, and 284.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 237, 98, 175, 208 and 211.

SENATE FILE NO. 212 WITHDRAWN

By unanimous consent on request of Senator Stevens, Senate File No. 212, relating to heating plants, was withdrawn from further consideration.

THIRD READING OF BILLS

By unanimous consent on request of Senator Irwin, House File No. 105, a bill for an act to repeal section eleven hundred seventy-one-b three (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements, and to provide a penalty for violation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved to defer action until tomorrow morning, which motion prevailed.

On motion of Senator Baird, Senate File No. 233, a bill for an act to amend the law as it appears in section fifty-two hundred twenty-five (5225) Code, 1927, relating to compensation of county officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Cooney	Kimberly	Rigby
Benson	Coykendall	Klemme	Ritchie
Bissell	Doran	Langfitt	Stanley
Blackford	Frailey	Leonard	Stevens
Carden	Gunderson	Lowe	Stoddard
Christophel	Hager	MacDonald	Tabor
Clark of Marion	Hicklin	McLeland	Topping
Clearman	Hill	Moen	Wenner
Cochrane	Irwin	Myers	White
Cole	Kent	Quirk	Wilson

Nays, none.

Absent or not voting, 10.

Anderson	Booth	Clark of	Ickis
Beatty	Carroll	Cerro Gordo	Knudson
Bennett		Clark of Linn	Patterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner, House File No. 210, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Christophel	Cole	Hicklin
Baird	Clark of	Cooney	Hill
Benson	Cerro Gordo	Coykendall	Ickis
Bissell	Clark of Linn	Doran	Irwin
Blackford	Clark of Marion	Frailey	Kent
Booth	Clearman	Gunderson	Kimberly
Carden	Cochrane	Hager	Klemme

Langfitt
Lowe
MacDonald
McLeland
Moen

Myers
Patterson
Quirk
Rigby

Ritchie
Stanley
Stevens
Stoddard

Tabor
Topping
Wenner
White

Nays, none.

Absent or not voting, 6.

Beatty
Bennett

Carroll

Knudson
Leonard

Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

There being a call of the Senate on House File No. 2, the roll call revealed the presence of all Senators except Senators Bennett and Knudson. Senator Knudson was previously excused.

By unanimous consent on request of Senator Clark of Linn, consideration of the bill continued until Senator Bennett appeared, but final action and vote on the bill was to be deferred until his appearance.

Senator Hicklin moved that action be deferred until definite action had been taken upon the county assessor's bill in the House.

Roll call was demanded.

On the question "Shall the motion prevail?" the vote was:

Ayes, 2.

Hicklin

Ickis

Nays, 42.

Anderson
Baird
Benson
Bissell
Blackford
Booth
Carden
Carroll
Christophel
Clark of
Cerro Gordo

Clark of Linn
Clearman
Cochrane
Cole
Coykendall
Doran
Frailey
Gunderson
Hager
Hill
Irwin

Kent
Kimberly
Klemme
Langfitt
Leonard
Lowe
MacDonald
McLeland
Moen
Myers
Patterson

Quirk
Rigby
Ritchie
Stanley
Stevens
Stoddard
Tabor
Topping
Wenner
White

Absent or not voting, 6.

Beatty
Bennett

Clark of Marion
Cooney
Knudson

Wilson

The motion was lost.

The President announced all amendments that have been offered, whether to the original bill, the bill as passed by the House, or to the substitution proposed, may be refiled if the substitution is adopted and that amendments may afterward be offered to the substitute if it is adopted.

On motion of Senator Clark of Linn, House File No. 2, a bill for an act providing for property tax relief by the levying, imposing, collecting, and paying of taxes on incomes; providing for rules and regulations for the enforcement thereof, and prescribing penalties for the violations thereof; and making an appropriation for carrying out the provisions of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Clark of Linn offered the following amendment as a substitute for the committee amendments:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Short Title. This act shall be known and cited as the "property tax relief act of 1931".

Sec. 2. Definitions. For the purpose of this act and unless otherwise required by the context:

1. The word "board" or "state board" means the state board of assessment and review.

2. The word "taxpayer" includes any individual, corporation or fiduciary whose income is in whole or in part subject to the tax imposed by this act.

3. "Taxable income" means, so far as a person is concerned, all net income after the exemptions allowed by this act have been deducted. "Taxable income" so far as a corporation is concerned means all net income.

4. The word "person" includes individuals, fiduciaries and partnerships.

5. The word "corporation" includes joint stock companies, limited partnerships, and associations organized for pecuniary profit.

6. The words "domestic corporation" mean any corporation organized under the laws of this state.

7. The words "foreign corporation" mean any corporation other than a domestic corporation.

8. The words "income year" mean the calendar year or the fiscal year upon the basis of which the net income is computed under this act; if no fiscal year has been established they mean the calendar year.

9. The words "tax year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this act.

10. The words "fiscal year" mean an accounting period of twelve months, ending on the last day of any month other than December.

11. The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual, or corporate, acting in any fiduciary capacity for any person, trust or estate.

12. The word "paid", for the purposes of the deductions under this act, means "paid or accrued" or "paid or incurred", and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act. The term "received", for the purpose of the computation of net income under this act, means "received or accrued", and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

13. The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act upon or with reference to the income of any tax year, any individual domiciled in the state of Iowa, and any other individual who maintains a permanent place of abode within the state, and spends in the aggregate more than six months of the tax year within the state.

14. The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States", when used in a geographical sense, includes the states, the territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

15. The word "individual" means a natural person.

16. The word "dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation.

17. The words "information agent" include all individuals, corporations, associations and partnerships, in whatever capacity acting, including lessees, or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the state, or of any municipal corporation or political subdivision of the state, having the control, receipt, custody, disposal or payment of interest, dividends, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and incomes taxable under this act.

IMPOSITION OF TAX

Sec. 3. Individuals. 1. A tax is hereby imposed upon every resident of the state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

(a) On the first two thousand dollars of taxable income, or any part thereof, one per cent (1%).

(b) On the third and fourth thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the fifth and sixth thousand dollars of taxable income or any part thereof, three per cent (3%).

(d) On the seventh and eighth thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On all taxable income in excess of eight thousand dollars, five per cent (5%). Such tax shall first be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931; provided, however, that every single person, a resident of the state, having a net income of more than twelve hundred dollars a year plus three hundred dollars for each dependent, and every married person, a resident of the state having a net income of more than twenty-four hundred dollars a year, plus three hundred dollars for each dependent, shall pay a tax of not less than three dollars.

2. Corporations. A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to two per cent of the net income as herein defined, received by such corporation during the income year.

(a) Allocation and Apportionment of Net Income. If the trade or business of the corporation is carried on entirely within the state, the tax shall be imposed on the entire net income, but if such trade or business is carried on partly within and partly without the state, the tax shall be imposed only on the portion of the net income reasonably attributable to the trade or business within the state, said net income attributable to the State of Iowa to be determined as follows:

(1) Interest, dividends, rents and royalties (less related expenses) received in connection with business in the state, shall be allocated to the state and where received in connection with business outside the state, shall be allocated outside of the state.

(2) Gains from the sale of capital assets or property held, owned or used in connection with the trade or business of the taxpayer, but not for sale in the regular course of business, shall be allocated to the state, if the property sold is real or tangible personal property situated in the state; otherwise, such gains shall be allocated outside of the state. Gains from the sale of intangible property shall be allocated upon the basis hereinafter provided for the allocation of net income.

(3) Net income of the above classes having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from business other than the manufacture and sale of tangible personal property, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the board.

Where income is derived from the manufacture or sale of tangible personal property, the portion thereof attributable to business within

the state shall be taken to be such percentage of the total of such income as (1) wages and salaries and (2) gross sales within the state, bears to the total wages and salaries and total gross sales, the percentages of wages and salaries and of gross sales being separately determined as hereinafter provided, and the two percentages averaged.

Wages and salaries shall be measured by the wages, salaries, or other compensation paid to officers, agents, and/or employees in the regular course of business.

The gross sales of the corporation within the state shall be taken to be the gross sales from goods sold and delivered within the state, excluding deliveries to a common carrier for transportation out of the state.

For the purpose of this section, the word "sale" shall include exchange and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing.

(b) Allocation in Special Cases. If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed as administered by the board and applied to his business has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to business or sources within the state, he shall be entitled to file with the board a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the board may reasonably prescribe; and if the board shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable, it shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment.

(c) The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares and merchandise, and shall not be taken to mean money deposits in banks, shares of stock, bonds, notes, credits, or evidence of an interest in property and evidences of debt.

3. Taxable year. The tax imposed by this act shall be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931 and annually thereafter.

4. Exemptions. The following organizations and corporations shall be exempt from taxation under this act:

(a) All state, national, cooperative and savings banks, title insurance and trust companies, building and loan associations, insurance companies and/or insurance associations, railway companies, equipment car companies and pullman car companies, now or hereafter organized and incorporated by or under the laws of this state or lawfully operating in the state of Iowa.

(b) Fraternal beneficiary associations.

(c) All domestic companies described in sections 6994-6995 of the code, 1927, engaged in the business of loaning money to deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans.

(d) Cemetery corporations and corporations organized for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(e) Business leagues, chambers of commerce, or boards of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(f) Civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(g) Clubs organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

(h) Farmers' associations and fruit growers' associations, or like organizations organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them.

5. The tax imposed by this act shall apply to and become a charge against estates or trusts, which tax shall be levied, collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust, including:

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate.

(b) Income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interest.

(c) Income held for future distribution under the terms of the will or trust.

(d) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed, as the court may direct.

(e) Income of an estate during the period of administration or settlement permitted by subdivision seven (7), to be deducted from the net income upon which the tax is to be paid by the fiduciary.

(f) The net income received during the year by deceased individuals who have died on or after the date a return was due to be filed without having made a return.

6. The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts, whether such income be taxable to the estate or trust or to the beneficiaries thereof. The net income of an estate or trust shall be computed in the same manner and on the same basis as provided in this act for individual taxpayers, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is, during the taxable year, paid to or permanently set aside for the United States, any state, territory, or any political subdivision thereof, of the District of Columbia, or any corporation or association organized and

operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and, in cases under paragraphs (d) and (e) of subdivision five (5) of this section, the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made.

7. In cases under paragraphs (a), (b) and (c) of subdivision five (5) of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir or other beneficiary. In cases under (a), (b) and (c) the estate or trust shall be allowed the same exemptions as are allowed to single persons under section twelve (12), and in cases under paragraph (f) the same exemption as would be allowed the deceased, if living.

8. In cases under paragraphs (d) and (e) of sub-division five (5) of this section, if the distribution of income is in the discretion of the fiduciary, either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled, the tax shall be imposed upon the estate or trust in the manner provided in subdivision seven (7) of this section, but without the deduction of any amounts of income paid or credited to any such beneficiary. In all other cases under paragraphs (d) and (e) of subdivision five (5) of this section, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not, of the net income of the estate or trust for the taxable year, or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the net income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed.

9. A trust created by an employer as a part of a **stock bonus, pension, or profit-sharing plan** for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount contributed to such fund by the employer and all earnings of such fund shall be taxed to the distributee in the year in which distributed or made available to him.

COMPUTATION OF TAX.

Sec. 4. Net income defined. The term "net income" means the gross income of the taxpayer less the deductions allowed by this act.

Sec. 5. Gross income defined. 1. The term "gross income" includes gains, profits and incomes derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from progressions, vocations, trades, business, commerce or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit; or gains or profits, and income derived from any source whatever and in whatever form paid. The amount of all such items shall be included in the gross income of the tax year in which received by the taxpayer, unless, under the methods of accounting permitted under this act, any such amounts are to be properly accounted for as of a different period.

2. The term "gross income" does not include the following items, which shall be exempted from taxation under this act:

(a) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);

(b) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under a life insurance, endowment, or annuity contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (a) of this paragraph:

(c) The value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included in gross income).

(d) Interest upon the obligations of the United States or its possessions, agencies, or instrumentalities, which is or shall be exempt from state taxation by federal law.

(e) Salaries, wages and other compensation received from the United States by officials or employees thereof which are or shall be exempt from state taxation by federal law.

(f) Any amounts received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness, plus the amount of damages received, whether by suit or agreement, on account of such injuries or sickness.

(g) Stock dividends of a corporation distributed to its own stockholders.

Sec. 6. Basis of return of net income. 1. Taxpayers, who customarily determine their income on a basis other than that of actual cash receipts and disbursements, may, with the approval of the board return their net income under this act upon a similar basis. Taxpayers who cus-

tomarily determine their income on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the board, and subject to such rules and regulations as it may establish, return their net income under this act on the basis of such fiscal year, in lieu of that of the calendar year.

2. A taxpayer may, with the approval of the state board, and under such regulations as it may prescribe, change his income year from the fiscal year to the calendar year or otherwise, in which case his net income shall be computed upon the basis of such new tax year.

3. An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income his share of the net income of the partnership during the income year.

4. Every individual, taxable under this act, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year. Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fiduciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

Sec. 7. Determination of gain or loss. 1. For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal or mixed, the basis shall be, in case of property acquired on or after January 1, 1931, the cost thereof, or the inventory value, if the inventory is made in accordance with this act.

2. In case of property acquired prior to January 1, 1931, and disposed of thereafter:

(a) No profit shall be deemed to have been derived if either the cost or the fair market price or value on January 1, 1931, exceeds the value realized.

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January 1, 1931, is less than the value realized.

(c) Where both the cost and the fair market price or value on January 1, 1931, are less than the value realized, the basis for computing profit shall be the cost or the fair market price or value on January 1, 1931, whichever is higher.

(d) Where both the cost and the fair market price or value on January 1, 1931, are in excess of the value realized, the basis for computing loss shall be the cost or the fair market price or value on January 1, 1931, whichever is lower.

(e) Any partial or final distribution to the taxpayer of the assets of a corporation shall be treated as a sale of the stock or securities of the corporation owned by him and the gain or loss shall be computed accordingly.

Sec. 8. Exchange of property. 1. When property is exchanged for other property having a readily ascertainable market value, the property

received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value, if any, but even if property received in exchange has a readily ascertainable market value, no gain or loss shall be recognized (1) when in the reorganization, recapitalization, or other change in identity, form, or place of organization, however affected, consolidation or merger of one or more corporations a taxpayer receives in place of any stock, or securities owned by him, stock or securities in a corporation a party to or resulting from such reorganization, consolidation or merger, or (2) when a taxpayer or taxpayers transfer any property, real, personal or mixed, to a corporation and immediately after the transfer is or are in control of such corporation by stock ownership acquired by the transfer of such property for stock of the corporation.

2. When property is exchanged for other property and no gain or loss is recognized, the property received shall be treated as taking the place of the property exchanged therefor.

3. Installment Basis.

a. Dealers in personal property. Under regulations prescribed by the board, any person or corporation who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

b. Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may, under regulations prescribed by the board, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

c. Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded; provided, however, no tax shall be imposed on any income accrued from sales made prior to January 1, 1931.

d. Gain or loss upon disposition of installment obligations. If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange

—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Sec. 9. Inventory. Whenever, in the opinion of the board, the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the board may prescribe, conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income.

Sec. 10. Deductions. In computing net income there shall be allowed as deductions:

1. All the ordinary and necessary expenses, paid or incurred in case of report on an accrual basis during the tax year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal service actually rendered, traveling expenses while away from home in pursuit of trade or business, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

2. All interest paid or accrued during the tax year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities, the interest on which is exempt from taxation under this act.

3. Taxes paid or accrued within the income year, imposed by the authority of the United States or of any of its possessions or of any state, territory or the District of Columbia or of any foreign country; except inheritance taxes, Federal estate taxes or estate taxes of this or any other state, and except income taxes imposed by this act and taxes assessed for local benefits, of a kind tending to increase the value of the property assessed.

4. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in trade or business.

5. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business.

6. Losses sustained during the tax year of property not connected with the trade or business, if arising from fires, storm, shipwreck or other casualty, or from theft and not compensated for by insurance or otherwise.

7. Losses deducted under the foregoing paragraphs four, five, and six shall be ascertained and computed upon the same basis as provided in section seven of this act.

8. Debts ascertained to be worthless and charged off within the tax year if the amount has previously been included in gross income in a return under this act.

9. A reasonable allowance for the depreciation, exhaustion, wear and

tear and obsolescence of property used in the trade or business, and in the case of mines or other natural deposits and timber, a reasonable allowance for depletion; provided, that in computing the deductions allowed under this paragraph the basis shall be the cost (including in the case of mines and other natural deposits, the cost of development, not otherwise deducted), and in case of property acquired prior to January 1, 1931, the fair market value of the property on that date shall be taken in lieu of cost up to that date. The reasonable allowance under this paragraph shall be made under rules and regulations to be prescribed by the board. In the case of leases the deductions allowed may be equitably apportioned between the lessor and the lessee.

10. Contributions made within the taxable year to or for the use of:

(a) The United States, any state, territory or political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(b) Any corporation or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

(c) The special fund for vocational rehabilitation authorized by section seven of the vocational rehabilitation act;

(d) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations;

(e) Fraternal societies operating under the lodge system, if such contributions are to be used exclusively for religious, charitable or educational purposes. This deduction is limited to an amount which, in all of the above cases combined, does not exceed fifteen per cent (15%) of the taxpayer's net income, computed without the benefit of such deductions.

11. If for any taxable year beginning after December 31, 1930, it appears on the production of evidence satisfactory to the board that any taxpayer has sustained a net loss, the amount thereof shall be deducted from the net income of the taxpayer for the succeeding year; and if such net loss is in excess of the net income for such succeeding tax year, the amount of such excess shall be used as a reduction in computing the net income for the next two succeeding tax years, the deduction in all cases to be made under regulations prescribed by the board.

12. Dividends received within the year from stock in any corporation, the income of which shall have been assessed, and the tax on such income paid by the corporation under the provisions of this act; provided, that when only part of the income of any corporation shall have been assessed and income tax paid under this act only a corresponding part of the dividends received therefrom shall be deducted; provided, further that such deduction shall not exceed the amount of the income tax paid by such corporation under the provisions of this act upon the income represented by such dividends; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each person during the year.

Sec. 11. Items not deductible. In computing net income no deductions shall in any case be allowed in respect to the following:

1. Personal, living or family expenses.

2. Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate.

3. Any amount expended in restoring property or in making good the exhaustion thereof, for which an allowance is or has been made.

4. Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

Sec. 12. Exemptions. 1. There shall be deducted from the tax after the same shall have been computed as set forth in this act a personal exemption for individuals as follows:

(a) For an individual, twelve dollars.

(b) For husband and wife or head of a family, twenty-four dollars.

For the purposes of this chapter, the term "head of a family" means an individual who maintained a household and supported therein himself and one or more persons who were dependent upon him for support.

(c) For each child under the age of eighteen years who is actually supported by and dependent upon the taxpayer for his support, an additional three dollars.

(d) The personal exemptions provided by this section shall be determined by the personal status of a taxpayer on the last day of the tax year.

RETURNS.

Sec. 13. Individual returns. 1. Every individual having a net income for the tax year from sources taxable under this act of twelve hundred dollars or over, if single, or if married and not living with husband or wife; or having a net income for the tax year of twenty-four hundred dollars or over if married and living with husband or wife; and every partnership doing business in this state shall make a return under oath, stating specifically the items of gross income and the deductions and exemptions allowed by this act.

2. If husband and wife living together have an aggregate net income of twenty-four hundred dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

3. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

4. Provided, also, that every individual having a gross income of four thousand dollars a year or over, shall file a return.

Sec. 14. Fiduciary returns. 1. Every fiduciary subject to taxation under the provisions of this act, as provided in section three (3) hereof, shall make a return under oath for the individual, estate or trust for whom or for which he acts, if the net amount thereof amounts to one thousand dollars or more or the gross amount thereof amounts to two thousand dollars or more.

2. The return made by a fiduciary shall state specifically the items of gross income, and the deductions and exemptions allowed by this act and such other facts as the board may prescribe. Under such regulations

as the board may prescribe, a return may be made by one of two or more joint fiduciaries.

3. Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

Sec. 15. Corporation returns. 1. The return by a corporation shall be sworn to by the president, vice-president, or other principal officer and by the treasurer or assistant treasurer. Before a corporation shall be dissolved and its assets distributed it shall make a return for and settlement of the tax for any income earned in the income year up to its final date of dissolution.

2. When any corporation, liable to taxation under this act, conducts its business in such a manner as either directly or indirectly to benefit the members or stockholders thereof or any person interested in such business by selling its products or the goods or commodities in which it deals at less than the fair price which might be obtained therefor, or where a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires and disposes of the products, goods or commodities of the corporation so owning a substantial portion of its stock in such a manner as to create a loss or improper net income for either of said corporations, or where a corporation, owning directly or indirectly a substantial portion of the stock of another corporation, acquires and disposes of the products, goods or commodities, of the corporation of which it so owns a substantial portion of the stock, in such a manner as to create a loss or improper net income for either of said corporations, the board may determine the amount of taxable income of either or any of such corporations for the calendar or fiscal year, having due regard to the reasonable profits which, but for such arrangement or understanding, might or could have been obtained, by the corporation or corporations liable to taxation under this act, from dealing in such products, goods or commodities.

3. Where the state board has reason to believe that any person or corporation so conducts his trade or business as either directly or indirectly to distort his true net income and the net income properly attributable to the state, whether by the arbitrary shifting of income, through price fixing, charges for services, or otherwise, whereby the net income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on business under a substantially common control, it may require such facts as it deems necessary for the proper computation of the entire net income and the net income properly attributable to the state, and in determining the same the board shall have regard to the fair profits which would normally arise from the conduct of the trade or business.

Sec. 16. Consolidated Returns. 1. Any corporation capable of exercising directly or indirectly substantially the entire control of the business of another corporation doing business in the United States either by ownership or control of substantially the entire capital stock of such other corporation or otherwise may, under regulations to be prescribed by the board, be permitted, and upon demand of the board shall be required, to make a consolidated return, showing the consolidated net

income of all such corporations, and such other information as the board may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned.

2. The board may permit or require the filing of a consolidated return where substantially the entire control of two or more such corporations liable to taxation under this act is exercised by the same interests. Any corporation liable to report under this act and owned or controlled, either directly or indirectly, by another corporation, may be required to make a consolidated report showing the combined net income, such assets of the corporation as are required for the purposes of this act, and such other information as the board may require.

3. In case it shall appear to the board that any arrangement exists in such a manner as to improperly reflect the business done, the segregable assets or the entire net income earned from business done in the state, the board is authorized and empowered, in such manner and under such rules and regulations as it may determine, to equitably adjust the tax.

4. When any corporation required to make a return under this act conducts the business whether under arrangement or otherwise, in such manner as either directly or indirectly to benefit the members or stockholders of the corporation, or any of them, or any person or persons directly or indirectly interested in such business, by selling its products, or the goods or commodities in which it deals, at less than a fair price which might be obtained therefrom, or where such a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires or disposes of the products of the corporation so owning the substantial portion of its capital stock in such manner as to create a loss or improper net income, the board may require such facts as it deems necessary for the proper computation provided by this act, and may for the purpose of the act determine the amount which shall be deemed to be the entire net income of the business of such corporation for the calendar or fiscal year, and in determining such entire net income the board shall have regard to the fair profits which, but for any agreement, arrangement or understanding, might be or could have been obtained from dealing in such products, goods or commodities.

Sec. 17. Information at source. 1. Every person or corporation being a resident of or having a place of business in this state, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or of any political subdivision of the state, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the state board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

2. Every partnership, having a place of business in the state, shall make

a return, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

3. Every fiduciary shall make, under oath, a return for the individual, estate, or trust for whom or for which he acts, and shall set forth in such return the items of the gross income, the deductions allowed by this act, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one of two or more joint fiduciaries.

Sec. 18. Time and place of filing returns. Returns shall be in such form as the board may, from time to time, prescribe, and shall be filed with the board within ninety days after the expiration of the tax year. In case of sickness, absence or other disability, or whenever, in its judgment, good cause exists, the board may allow further time for filing returns. There shall be annexed to the return the affidavit or affirmation of the taxpayer making the return to the effect that the statements contained therein are true. The board shall cause to be prepared blank forms for said returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return herein required.

Sec. 19. Failure to file returns; supplemental returns. If the board shall be of the opinion that any person or corporation required under this act to file a return has failed to file such a return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this act whether or not the board required a return or a supplementary return under this section.

Sec. 20. Return by administrator or executor. 1. The return by an individual, who, while living, was subject to income tax in the state during the tax year, and who has died before making the return, shall be made in his name and behalf by the administrator or executor of the estate and the tax shall be levied upon and collected from his estate.

Sec. 21. Change of tax year. If a taxpayer, with the approval of the board, changes the tax year on the basis of which his net income is computed, he shall, at such time and in such manner as the board may prescribe, make a separate return of his net income received during

the period intervening between the end of his former income year and the beginning of his new income year.

COLLECTION AND ENFORCEMENT OF TAXES.

Sec. 22. Time and place of payment. 1. The tax may be paid in two installments, each consisting of one-half of the total amount of the tax. The first installment shall be remitted with the return and the second installment shall be paid on or before six months after the date fixed for filing the return; provided, however, that in case the total amount of the tax shall be ten dollars or less, then, and in that case, the whole amount of the tax shall be paid at the time of filing the return.

2. When, at the request of the taxpayer, the time for filing the return is extended, interest at the rate of six per cent (6%) per annum on one half of the total tax, from the time when the return was originally required to be filed to the time of payment shall be added and paid.

Sec. 23. Examination of returns. 1. As soon as practicable after the return is filed the board shall examine it and determine the correct amount of the tax, and the amount so determined by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid within ten days after notice of the amount shall be mailed by the board.

2. If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty or additional tax added because of the understatement, but interest shall be added to the amount of the deficiency at the rate of one half of one per cent ($\frac{1}{2}\%$) for each month or fraction of a month.

3. If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent (5%) thereof, and in addition, interest at the rate of one half of one per cent ($\frac{1}{2}\%$) per month or fraction of a month.

4. If the understatement is found by the board to be false or fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be doubled and an additional one per cent (1%) per month or fraction of a month shall be added.

5. The interest provided for in this section shall in all cases be computed from the date the return was originally required to be filed to the date of payment.

6. If the amount of tax as determined by the board shall be less than the amount theretofore paid, the excess shall be refunded with interest from date of payment at six per cent per annum under the provisions of such regulations as may be prescribed by the state board.

7. All payments received must be credited, first, to penalty and interest accrued, and then to tax due.

Sec. 24. Additional Taxes. 1. If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due, compute the tax

and give notice to the taxpayer of the proposed assessment, and the taxpayer shall thereupon have an opportunity, within thirty days, to file an appeal with the board and a hearing shall be granted and a final decision thereon shall be made by the board as soon as possible. The limitation of two years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification, if no appeal has been filed or after such hearing if such appeal has been filed, the board shall assess the income of such taxpayer or any portion thereof which it determines has not theretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than five dollars shall be assessed.

Sec. 25. Warrant for the collection of taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after the same becomes due, the board shall issue a warrant under its official seal directed to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount thereof, with the added penalties, interest, and the cost of executing the warrant, and to return such warrant to the board and pay to it the money collected by virtue thereof by a time to be therein specified, not less than sixty days from the date of the warrant. The sheriff shall, within five days after the receipt of the warrant, file with the clerk of the district court of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgment of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner.

Sec. 26. Tax a debt. Every tax imposed by this act, and all increases, interest and penalties thereon shall become, from the time it is due and payable, a personal debt from the person or persons liable to pay the same to the state of Iowa, and all property of the taxpayer, whether exempt from execution or not, shall be liable for satisfaction of the debt.

Sec. 27. Action for recovery of taxes. Action may be brought at any time by the attorney general of the state, and shall be brought by him upon the request of the state board, in the name of the state, to recover the amount of any taxes, penalties, and interest due under this act.

Sec. 28. Tax upon settlement of fiduciary's account.

1. No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax to the extent of said certificate.

2. For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board may, on behalf of the state, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

PENALTIES.

Sec. 29. Penalties. 1. If any taxpayer, without intent to evade any tax imposed by this act, shall fail to file a return of income or pay a tax, if one is due at the time required by or under the provisions of this act, but shall voluntarily file a corrected return of income and pay the tax due, within sixty days thereafter, there shall be added to and made a part of the tax an additional amount equal to five per cent (5%) thereof, plus one dollar, and an additional one per cent (1%) for each month or fraction of a month during which the tax remains unpaid.

2. If any taxpayer fails voluntarily to file a return of income or to pay a tax, if one is due, within sixty days of the time required by or under the provisions of this act, the tax rates shall be increased by twenty per cent (20%), and such increased tax shall be further increased by one per cent (1%) for each month or fraction of a month from the time the tax was originally due to the date of payment.

3. The board shall have power, upon making a record of its reason therefor, to waive or reduce any of the additional taxes or interest provided in subdivisions one (1) and two (2) of this section or in subdivisions two (2), three (3) and four (4) of section twenty-three (23), and to credit all payments received first to penalty and interest, then to tax due.

4. If any taxpayer fails to file a return within sixty days of the time prescribed by this act, any judge of the district court, upon petition of the state board or county assessor of any county, shall issue a writ of mandamus requiring such person to file a return. The order of notice upon the petition shall be returnable not later than ten days after the filing of the petition. The petition shall be heard and determined on the return day or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the case, consistent with the rights of the parties.

5. Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars to be

recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction.

6. If a corporation required by the provisions of this act to file any report or return or to pay any tax or fee, either as a corporation organized under the laws of this state, or as a foreign corporation doing business in this state for profit, or owning and using a part or all of its capital or plant in this state, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this act for making such report or return, or for paying such tax or fee, the board may in its discretion certify such fact to the secretary of state. The secretary of state shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this state by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority of any such foreign corporation to do business in this state by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The secretary of state shall immediately notify by registered mail such domestic or foreign corporation of the action taken by him.

7. Any person or persons who shall exercise or attempt to exercise any powers, privileges, or franchises under articles of incorporation or certificate of authority after the same are cancelled, as provided in any section of this act, shall pay a penalty of not less than one hundred dollars nor more than one thousand dollars, to be recovered in an action to be brought by the board in the district court of Polk county.

8. Any corporation whose articles of incorporation or certificate of authority to do business in this state have been cancelled by the secretary of state, as provided in sub-section six (6), or similar provisions of prior revenue acts, upon the filing, within ten years after such cancellation, with the secretary of state, of a certificate from the board that it has complied with all the requirements of this act and paid all state taxes, fees, or penalties due from it, and upon the payment to the secretary of state of an additional penalty of fifty dollars, shall be entitled to again exercise its rights, privileges, and franchises in this state; and the secretary of state shall cancel the entry made by him under the provisions of subsection six (6) or similar provision of prior revenue acts, and shall issue his certificate entitling such corporation to exercise its rights, privileges, and franchises.

9. Any person, or any officer or employee of any corporation, or member or employee of any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the board thereunder, shall fail to pay any tax or to make, sign, or verify any return or to supply any information required by or under the provisions of this act, shall be guilty of a misdemeanor and punished accordingly. Any person, corporation, or any officer or employee of a corporation, or member or employee of any partnership, who with intent to evade any of the requirements of this act, or any lawful requirement of the board thereunder, shall make, render, sign or verify any false or fraudulent return

or statement, or shall supply any false or fraudulent information, or who shall aid, abet, direct, cause or who shall procure anyone so to do, shall be liable to a penalty of not more than five thousand dollars, to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction, and shall also upon conviction be punished by imprisonment in the penitentiary for a term of from one to three years and by a fine of not less than one thousand dollars nor more than five thousand dollars.

10. The board shall have the power to compromise any penalty under subsections five (5) and nine (9) of this section. The penalties provided by such subsections shall be additional to all other penalties in this act provided.

11. The failure to do any act required by or under the provisions of this act shall be deemed an act committed in part at the office of the board in Iowa. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

12. If any taxpayer who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the board of his delinquency refuses or neglects, within twenty days after such notice, to file a proper return, or files a fraudulent return, the board shall determine the income of such taxpayer, according to its best information and belief, and assess the same at not more than double the amount so determined. The board may, in its discretion, allow further time for filing a return in such case.

REVISION AND APPEAL.

Sec. 30. Revision by board. A taxpayer may appeal to the board for revision of the tax assessed against him at any time within one year from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearings, it shall determine that the tax is excessive or incorrect, it shall re-settle the same according to the law and the facts and adjust the computation of the tax accordingly. The board shall notify the taxpayer of its findings and shall refund to the taxpayer the amount, if any, paid in excess of the tax found by it to be due with interest at six per cent per annum. If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect return, has failed, after notice, to file a proper return, the board shall not reduce the tax below the amount for which the taxpayer is found to be properly assessed.

Sec. 31. Appeal. The determination of the board upon application made by a taxpayer for revision of any tax may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county in which the taxpayer resides or has his principal place of business within sixty days after notice by the board of its de-

termination, given as provided in section twenty-three (23) and/or section twenty-nine (29) of this act. Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any such taxes, interest or penalties paid, found by the court to be in excess of those legally assessed, shall be ordered refunded to the taxpayer, with interest at six per cent per annum from time of payment. An appeal may be taken by the taxpayer or the board to the supreme court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved.

ADMINISTRATION.

Sec. 32. The State Board shall administer, enforce, collect, and receipt for the taxes herein imposed. Each member of said board shall give a bond in an amount to be fixed by the Governor. Said bond shall be signed as surety by an association or an incorporation authorized to do a fidelity insurance business in the State of Iowa, and the reasonable cost of said bond shall be paid by the State. The board may for administrative purposes divide the state into districts, provided, that in no case shall a county be divided in forming a district.

The board is hereby authorized to make such rules and regulations as it may deem necessary to the proper administration and enforcement of this act. Such rules and regulations shall be in full force and effect from and after their publication in two newspapers of general circulation in the state of Iowa.

Sec. 33. Board may examine books and records. The board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power: to examine or cause to be examined by any agent or representative designated by its books, papers, records or memoranda; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination books, papers, records and documents relating to any matter which it shall have the authority to investigate or determine.

In all cases where it finds that the taxpayer has not properly reported his or its income, as provided by law, and all hearings where it decides a matter against the taxpayer, the board shall tax the costs to the taxpayer, otherwise they shall be taxed to the state.

The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner.

In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and production of records, books, papers and documents, and such court may issue an order requiring the person to appear before the board and give evidence or produce records, books, papers and

documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof.

Testimony on hearings before the board may be taken by a deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Sec. 34. Officers, agents and employees. 1. The board may appoint and remove such agents, auditors, clerks and employees as it may deem necessary, such persons to have such duties and powers as the board may, from time to time, prescribe.

2. The salaries of all agents and employees shall be fixed by the board subject to the approval of the executive council.

3. All such agents and employees shall be allowed such reasonable and necessary traveling and other expenses as may be incurred in the performance of their duties.

4. The board may require such of the officers, agents, and employees as it may designate to give bond for the faithful performance of their duties in such sum and with such sureties as it may determine and the state shall pay the premiums on such bonds.

Sec. 35. Oaths and acknowledgments. All officers empowered by law to administer oaths, and all agents, auditors, and such other employees as the board may designate, shall have the power to administer an oath to any person or take the acknowledgment of any person in respect of any return or report required by this act or the rules and regulations of the board.

Sec. 36. Publication of statistics. The board shall prepare and publish annually statistics reasonably available, with respect to the operation of this act, including amounts collected, classification of taxpayers, and such other facts as are deemed pertinent and valuable.

Sec. 37. Secrecy required; penalty for violation. 1. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the board, any deputy, agent, auditor or other officer or employee, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act. Nothing herein shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general or other legal representatives of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act. Reports and returns shall be preserved for four years and thereafter until the board orders them to be destroyed. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax.

2. Any person violating subdivision one (1) of this section shall be deemed guilty of a misdemeanor, and if the offender be an officer or employee of the state he shall be dismissed from office and shall be

incapable of holding any public office in this state for a period of five years thereafter.

3. Every taxpayer shall, upon request of the board, furnish a copy of the return for the corresponding year which he has filed or may file with the federal government of the United States, showing his net income and how obtained and the several sources from which derived.

4. Notwithstanding the provisions of this section, the auditor may permit the commissioner of internal revenue of the United States, or the proper officer of any state imposing an income tax upon the income of individuals, or the authorized representative of either such officer, to inspect the income tax returns of any individuals, or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper office of this state charged with the administration of the income tax law thereof.

Sec. 38. Accounting by board. All revenue arising under the operation of this act and collected by the board shall be remitted daily by it to the treasurer of state and the same shall become a part of and be credited to the general fund of the state.

Sec. 39. Refunds. 1. The board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected, and all penalties and/or interest assessed or collected thereon, and all taxes that appear to it to be unjustly assessed or excessive in amount, or in any manner wrongfully collected under this act, with interest thereon at six per cent per annum.

2. Such refunds shall be ordered only after claims therefor have been filed by the taxpayer and after hearing, investigation, or such other proofs under oath, as the said board may require.

3. No claim for refund shall be allowed by the board unless a claim therefor has been filed, under oath, with the board within one year after the payment of said tax, penalty or interest thereon.

4. Upon final determination by the board that such refund shall be allowed, the said board shall certify the amount thereof and the name of the claimant to the auditor of state, who, shall, upon the receipt of such certificate, draw his warrant upon the treasurer of state therefor; and the treasurer of state shall pay the same out of any funds in the state treasury not otherwise appropriated.

Sec. 40. Tax a replacement. It is hereby expressly provided that the revenue derived from the tax hereby imposed shall reduce by a corresponding amount the state millage tax which the board would otherwise levy for state purposes.

The substitution was made.

The substitute amendment was adopted.

Senators Clark of Linn and Patterson offered the following amendments and moved their adoption:

Amend as follows:

1. By adding after the word "person" in line eight (8) of subsection three (3) of section two (2) the words "or corporation"; by adding a period (.) after the word "income" in line nine (9) of said subsection and striking the rest of said subsection.

2. By striking all of subsection seventeen (17) of section two (2).

3. By striking the period (.) in line twenty (20) of section six (6) and inserting in lieu thereof a semi-colon (;) and adding the following:

"but when the partner's net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his share of the net income of the partnership for any accounting period of such partnership ending within the fiscal or calendar year upon the basis of which such partner's net income is computed."

4. By striking out lines twenty-six (26) and twenty-seven (27) of section seven (7), and inserting in lieu thereof the following:

"e. Any distribution to the taxpayer of the assets of a corporation in partial or complete liquidation thereof shall be treated as a sale of".

5. By adding after the word "corporation" in line sixteen (16) of subsection one (1) of section eight (8) the words "for stock and securities in the corporation"; and by inserting a period (.) after the word "ownership" in line seventeen (17) of said subsection and by striking the rest of said subsection.

6. By striking in line four (4) of subsection one (1) of section ten (10) the following:

"in case of report on an accrual basis";

by inserting a semi-colon (;) after the word "year" in line thirty-nine (39) of subsection eight (8) of section ten (10) and adding the following:

"provided, however, that such deduction shall not exceed the value of such debt on January 1, 1931." and by striking out all between the semi-colon (;) in line eighty-eight (88) and the semi-colon (;) in line ninety-four (94) of section ten (10) and substituting in lieu thereof the following:

"provided, however, that the taxpayer shall not be allowed a credit upon his income tax in excess of the amount of the tax paid by the corporation upon the earnings from which the dividend was paid".

7. By striking all of subsection four (4) of section sixteen (16).

8. By striking from line eleven (11) of section twenty-three (23) the words "or additional tax".

The amendments were adopted.

By unanimous consent on request of Senator Doran his amendments as found on pages 753 and 754 of the Senate Journal of March 16th, were withdrawn from further consideration.

Senator Doran offered the following amendments and moved their adoption:

Amend House File No. 2 as follows:

(1) Amend Section 3 by striking out of line nineteen the word "twelve", and inserting in lieu thereof the word "fifteen".

(2) Also amend Section 3 by striking out of line twenty the word "three", and inserting in lieu thereof the word "five".

(3) Also amend Section 3 by striking out of line twenty-two the words "twenty-four", and inserting in lieu thereof the words "thirty-five"; also strike from said line the word "three", and insert in lieu thereof the word "five".

(4) Also amend Section 3 by striking out of line twenty-eight the word "two", and inserting in lieu thereof the word "one".

(5) Amend Section 12 by striking out of line four the words "twelve dollars", and inserting in lieu thereof the words "fifteen dollars".

(6) Also by striking out of lines five and six of said Section 12 the words "twenty-four dollars", and substituting in lieu thereof the words "fifty dollars".

(7) Also by striking out of line thirteen of said Section 12 the words "three dollars", and inserting in lieu thereof the words "five dollars".

(8) Also amend Section 13 by striking out of line three the words "twelve hundred dollars", and inserting in lieu thereof the words "fifteen hundred dollars"; and by striking out of line five the words "twenty-four hundred dollars", and inserting in lieu thereof the words "thirty-five hundred dollars", and by striking out of line eleven the words "twenty-four hundred dollars", and inserting in lieu thereof the words "thirty-five hundred dollars"; and by striking out of line nineteen the words "four thousand dollars", and inserting in lieu thereof the words "five thousand dollars".

On motion of Senator Doran the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to Section One (1), House File No. 212, a bill for an act relating to offenses involving bills of lading.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 148, a bill for an act relating to marriage licenses, and prescribing regulations for the issuance thereof.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 148

Amend by striking all after the enacting clause and by inserting in lieu thereof the following:

Section 1. That section ten thousand four hundred twenty-nine (10429) of the code, 1927, be amended by adding thereto the following:

"No license shall be issued until the fifth day after application has been made therefor, unless a judge of the district court of the county wherein the marriage is to be solemnized, or referee appointed by him for that purpose, shall find that public policy required that the marriage be solemnized without delay, in which case he shall enter an order to that effect, whereupon the clerk shall issue the license at once. The clerk shall keep a record of all applications made and orders in reference thereto.

The application shall be in writing and made to the clerk of the county where either party resides and filed with such clerk who shall issue a certificate therefor, on which certificate the clerk of any county may issue the license to marry the same as though the application had been made in such county. When both parties are non-residents of the state, the application may be made in any county."

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 2 by adding after subsection 3 of section 10, which section enumerates the deductions allowed in computing net income, the following as sub-section 4 of said section 10:

"4. Earnings of real estate situated in Iowa and of personal property taxed in Iowa at the same rate as real estate. The annual earnings of such real estate and/or personal property shall be computed as being twelve (12) per cent of the actual value of such property as fixed by the tax assessing authorities."

Re-number sub-sections 4 to 13 of said section 10.

F. M. BEATTY,
ROY E. STEVENS.

MR. PRESIDENT: I move to amend House File No. 2 by inserting immediately after paragraph (a) of subsection two (2) of section seven (7), thereof, the following:

"(b) In the case of real estate acquired by purchase prior to January 1st, 1931, no profit shall be deemed to have been derived if the purchase price exceeds the value realized."

And by relettering the remaining paragraphs of subsection two (2) of section seven (7).

C. A. BENSON.

Amend Senate File No. 91 by striking all after line eleven (11) and substituting therefor the following:

No. of Lots

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Book	Page

(Three usual-sized blocks placed parallel on each page.)
(For sectional system of lands)

Township No..... Range No.....

Section No.....

NE ¼				NW ¼				SW ¼				SE ¼				Book	Page
NE	NW	SW	SE														

(Three sections placed parallel on each page.)

O. P. MYERS.

The Journal of March 23rd was corrected and approved.

CONSIDERATION OF HOUSE FILE NO. 2 RESUMED

The call of the Senate being on file, the roll call revealed the presence of all Senators except Senator Knudson, who was previously excused, and the call was declared complete.

Senator Doran offered the following amendments to his amendment and moved their adoption:

Amend by striking from line 2 of amendment 2 the word "five" and inserting in lieu thereof the word "four".

Roll call was demanded.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 33.

Anderson	Clearman	Kent	Quirk
Beatty	Cole	Langfitt	Rigby
Bennett	Coykendall	Leonard	Ritchie
Booth	Doran	Lowe	Stanley
Carroll	Gunderson	MacDonald	Stevens
Clark of	Hager	McLeland	Tabor
Cerro Gordo	Hill	Moen	Wenner
Clark of Linn	Ickis	Myers	White
Clark of Marion		Patterson	

Nays, 16.

Baird	Carden	Frailey	Klemme
Benson	Christophel	Hicklin	Stoddard
Bissell	Cochrane	Irwin	Topping
Blackford	Cooney	Kimberly	Wilson

Absent or not voting, 1.

Knudson

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 4 of amendment 3 the word "five" and inserting in lieu thereof the word "four".

The amendment to the amendment was adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 3 of amendment 7 the word "five" and inserting in lieu thereof the word "four".

The amendment to the amendment was adopted.

Senator Knudson appeared in the Senate Chamber.

The following amendments offered by Senator Doran were considered:

(1) Amend Section 3 by striking out of line nineteen the word "twelve", and inserting in lieu thereof the word "fifteen".

(2) Also amend Section 3 by striking out of line twenty the word "three", and inserting in lieu thereof the word "four".

(3) Also amend Section 3 by striking out of line twenty-two the words "twenty-four", and inserting in lieu thereof the words "thirty-five"; also strike from said line the word "three", and insert in lieu thereof the word "four".

(5) Amend Section 12 by striking out of line four the words "twelve dollars", and inserting in lieu thereof the words "fifteen dollars".

(6) Also by striking out of lines five and six of said Section 12 the words "twenty-four dollars", and substituting in lieu thereof the words "fifty dollars".

(7) Also by striking out of line thirteen of said Section 12 the words "three dollars", and inserting in lieu thereof the words "four dollars".

(8) Also amend Section 13 by striking out of line three the words "twelve hundred dollars", and inserting in lieu thereof the words "fifteen hundred dollars"; and by striking out of line five the words "twenty-four hundred dollars", and inserting in lieu thereof the words "thirty-five hundred dollars", and by striking out of line eleven the words "twenty-four hundred dollars", and inserting in lieu thereof the words "thirty-five hundred dollars"; and by striking out of line nineteen the words "four thousand dollars", and inserting in lieu thereof the words "five thousand dollars".

Roll call was demanded.

On the question "Shall the amendments as amended be adopted?" the vote was:

Ayes, 27.

Anderson	Clark of Linn	Knudson	Myers
Bennett	Clark of Marion	Langfitt	Patterson
Bissell	Coykendall	Leonard	Quirk
Carden	Doran	Lowe	Ritchie
Carroll	Gunderson	MacDonald	Stanley
Christophel	Hill	McLeland	Wenner
Clark of		Moen	White
Cerro Gordo			

Nays, 22.

Baird	Cole	Ickis	Stevens
Benson	Cooney	Irwin	Stoddard
Blackford	Fralley	Kent	Tabor
Booth	Hager	Kimberly	Topping
Clearman	Hicklin	Klemme	Wilson
Cochrane		Rigby	

Absent or not voting, 1.

Beatty

The amendments as amended were adopted.

The following amendment by Senator Daran was considered:

(4) Also amend Section 3 by striking out of line twenty-eight the word "two", and inserting in lieu thereof the word "one".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33.

Anderson	Clearman	Kent	Patterson
Bennett	Cole	Knudson	Quirk
Bissell	Coykendall	Langfitt	Rigby
Carroll	Doran	Leonard	Ritchie
Christophel	Fralley	Lowe	Stanley
Clark of	Gunderson	MacDonald	Stevens
Cerro Gordo	Hager	McLeland	Wenner
Clark of Linn	Hicklin	Moen	White
Clark of		Myers	
Marion			

Nays, 17.

Baird	Carden	Ickis	Stoddard
Beatty	Cochrane	Irwin	Tabor
Benson	Cooney	Kimberly	Topping
Blackford	Hill	Klemme	Wilson
Booth			

Absent or not voting, none.

The amendment was adopted.

By unanimous consent on request of Senator Irwin, his amendment as found on page 318 of the Senate Journal of February 10th was withdrawn from further consideration.

Senator Blackford offered the following amendment and moved its adoption:

Repeal all of Sec. 12 and substitute the following:

Sec. 12. Exemptions. There shall be deducted from the tax, after the same shall have been computed as set forth in this act, any direct property tax paid by the tax-payer for the Income taxable year, upon real or personal property situated and contained within the State of Iowa.

Senator Gunderson moved the previous question, which motion prevailed.

Roll call was demanded.

Senator Irwin invoked Rule 8.

(On the question "Shall the amendment be adopted?" the vote was :

Ayes, 21.

Baird	Cochrane	Hicklin	Stevens
Beatty	Cole	Ickis	Stoddard
Benson	Cooney	Irwin	Tabor
Blackford	Frailey	Kimberly	Topping
Carden	Hager	Stanley	Wilson
Clearman			

Nays, 29.

Anderson	Clark of Linn	Klemme	Myers
Bennett	Clark of Marion	Knudson	Patterson
Bissell	Coykendall	Langftt	Quirk
Booth	Doran	Leonard	Rigby
Carroll	Gunderson	Lowe	Ritchie
Christophel	Hill	MacDonald	Wenner
Clark of	Kent	McLeland	White
Cerro Gordo		Moen	

Absent or not voting, none.

The amendment was lost.

By unanimous consent on request of Senator Blackford, his amendment as found on page 605 of the Senate Journal of February 26th, was withdrawn from further consideration.

By unanimous consent on request of Senator McLeland his amendment as found on pages 655 and 656 of the Senate Journal of March 10th, were withdrawn from further consideration.

By unanimous consent on request of Senator Kimberly, his amendment as found on page 736 of the Senate Journal of March 14th, was withdrawn from further consideration.

Senator Hicklin offered the following amendment and moved its adoption :

By striking out Section 40 thereof and substituting the following in lieu thereof:

"Sec. 40. Sections 7182 and 7183 of the Code of Iowa, 1927 are hereby repealed."

Senator Patterson raised the point of order that Senator Hicklin had already spoken on the amendment.

The President held that Senator Hicklin had a right to close the debate.

Senator Patterson moved the previous question, which motion prevailed.

Roll call was demanded on the adoption of the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Baird	Cochrane	Hicklin	Stevens
Benson	Cole	Ickis	Stoddard
Bissell	Cooney	Irwin	Topping
Blackford	Frailey	Kimberly	Wilson
Carden			

Nays, 33.

Anderson	Clark of Marion	Klemme	Patterson
Beatty	Clearman	Knudson	Quirk
Bennett	Coykendall	Langfitt	Rigby
Booth	Doran	Leonard	Ritchie
Carroll	Gunderson	Lowe	Stanley
Christophel	Hager	MacDonald	Tabor
Clark of	Hill	McLeland	Wenner
Cerro Gordo	Kent	Moen	White
Clark of Linn		Myers	

Absent or not voting, none.

The amendment was lost.

Senator Benson offered the following amendment and moved its adoption:

Amend section forty (40) by striking same and substituting the following:

"Sec. 40. After this act takes effect, persons and corporations taxable hereunder shall not be assessed on any personal property owned by them. For the purpose of this exemption, the term "personal property" shall include any movable machinery and/or equipment used in the course of trade or manufacture and not essential to the support of the building, structure, or superstructure, and which is removable without material

injury, thereto. The term "personal property" as used herein shall not include boilers, ventilating apparatus, elevators, plumbing, heating, lighting and power generating apparatus, shafting other than counter-shafting, equipment for the distribution of heat, light, power, gases, and liquids, nor any equipment consisting of structures or erections to the operations of which machinery is not essential. An owner of a building is entitled to the same exemption under this section as a lessee.

President Pro Tem Wm. E. McLeland took the chair at 3:50 p. m.

President Arch W. McFarlane returned to the chair at 3:55 p. m.

Senator Patterson moved the previous question, which motion prevailed.

Roll call was demanded by Senator Moen.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 15.

Baird	Clearman	Hicklin	Stoddard
Benson	Cochrane	Ickis	Topping
Blackford	Cooney	Irwin	Wilson
Carden	Frailey	Kimberly	

Nays, 35.

Anderson	Clark of Linn	Klemme	Patterson
Beatty	Clark of Marion	Knudson	Quirk
Bennett	Cole	Langfitt	Rigby
Bissell	Coykendall	Leonard	Ritchie
Booth	Doran	Lowe	Stanley
Carroll	Gunderson	MacDonald	Stevens
Christophel	Hager	McLeland	Tabor
Clark of	Hill	Moen	Wenner
Cerro Gordo	Kent	Myers	White

Absent or not voting, none.

The amendment was lost.

Senator Stoddard moved to adjourn until 10:00 a. m. Wednesday.

Roll call was demanded by Senator Moen.

On the question "Shall the motion to adjourn prevail?" the vote was:

Ayes, 24.

Baird	Carden	Frailey	Rigby
Beatty	Clark of Marion	Hager	Stevens
Bennett	Clearman	Hicklin	Stoddard
Benson	Cochrane	Ickis	Tabor
Blackford	Cole	Irwin	Topping
Booth	Cooney	Kimberly	Wilson

Nays, 26.

Anderson	Coykendall	Langfitt	Patterson
Bissell	Doran	Leonard	Quirk
Carroll	Gunderson	Lowe	Ritchie
Christophel	Hill	MacDonald	Stanley
Clark of	Kent	McLeland	Wenner
Cerro Gordo	Klemme	Moen	White
Clark of Linn	Knudson	Myers	

Absent or not voting, none.

The motion to adjourn was lost.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking out all of Section 40 and inserting in lieu thereof the following:

Sec. 40. The net revenue arising under the operation of this act shall be distributed by the State Board of Assessment and Review to the counties from which the same is collected and shall be distributed by the County Treasurer of said county to the school districts within said county in proportion to the number of youths within school age attending school and residing within said districts.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Baird	Cole	Irwin	Stoddard
Benson	Cooney	Kimberly	Tabor
Blackford	Frailey	Klemme	Topping
Cochrane	Ickis	Stanley	Wilson

Nays, 33.

Anderson	Clark of Linn	Hill	Myers
Beatty	Clark of Marion	Kent	Patterson
Bennett	Clearman	Knudson	Quirk
Bissell	Coykendall	Langfitt	Rigby
Booth	Doran	Leonard	Ritchie
Carroll	Gunderson	Lowe	Stevens
Christophel	Hager	MacDonald	Wenner
Clark of	Hicklin	McLeland	White
Cerro Gordo		Moen	

Absent or not voting, 1.

Carden

The amendment was lost.

Senator Carroll moved the previous question on all pending amendments and the main bill.

Senator Beatty raised the point of order that there were no pending amendments.

The President held the point of order not well taken as there were amendments on file.

Senator Blackford moved to adjourn until 9:30 a. m. Wednesday.

Roll call was demanded.

Senator Irwin raised the point of order that a motion to adjourn is not debatable.

The President held the point of order well taken.

On the question "Shall the Senate adjourn?" the vote was:

Ayes, 25.

Baird	Clearman	Hicklin	Stevens
Beatty	Cochrane	Ickis	Stoddard
Benson	Cole	Irwin	Tabor
Blackford	Cooney	Kimberly	Topping
Booth	Frailey	Klemme	Wenner
Carden	Hager	Rigby	Wilson
Clark of Marion			

Nays, 25.

Anderson	Clark of Linn	Knudson	Myers
Bennett	Coykendall	Langfitt	Patterson
Bissell	Doran	Leonard	Quirk
Carroll	Gunderson	Lowe	Ritchie
Christophel	Hill	MacDonald	Stanley
Clark of Cerro Gordo	Kent	McLeland	White
		Moen	

Absent or not voting, none.

The vote being tied, the President voted "Aye"; the motion to adjourn prevailed, and the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 25, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rabbi Lewis B. Grossman, rabbi of the Tifereth Israel Community Synagogue of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Rigby, from members of the North Central Band association of Iowa, favoring the present band tax law. Cities and towns.

By Senator Ritchie, from residents of Humboldt, favoring restriction of motor vehicles. Motor vehicles.

By Senator Christophel, from residents of Waverly, favoring requirement of persons convicted of intoxication to disclose the source of liquor. Crime and suppression of intemperance.

By Senator Stoddard, from the W. C. T. U. of Smithland and Methodist church of Smithland, favoring requirement of persons convicted of intoxication to disclose the source of liquor. Crime and suppression of intemperance.

By Senator Stoddard, from residents of Van Buren county, favoring requirement of persons convicted of intoxication to disclose the source of liquor. Crime and suppression of intemperance.

MEMORIAL RESOLUTION

Senator Hill offered the following resolution:

Whereas, The Hon. John G. Legel of Charles City, Iowa, who was a member of the Senate in the Thirty-fourth and Thirty-fifth General Assemblies, died at his home at Charles City, Iowa, on the 17th day of December, 1930;

Therefore, Be It Resolved by the Forty-fourth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

By unanimous consent the resolution was taken up and considered.

The resolution was adopted and the President appointed as such committee, Senators Hill, Klemme and Christophel.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 20, 106, 211 and 284.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 25th day of March, 1931, sent to the governor for his approval, Senate Files Nos. 20, 106, 211 and 284.

E. R. HICKLIN, *Chairman.*

Report adopted.

CONSIDERATION OF HOUSE FILE NO. 2 RESUMED

There being a call of the Senate on House File No. 2, the roll call revealed the presence of all Senators except Senator Knudson, who by unanimous consent of the Senate was excused until an amendment was proposed upon which his vote was needed or until the vote on the main bill.

By unanimous consent on request of Senator Carroll, his motion for the previous question on all pending amendments and the main bill, was withdrawn.

Senator Benson offered the following amendment and moved its adoption:

Amend by inserting immediately after paragraph (a) of subsection two (2) of section seven (7), thereof, the following:

“(b) In the case of real estate acquired by purchase prior to January 1st, 1931, no profit shall be deemed to have been derived if the purchase price exceeds the value realized.”

And by relettering the remaining paragraphs of subsection two (2) of section seven (7).

Senator MacDonald demanded a roll call.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 19.

Baird	Carden	Frailey	Stoddard
Beatty	Clearman	Ickis	Tabor
Benson	Cochrane	Irwin	Topping
Blackford	Cole	Kimberly	Wilson
Booth	Cooney	Klemme	

Nays, 30.

Anderson	Clark of Marion	Langfitt	Quirk
Bennett	Coykendall	Leonard	Rigby
Bissell	Doran	Lowe	Ritchie
Carroll	Gunderson	MacDonald	Stanley
Christophel	Hager	McLeland	Stevens
Clark of Cerro Gordo	Hicklin	Moen	Wenner
Clark of Linn	Hill	Myers	White
	Kent	Patterson	

Absent or not voting, 1.

Knudson

The amendment was lost.

Senators Beatty and Stevens offered the following amendments and moved their adoption:

Amend by adding after subsection 3 of section 10, which section enumerates the deductions allowed in computing net income, the following as sub-section 4 of said section 10:

“4. Earnings of real estate situated in Iowa and of personal property taxed in Iowa at the same rate as real estate. The annual earnings of such real estate and/or personal property shall be computed as being twelve (12) per cent of the actual value of such property as fixed by the tax assessing authorities.”

Re-number sub-sections 4 to 13 of said section 10.

Senator Gunderson moved the previous question, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21.

Baird	Cochrane	Hicklin	Stevens
Beatty	Cole	Ickis	Stoddard
Benson	Cooney	Irwin	Tabor
Blackford	Frailey	Kimberly	Topping
Carden	Hager	Klemme	Wilson
Clearman			

Nays, 27.

Anderson	Clark of Linn	Langfitt	Patterson
Bennett	Clark of Marion	Leonard	Quirk
Bissell	Coykendall	Lowe	Ritchie
Booth	Doran	MacDonald	Stanley
Carroll	Gunderson	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Cerro Gordo	Kent	Myers	

Absent or not voting, 2.

Knudson Rigby

The amendments were lost.

Senator Wenner offered the following amendment and moved its adoption:

1. Amend Sec. 3 by striking out lines sixty-one (61) to seventy-one (71), both inclusive, and inserting in lieu thereof the following:

"Where income is derived from the manufacture or sale of tangible personal property, the portion thereof attributable to business within the state shall be taken to be such percentage of the total of such income as gross sales within the state bears to the total gross sales of the corporation".

2. Further amend said Sec. 3 by striking out of line seventy-four (74) the words "to a common carrier".

3. Further amend said Sec. 3 by inserting after the word "year" in line thirty (30) thereof the following:

"but no corporation having a net income of less than one thousand dollars (\$1000.00) during the income year shall be required to file a return or to pay a tax."

Amendments Nos. 1 and 2 were adopted.

Amendment No. 3 was adopted.

On motion of Senator Kimberly the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

CONSIDERATION OF HOUSE FILE NO. 2 RESUMED

Roll call revealed the presence of all Senators except Senator Knudson who was previously excused until final roll call on the bill, and the call was declared complete.

Senators Hicklin, Wenner, Bennett, Stanley and MacDonald offered the following amendment and moved its adoption:

Amend by adding thereto the following:

"Sec. 41. For the purpose of administering, enforcing and collecting the tax provided for in this act there is hereby created the office of County Assessor. Wherever the word "assessor" appears in the law it shall be construed to mean the County Assessor.

Sec. 42. Appointing board. The board of supervisors and the county auditor and the county treasurer of each county shall constitute an appointing board, of which the chairman of the board of supervisors shall be the regular chairman and of which the county auditor shall be the regular secretary. Two-thirds of the members of said board shall constitute a quorum. The secretary shall keep a record of the proceedings of the board and perform such other duties as the board may direct.

Sec. 43. First Assessor. Said appointive board shall prior to January 1, 1932, appoint an assessor for the county, who upon qualifying shall serve until the second secular day in January, 1936, and upon his qualifying the terms of office of all township, city, and town assessors shall terminate, but such persons may be retained thereafter by said county assessor as field men but only insofar as he may deem such retention necessary and advisable.

Sec. 44. Appointment. Prior to January 1, 1936, and prior to the first day of January of each fourth year thereafter the said appointing board shall appoint a county assessor who shall serve for a term of four years.

Sec. 45. Vacancies. In case of vacancy in the office of county assessor the county auditor shall call together the appointing board at a time to be fixed by him, at which time an assessor shall be appointed for the un-expired term.

Sec. 46. Deputy assessor. When the county assessor is unable himself to perform all the duties required of him by law he is authorized to appoint such number of full or part time deputies and field men as the board of supervisors may approve. Deputies and field men shall

hold office only during the pleasure of the county assessor, and shall be under the supervision and control of the county assessor who shall be responsible for their malfeasance, misfeasance and nonfeasance.

Sec. 47. Notification. Upon the appointment of a county assessor, or a deputy county assessor, the county auditor shall immediately notify the state board of assessment and review of such appointment and of the post-office address of each appointee.

Sec. 48. Salary. The county assessor shall receive an annual salary equal to the salary of the county auditor of said county and shall also receive his actual and necessary traveling expenses incurred in the discharge of his official duties. Deputy assessors and field men shall receive such compensation as may be fixed by the board of supervisors for the time actually employed, together with such actual necessary expenses as have been previously authorized by said board. All such salaries, compensation, and expenses shall be paid from the general fund of the county.

Sec. 49. Assessment records. When the county assessor has duly qualified the county auditor shall deliver to the assessor all books, including transfer books, index books, and plat books, plats, maps, forms, or copies thereof, and other data relative to the assessment and classification of property which may be in the office of said auditor and necessary to the performance of the duties of the county assessor.

Sec. 50. Duties of assessor. The county assessor shall:

1. Devote his entire time to the duties of his office and shall not engage in any occupation or business interfering or inconsistent with his duties.

2. Shall cause to be assessed, in accordance with section seventy-one hundred nine (7109), of the code of Iowa, 1927, all the property, personal and real, in his county except such as is exempt from taxation, or the assessment of which is otherwise provided for.

3. Have access to all public records of the county, and, as far as practicable, make or cause to be made a careful examination of all such records and files in order to obtain all available information which may contribute to the accurate listing at its actual value, and to the proper persons, of all property subject to taxation in his county.

4. Cooperate with the state board of assessment and review in the discharge of his duties, and in the administration and enforcement of the income tax provided for in this act. He shall assist the residents of his county in making income tax returns.

5. Obey and execute all orders, directions, and instructions of the state board of assessment and review.

6. Have power to examine the books and records of any person, firm, association or corporation within the county at any place designated by him, whenever he has reason to believe that such person, firm, association or corporation has not listed its property as provided by law; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oath and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination records, books, papers and documents relating to any matter which he shall have the authority to investigate or determine.

Provided, however, that no bank or loan and trust company or its officers or employees shall be required to divulge knowledge concerning the property of any person when such knowledge was obtained through information imparted as a part of a business transaction with or for such person and in the usual and ordinary course of business of said bank or loan and trust company, and was necessary and proper to the discharge of the duty of said bank or loan and trust company in relation to such business transaction. Provided, however, that this provision shall be additional to other provisions of the law relating to confidential and privileged communications.

In all cases where he finds that the taxpayer has not listed it or his property as provided by law, and all hearings where he decides a matter against the taxpayer, the assessor shall tax the costs to the taxpayer, otherwise they shall be taxed to the county. The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner as are other taxes.

In case of disobedience to a subpoena the assessor may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of records, books, papers and documents and such court may issue an order requiring the persons to appear before the assessor and give evidence or to produce records, books, papers or documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof. Testimony on hearings before the assessor may be taken by a deposition as in civil cases and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

7. Make up all assessment records as prescribed by the state board of assessment and review.

8. Submit on or before the first Monday in June to the county board of review the completed assessment rolls.

9. Lay before the county board of review, at the time of submitting the completed assessment rolls such information as he may possess which will aid said board in performing its duties in adjusting the assessments to the valuations required by law.

10. Furnish to the state board of assessment and review any information which he may have relative to the ownership of any property that may be assessable within this state but not assessable or subject to being listed for taxation by him in his county.

11. Keep the transfer books, index books, and plat books as provided by law.

12. In any county in which there is a city acting under special charter, having a population of over 50,000, he shall submit to the City Council of such city, a recapitulation of the then actual values of all property subject to assessment and taxation in said city not later than the first day of July in each year. Upon certification to said assessor by such City Council of the tax levy and the percentage of taxable value for the

current year he shall not later than the first day of September of such year deliver to the City Treasurer of said City a tax list, covering all property assessable within and subject to taxation by said city, with the taxes so levied and certified extended thereon upon such taxable value as shall have been determined by the City Council, which list shall embody all corrections in assessment made prior to the second Monday in July of such year. He shall also certify from time to time to the City Treasurer of such City any assessments of omitted property or corrections in assessments in the same manner as to the County Treasurer.

Sec. 51. In any county in which there is a city acting under special charter and having a population of over fifty thousand (50,000), the City Council shall not later than the second Monday in July of each year certify to the County Assessor the tax levy and the percentage of taxable and actual value for the current year for extension upon the tax list of said city. Such tax list shall be the warrant for the collection thereof by the Treasurer of such city when delivered to him by the County Assessor. Any such city shall furnish to the County Assessor the necessary books for the compilation of said tax list. In the event of any correction of any assessment subsequent to the delivery by the County Assessor of the tax list for any such city to the Treasurer thereof, such Treasurer shall upon notice thereof from the County Assessor correct such list in accordance therewith. If the tax so levied has been paid upon a greater assessment than finally fixed, the City Council shall direct the City Treasurer to refund the excess so collected and charge the several funds previously credited. If the assessment theretofore made be finally increased, the City Treasurer after correcting said tax list shall collect the increased tax due in the same manner as for omitted property, provided, however, no interest shall be charged thereon until ten (10) days after demand unless such property is certified to such Treasurer as omitted property.

Sec. 52. That Sec. sixty-eight hundred sixty-seven (6867) be amended by striking from the seventh and eighth lines thereof the words "which shall be ascertained by the assessor of said city".

Sec. 53. Powers and duties of deputy assessor. A deputy assessor in the absence or disability of his principal may perform all the duties of or pertaining to the office.

Sec. 54. Powers of county auditor transferred. All the powers and duties heretofore possessed or performed by the county auditor relating to the assessment of property for taxation are hereby transferred to the county assessor.

Sec. 55. Taxing costs. The county assessor shall tax the costs of hearings held by virtue of paragraph six of the fifth preceding section against the person, partnership, association, or corporation if property is discovered which has been omitted from taxation, and against the county if no such property is discovered.

Sec. 56. Penalty. Should any person refuse to obey a subpoena duly issued, and served, or caused to be served, by the assessor, or should any person before the assessor for examination refuse to be sworn or refuse to testify, the assessor shall report said person to the district court, or

to any judge thereof, in term time or in vacation, with a statement in writing of the facts, and to this end the assessor shall have the full assistance of the county attorney. The court or judge shall thereupon proceed with such matter in the manner in which proceedings would be carried on had the disobedience or refusal been in a proceedings legally pending before the court or judge.

Sec. 57. Every owner of taxable property and every person whose duty it is to return any property for taxation shall list on blanks provided by the county assessor, all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor, and shall on or before March 1st of each year, or such other date as may be fixed by the assessor, file such return, duly verified, with the assessor. Such returns shall constitute the original assessment roll, and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment.

Sec. 58. Complaint by taxpayer. Any taxpayer, his agent, or attorney may, within ten days from the deposit of such assessment roll in the post-office, or within ten days from the time when the said copy of the assessment is personally delivered to the taxpayer, file with the said assessor, in writing duly verified, any complaint he may have against such assessment.

Sec. 59. Complaint by public body. Any officer of the county, city, town, or school district interested, or a taxpayer thereof, may file with said assessor or or before the first Monday in May a verified complaint in regard to the assessment of any property in the county, city, town or school district.

Sec. 60. Hearing on complaints. The county assessor shall, prior to the third Monday in May, hear and determine all complaints legally filed with him concerning the assessment or valuation of any property, and make such changes, if any, in such assessments or valuations as in his judgment the owner is entitled to. Such hearing may, and shall, when the duties of the office will permit, be held at such suitable places in the county as the assessor may determine. The assessor shall give reasonable notice by publication or otherwise of the time and place of such hearings.

Sec. 61. Determination of complaint. When the county assessor has determined a complaint he shall, in writing, forthwith notify the complainant of his decision. The notice may be served personally or by mail.

Sec. 62. Appeal to board of review. Any complaining taxpayer or officer who is aggrieved by the ruling of the county assessor upon his complaint may appeal to the county board of review for a review of the action of the county assessor. Said appeal shall be taken by serving notice of appeal upon the county assessor, and by filing with the county auditor on or before the first Monday in June of each year said notice with proof of service thereon together with a verified written statement of his reasons for appeal, and a copy of the ruling of the assessor. An appeal by an officer from the action of the county assessor on a complaint shall be taken in the name of the governmental body of which he is an officer,

and in addition to the service required by the preceding section the notice of appeal shall be served upon the owner of the property concerning which the complaint is made and affected thereby or upon the person required to return said property for assessment.

Sec. 63. Appeals filed. The county auditor shall file all such appeals presented to him, and when the county board of review meets he shall deliver the same to the chairman of said board.

Sec. 64. Complaint to board of review. Any taxpayer, his agent, or attorney may at any time after the third Monday in May, but prior to the first Monday in November, file with the county auditor any complaint he may have to any assessment made against his property, which complaint shall contain a verified statement of the objections to the assessment and a copy of the assessment roll delivered to him by the assessor. The county auditor shall present the same to the county board of review at its next meeting.

Sec. 65. County board of review. The board of supervisors shall constitute a county board of review, and shall convene as such on the first Monday in June. The county auditor shall act as secretary of such board.

Sec. 66. Duties. The county board of review shall have the power to equalize the assessment of all property, or any class of property in the county.

Sec. 67. Hearing on complaints. The county board of review shall hear and determine all appeals from rulings by the assessor and all complaints which have been filed with the county auditor as provided in this act.

Sec. 68. Equalization of assessment. Upon the completion of its work the county board of review shall order such changes in the assessment rolls, with respect to the equalization of the assessment of property, and upon appeals taken and complaints made, as it shall deem necessary to the end that all assessment of property and taxes levied thereon be made relatively just and uniform and in substantial compliance with the law. The secretary of the county board shall give notice in writing to any property owner whose assessment has been increased or who has appealed from the order of the assessor or filed a complaint with the said board, by mailing a copy of its order with respect to said property to said person or persons at the last known address.

Sec. 69. Appeal to district court. Any party aggrieved by the action of the county board of review may, within ten days from and after the date of mailing of said notice, appeal to the district court of his county by serving upon the county auditor and the assessor a notice of appeal, specifying the action appealed from and by filing within said time said notice together with proof of service thereof with the clerk of said court.

Sec. 70. Trial. The hearing of an appeal to the court shall be in equity, and the court shall determine de novo all questions arising before the county board of review which relate to the liability of the property to assessment or the amount thereof. Its decision shall be certified by the clerk of the court to the county assessor who shall correct the assessment books accordingly.

Sec. 71. Appeal to the state board of assessment and review. Said

aggrieved party instead of appealing to the district court, may, on or before September 15th, appeal from the action of said board to the state board by serving upon the county auditor and the assessor a notice of appeal, specifying the action appealed from, and by filing with said state board of assessment and review within said time said notice together with proof of service thereof.

Sec. 72. Hearing by state board. Appeals to the state board shall be heard by said board, or by a member thereof, at its office or at a place designated by said board, beginning not later than the third Monday in August. The board shall give due notice of the time and place of said hearing and of any adjournment or continuance thereof. Said board shall by written order, direct the county assessor to make such changes in the assessment rolls as shall be necessary to comply with the decision of the board.

Sec. 73. Pending appeals. Pending appeals the assessor and county auditor shall proceed with their records on the basis of the assessments as fixed by the assessor or the county board of review.

Sec. 74. Abstract of assessment. Each county assessor shall, on or before the second Monday in July make and transmit to the state board of assessment and review, upon forms prescribed by said board, an abstract showing the assessment of all real and personal property in his county as corrected by the county board of review.

Sec. 75. Omitted property. Whenever the assessor acquires knowledge that property subject to taxation is withheld, overlooked, or for any cause is or has not been listed and assessed he shall at any time within five years from the date on which such assessment should have been made, list and assess such property.

Sec. 76. Notice of intention to list. Before listing and assessing such omitted property for taxation, the assessor shall notify by registered mail the person, firm, corporation, administrator, or other person in whose name the property appears on the transfer books of the auditor or is to be assessed, to appear before him at his office within ten days from the mailing of said notice and show cause, if there be any, why such listing or assessment should not be made.

Sec. 77. Listing same. After such hearing the assessor shall make such correction, listing or assessment as in his judgment shall be proper and shall notify the delinquent taxpayer by registered mail of his action.

Sec. 78. Appeal. Any party aggrieved by the action of the assessor may appeal to the district court in and for said county by serving notice of such appeal upon the assessor within ten days from the date when the registered notice, referred to in the preceding section, was mailed and by filing said notice of appeal within said time at the office of the clerk of said court.

Sec. 79. Decision final. If no appeal is taken the action of the assessor shall be final and he shall certify the assessment to the county treasurer who shall immediately transcribe and enter the same upon the tax list furnished to him by the county auditor.

Sec. 80. Collection of tax. Immediately after transcribing and entering said assessment on the tax list the treasurer shall make demand of

the person, firm, corporation, or other party by whom the property should have been listed, or to whom it should have been assessed, or of the administrator or executor thereof, for the amount transcribed and entered on the tax list as a charge against the property in accordance with the assessment certified to him by the assessor, together with ten per cent interest thereon from the time such taxes would have been due and payable had such property been listed and assessed at the time and in the manner provided for by the law.

Sec. 81. Correction of assessment records. The county auditor or the county treasurer, upon discovering any error or mistake in the assessment records or tax list, shall at once notify the assessor who shall immediately investigate and if errors are found he shall correct the same or if property is found which has been omitted from taxation he shall list and assess the same and certify the same to the treasurer who shall transcribe and enter the same on the tax list.

Sec. 82. Same. The county assessor shall, upon receipt of the certified copy of the proceedings of the state board of assessment and review relative to the equalization of assessments as provided by law, enter in the appropriate assessment books of his county all changes in the assessed valuations made by said board in such manner as to show in appropriate columns the total equalized valuation of personal property assessed against each person, and the total equalized valuation of each described tract of real estate contained in such assessment books, and shall, within fifteen days, certify to the correctness thereof, and deliver said books to the county auditor.

Sec. 83. Same. The county assessor shall, upon receipt from the clerk of the court of a certified copy of an order of court, or upon receipt of an order from the county board of review or the state board of review, make such changes and corrections in the assessment rolls, assessment books, tax lists, or other records as are necessary to conform to said orders and to make the assessment of any property affected thereby conform to all provisions of the law pertaining thereto.

Sec. 84. That section fifty-seven a four (57-a4) of chapter twenty (20), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting after the word "assessor" in line one (1) thereof, the following:

"shall collect such tax from every person subject thereto and";
and by striking from line three (3) thereof, the words:
"in his township".

Sec. 85. That section four hundred fourteen (414) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each" and inserting in lieu thereof the word "the"; and by striking from line three (3) thereof the word "district" and inserting in lieu thereof the word "county".

Sec. 86. That section four hundred sixteen (416) of the code of Iowa, 1927, be and the same is hereby amended by inserting after the word "any" in line one (1) thereof the word "deputy".

Sec. 87. That section four hundred thirty-two (432) of the code of Iowa, 1927, be and the same is hereby amended by striking from line

twelve (12) thereof the word "assessors" and by inserting in lieu thereof the word "assessor".

Sec. 88. That section ten hundred sixty-five (1065) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines five (5) and six (6) thereof the words "city, town and township assessors", and by inserting in lieu thereof the words "assessor and deputy assessors".

Sec. 89. That section ten hundred sixty-six (1066) of the code of Iowa, 1927, be and the same is hereby amended by inserting after the word "each" in line four (4) thereof, the following:

"those of county assessors not less than \$1000.00 each".

Sec. 90. That section fifteen hundred sixty-six (1566) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines two (2) and three (3) thereof the words

"of the city or town or township, as the case may be";

and by striking from line eight (8) thereof the words

"within said city or town or township".

Sec. 91. That section twenty-five hundred ninety-six (2596) of the code of Iowa 1927, be and the same is hereby amended by striking from line three (3) thereof the words

"township, town and city".

Sec. 92. That section thirty-seven hundred thirteen (3713) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines six (6), seven (7) and eight (8) thereof the following:

"the auditors of the several counties shall furnish the assessors with the proper blanks for taking such lists".

Sec. 93. That section forty-four hundred twenty-six (4426) of the code of Iowa, 1927, be and the same is hereby amended by striking all of said section and substituting in lieu thereof the following:

"The assessor shall, at the time of making assessments, record on suitable blanks furnished to him for that purpose by the secretary of the state board of education, the names, ages, sex and post-office address of all deaf or blind persons within the county.

"The county assessor shall forward to the secretary of the state board of education such returns within thirty days after the same are completed."

Sec. 94. That section fifty-one hundred thirty-three (5133) of the code of Iowa, 1927, be and the same is hereby amended by adding after the comma (,) after the word "engineer" in line five (5) thereof, the following: "county assessor".

Sec. 95. That section fifty-four hundred thirty-four (5434) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each", and by inserting in lieu thereof the word "the"; and by striking from line three (3) thereof the word "list", and by inserting in lieu thereof the words "cause to be listed"; and by striking therefrom all of said section after the period (.) after the word "thereof" in line seven (7).

Sec. 96. That section fifty-four hundred forty-three (5443) of the code of Iowa, 1927, be and the same is hereby amended by striking from

line one (1) thereof the word "each", and by inserting in lieu thereof the word "the".

Sec. 97. That section fifty-four hundred fifty-six (5456) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines five (5) and six (6) thereof the following words "except warrants issued to pay fees of assessors".

Sec. 98. That section fifty-five hundred forty-three (5543) of the code of Iowa, 1927, be and the same is hereby amended by striking the comma (,) after the word "health" in line six (6) thereof, and inserting in lieu thereof a period (.); and by striking the rest and remainder of the said sentence.

Sec. 99. That section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting after the word "mayor", and before the word "treasurer" in line four (4) thereof the word "and"; and also by striking from said line four (4) the words "and assessor".

Sec. 100. That section fifty-six hundred sixty-four (5664) of the code of Iowa, 1927, be and the same is hereby amended by repealing the same and by enacting in lieu thereof the following:

"Councilmen in cities of the first class shall be paid an amount prescribed by ordinance, not in excess of two hundred fifty dollars per annum, which shall be in full compensation for all services of such councilmen of every character connected with their official duties.

"In all other cities and towns they shall receive not to exceed one dollar each for every regular or special meeting; and in the aggregate not exceeding fifty dollars in any one year."

Sec. 101. That section sixty-five hundred twenty-eight (6528) of the code of Iowa, 1927, be and the same is hereby amended by striking from sub-division three (3) thereof the word "assessor".

Sec. 102. That section sixty-six hundred fifty-one (6651) of the code of Iowa, 1927, be and the same is hereby amended by striking from line six (6) thereof the following:

"an assessor".

Sec. 103. That section sixty-six hundred sixty-nine (6669) of the code of Iowa, 1927, be and the same is hereby amended by striking from paragraph five (5) thereof the words "assessor, board of review".

Sec. 104. That section sixty-seven hundred three (6703) of the code of Iowa, 1927, be and the same is hereby amended by adding after the word "treasurer" in line three and before the word "collector" in line four the following:

"and in such cities having a population of over fifty thousand a".

Sec. 105. That section sixty-seven hundred thirty-two (6732) of the code of Iowa, 1927, be and the same is hereby amended by adding thereto the following:

"Nothing herein contained shall be deemed to affect the procedure for the assessment of property and the equalization of assessments by the County Assessor".

Sec. 106. That section sixty-nine hundred seventy-three (6973) of the code of Iowa 1927, be and the same is hereby amended by striking from lines three (3) and four (4) thereof the words

"of the township or municipality wherein his warehouse is situated".

Sec. 107. That section seventy hundred seventeen (7017) of the code of Iowa, 1927, be and the same is hereby amended by striking from line five (5) thereof the words

"of the assessment district",

and by inserting in lieu thereof the words

"in the county".

Sec. 108. That section seventy hundred eighteen (7018) of the code of Iowa, 1927, be and the same is hereby amended by striking from line four (4) thereof the word "auditor", and by inserting in lieu thereof the word "assessor".

Sec. 109. That section seventy hundred twenty-seven (7027) of the code of Iowa, 1927, be and the same is hereby amended by striking from line ten (10) thereof the words

"of the assessment district",

and by inserting in lieu thereof the words

"in the county".

Sec. 110. That section seventy hundred twenty-eight (7028) of the code of Iowa, 1927, be and the same is hereby amended by striking from line nine (9) thereof the words

"assessment district of such assessor",

and by inserting in lieu thereof the word "county".

Sec. 111. That section seventy-one hundred nine (7109) of the code of Iowa, 1927, be and the same is hereby amended by adding after the semicolon (;) and before the word "and" in line fourteen (14) thereof the following:

"provided, however, that in the assessment of real estate the assessor shall give primary consideration to its net rental value averaged over a period of five years".

Sec. 112. That section seventy-one hundred thirteen (7113) of the code of Iowa, 1927, be and the same is hereby amended by striking therefrom the word "perjury", and by inserting in lieu thereof the following: "misdemeanor".

Sec. 113. That section seventy-one hundred twenty (7120) as amended, of the code of Iowa, 1927, be and the same is hereby amended by striking from line two (2) thereof the word "each" and by inserting in lieu thereof the word "the"; and by striking from lines three (3) and four (4) thereof the words

"his assessment district",

and by inserting in lieu thereof the words "the county"; and by adding thereto,

"and such other data or information as may be required and provided for by the state board of assessment and review".

Sec. 114. That section seventy-one hundred forty (7140) of the code of Iowa, be and the same is hereby amended by striking therefrom lines five (5) to seven (7), inclusive.

Sec. 115. That section seventy-one hundred forty-two (7142) of the code of Iowa, 1927, be and the same is hereby amended by striking from line five (5) thereof the word "auditor", and by inserting in lieu thereof the word "assessor".

Sec. 116. Sections sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300) and seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly are each amended by striking therefrom the word "auditor" or "auditor's" as the same may be wherever the same appears in said sections, and by inserting in lieu of said stricken words the word "assessor" or "assessor's" as the case may be.

Sec. 117. Wherever in the code reference is made to the transfer books in the office of the county auditor, the reference shall be deemed to mean the transfer books in the office of the county assessor, and the editor of the code is directed to make such correction.

Sec. 118. Section seventy-one hundred forty-eight (7148), code, 1927, is amended, revised and codified to read as follows:

"7148. Aggregate valuations certified. At the time of delivering the list to the treasurer, the assessor shall furnish to the county auditor a certified statement showing separately the aggregate full and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list; also to the state board of assessment and review a certified statement of the aggregate of each state tax in his county for the ensuing year."

Sec. 119. That section seventy-one hundred fifty-six (7156) of the code of Iowa, 1927, be and the same is hereby amended by striking from line two (2) thereof the word "he", and by inserting in lieu thereof the words "the treasurer".

Sec. 120. That section seventy-one hundred fifty-nine (7159) of the code of Iowa, 1927, be and the same is hereby amended by striking out all of said section and by enacting and substituting in lieu thereof the following:

"In all cases where real estate subject to taxation has not been assessed, the owner by himself, or agent, shall have the same done by the assessor and pay the taxes thereon; and if he fails to do so the assessor shall assess the same and the county treasurer shall collect the tax assessed as he does other taxes."

Sec. 121. That section seventy-one hundred sixty-four (7164) of the code of Iowa, 1927, be and the same is hereby amended by striking from line three (3) thereof the words "several boards" and by substituting in lieu thereof the words "county and state boards of review".

Sec. 122. Section seventy-two hundred nineteen (7219), Code, 1927, is repealed and the following is enacted in lieu thereof, to-wit:

"7219. Enforcement of lien. If said property is being, or is about to be removed from the county, the assessor shall certify said fact to the county treasurer with a full description of the property as the same appears on the assessor's books, giving assessment district, where located, and the amount of said assessment, and the county treasurer shall thereupon proceed by distress to restrain the removal of said property and secure the lien of the tax due or to become due."

Sec. 123. That sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), code of Iowa, 1927, and section fifty-seven a two (57-a2) chapter twenty (20) of the Acts of the Forty-third General Assembly, section twenty-eight (28), chapter two hundred five (205) of the Acts of the Forty-third General Assembly, be and the same are hereby repealed.

Sec. 124. Wherever the statutes provide that taxes or assessments shall be certified by any governmental agency to the County Auditor, and by said Auditor placed on the tax lists, said statutes shall be deemed to require such certification to the County Assessor, and the Code Editor is directed to correct the said statutes accordingly.

Sec. 125. The provisions of this act shall not be in effect until the first day of January, 1932, except as to the provisions of Section forty-three (43) requiring the appointing board to appoint a county assessor prior to that date.

Senators MacDonald, Bennett, Wenner and Hicklin offered the following as an amendment to the amendment and moved its adoption:

Amend by adding thereto the following:

"Sec. 126. The provisions of this act shall be severable, and in case any section, paragraph, sentence, or clause hereof shall be declared by a court of competent jurisdiction to be unconstitutional or void for any reason, such decision shall not invalidate any other provision herein contained."

The amendment to the amendment was adopted.

Roll call was demanded on the amendment.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 30.

Baird	Cochrane	Klemme	Stanley
Bennett	Cole	Langfitt	Stevens
Blackford	Frailey	Lowe	Stoddard
Booth	Hager	MacDonald	Tabor
Carroll	Hicklin	McLeland	Topping
Clark of Linn	Ickis	Myers	Wenner
Clark of Marion	Kent	Rigby	White
Clearman		Ritchie	

Nays, 19.

Anderson	Christophel	Doran	Leonard
Beatty	Clark of	Gunderson	Moen
Benson	Cerro Gordo	Hill	Patterson
Bissell	Cooney	Irwin	Quirk
Carden	Coykendall	Kimberly	Wilson

Absent or not voting, 1.

Knudson

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption :

Amend by inserting after paragraph (b), sub-section four (4), section three (3) a new paragraph as follows :

“(b-1) Insurance companies organized under the laws of the state of Iowa and existing by reason of the law as it appears in sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719) of the code, 1927.”

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption :

Amend by striking out of line 3 in section 40 the words “a corresponding amount” and inserting in lieu thereof the words “at least 4 mills”.

The amendment was adopted.

Senator Knudson appeared in the Senate Chamber.

Senator Clark of Cerro Gordo moved the previous question, which motion prevailed.

Senator Clark of Linn moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Rule 8 was invoked.

On the question “Shall the bill pass?” the vote was :

Ayes, 29.

Anderson	Clark of Marion	Knudson	Patterson
Bennett	Coykendall	Langfitt	Quirk
Bissell	Gunderson	Leonard	Rigby
Carroll	Hager	Lowe	Ritchie
Christophel	Hicklin	MacDonald	Stanley
Clark of	Hill	McLeland	Wenner
Cerro Gordo	Kent	Moen	White
Clark of Linn		Myers	

Nays, 21.

Baird	Clearman	Frailey	Stevens
Beatty	Cochrane	Ickis	Stoddard
Benson	Cole	Irwin	Tabor
Blackford	Cooney	Kimberly	Topping
Booth	Doran	Klemme	Wilson
Carden			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Clark of Linn, a committee of three was appointed to correct the title.

The President appointed as such committee Senators Clark of Linn, Hicklin and Patterson.

The title was corrected as follows:

Strike out the title and insert in lieu thereof the following:

A bill for an act relating to taxation, and providing for property tax relief; by prescribing methods for the listing and assessment of property, and the equalization of assessments; and to provide for the levying, imposing, collecting, and paying of taxes on incomes; to provide rules and regulations for the enforcement of this act, and prescribing penalties for the violations thereof; to create the office of county assessor for the purpose of assisting in the administration and collection of said income tax and the equitable assessment of property; to provide for the selection of county assessors, and defining their powers and duties; to constitute county boards of review and to prescribe their duties; to coordinate various statutes with this act; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669) sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one

hundred fifty-eight (7158), all of the Code of Iowa 1927, and section fifty-seven-a two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in sections four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), ten hundred sixty-six (1066), fifteen hundred sixty-six (1566), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), fifty-six hundred sixty-four (5664), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-seven (6867), sixty-nine hundred seventy-three (6973), seventy-hundred seventeen (7017), seventy hundred eighteen (7018), seventy-hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-one hundred forty-eight (7148), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), seventy-two hundred nineteen (7219), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven-a four (57-a4), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section one (1), chap-

ter one hundred sixty-two (162), Acts of the Forty-third General Assembly, all relating to the listing and assessment of property for taxation.

The title as amended was agreed to.

EXPLANATION OF VOTE

I voted against the income tax measure, House File No. 2, because I believed its provisions to be inconsistent with the reasons given by the Tax Revision Committee for proposing a tax to relieve property, which reasons as given I believe were sound and inasmuch as it does not provide any guarantee of tax relief on real estate and that it provides that income from all sources, including real estate and personal property, will be subject to the income tax, and does not exempt the income from real estate and personal property guaranteeing a replacement, but assessed it together with other incomes which cannot be anything but an added tax to those who own real estate in any considerable amount. I believe that the passing of this measure will be a bad influence on real estate throughout our state and will cause its further deflation in prices and the measure further will discourage anybody in the future from investing in real estate and will have a depressing effect on the prices of real estate. Also the measure exempts some corporations in our state from corporation tax and includes others which I do not believe to be consistent or fair. Therefore I opposed the bill.

ROY E. STEVENS.

The Journal of March 24th was corrected and approved.

INTRODUCTION OF BILLS

Senate File No. 384, by committee on motor vehicles, a bill for an act (1) to amend section six (6) of chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly, relating to the time of forwarding motor vehicle or trailer license fee receipts to the secretary of state; (2) to amend section forty-eight hundred eighty (4880) of the code, 1927, relating to time when the vendee of a motor vehicle shall make application for registration of said motor vehicle; (3) to amend section forty-nine hundred twenty-four (4924) of the code, 1927, relating to refunds of motor vehicle license fees and specifying time for filing claim and amount of refund; (4) to amend section forty-nine hundred twenty-five (4925) of the code, 1927, relating to the time of payment of refunds upon motor vehicle license fees; (5) to amend section forty-nine hundred twenty-seven (4927) of the code, 1927, to provide that registration fees upon motor vehicles of dealers and used car dealers are in lieu of other taxes; (6)

to amend section fifty hundred thirteen (5013) of the code, 1927, relating to the date of report of county treasurer to the motor vehicle department pertaining to fees and penalties; (7) to amend section ten thousand three hundred forty-three (10343) of the code, 1927, relating to artisan's liens; (8) to amend section thirteen thousand one hundred eleven-a five (13111-a5) of the code, 1927, to change the penalty for violation of the provisions of chapter five hundred eighty-two-A one (582-A1) of the code, 1927.

Read first and second times and placed on the calendar.

Senate File No. 385, by committee on motor vehicles, a bill for an act to regulate the number of hours that driver's of commercial motor vehicles for hire shall be on duty in each twenty-four (24) hours and to prescribe penalties for violation thereof.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Booth submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 323, a bill for an act to amend the law as it appears in section forty-nine hundred twenty (4920) of the code, 1927, relating to license fees for motor vehicle trailers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out all after the fourth line and insert the following in lieu thereof: "Or trailers attached to or drawn by a passenger vehicle and with a load of not more than fifteen hundred pounds and when used by the owner only, in transporting his own property."

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Section 2 (page 1) :

1. In line 8, change "3,600.00" to "3,400.00".
2. Strike line 28.
3. In line 35, change "4,200.00" to "4,000.00".
4. In line 36, change "1,500.00" to "750.00".
5. In line 37, change "12,000.00" to "11,000.00".
6. In line 38, change "900.00" to "700.00".
7. In line 41, change "900.00" to "800.00".
8. In line 42, change "1,500.00" to "1,200.00".
9. In line 43, change "9,750.00" to "9,000.00".
10. In line 44, change "5,000.00" to "4,000.00".
11. In line 45, change "4,500.00" to "4,000.00".
12. In line 46, change "1,500.00" to "1,000.00".

Section 3 (page 4) :

1. In line 9, change "3,600.00" to "3,300.00".

Section 4 (page 8) :

1. In line 11, change "3,000.00" to "2,400.00".
2. In line 22, change "4" to "6", and change "8,000.00" to "12,000.00"
3. Insert as line 25-a: "Assessing public utilities, traveling expenses and contingent fund..... 25,000"

Section 6 (page 10) :

1. In line 14, change "1,600.00" to "1,400.00".

Section 8 (page 11) :

1. Strike line 10.
2. In line 19, change "1,000.00" to "500.00".

Section 9 (page 12) :

1. In line 8, change "100,000.00" to "80,000.00".
2. In line 10, change "40,000.00" to "30,000.00".

Section 10 (page 13) :

1. In line 10, change "4,000.00" to "3,600.00".
2. In line 12, change "2" to "1", and change "4,000.00" to "2,500.00".
3. In line 23, change "4" to "3", and change "4,800.00" to "3,600.00".
4. In line 25, change "8" to "7", and change "10,560.00" to "9,240.00".
5. In line 33, change "15,000.00" to "14,000.00".

Section 11 (page 16) :

1. In line 13, change "6" to "4", and change "9,000.00" to "6,000.00".
2. In line 18, change "8" to "6", and change "9,600.00" to "7,200.00".
3. In line 20, change "14" to "12", and change "18,480.00" to "15,840.00".

Section 12 (page 17) :

1. In line 7, change "69" to "70", and change "339,000.00" to "344,000.00".

Section 14 (page 19) :

1. In line 16, change "2,700.00" to "2,550.00".
2. Insert as line 28-a the following:
"Rent of space for departments of the state government
now housed outside of the capitol building.....20,000.00"
3. Strike line 31.

Section 15 (page 20) :

1. Strike lines 9, 12 and 13.

Section 17 (page 22) :

1. In line 16, change "4,300.00" to "3,300.00".

Section 18 (page 23) :

1. In line 13, change "3,000.00" to "2,500.00".
2. In line 15, change "2,500.00" to "2,000.00".
3. Strike lines 16 and 17.

Section 19 (page 23) :

1. In line 9, change "1,800.00" to "1,500.00".

Section 21 (page 26) :

1. In line 30, change "1,500.00" to "1,200.00".

Section 22 (page 28) :

1. In line 25, change "2,500.00" to "1,500.00".
2. Strike lines 29, 31, 32, 33, 34, 35, 36, and 62.

Section 23 (page 31) :

1. In line 6, change "22,700.00" to "20,000.00".
2. In line 8, change "14,500.00" to "13,000.00".
3. In line 9, change "1,500.00" to "1,000.00".
4. In line 10, change "2,500.00" to "2,000.00".

Section 25 (page 33) :

1. In line 8, following the word "Deputy" add the following:
"not less than \$3,400 nor more than \$3,600 as the head of the department may determine".

Section 28 (page 37) :

1. In line 13, change "1,320.00" to "1,200.00".
2. In line 20, change "8,000.00" to "6,500.00".
3. In line 21, change "2,300.00" to "2,000.00".

Section 29 (page 38) :

1. In line 15, change "1,800.00" to "1,500.00".
2. In line 20, change "6,000.00" to "5,500.00".
3. In line 46, change "2,500.00" to "2,000.00".
4. In line 59, change "2,000.00" to "1,500.00".

Section 31 (page 41) :

1. In line 16, change "6,250.00" to "4,500.00".

Section 37 (page 46) :

1. In line 15, strike out the comma following "ment" and insert the following: "for elimination of bovine tuberculosis,"
2. In lines 30, 31 and 32 strike out the following:

"Also any new activities authorized by the 44th General Assembly that would require additional printing would call for an additional appropriation."

Section 38 (page 48) :

1. In line 12, change "1,200.00" to "1,320.00".
2. In line 13, change "3,000.00" to "8,000.00".
3. In line 18, change "5,500.00" to "5,000.00".

Section 40 (page 49) :

1. Strike lines 7 and 8 and insert in lieu thereof the following:
"Relief of Marjorie Ball..... 200.00".

Section 42 (page 53) :

1. In line 23, change "3,600.00" to "4,000.00".
2. In line 42, change "2" to "1", and change "\$2,000.00" to "\$2,400.00" and change "4,000.00" to "2,400.00".

Section 44 (page 56) :

1. In line 9, change "2,000.00" to "1,800.00".

Section 45 (page 57) :

1. In line 18 after the word "appropriations" insert the following: "except as provided by section 177 of the Code".

Section 46 (page 58) :

1. In line 13, change "1,650.00" to "1,500.00".
2. In line 54, change "\$1,920.00" to "\$1,800.00", and change "15,360.00" to "14,400.00".

Section 48 (page 62) :

1. Strike line 20.

Section 49 (page 64) :

1. Strike line 36.
2. In line 39, strike out the words "Laundry Equipment" and insert in lieu thereof: "Hog House".
3. In line 50, change "\$739,278.00" to "\$763,278".
4. Strike line 52.
5. In line 119, change "40,000.00" to "10,000.00".
6. In line 128, change "\$826,750.00" to "\$856,750.00".
7. In line 149, change "\$737,820.00" to "\$767,820.00".
8. Strike line 168.
9. Strike line 182.
10. Strike line 204.
11. Strike line 222.

Section 50 (page 73) :

1. In lines 9, 10 and 11 strike out the following words and figures "Fifteen million seven hundred eighty-three thousand four hundred seventy-three dollars and twenty cents (\$15,783,473.20)" and insert in lieu thereof the following: "fourteen million nine hundred ninety-four thousand two hundred ninety-nine dollars and fifty-four cents (\$14,994,299.54)".

Section 51 (page 78) :

1. In lines 5 and 6 strike out the words "Governor and Director of the Budget" and insert in lieu thereof: "Committee on Retrenchment and Reform".

Section 52 (page 79) :

1. In line 4, change "\$15.00" to "\$17.50".
2. In line 5, change "\$12.50" to "\$15.00".

Section 54 (page 79) :

1. In line 6, change "3,300.00" to "4,000.00".
2. Strike lines 7 and 8 and insert in lieu thereof the following: "Assistant Game Wardens (3—not to exceed).....5,400.00".
3. Strike line 10.
4. In line 12, strike out the word "Fifty" and insert in lieu thereof the word "forty".

Section 56 (page 81) :

1. In line 10, change "3" to "2", and change "12,600.00" to "8,400.00".

Section 60 (page 84) :

1. In line 7, insert "2,400.00".
2. Insert following line 33 the following:

"Provided also that the department may employ such additional em-

ployes as shall be necessary to carry out the provisions and enforcement of the Motor Vehicle Law, and the executive council shall fix the number and compensation thereof."

B. M. STODDARD, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: The Committee on Motor Vehicles moves to amend Senate File No. 366 by adding Sections two (2) and three (3) as follows:

"Sec. 2. Amend Section four thousand eight hundred and sixty-three (4863), Chapter two hundred and fifty-one (251) of the Code of 1927 by adding a sub-division numbered four-b (4-b) as follows:

4-b. A "truck tractor" shall be deemed to mean a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Sec. 3. Amend the Code of 1927 by adding Section four thousand nine hundred thirteen-a (4913-a) as follows:

4913-a. Truck Tractors. For truck tractors, the annual license fee shall be:

For a truck tractor drawing a semi-trailer of load capacity of three tons or less, \$75.00 per annum. For a truck tractor drawing a semi-trailer of load capacity of four tons, \$120.00 per annum. For a truck tractor drawing a semi-trailer of load capacity of five tons, \$200.00 per annum. For a truck tractor drawing a semi-trailer of load capacity of six tons, \$240.00 per annum.

The license fee for a truck tractor drawing a semi-trailer for each ton of load capacity above six tons shall be \$50.00 in addition to the six-ton rate.

CHAS. D. BOOTH.

On motion of Senator Cooney, the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 26, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Herman C. Rice, pastor of the First Baptist Church of Boone.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Irwin, from residents of Clinton, favoring diversion of primary road funds. Highways.

By Senator Wilson, from United mine workers of America, Des Moines, favoring the old age pension act and regulation of hours and wages of workmen employed on public works. Judiciary No. 2 and labor.

By Senator Clark of Cerro Gordo, from merchants of Mason City, opposing the levy of a tax on vending machines. Tax revision.

By Senator Bennett, from residents of Mapleton, opposing the levy of a tax on theater tickets; and from residents of Monona county, favoring a thorough investigation of the University of Iowa and optional bovine testing. Tax revision and agriculture.

By Senator Booth, from residents of Shelby county, favoring an income tax on individuals and corporations. Tax revision.

By Senator MacDonald, from brotherhood of maintenance of way employes, Sioux City, favoring restriction of motor vehicles. Motor vehicles.

By unanimous consent of the Senate, Senators Baird, Carroll

and Doran were excused to act on the special investigating committee.

COPIES HOUSE FILE NO. 2 AND SENATE FILE NO. 370

By unanimous consent on request of Senator Clark of Linn, two thousand copies of House File No. 2 as passed by the Senate, were ordered printed.

By unanimous consent on request of Senator MacDonald four hundred copies of Senate File No. 370 were ordered printed.

APPOINTMENT OF SIFTING COMMITTEE

Senator Moen as chairman of the committee on committees asked whether or not it was the wish of the Senate to have a sifting committee appointed.

On the question "Shall a sifting committee at this time be appointed?" the vote was:

Ayes, 43.

Anderson	Clark of Linn	Ickis	Quirk
Beatty	Clark of Marion	Kent	Rigby
Bennett	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Langfitt	Stevens
Blackford	Cooney	Lowe	Stoddard
Booth	Coykendall	MacDonald	Tabor
Carden	Doran	McLeland	Topping
Christophel	Gunderson	Moen	Wenner
Clark of	Hager	Myers	White
Cerro Gordo	Hill	Patterson	Wilson

Nays, none.

Absent or not voting, 7.

Baird	Frailey	Irwin	Leonard
Carroll	Hicklin	Knudson	

The chairman of the committee on committees announced the appointment of Senators Baird, Gunderson, Rigby, C. F. Clark, Stoddard, E. W. Clark, Patterson, Stevens, and Myers.

Senator Doran moved that all bills not placed on the calendar by Saturday of this week be turned over to the sifting committee Monday morning, and that the calendar remain until Saturday, April 4th.

Senator Clark of Linn moved as a substitute for the motion, that on adjournment on Saturday of this week, all bills go to the sifting committee, except appropriation bills and those on our present printed calendar, and that the latter go to the committee, on adjournment April 1st.

The substitution was made.

The motion as substituted prevailed.

SENATE FILE NO. 10 MADE SPECIAL ORDER

Senator Stoddard moved that Senate File No. 10 be made a special order for Monday, March 30th at 2:00 p. m., which motion prevailed.

Senator Benson moved that Hon. C. O. Holmes, State Senator from Indiana, be escorted to the chair and speak briefly to the Senate.

The President appointed Senator Benson as a committee of one to escort the Senator to the President's chair, and he addressed the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 212 and 50.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 212 and 50.

HOUSE AMENDMENTS CONSIDERED

Senator Clearman called up for consideration Senate File No.

148, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking all after the enacting clause and by inserting in lieu thereof the following:

Section 1. That section ten thousand four hundred twenty-nine (10429) of the code, 1927, be amended by adding thereto the following:

"No license shall be issued until the fifth day after application has been made therefor, unless a judge of the district court of the county wherein the marriage is to be solemnized, or referee appointed by him for that purpose, shall find that public policy required that the marriage be solemnized without delay, in which case he shall enter an order to that effect, whereupon the clerk shall issue the license at once. The clerk shall keep a record of all applications made and orders in reference thereto.

The application shall be in writing and made to the clerk of the county where either party resides and filed with such clerk who shall issue a certificate therefor, on which certificate the clerk of any county may issue the license to marry the same as though the application had been made in such county. When both parties are non-residents of the state, the application may be made in any county."

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Bennett	Clark of Marion	Irwin	Myers
Benson	Clearman	Kimberly	Quirk
Bissell	Cochrane	Klemme	Rigby
Booth	Cole	Langfitt	Ritchie
Carden	Cooney	Leonard	Stoddard
Christophel	Coykendall	Lowe	Tabor
Clark of	Hager	MacDonald	Wenner
Cerro Gordo	Hill	McLeland	Wilson
Clark of Linn	Ickis	Moen	

Nays, none.

Absent or not voting, 16.

Anderson	Carroll	Hicklin	Stanley
Baird	Doran	Kent	Stevens
Beatty	Frailey	Knudson	Topping
Blackford	Gunderson	Patterson	White

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

By unanimous consent on request of Senator Clark of Linn the secretary was authorized to correct House File No. 2 as follows:

Strike from lines 39 and 40 of section 10 the words "if the amount has previously been included in gross income in a return under this act."

HOUSE FILE NO. 226 RECOMMITTED

Senator Bennett moved that House File No. 226 be re-committed to the committee on suppression of intemperance, which motion prevailed.

Senator Benson moved that from now on while the Senate still has the printed calendar before it, when the Senate adjourns at any time and when it later convenes, it shall take up the calendar at the place where it left off when it adjourned immediately prior thereto.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Wenner Senate File No. 135, a bill for an act to amend sections twelve thousand eight hundred thirty-seven (12837) and twelve thousand eight hundred forty (12840), Code, 1927, relating to the perfecting of an appeal to the Supreme Court, with report of committee recommending passage, was taken up and considered. The report of the committee was adopted March 21st.

Senator Wilson offered the following amendment and moved its adoption:

Amend by adding as Section 3 the following:

Sec. 3. Section thirteen thousand nine hundred ninety-seven (13997) of the Code, 1927 be amended by striking from lines five (5) and six (6) thereof the words "and on the clerk of such court,".

The amendment was adopted.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Betty
Bennett
Benson
Bissell

Blackford
Booth
Carden

Clark of
Cerro Gordo
Clark of Linn
Clark of Marion

Cochrane
Coykendall
Gunderson
Hager

Hill	Leonard	Rigby	Tabor
Ickis	Lowe	Ritchie	Topping
Irwin	Moen	Stanley	Wenner
Kimberly	Myers	Stevens	White
Klemme	Patterson	Stoddard	Wilson
Langfitt	Quirk		

Nays, none.

Absent or not voting, 14.

Anderson	Clearman	Doran	Knudson
Baird	Cole	Frailey	MacDonald
Carroll	Cooney	Hicklin	McLeland
Christophel		Kent	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson moved to amend the title by inserting after the figures "12840", in line 2, the words and figures "thirteen thousand nine hundred ninety-seven (13997)".

The title as amended was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hill Senate File No. 266, a bill for an act authorizing the sheriff of each county, with the cooperation of the Bureau of Investigation, to hold an annual conference and school of instruction for certain peace officers, and authorizing the payment of expenses of all officers attending, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Senator Hill moved that the bill be read a third time now,

Ayes, 29.

Anderson	Cochrane	Kent	Quirk
Bennett	Cooney	Klemme	Rigby
Benson	Coykendall	Langfitt	Ritchie
Carden	Gunderson	Leonard	Stevens
Christophel	Hill	Lowe	Stoddard
Clark of Linn	Ickis	MacDonald	Tabor
Clark of Marion	Irwin	Moen	Wenner
Clearman			

Nays, 6.

Bissell	Booth	Hager	White
Blackford		Myers	

Absent or not voting, 15.

Baird	Cole	Kimberly	Stanley
Beatty	Doran	Knudson	Topping
Carroll	Frailey	McLeland	Wilson
Clark of Cerro Gordo	Hicklin	Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Irwin, House File No. 105, a bill for an act to repeal section eleven hundred seventy-one-b-three (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements, and to provide a penalty for violation, with report of committee recommending passage, was taken up and considered. The report of the committee was adopted March 24th.

Senator Benson offered the following amendments and moved their adoption:

Amend by striking Sec. 1 thereof and renumbering the remaining sections.

Further amend by adding immediately after Sec. 2 as it now appears in the bill, the following: "Provided, however, that the provisions of this act shall not apply to the purchase of materials and supplies to be used in the construction of any road or highway."

The amendments were adopted.

Senator Irwin moved that the reading had March 24th be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Bissell	Christophel	Cochrane
Beatty	Blackford	Clark of	Cole
Bennett	Booth	Cerro Gordo	Cooney
Benson	Carden	Clearman	Coykendall

Doran	Klemme	Moen	Stoddard
Hager	Langfitt	Myers	Tabor
Hill	Leonard	Quirk	Topping
Ickis	Lowe	Ritchie	Wenner
Irwin	MacDonald	Stanley	White
Kent	McLeland	Stevens	Wilson
Kimberly			

Nays, none.

Absent or not voting, 10.

Baird	Clark of Marion	Gunderson	Patterson
Carroll	Frailey	Hicklin	Rigby
Clark of Linn		Knudson	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Benson moved to amend the title by striking from lines 1 and 2 the words "to repeal section eleven hundred seventy-one-b-three (1171-b3) of the code, 1927, and".

The amendment was adopted, and the title as amended was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson Senate File No. 297, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10637) of the code, 1927, and chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to the mileage and expenses of boards of supervisors, sheriffs, county superintendents, coroners, constables, county engineers, and of any other public officer or employee, a committee bill, was taken up and considered.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by striking line 4 of section 7 and substituting in lieu thereof the following: "in excess of seven (7) cents per mile of actual and necessary travel."

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend by striking section 2, and renumbering the sections following.

Senator Benson offered the following as a substitute for the pending amendment and moved its adoption:

Amend by striking section 1 and inserting in lieu thereof the following:

“Section 1. Section fifty-one hundred twenty-five (5125) of the code, 1927, is amended by inserting before the word “ten” and after the word “and” in line 6 thereof the words “not more than”.

Further amend by striking section 2 and inserting the following:

“Sec. 2. Section fifty-one hundred ninety-one (5191) of the code, 1927, is amended by inserting before the word “ten” and after the word “returning” in line 2 of sub-section 10 the words “not more than”.

Senator Gunderson demanded a roll call on the substitute.

On the question “Shall the substitution be made?” the vote was:

Ayes, 9.

Bennett	Booth	Coykendall	Langfitt
Benson	Cooney	Kimberly	Topping
Blackford			

Nays, 31.

Bissell	Doran	Knudson	Quirk
Carden	Gunderson	Leonard	Rigby
Clark of	Hager	Lowe	Ritchie
Cerro Gordo	Hill	MacDonald	Stanley
Clark of Linn	Ickis	McLeland	Stevens
Clark of Marion	Irwin	Moen	Tabor
Clearman	Kent	Myers	Wenner
Cochrane	Klemme	Patterson	White

Absent or not voting, 10.

Anderson	Carroll	Frailey	Stoddard
Baird	Christophel	Hicklin	Wilson
Beatty	Cole		

The substitute was lost.

Roll call was demanded on the amendment.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 23.

Anderson	Clark of Linn	Kimberly	Stoddard
Beatty	Clark of Marion	Leonard	Tabor
Bennett	Cochrane	MacDonald	Topping
Blackford	Cooney	Rigby	Wenner
Booth	Coykendall	Stanley	Wilson
Carden	Doran	Stevens	

Nays, 22.

Benson	Gunderson	Klemme	Myers
Bissell	Hager	Knudson	Patterson
Christophel	Hill	Langfitt	Quirk
Clark of	Ickis	Lowe	Ritchie
Cerro Gordo	Irwin	McLeland	White
Clearman	Kent	Moen	

Absent or not voting, 5.

Baird	Cole	Frailey	Hicklin
Carroll			

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend by inserting after the word "employee" in line 1 of section 7 the words ", except sheriffs or their deputies,".

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Cochrane	Klemme	Rigby
Bennett	Coykendall	Knudson	Ritchie
Blackford	Doran	Langfitt	Stanley
Booth	Gunderson	Leonard	Stevens
Carden	Hager	Lowe	Stoddard
Christophel	Hill	MacDonald	Tabor
Clark of	Ickis	McLeland	Topping
Cerro Gordo	Irwin	Moen	Wenner
Clark of Linn	Kent	Myers	White
Clark of Marion	Kimberly	Patterson	Wilson
Clearman		Quirk	

Nays, 3.

Benson	Bissell	Cooney
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Absent or not voting, 6.

Baird	Carroll	Cole	Hicklin
Beatty		Frailey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF COMMITTEE

Senator Benson submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred House File No. 290, a bill for an act to amend the law as it appears in section forty-seven hundred forty-six (4746) of the code, 1927, relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *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. 132, a bill for an act relating to the maintenance of extensions of primary roads through cities and towns, and the payment of the cost thereof.

Also: 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 relating to exemptions from execution.

Also: 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 authorizing the attorney general to enter into a contract for the use of a special police radio broadcasting system.

Also: 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 provide for the distribution of the tax realized on money and credits to district school funds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate Joint Resolution No. 10, a bill for an act relating to conservation.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION NO. 10

1. By inserting after the word "conservation" in line one (1), section one (1), the words, "and fish and game department".

2. By inserting after the word "conservation" in line two (2), section two (2), the words, "and fish and game department".

3. By striking the period at the end of line fourteen (14) section two (2) and inserting in lieu thereof a comma (,), and by adding the following:

"giving and directing precedence to the completion of any project now in the process of rehabilitation or development, and which project has been specially authorized by a legislative act, and on which project state expenditures have been made for surveys, plans, and land contracts."

On motion of Senator Wilson, the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 337, a bill for an act relating to the accounting of executors and administrators.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 307, a bill for an act relating to labor and material on public improvements.

SAM C. RAGAN, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 114, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school funds.

Read first and second times and referred to committee on ways and means.

House File No. 337, a bill for an act to amend chapter five hundred nine (509) of the code of 1927 relating to the accounting of executors and administrators and to the compensation and expenses allowed executors, administrators, guardians, trustees, receivers and their attorneys.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306), ten thousand three hundred twelve (10312) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material an public improvements.

Read first and second times.

House File No. 132, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the code, 1927, relating to the maintenance of extensions of primary roads through cities and towns, and the payment of the cost thereof.

Read first and second times and referred to committee on highways.

House File No. 155, a bill for an act to repeal section eleven thousand seven hundred sixty (11760) of the code, 1927, as amended by the Forty-third (43rd) General Assembly, chapter two hundred fifty-six (256), and to enact a substitute therefor relating to exemptions from execution.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 257, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of the cost thereof.

Read first and second times.

Senator Ickis moved that House File No. 75, relating to open season on imported game birds be re-referred to the committee on judiciary No. 1.

Senator Clark of Cerro Gordo moved the previous question, which motion prevailed.

The motion to re-refer was lost, having failed to receive a two-thirds vote.

THIRD READING OF BILLS

On motion of Senator Ickis House File No. 75, a bill for an act to amend section twenty-seven (27) of Chapter fifty-seven (57), acts of the forty-third (43d) general assembly, relating to petitions for open season on imported game birds, and to grant the right to kill ring-neck pheasants at any time under certain conditions, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by inserting in Section one (1), line fourteen (14), after the word "may" the following: "for the purpose of propagating or re-stocking other parts of the state."

Also: by striking in Section two (2), line three (3), "at any time" and inserting in lieu thereof, the following: "during the months of May and June of each year".

Senator Patterson raised the point of order that according to Roberts rules of order it only takes a majority vote to re-refer a bill to a committee.

The President held the point of order well taken and the bill was re-referred to the committee on judiciary No. 1.

On motion of Senator Ickis House File No. 102, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the fees received for fishing and hunting licenses, with report of committee recommending passage, was taken up and considered. The report of the committee was adopted March 21st.

Senator Anderson moved to re-refer the bill to the committee on judiciary No. 1.

The motion prevailed.

By unanimous consent on request of Senator Hill House File No. 257, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of the cost thereof, was substituted for Senate File No. 175, a companion bill on which the report of the committee was adopted and was taken up and considered.

By unanimous consent on request of Senator Hill, the rules were suspended by which no bill may be read the second and third times the same day.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Cole	Kimberly	Patterson
Beatty	Cooney	Klemme	Quirk
Bennett	Coykendall	Knudson	Rigby
Benson	Frailey	Langfitt	Ritchie
Bissell	Gunderson	Leonard	Stanley
Blackford	Hager	Lowe	Stevens
Booth	Hill	MacDonald	Tabor
Christophel	Ickis	McLeland	Topping
Clark of Linn	Irwin	Moen	White
Clearman	Kent	Myers	Wilson
Cochrane			

Nays, none.

Absent or not voting, 9.

Baird
Carden
Carroll

Clark of
Cerro Gordo

Clark of Marion
Doran
Hicklin

Stoddard
Wenner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Hill, Senate File No. 175, a companion bill, was withdrawn from further consideration.

By unanimous consent on request of Senator Benson, House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306), ten thousand three hundred twelve (10312) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements, was substituted for Senate File No. 213, a companion bill on which the report of the committee was adopted and was taken up and considered.

By unanimous consent on request of Senator Benson the rules were suspended by which no bill may be read the second and third time the same day.

By unanimous consent on request of Senator Benson action was deferred.

On motion of Senator Gunderson House File No. 40, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties, to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gunderson offered the following amendments and moved their adoption:

Amend by inserting in line 1 of section 4 immediately after the word "may" the words "with the approval of the Board of Supervisors".

Also amend by striking all of sections 5 and 15 and renumbering the other sections accordingly.

The amendments were adopted.

Senator Clark of Linn offered the following amendments and moved their adoption:

Amend by striking out of line four (4) of section 1 the words "one hundred twenty-five thousand (125,000)", and inserting in lieu thereof the words and figures "eighty thousand (80,000)".

Also amend by striking out the last four lines of Sec. 14 thereof and inserting in lieu thereof

"9. Sixty-five thousand (65,000) and less than eighty thousand (80,000), twenty-eight hundred dollars (\$2800.00).

10. Eighty thousand (80,000) and less than one hundred twenty-five thousand (125,000), thirty-five hundred dollars (\$3500.00), and in counties over one hundred twenty-five thousand (125,000), five thousand dollars (\$5000.00)."

Section fifty-two hundred twenty-six (5226) of the code, 1927, is further amended by renumbering sub-sections 10 and 11 as 11 and 12.

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by inserting as Section 14 the following:

Sec. 14. This act shall not become effective until January 1, 1933.

The amendment was adopted.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by inserting the word "for" after the word "wash" in line 2 of section 1.

The amendment was adopted.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by striking the word "said" from line 2 of section 2 and inserting in lieu thereof the word "such".

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Cochrane	Kent	Quirk
Beatty	Cole	Kimberly	Rigby
Bennett	Cooney	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Gunderson	Langfitt	Stevens
Blackford	Hager	Leonard	Stoddard
Booth	Hicklin	Lowe	Tabor
Christophel	Hill	MacDonald	Topping
Clark of Linn	Ickis	Moen	White
Clark of Marion	Irwin	Myers	Wilson
Clearman		Patterson	

Nays, none.

Absent or not voting, 8.

Baird	Clark of	Doran	McLeland
Carden	Cerro Gordo	Frailey	Wenner
Carroll			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson House File No. 41, a bill for an act to amend Section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in Counties having a population of more than sixty thousand (60,000), and making such salary the full and only compensation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cooney offered the following as a substitute for his amendment as found on page 805 of the Senate Journal of March 19th and moved its adoption:

Amend section 1 by striking lines 6 and 7 thereof; also by striking from line 10 the words and figures "sixty-five thousand (65,000)" and inserting in lieu thereof the words and figures "sixty thousand (60,000)".

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clearman	Ickis	Patterson
Baird	Cochrane	Kent	Quirk
Beatty	Cooney	Klemme	Ritchie
Bennett	Coykendall	Knudson	Stanley
Benson	Frailey	Langfitt	Stevens
Bissell	Gunderson	Leonard	Stoddard
Blackford	Hager	Lowe	Tabor
Carden	Hicklin	McLeland	Wenner
Christophel	Hill	Moen	Wilson
Clark of Linn		Myers	

Nays, 1.

Kimberly

Absent or not voting, 11.

Booth	Clark of Marion	Irwin	Topping
Carroll	Cole	MacDonald	White
Clark of Cerro Gordo	Doran	Rigby	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Baird, House File No. 341, a bill for an act to amend the law as it appears in chapter three hundred twelve (312) of the code of Iowa, 1927, relating to heating plants, water or gas works and electric plants; to provide for and authorize the use of surplus earned from the operation of municipal water plants in cities of forty thousand (40,000) or over, having a board of trustees managing such plant; to authorize the use of said surplus earnings in said cities for the purpose of acquiring property and erecting a building or buildings thereon for its use and for the use of other city depart-

ments or agencies, was substituted for Senate File No. 261, a companion bill on which the report of the committee recommending passage was adopted and was taken up and considered.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend section 1 by inserting after the figures "40,000" in line 5 the following:

"and less than fifty thousand (50,000)".

The amendment was adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Clearman	Kent	Patterson
Baird	Cochrane	Kimberly	Quirk
Bennett	Cooney	Klemme	Rigby
Benson	Coykendall	Knudson	Ritchie
Bissell	Frailey	Langfitt	Stanley
Booth	Gunderson	Leonard	Stevens
Carden	Hager	Lowe	Stoddard
Christophel	Hicklin	MacDonald	Tabor
Clark of	Hill	McLeland	Wenner
Cerro Gordo	Ickis	Moen	White
Clark of Linn	Irwin	Myers	Wilson
Clark of Marion			

Nays, none.

Absent or not voting, 6.

Beatty	Carroll	Cole	Topping
Blackford		Doran	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Clark of Linn moved to amend the title by striking from lines 6 and 7 the words and figures "forty thousand (40,000) or over" and inserting in lieu thereof "more than forty thousand (40,000) and less than fifty thousand (50,000)".

The amendment was adopted and the title as amended was agreed to.

Senator Baird moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Baird, Senate File No. 261, a companion bill, was withdrawn from further consideration.

INTRODUCTION OF BILLS

Senate File No. 386, by committee on judiciary No. 2, a bill for an act to legalize the re-incorporation of The First Methodist Episcopal Church of Mason City, Cerro Gordo County, Iowa, its articles of incorporation, the election of officers and board of trustees under said Articles of Incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as theretofore incorporated and assumed by said articles of re-incorporation.

Read first and second times and placed on the calendar.

Senate File No. 387, by committee on claims, a bill for an act to make an appropriation to L. J. Baschnagel.

Read first and second times and referred to committee on appropriations.

Senate File No. 388, by committee on claims, a bill for an act to make an appropriation to Hamiel and Mather, attorneys at law, and Edwin B. Wilson, attorney at law.

Read first and second times and referred to committee on appropriations.

Senate File No. 389, by committee on claims, a bill for an act to make an appropriation to William E. Quinn.

Read first and second times and referred to committee on appropriations.

SENATE FILE NO. 154 WITHDRAWN

By unanimous consent on request of Senator Ritchie Senate File No. 154, relating to sanitary water board, was withdrawn from further consideration.

SENATE FILE NO. 378 WITHDRAWN

By unanimous consent on request of Senator Clearman, Senate File No. 378, relating to bridge construction, was withdrawn from further consideration.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 19 by inserting as Sec. 2 the following:

"Sec. 2. Amend Section sixty-two hundred thirty-nine (6239), Code 1927, by striking out of line fifteen (15) the words "swimming pools".

Further amend by re-numbering Section 2 as Section 3.

Amend the title by inserting after the word "amend" in the first line the following:

"section sixty-two hundred thirty-nine (6239), Code, 1927, and".

C. F. CLARK.

MR. PRESIDENT: I move to amend Senate File No. 355 by adding thereto the following:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Walker News, a newspaper published at Walker, Iowa, and The Sabula Gazette, a newspaper published at Sabula, Iowa."

C. F. CLARK.

MR. PRESIDENT: I move to amend Senate File No. 10 by striking the figures "\$50,000.00" in line 19 of section 26, and inserting in lieu thereof the figures "\$75,000.00".

B. M. STODDARD.

MR. PRESIDENT: I move to amend S. F. No. 10 by striking out the figures "35,000.00" in line 8 of section 15, and inserting in lieu thereof the figures "50,000.00". Also insert after the word "buildings" in the same line the words "and improvements".

B. M. STODDARD.

W. A. CLARK.

The Journal of March 25th was corrected and approved.

On motion of Senator Benson the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 27, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Edward Duea, pastor of the Lutheran Church of Dows.

By unanimous consent of the Senate, Senators Baird, Doran and Carroll were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

By Senator Wenner, from city council of Muscatine, opposing the appointment of a public utility commission; and from Mitchell county farm bureau, favoring a state income tax. Cities and towns, and tax revision.

By Senator Irwin, from brotherhood of locomotive engineers of Clinton, favoring restriction of motor vehicles. Motor vehicles.

By Senator Blackford, from teachers of Clinton and Lyons, favoring the granting of a standard elementary certificate to teachers of fifteen years successful teaching experience; and from residents of Van Buren county, favoring requirement of persons convicted of intoxication to disclose the source of liquor. Public schools, and crime and suppression of intemperance.

By Senator Hicklin, from the city council of Muscatine, opposing the creation of a public utility commission. Public utilities.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on March 26, 1931, approved the following bill:

Senate File No. 211, relating to the term of office of the Chief Justice of the Supreme Court.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 148.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 148.

BILL SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 27th day of March, 1931, sent to the governor for his approval, Senate File No. 148.

E. R. HICKLIN, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

Senate File No. 390, by committee on commerce and trade, a bill for an act to provide for the licensing of persons operating for hire portable food or feed mills, oat hullers, or grinders, and providing penalties for operating without a license.

Read first and second times and placed on the calendar.

Senate File No. 391, by committee on reduction of expenditures, a bill for an act relating to junior colleges and amending section forty-two hundred sixty-seven b-one (4267 b1), Code, 1927.

Read first and second times and placed on the calendar.

Senate File No. 392, by committee on public health, a bill for an act to amend section twenty-five hundred forty-five (2545), Code 1927, relating to the practice of podiatry.

Read first and second times and placed on the calendar.

Senate File No. 393, by committee on public health, a bill for an act to amend section twenty-five hundred forty-two (2542), Code 1927, relating to the practice of podiatry.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Moen submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 288, a bill for an act to amend sections twenty-nine hundred twenty-one (2921), code, 1927, and twenty-nine hundred twenty-three (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out after the word "first" in line two of sub-section 1-b of Section 2, the words "of each" and inserting in lieu thereof the words "of the preceding".

Also amend by striking out the word "eighty" in line four of Section 3 and inserting in lieu thereof the word "sixty", and at the end of line five, by striking out the word "six" and inserting in lieu thereof the word "four".

T. E. MOEN, *Chairman.*

Ordered passed on file.

Senator Patterson submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred House File No. 332, a bill for an act to repeal section twenty-two hundred thirty-three (2233), code of 1927, and to enact a substitute therefor, relating to meetings of the local board of health, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

Senator Ickis submitted the following reports:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 52, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the acts of the forty-third general assembly so as to authorize fishing with trot-lines, or throw-lines, begs leave to report it has had the same under consideration and recommends the same do pass.

F. D. ICKIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game, to which was referred House File No. 249, a bill for an act to amend section seventeen hundred forty-seven (1747) of the code, 1927, relating to bonds required for commercial fishermen, begs leave to report it has had the same under consideration and recommends the same do pass.

F. D. ICKIS, *Chairman.*

Ordered passed on file.

Senator Beatty submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the City of Missouri Valley, Iowa, on the water works fund of said corporation, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 354, a bill for an act to authorize the issuance of a patent to certain lands in Clayton County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK M. BEATTY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 338, a bill for an act to legalize a certain deed executed in the name of the independent school district of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said independent school district, on January 12, 1931, etc., begs leave to

report it has had the same under consideration and recommends the same do pass.

FRANK M. BEATTY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 248, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keeper's lien, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK M. BEATTY, *Chairman.*

Ordered passed on file.

Ex-Senator Byron W. Newberry being present in the Senate Chamber, the President appointed Senator Benson as a committee of one to escort the Senator to the President's chair and he spoke briefly.

HOUSE AMENDMENTS CONSIDERED

Senator Knudson called up for consideration Senate File No. 116, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title so as to read as follows:

An Act to amend the law as it appears in section four (4) of chapter ten (10), of the acts of the Forty-third General Assembly so as to remove from the exemption of the provisions of the Iowa securities law certain securities issued by public service utility corporations.

Strike all of Section One (1) of the bill and substitute the following:

Section 1. That the law as it appears in section four (4) of chapter ten (10) of the acts of the Forty-third General Assembly be, and the same is, hereby amended by striking therefrom all of sub-section d, and by enacting in lieu thereof the following:

"d. Any security issued or guaranteed either as to principal, interest, or dividend by a corporation owning or operating a railroad, provided that such corporation is subject to regulation or supervision as to the issue of its own securities by the Interstate Commerce Commission."

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Anderson	Blackford	Christophel	Clark of Linn
Benson	Booth	Clark of	Clark of Marion
Bissell	Carden	Cerro Gordo	Clearman

Cochrane	Kent	McLeland	Stanley
Coykendall	Kimberly	Moen	Stoddard
Gunderson	Klemme	Myers	Tabor
Hager	Knudson	Patterson	Topping
Hill	Leonard	Quirk	Wenner
Ickis	Lowe	Rigby	White
Irwin	MacDonald	Ritchie	Wilson

Nays, none.

Absent or not voting, 11.

Baird	Carroll	Doran	Langfitt
Beatty	Cole	Frailey	Stevens
Bennett	Cooney	Hicklin	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Hager called up for consideration Senate Joint Resolution No. 10, amended by the House, and moved that the Senate concur in the following amendments:

1. By inserting after the word "conservation" in line one (1), section one (1), the words, "and fish and game department".
2. By inserting after the word "conservation" in line two (2), section two (2), the words, "and fish and game department".
3. By striking the period at the end of line fourteen (14) section two (2) and inserting in lieu thereof a comma (,), and by adding the following:

"giving and directing precedence to the completion of any project now in the process of rehabilitation or development, and which project has been specially authorized by a legislative act, and on which project state expenditures have been made for surveys, plans, and land contracts."

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Kimberly	Quirk
Bennett	Clearman	Klemme	Rigby
Benson	Cochrane	Knudson	Ritchie
Bissell	Coykendall	Langfitt	Stanley
Blackford	Frailey	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Christophel	Hill	McLeland	Wenner
Clark of	Ickis	Moen	White
Cerro Gordo	Irwin	Myers	Wilson
Clark of Linn	Kent	Patterson	

Nays, none.

Absent or not voting, 8.

Baird	Carroll	Cooney	Hicklin
Beatty	Cole	Doran	Stevens

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Doran House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306), ten thousand three hundred twelve (10312) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements, was taken up and considered, having been substituted for Senate File No. 213 on March 26th.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking from lines 16 and 17 of section 1 the words "at the end of each thirty days" and substitute therefor the words "within thirty days after the materials are furnished".

The amendment was adopted.

The bill was read for information.

Senator Doran moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clark of Linn	Kent	Patterson
Beatty	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Coykendall	Knudson	Ritchie
Bissell	Doran	Langfitt	Stanley
Blackford	Frailey	Leonard	Stevens
Booth	Gunderson	Lowe	Stoddard
Carden	Hager	MacDonald	Tabor
Christophel	Hill	McLeland	Topping
Clark of	Ickis	Moen	Wenner
Cerro Gordo	Irwin	Myers	Wilson

Nays, none.

Absent or not voting, 7.

Baird	Clark of Marion	Cooney	White
Carroll	Cole	Hicklin	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Doran Senate File No. 213, a companion bill, was withdrawn from further consideration.

On motion of Senator Clark of Linn Senate File No. 19, a bill for an act to amend chapter one hundred sixty-five (165) Acts of the Forty-third General Assembly relating to swimming pools, was taken up and considered, the report of the committee recommending indefinite postponement, having been rejected.

Senator Doran offered the following amendment and moved its adoption:

Amend by inserting after Section 1 the following:

"Sec. 1a. The provisions of this act shall in no manner apply to cities or municipalities which have already voted bonds for the purpose of construction of swimming pools."

The amendment was adopted.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking the period at the end of sec. 1a and inserting a comma in lieu thereof and adding the following: "or to municipalities that have entered upon projects that include swimming pools."

The amendment was adopted.

Senator Clark of Linn offered the following amendments and moved their adoption:

Amend by inserting as Sec. 2 the following:

"Sec. 2. Amend Section sixty-two hundred thirty-nine (6239), Code 1927, by striking out of line fifteen (15) the words "swimming pools".

Further amend by re-numbering Section 2 as Section 3.

Amend the title by inserting after the word "amend" in the first line the following:

"section sixty-two hundred thirty-nine (6239), Code, 1927, and".

The amendments were adopted.

Senator Clark of Linn moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 24.

Anderson	Clark of	Klemme	Myers
Beatty	Cerro Gordo	Langfitt	Patterson
Benson	Clark of Linn	Leonard	Rigby
Bissell	Clearman	Lowe	Ritchie
Blackford	Coykendall	MacDonald	Wenner
Booth	Gunderson	Moen	White
Christophel			

Nays, 23.

Baird	Frailey	Kent	Stevens
Bennett	Hager	Kimberly	Stoddard
Clark of Marion	Hicklin	Knudson	Tabor
Cochrane	Hill	McLeland	Topping
Cole	Ickis	Quirk	Wilson
Doran	Irwin	Stanley	

Absent or not voting, 3.

Carden	Carroll	Cooney
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Topping moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Roll call was demanded on the tabling motion.

On the question "Shall the motion prevail?" the vote was:

Ayes, 21.

Baird	Frailey	Irwin	Stevens
Bennett	Hager	Kent	Stoddard
Benson	Hicklin	Kimberly	Tabor
Clark of Marion	Hill	Quirk	Topping
Cochrane	Ickis	Stanley	Wilson
Cole			

Nays, 23.

Anderson	Clark of Linn	Langfitt	Myers
Beatty	Clearman	Leonard	Patterson
Bissell	Coykendall	Lowe	Ritchie
Booth	Doran	MacDonald	Wenner
Christophel	Gunderson	McLeland	White
Clark of Cerro Gordo	Klemme	Moen	

Absent or not voting, 6.

Blackford	Cooney	Knudson	Rigby
Carden			
Carroll			

The motion was lost.

On motion of Senator Stoddard House File No. 194, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Kimberly	Rigby
Baird	Clearman	Klemme	Ritchie
Bennett	Cochrane	Knudson	Stanley
Benson	Coykendall	Langfitt	Stevens
Bissell	Doran	Leonard	Stoddard
Blackford	Gunderson	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Christophel	Hill	McLeland	Wenner
Clark of Cerro Gordo	Ickis	Myers	White
Clark of Linn	Irwin	Patterson	Wilson
	Kent	Quirk	

Nays, 1.

Moen

Absent or not voting, 7.

Beatty	Carroll	Cooney	Hicklin
Carden	Cole	Frailey	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill

passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 236, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Kimberly	Ritchie
Baird	Clearman	Klemme	Stanley
Benson	Cochrane	Knudson	Stoddard
Bissell	Cole	Langfitt	Tabor
Blackford	Coykendall	Leonard	Topping
Booth	Doran	Lowe	Wenner
Christophel	Gunderson	McLeland	White
Clark of	Hager	Patterson	Wilson
Cerro Gordo	Hill	Quirk	
Clark of Linn	Irwin	Rigby	

Nays, 4.

Frailey	Ickis	Kent	Moen
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Absent or not voting, 9.

Beatty	Carroll	Hicklin	Myers
Bennett	Cooney	MacDonald	Stevens
Carden			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 251, a bill for an act to make appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein, for damages to automobiles by reason of collisions with highway maintenance equipment or barricades in the highways, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clark of Linn	Irwin	Patterson
Baird	Clark of Marion	Kent	Quirk
Beatty	Cochrane	Kimberly	Rigby
Bennett	Cole	Klemme	Ritchie
Benson	Coykendall	Knudson	Stevens
Bissell	Doran	Langfitt	Stoddard
Blackford	Frailey	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carden	Hager	MacDonald	Wenner
Christophel	Ickis	McLeland	White
Clark of Cerro Gordo		Myers	Wilson

Nays, none.

Absent or not voting, 7.

Carroll	Cooney	Hill	Stanley
Clearman	Hicklin	Moen	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 288, a bill for an act to amend Section eleven (11), Chapter thirty (30) of the Acts of the 43rd General Assembly relating to Bank drafts and Cashiers' Checks given for clearings or drafts given for the transportation of funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking from lines 4 and 5 of section 1 the words "and drawn against actual existing values" and inserting the following: ", or cashier's check issued and drawn against actual existing values" and inserting in lieu thereof the words "drawn and issued".

The amendment was adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Clark of Marion	Ickis	McLeland
Bennett	Clearman	Irwin	Quirk
Benson	Cochrane	Kent	Rigby
Bissell	Cole	Kimberly	Stevens
Blackford	Coykendall	Klemme	Stoddard
Booth	Frailey	Knudson	Tabor
Carden	Gunderson	Langfitt	Topping
Christophel	Hager	Leonard	Wenner
Clark of	Hicklin	Lowe	White
Cerro Gordo	Hill	MacDonald	Wilson

Nays, 5.

Anderson	Moen	Myers	Ritchie
Clark of Linn			

Absent or not voting, 6.

Beatty	Cooney	Patterson	Stanley
Carroll	Doran		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moen the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

Senator Topping moved that the President appoint a committee of three to draw up a message of sympathy to send to Mrs. E. C. Dean of Ocheydan, Iowa, and Forest Dean at Rochester, Minn., mother and son of Hon. D. E. Dean.

The motion prevailed, and the President appointed as such committee Senators Moen, Topping, and Clark of Marion.

Mrs. E. C. Dean,
Ocheyedan, Iowa.

We extend sincere sympathy to you on account of the serious condition of your son, a former honored member of this body and one of the ablest servants of the State. We hope for his early recovery.

THE IOWA SENATE.

Forest Dean,
Rochester, Minnesota.

We extend sincere sympathy to you on account of the serious condition of your father, a former honored member of this body and one of the State's ablest servants. We hope for his early recovery.

THE IOWA SENATE.

THIRD READING OF BILLS

On motion of Senator Rigby Senate File No. 157, a bill for an act to amend Chapter 332 of the Code of Iowa by adding thereto Sections 6989-C1, 6989-C2 and 6989-C3 prohibiting the deduction by a corporation of debts owing by it to any affiliated corporation in making up the amount of money or credits which a corporation is required to list, or to have listed or assessed, and defining affiliated corporations, and providing that in certain cases debts owing by an affiliated corporation shall be disregarded as assets of the lending corporation in arriving at the assessable value of its shares of stock, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Clearman	Kent	Quirk
Beatty	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Ritchie
Blackford	Coykendall	Langfitt	Stanley
Carroll	Doran	Leonard	Stoddard
Christophel	Frailey	Lowe	Tabor
Clark of	Gunderson	McLeland	Topping
Cerro Gordo	Hill	Moen	Wenner
Clark of Linn	Ickis	Myers	White
Clark of Marion	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Booth	Hager	MacDonald
Bennett	Carden	Hicklin	Stevens
Bissell	Cooney	Kimberly	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Clark of Linn House File No. 328, a bill for an act to repeal sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code, 1927, relating to school census and to enact substitutes therefor to provide for a biennial school census, and to amend section forty-three hundred thirteen (4313), code, 1927, relating to reporting school census, was withdrawn from the committee on schools, and was substituted for Senate File No. 346, a companion bill, which was a committee bill, and was taken up and considered.

Senators Clark of Linn and Rigby offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section forty-two hundred thirty-five (4235), Code, 1927, be and the same is hereby amended by striking out of line three thereof the words "each year" and inserting in lieu thereof the words "each even numbered year".

"Sec. 2. That section forty-three hundred twelve (4312), Code 1927, be amended by striking out of line three thereof the words "each year" and inserting in lieu thereof the words "each even numbered year.".

"Sec. 3. That section forty-three hundred thirteen (4313), Code, 1927, be and it is hereby amended by striking out paragraph one thereof and inserting in lieu thereof the following:

1. The number, as shown by the last preceding school census, of persons of school age in the corporation, distinguishing the sexes.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Clark of Linn	Kent	Patterson
Baird	Cochrane	Klemme	Quirk
Bennett	Cole	Knudson	Rigby
Blackford	Cooney	Leonard	Ritchie
Booth	Gunderson	MacDonald	Stevens
Carden	Hager	McLeland	Wenner
Clark of Cerro Gordo	Irwin	Myers	

Nays, 16.

Beatty	Coykendall	Kimberly	Stoddard
Bissell	Hicklin	Langfitt	Tabor
Christophel	Hill	Lowe	White
Clearman	Ickis	Stanley	Wilson

Absent or not voting, 7.

Benson	Clark of Marion	Frailey	Topping
Carroll	Doran	Moen	

The amendment was adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 47.

Anderson	Clark of Linn	Irwin	Patterson
Baird	Clearman	Kent	Quirk
Beatty	Cochrane	Kimberly	Rigby
Bennett	Cole	Klemme	Ritchie
Benson	Cooney	Knudson	Stanley
Bissell	Coykendall	Langfitt	Stevens
Blackford	Frailey	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Ickis	Myers	Wilson

Nays, none.**Absent or not voting, 3.**

Carroll	Clark of Marion	Doran
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Clark of Linn,

Senate File No. 346, a companion bill, was withdrawn from further consideration.

On motion of Senator Rigby Senate File No. 351, a bill for an act to amend sections forty-one hundred seventy-nine (4179) to forty-one hundred eighty-two (4182), inclusive, Code, 1927, relating to transportation of children to and from schools in consolidated districts and to provide that such transportation shall be optional with the board of directors, a committee bill, was taken up and considered.

Senator Irwin moved to defer action.

Roll call was demanded on the motion to defer action.

On the question "Shall action be deferred?" the vote was:

Ayes, 6.

Baird Hicklin	Irwin	Kimberly Lowe	Stevens
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Nays, 36.

Anderson	Clark of Linn	Ickis	Myers
Beatty	Clark of Marion	Kent	Patterson
Bennett	Cochrane	Klemme	Quirk
Bissell	Cole	Knudson	Rigby
Blackford	Cooney	Langfitt	Ritchie
Booth	Coykendall	Leonard	Stoddard
Carden	Frailey	MacDonald	Topping
Christophel	Gunderson	McLeland	Wenner
Clark of Cerro Gordo	Hager	Moen	White

Absent or not voting, 8.

Benson	Clearman	Hill	Tabor
Carroll	Doran	Stanley	Wilson

The motion to defer action was lost.

Senator Blackford moved the previous question, which motion prevailed.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 24.

Anderson	Clark of	Langfitt	Stevens
Beatty	Cerro Gordo	Lowe	Stoddard
Bennett	Clark of Linn	Moen	Tabor
Bissell	Cole	Patterson	Topping
Blackford	Cooney	Quirk	Wenner
Booth	Frailey	Rigby	White
	Gunderson		

Nays, 25.

Baird	Coykendall	Irwin	MacDonald
Carden	Doran	Kent	McLeland
Carroll	Hager	Kimberly	Myers
Christophel	Hicklin	Klemme	Ritchie
Clark of Marion	Hill	Knudson	Stanley
Clearman	Ickis	Leonard	Wilson
Cochrane			

Absent or not voting, 1.

Benson

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Hill moved that the vote by which the bill failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was demanded.

On the question "Shall the motion prevail?" the vote was:

Ayes, 25.

Baird	Coykendall	Kent	McLeland
Carden	Doran	Kimberly	Myers
Carroll	Hager	Klemme	Ritchie
Christophel	Hill	Knudson	Stanley
Clark of Marion	Ickis	Leonard	Topping
Clearman	Irwin	MacDonald	Wilson
Cochrane			

Nays, 23.

Beatty	Clark of Linn	Langfitt	Stevens
Bennett	Cole	Lowe	Stoddard
Bissell	Cooney	Moen	Tabor
Blackford	Frailey	Patterson	Wenner
Booth	Gunderson	Quirk	White
Clark of	Hicklin	Rigby	
Cerro Gordo			

Absent or not voting, 2.

Anderson Benson

The motion prevailed.

On motion of Senator Myers Senate File No. 91, a bill for an act to amend section ten thousand one hundred and nine (10109) of the Code of 1924, relating to indexes kept by the county

recorder, and to provide for the keeping of a numerical, section or tract index, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

Senator Myers offered the following amendment and moved its adoption :

Amend by striking all after line eleven (11) and substituting therefor the following:

No. of Lots

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Book	Page

(Three usual-sized blocks placed parallel on each page.)
 (For sectional system of lands)

Township No..... Range No.....
 Section No.....

NE ¼				NW ¼				SW ¼				SE ¼				Book	Page
NE	NW	SW	SE														

(Three sections placed parallel on each page.)

The amendment was adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved the previous question, which motion prevailed.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 15.

Anderson	Klemme	Moen	Stanley
Benson	Langfitt	Myers	Wenner
Coykendall	Leonard	Patterson	White
Hager	MacDonald	Ritchie	

Nays, 31.

Baird	Clark of	Gunderson	McLeland
Beatty	Cerro Gordo	Hicklin	Quirk
Bennett	Clark of Marion	Ickis	Rigby
Bissell	Clearman	Irwin	Stevens
Blackford	Cochrane	Kent	Stoddard
Booth	Cole	Kimberly	Tabor
Carden	Cooney	Knudson	Topping
Christophel	Frailey	Lowe	Wilson

Absent or not voting, 4.

Carroll	Clark of Linn	Doran	Hill
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Wilson moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 355, a bill for an act providing that no proposition to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty per cent (60%) of the votes cast thereon, a committee bill, was taken up and considered.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by adding thereto the following:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Walker News, a newspaper published at Walker, Iowa, and The Sabula Gazette, a newspaper published at Sabula, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Cole	Langfitt	Ritchie
Beatty	Cooney	Leonard	Stanley
Bissell	Gunderson	Lowe	Stevens
Blackford	Hill	McLeland	Stoddard
Booth	Ickis	Moen	Tabor
Carden	Kent	Myers	Topping
Christophel	Kimberly	Patterson	Wenner
Clark of Linn	Klemme	Quirk	White
Clearman	Knudson	Rigby	

Nays, 10.

Bennett	Cochrane	Frailey	MacDonald
Benson	Coykendall	Hicklin	Wilson
Clark of Marion		Irwin	

Absent or not voting, 5.

Baird	Clark of	Doran	Hager
Carroll	Cerro Gordo		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Journal of March 26th was corrected and approved.

REPORT OF COMMITTEE

Senator Quirk submitted the following report:

MR. PRESIDENT: Your committee on drainage, to which was referred House File No. 427, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage districts, begs leave to report it has had the same under consideration and recommends the same do pass.

L. T. QUIRK, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 200 by adding thereto the following:

“Further amend said section by striking the comma in line twenty-one and inserting in lieu thereof a period and striking the remainder of the paragraph.”

FRANK D. ICKIS.

MR. PRESIDENT: I move to substitute for all pending amendments to House File No. 242 the following:

Strike everything after the enacting clause and substitute the following:

"Section 1. There is hereby appropriated out of the funds of the State Treasury, not otherwise appropriated, the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary to pay the expenses of the investigation of the affairs of the State University of Iowa and other State institutions under the control of the State Board of Education, and the administration of the affairs of the State Board of Education, such investigation being authorized by and pursuant to the provisions of Concurrent Resolution No. 8 of the 44th General Assembly. That such expenses shall not include the fees or expenses of the attorney provided for the State Board of Education. Upon the certification of the committee conducting such investigation, or its authorized representative, to the Auditor of State, such certificate to contain the information required in sub-section 8 of section 102 of the Code of 1927, then the Auditor of State shall draw a warrant upon the Treasurer of State payable to the holder of such certificate for the amount of the certificate.

Sec. 2. This act being deemed of immediate importance, shall take effect and be enforced from and after its passage and publication in the Ida County Pioneer-Record, a newspaper published at Ida Grove, Iowa, and the Le Mars Semi-Weekly Sentinel, a newspaper published at Le Mars, Iowa."

LEW MACDONALD.

MR. PRESIDENT: I move to amend H. F. No. 52 by adding after the period in line 12 the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Creston News Advertiser, a newspaper published at Creston, Iowa, and The Record News, a newspaper published at Mr. Ayr, Iowa.

FRANK D. ICKIS.

MR. PRESIDENT: I move to amend the amendment to Senate File No. 10 as found on page 945 of the Senate Journal, as follows:

Strike the figures "\$8000.00" found in line 2 under section 38, and substitute therefor the figures "\$6000.00".

I further move to amend Senate File No. 10 by adding thereto, as line 13a on page 48 thereof, the following:

"Traveling expenses and clerical help.....\$2000.00."

F. C. STANLEY.

On motion of Senator Stoddard the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. J. Hamilton Dawson, pastor of the Unity Lutheran Church of Des Moines.

DEAN MEMORIAL RESOLUTION

Senator Moen submitted the following resolution:

Be It Resolved by the Senate of the Forty-fourth General Assembly: That we learn with profound sorrow of the death of our Highway Commissioner and former member of the Senate, Honorable Herbert E. Dean of Ocheyedan. That we here bear testimony to his splendid ability, his unselfish and devoted service, the charm of his ever cheerful personality; and that in his passing the state loses a public servant of much effectiveness and fidelity.

That the President name a committee of three to procure and send a suitable floral tribute as an expression of our love and esteem for the deceased, and our profound regret at his passing.

Be It Further Resolved: That this be recorded in our Journal and a copy sent to the bereaved Mother and family.

By unanimous consent the resolution was considered at this time.

The resolution was adopted by a rising vote and the President appointed as such committee Senators Moen, Benson and Paterson.

By unanimous consent on request of Senator Wilson the remarks of Senator Moen were ordered printed in the Journal.

Senator Moen spoke as follows:

MR. PRESIDENT AND SENATORS: In considering this resolution I wish to state it was a considerable shock to us all when we received the sad news that our Highway Commissioner Dean has suffered a severe stroke which

left him in a very critical condition. The best of help was called to his bedside but with no relief. He was then taken by his son to the hospital at Rochester, Minnesota, where he received the care and the attention of the best Doctors obtainable. The first news we received from there was to the effect that he seemed to be resting a little easier, but yesterday we received a message which stated that his condition had turned for the worst. A second message was received later stating that he had passed away. Evidently the grim reaper who shows no favoritism had placed his stamp on our good friend and he had to answer the final roll call—one that we all must answer. It had been my privilege to know Herbert Dean for many years. We lived in adjoining counties. We served together in the House during the Thirty-eighth session of the General Assembly. We had the same Committee Clerk and Dean occupied the seat right back of me so we had the opportunity of getting well acquainted. I learned to know him as a man with a strong and determined mind of his own. It was not hard to find whether he was for or against any bill. He was a hard working and faithful member of the House, and later of the Senate. Of Senator Dean I believe it can be truthfully said that his community, his county, and his state were made better because he lived in them.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Blackford for the day, on request of Senator Booth; Senator Stoddard for the day, on request of Senator Bennett; Senator Clark of Linn for the day, on request of Senator Myers; Senator Kent for the day, on request of Senator Ritchie; Senator Patterson for the day, on request of Senator Anderson; Senator Baird for the day, on request of Senator Carden; Senator Clark of Cerro Gordo for the day, on request of Senator Wenner; Senator Hicklin for the day, on request of Senator Knudson; Senator Beatty for the day, on request of Senator Irwin; Senator Ickis for the day, on request of Senator Clearman.

By unanimous consent of the Senate, Senators Baird, Carroll and Doran were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Cooney, from residents of Dubuque, favoring restriction of motor vehicles. Motor vehicles.

By Senator Irwin, from international association of machinists of Clinton, favoring a bill making artisans' liens prior liens, and opposing appointment of park boards. Judiciary, and cities and towns.

By Senator Wilson, from united mine workers of America, Des Moines, favoring an old age pension act. Judiciary No. 2.

By Senator Anderson, from residents of Fort Dodge, favoring restriction of motor vehicles. Motor vehicles.

By Senator Bennett, from residents of Denison, favoring municipally owned public utility plants. Public utilities.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 421, a proposed bill to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa.

WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File No. 394, by committee on fish and game, a bill for an act to amend Section seventeen hundred sixty-seven (1767), Chapter eighty-six (86), Code of 1927, relative to the closed season on game birds.

Read first and second times and placed on the calendar.

Senate File No. 395, by committee on police regulations, a bill for an act to authorize and empower cities and towns to regulate the keeping, storage, possession, sale, manufacture or use of certain inflammable materials, substance or compounds, including the buildings, structures or places where any such materials, substances or compounds are kept, stored, sold, manufactured or used, and providing punishment for violation of any such ordinance.

Read first and second times and placed on the calendar.

Senate File No. 396, by committee on land titles, a bill for an act to authorize the issuance of a patent to certain lands in Clinton County, Iowa.

Read first and second times and placed on the calendar.

Senate File No. 397, by committee on judiciary No. 1, a bill for an act establishing a judicial council for the State of Iowa prescribing its rights, powers and duties, and providing for its expenses.

Read first and second times and placed on the calendar.

Senate File No. 398, by committee on judiciary No. 1, a bill for an act to repeal section ten thousand nine hundred thirty (10930) code, 1927, and to enact a substitute therefor, relating

to the revocation and suspension of licenses of attorneys to practice law.

Read first and second times and placed on the calendar.

Senate File No. 399, by committee on judiciary No. 1, a bill for an act to provide for trial de novo in the District Court of Appeals from the industrial commissioner and to repeal section fourteen hundred fifty-two (1452) and section fourteen hundred fifty-three (1453) of the Code of 1927.

Read first and second times and placed on the calendar.

Senate File No. 400, by committee on judiciary No. 1, a bill for an act to provide for an adjudication during an administration of an estate of the identity, existence, share, or interest of any or all persons having, or claiming to have, an interest in the estate, whether as heirs, devisees, legatees, spouse, or otherwise, and for the amendment of Chapter 507 of the Code of Iowa, 1927.

Read first and second times and placed on the calendar.

Senate File No. 401, by committee on judiciary No. 1, a bill for an act to amend chapter three hundred fifty-three (353), Code, 1927, relating to levee and drainage districts, and to provide for the appointment of a receiver of land in order that the rents and profits of said land may be applied to the payment of delinquent drainage assessments.

Read first and second times and placed on the calendar.

Senate File No. 402, by committee on judiciary No. 1, a bill for an act to amend chapter six hundred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645), of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions.

Read first and second times and placed on the calendar.

Senate File No. 403, by committee on judiciary No. 1, a bill for an act to provide for the use of alternate jurors in certain cases and to that end to amend chapter six hundred forty-four (644) of the code, 1927, relating to trial.

Read first and second times and placed on the calendar.

Senate File No. 404, by committee on judiciary No. 1, a bill for an act to amend the law as the same appears in Section four-

teen hundred forty-four (1444) of the Code, 1927, relating to the taking of depositions in Workmen's Compensation cases.

Read first and second times and placed on the calendar.

Senate File No. 405, by committee on claims, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger and A. E. McGlothlen.

Read first and second times and referred to committee on appropriations.

REPORT OF COMMITTEE

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 322, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

SENATE FILE NO. 159 WITHDRAWN

By unanimous consent on request of Senator Cooney Senate File No. 159, relative to the compensation of county attorneys, was withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator Kimberly, Senate File No. 195, a bill for an act to amend Chapter Thirty-six (36), Code of 1927, relating to nominations by primary election by amending section six hundred thirty-nine (639) and section six hundred forty-three (643), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Carden	Cole	Irwin
Bennett	Christophel	Cooney	Kimberly
Benson	Clark of Marion	Coykendall	Klemme
Bissell	Clearman	Gunderson	Knudson
Booth	Cochrane	Hill	Leonard

Lowe
McLeland
Moen
Myers

Quirk
Rigby
Ritchie

Stanley
Stevens
Tabor

Wenner
White
Wilson

Nays, none.

Absent or not voting, 17.

Baird
Beatty
Blackford
Carroll

Clark of
Cerro Gordo
Clark of Linn
Doran
Frailey

Hager
Hicklin
Ickis
Kent
Langfitt

MacDonald
Patterson
Stoddard
Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly House File No. 218, a bill for an act to amend section fifty-one hundred thirty-nine (5139) of the code, 1927, relating to the power of the board of supervisors to order the destruction of certain papers and records, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson
Bennett
Benson
Bissell
Booth
Carden
Christophel
Clearman
Cochrane

Cole
Cooney
Coykendall
Gunderson
Hill
Irwin
Kimberly
Klemme

Knudson
Leonard
Lowe
MacDonald
McLeland
Moen
Myers
Quirk

Rigby
Ritchie
Stanley
Stevens
Tabor
Wenner
White
Wilson

Nays, none.

Absent or not voting, 17.

Baird
Beatty
Blackford
Carroll

Clark of
Cerro Gordo
Clark of Linn
Clark of Marion
Doran

Frailey
Hager
Hicklin
Ickis
Kent

Langfitt
Patterson
Stoddard
Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly Senate File No. 374, a bill for an act to authorize and empower the superintendent of the Iowa Juvenile Home to execute assignment of bonds issued by the government of the United States and owned by, and registered in the name of the committed inmates of said home, who are minors, and to provide for the preservation of funds arising from such assignments, a committee bill, was taken up and considered.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Cochrane	Klemme	Ritchie
Bennett	Cole	Knudson	Stanley
Benson	Cooney	Leonard	Stevens
Bissell	Coykendall	McLeland	Tabor
Booth	Gunderson	Moen	Wenner
Carden	Hill	Myers	White
Christophel	Irwin	Quirk	Wilson
Clearman	Kimberly	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of Linn	Hager	Lowe
Beatty	Clark of Marion	Hicklin	MacDonald
Blackford	Doran	Ickis	Patterson
Carroll	Frailey	Kent	Stoddard
Clark of Cerro Gordo		Langfitt	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Myers House File No. 365, a bill for an act to make it an offense for any person to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor, was substituted for Senate File No. 277, a companion bill on which the report of committee recommending passage was adopted and was taken up and considered.

Senator Myers offered the following amendments and moved their adoption:

Amend by adding section 2 as follows:

Section 2. It shall be presumed that such serial number, or distinguishing number or identification mark, or portion thereof, was unlawfully removed, altered, defaced, mutilated, concealed, covered or destroyed by said person in violation of the provisions of this act, if it shall appear that said person has had possession or control of any such machine, musical instrument or other goods, wares or merchandise with such serial number or distinguishing number or identification mark, or portion thereof removed, altered, defaced, mutilated, concealed, covered or destroyed, but such presumption shall not be conclusive.

Also amend by renumbering the sections accordingly.

The amendments were adopted.

The bill was read for information.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Ritchie
Benson	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Stevens
Booth	Gunderson	McLeland	Tabor
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	White
Clark of Marion	Kimberly	Quirk	Wilson
Clearman			

Nays, none.

Absent or not voting, 17.

Baird	Clark of	Hager	MacDonald
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stoddard
Carroll	Doran	Kent	Topping
	Frailey	Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Myers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Myers, Senate File No. 277, a companion bill, was withdrawn from further consideration.

On motion of Senator McLeland Senate File No. 270, a bill for an act authorizing the formation of fire departments in rural communities and granting exemption from poll tax and jury service to the members of such departments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator MacDonald offered the following amendment and moved its adoption:

Amend by striking from the last line of Sec. 3 the words "and jury service".

The amendment was lost.

Senator Stevens offered the following amendment and moved its adoption:

Amend Sec. 1 by striking from line 3 the word "sight," and inserting the words "site, or community center".

The amendment was adopted.

The bill was read for information.

Senator McLeland moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cochrane	Klemme	Quirk
Beatty	Cole	Knudson	Rigby
Benson	Cooney	Leonard	Ritchie
Bissell	Coykendall	Lowe	Stanley
Booth	Gunderson	MacDonald	Stevens
Carden	Hager	McLeland	Tabor
Christophel	Irwin	Moen	Wenner
Clark of Marion	Kimberly	Myers	White
Clearman			

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hill	Patterson
Bennett	Doran	Ickis	Stoddard
Blackford	Frailey	Kent	Topping
Carroll	Hicklin	Langfitt	Wilson
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McLeland moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens House File No. 52, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the acts of the forty-third general assembly so as to authorize fishing with trot-lines, or throw-lines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendment filed by Senator Ickis was considered:

Amend by adding the following section:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Creston News Advertiser, a newspaper published at Creston, Iowa, and The Record News, a newspaper published at Mt. Ayr, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Clearman	Kimberly	Quirk
Bennett	Cochrane	Knudson	Rigby
Benson	Cole	Leonard	Ritchie
Bissell	Cooney	Lowe	Stanley
Booth	Coykendall	MacDonald	Stevens
Carden	Gunderson	McLeland	Tabor
Christophel	Hager	Moen	Wenner
Clark of Marion		Myers	

Nays, 2.

Irwin	White
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Absent or not voting, 18.

Baird	Clark of	Hicklin	Langfitt
Beatty	Cerro Gordo	Hill	Patterson
Blackford	Clark of Linn	Ickis	Stoddard
Carroll	Doran	Kent	Topping
	Frailey	Klemme	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Anderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens Senate File No. 92, a bill for an act to provide the method and process of service of notice upon a motor vehicle owner or driver who is a non-resident of the State of Iowa, returned by committee on judiciary No. 1, was taken up and considered.

The bill was read for information.

Senator Stevens moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Leonard	Stanley
Booth	Doran	Lowe	Stevens
Carden	Gunderson	MacDonald	Tabor
Christophel	Hager	McLeland	Wenner
Clark of Marion	Hill	Moen	White
Clearman	Irwin	Myers	Wilson
Cochrane	Kimberly	Quirk	

Nays, none.

Absent or not voting, 15.

Baird	Carroll	Frailey	Langfitt
Beatty	Clark of	Hicklin	Patterson
Bissell	Cerro Gordo	Ickis	Stoddard
Blackford	Clark of Linn	Kent	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley House File No. 136, a bill for an act to amend section forty-two hundred fifty-two (4252) of the code, 1927, relating to courses of study in common schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Ritchie
Benson	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Stevens
Booth	Gunderson	MacDonald	Tabor
Carden	Hager	McLeland	Topping
Christophel	Hill	Moen	Wenner
Clark of Marion	Irwin	Myers	White
Clearman	Kimberly	Quirk	Wilson

Nays, none.

Absent or not voting, 14.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stoddard
Carroll	Doran	Kent	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Carden House File No. 223, a bill for an act to amend section twenty-five hundred thirty-eight (2538) of the code, 1927, pertaining to the practice of medicine and surgery, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by striking out lines 6 and 7 and substituting in lieu thereof the following:

"3. Persons who act as representatives of any person in doing any of the things mentioned in this section."

The amendment was adopted.

Senator Benson offered the following amendments and moved their adoption:

Amend section 1 by inserting in line 3 after the figure 9 in parentheses the words "a comma and".

Also by striking out of line 4 the comma preceding the word "or".

The amendments were adopted.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Ritchie
Benson	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Stevens
Booth	Gunderson	MacDonald	Tabor
Carden	Hager	McLeland	Topping
Christophel	Hill	Moen	Wenner
Clark of Marion	Irwin	Myers	White
Clearman	Kimberly	Quirk	Wilson

Nays, none.

Absent or not voting, 14.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stoddard
Carroll	Doran	Kent	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Carden House File No. 190, a bill for an act to amend chapter sixty-four (64), acts of the forty-third (43rd) general assembly, relating to the inspector in the state department of health, and providing for an assistant to said inspector, and compensation and expense of said inspectors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Cochrane	Kimberly	Rigby
Bennett	Cole	Klemme	Ritchie
Benson	Cooney	Knudson	Stanley
Bissell	Coykendall	Leonard	Stevens
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Wenner
Christophel	Hill	Moen	White
Clark of Marion	Irwin	Myers	Wilson
Clearman		Quirk	

Nays, none.

Absent or not voting, 16.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	McLeland
Blackford	Clark of Linn	Ickis	Patterson
Carroll	Doran	Kent	Stoddard
			Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Quirk House File No. 427, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and

seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Quirk moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Ritchie
Benson	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Stevens
Booth	Gunderson	MacDonald	Tabor
Carden	Hager	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Marion	Irwin	Myers	Wilson
Clearman	Kimberly	Quirk	

Nays, none.

Absent or not voting, 15.

Baird	Clark of	Frailey	Langftt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stoddard
Carroll	Doran	Kent	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Quirk moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Cole House File No. 422, a bill for an act to amend section thirty-two hundred thirty-six (3236) of the code, 1927, relating to the sale of food commodities by weight, or in United States standard containers, was substituted for Senate File No. 316, a companion bill, on which report of committee recommending passage, was adopted and was taken up and considered.

The bill was read for information.

Senator Cole moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Cole	Knudson	Ritchie
Bennett	Cooney	Lowe	Stanley
Benson	Gunderson	MacDonald	Stevens
Booth	Hager	McLeland	Tabor
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	White
Clark of Marion	Kimberly	Quirk	Wilson
Cochrane	Klemme	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of	Doran	Langfitt
Beatty	Cerro Gordo	Frailey	Leonard
Bissell	Clark of Linn	Hicklin	Patterson
Blackford	Clearman	Ickis	Stoddard
Carroll	Coykendall	Kent	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cole moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Cole Senate File No. 316, a companion bill, was withdrawn from further consideration.

On motion of Senator Wilson House File No. 248, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to hotel keeper's lien, was substituted for Senate File No. 210, a companion bill on which the report of committee recommending passage was adopted and was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Ritchie
Benson	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Stevens
Booth	Gunderson	MacDonald	Tabor
Carden	Hager	Moen	Wenner
Christophel	Hill	Myers	White
Clark of Marion	Irwin	Quirk	Wilson
Clearman	Kimberly		

Nays, none.

Absent or not voting, 16.

Baird	Clark of Linn	Ickis	Patterson
Beatty	Doran	Kent	Stoddard
Blackford	Frailey	Langfitt	Topping
Carroll	Hicklin	McLeland	
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Wilson Senate File No. 210, a companion bill, was withdrawn from further consideration.

On motion of Senator Wilson House File No. 177, a bill for an act to amend section thirty-eight hundred seventeen (3817) of the code, 1927, relating to conditions prerequisite to a pardon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Carden	Cole	Hill
Bennett	Christophel	Cooney	Irwin
Benson	Clark of Marion	Coykendall	Kimberly
Bissell	Clearman	Gunderson	Klemme
Booth	Cochrane	Hager	Knudson

Leonard	Moen	Rigby	Wenner
Lowe	Myers	Stanley	White
MacDonald	Quirk	Stevens	Wilson
McLeland			

Nays, none.

Absent or not voting, 17.

Baird	Clark of	Hicklin	Ritchie
Beatty	Cerro Gordo	Ickis	Stoddard
Blackford	Clark of Linn	Kent	Tabor
Carroll	Doran	Langfitt	Topping
	Frailey	Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 117, a bill for an act to amend section eleven (11), chapter two hundred fourteen (214), acts of the forty-third (43rd) general assembly, relating to guardianship of veterans, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Clearman	Kimberly	Quirk
Beatty	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Stanley
Benson	Cooney	Leonard	Stevens
Bissell	Coykendall	Lowe	Tabor
Booth	Gunderson	MacDonald	Wenner
Carden	Hager	McLeland	White
Christophel	Hill	Moen	Wilson
Clark of Marion	Irwin	Myers	

Nays, none.

Absent or not voting, 15.

Baird	Clark of Linn	Ickis	Ritchie
Blackford	Doran	Kent	Stoddard
Carroll	Frailey	Langfitt	Topping
Clark of	Hicklin	Patterson	
Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 46, a bill for an act to amend paragraph one (1) of Section sixty-two hundred eleven (6211) in the Code of Iowa 1927, relating to the levy of taxes for grading purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cole	Klemme	Rigby
Beatty	Cooney	Knudson	Ritchie
Bennett	Coykendall	Leonard	Stanley
Bissell	Gunderson	Lowe	Stevens
Booth	Hager	McLeland	Tabor
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	White
Clark of Marion	Kimberly	Quirk	Wilson
Clearman			

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hicklin	MacDonald
Benson	Cochrane	Ickis	Patterson
Blackford	Doran	Kent	Stoddard
Carroll	Frailey	Langfitt	Topping
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator MacDonald Senate File No. 370, a bill for an act to repeal section thirty-six hundred twelve (3612),

Code of 1927, and to enact a substitute therefor providing for appointment of probation officers of the juvenile court; to amend section thirty-six hundred thirteen (3613), code of 1927, providing psychiatric service for juvenile courts; to amend section thirty-six hundred sixteen (3616), code of 1927, relating to salaries of probation officers; to repeal section thirty-six hundred seventeen (3617), code of 1927, and to enact a substitute therefor, defining class of children to which chapter one hundred eighty (180) is applicable; to repeal section thirty-six hundred twenty-one (3621), code of 1927, and to enact a substitute therefor relating to filing petitions in juvenile court; to amend section thirty-six hundred thirty-one (3631), code of 1927, by adding new sections thereto providing for appointment, powers and compensations of referees in juvenile court; to repeal section thirty-six hundred thirty-two (3632), code of 1927, and to enact a substitute therefor relating to powers of juvenile courts; to amend section thirty-six hundred thirty-three (3633), code of 1927, relating to detention of children, by authority of juvenile courts; to amend section thirty-six hundred forty-one (3641), code of 1927, relating to aid of widow having custody of children under jurisdiction of juvenile court; to amend section thirty-six hundred forty-one-b1 (3641-b1), code of 1927, relating to tax levy for widows' pension in certain counties; to amend section thirty-six hundred fifty-three (3653), code of 1927, relating to payment for boarding out of children detained by authority of juvenile courts, and to amend section thirty-six hundred fifty-four (3654), code of 1927, relating to compensation of attaches of juvenile courts; to repeal section thirty-six hundred sixty-one (3661), code of 1927, and to enact a substitute therefor, relating to the jurisdiction over adults in juvenile delinquency matters, a committee bill, was taken up and considered.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Beatty	Carden	Cooney	Klemme
Bennett	Christophel	Coykendall	Knudson
Benson	Clark of Marion	Hager	Leonard
Bissell	Clearman	Irwin	Lowe
Booth	Cochrane	Kimberly	MacDonald

McLeland	Quirk	Stanley	Topping
Moen	Rigby	Stevens	White
Myers	Ritchie	Tabor	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Clark of	Frailey	Kent
Baird	Cerro Gordo	Gunderson	Langfitt
Blackford	Clark of Linn	Hicklin	Patterson
Carroll	Cole	Hill	Stoddard
	Doran	Ickis	Wenner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator MacDonald moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator MacDonald Senate File No. 276, a bill for an act to repeal chapter one hundred two (102), acts forty-third general assembly, relating to attaching and detaching territory; to amend section forty-one hundred fifty-two (4152), code, 1927, relating to the subdivision of independent districts, and to enact a law fixing a minimum limitation upon the size of independent school districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cole	Knudson	Ritchie
Bennett	Cooney	Leonard	Stanley
Benson	Coykendall	MacDonald	Stevens
Bissell	Gunderson	McLeland	Tabor
Booth	Hager	Moen	Topping
Carden	Irwin	Myers	Wenner
Christophel	Kimberly	Quirk	White
Clearman	Klemme	Rigby	Wilson
Cochrane			

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hicklin	Langfitt
Beatty	Clark of Marion	Hill	Low
Blackford	Doran	Ickis	Patterson
Carroll	Frailey	Kent	Stoddard
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator MacDonald moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator MacDonald Senate File No. 190 was withdrawn from further consideration.

On motion of Senator Rigby House File No. 279, a bill for an act to authorize the issuance of a patent to certain land in Jones County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Clearman	Kimberly	Rigby
Beatty	Cochrane	Klemme	Ritchie
Bennett	Cole	Knudson	Stevens
Benson	Cooney	Leonard	Tabor
Bissell	Coykendall	Lowe	Topping
Booth	Gunderson	McLeland	Wenner
Carden	Hager	Moen	White
Christophel	Hill	Myers	Wilson
Clark of Marion	Irwin	Quirk	

Nays, none.

Absent or not voting, 15.

Baird	Clark of Linn	Ickis	Patterson
Blackford	Doran	Kent	Stanley
Carroll	Frailey	Langfitt	Stoddard
Clark of Cerro Gordo	Hicklin	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner the Senate recessed until 12:45 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 338, a proposed bill for the legalization of the proceedings of the board of the Independent School District of Monona, Iowa.

WALTER H. BEAM, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 116 and Senate Joint Resolution No. 10.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Reported adopted.

Senator MacDonald from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 40, 41, 210 and 257.

LEW McDONALD,
Acting Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Reported adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 116, Senate Joint Resolution No. 10 and House Files Nos. 40, 41, 210 and 257.

BILLS SENT TO THE GOVERNOR

Senator Hicklin from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 28th day of March, 1931, sent to the governor for his approval, Senate File No. 116 and Senate Joint Resolution No. 10.

E. R. HICKLIN, *Chairman.*

Reported adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 40, a bill for an act relating to the care of prisoners in the county jail in certain counties.

Also: That the House has concurred in Senate amendment to Section one (1), House File No. 41, a bill for an act fixing the salary of the county attorney in certain counties.

Also: That the House has concurred in the Senate amendments in which the concurrence of the House was asked:

House File No. 105, a bill for an act relating to Iowa products and labor.

Also: That the House has concurred in the Senate amendments in which the concurrence of the House was asked:

House File No. 307, a bill for an act relating to labor and material on public improvements.

Also: That the House has concurred in the Senate amendments in which the concurrence of the House was asked:

House File No. 341, a bill for an act relating to municipal waterworks.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 74, a bill for an act relating to licenses for the use of seines or nets in the Mississippi River.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 99, a bill for an act providing for the issuance of new certificates to corporations by the secretary of state.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 105, a bill for an act relating to corporations.

Also: 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 relating to a tax levy for park improvement purposes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 37, a bill for an act relating to furdealers' licenses.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 288, a bill for an act relating to bank drafts and cashiers' checks.

Also: That the House has failed to pass the following bill:

Senate File No. 1, a bill for an act creating the office of county assessor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 477, a bill for an act relating to the limit of the civil liability of owners and operators of automobiles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 414, a bill for an act relating to school elections.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 292, a bill for an act relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 215, a bill for an act to create a closed season on skunks.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 530, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Mason City, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 527, a bill for an act relating to county teachers' institutes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 502, a bill for an act providing for certain entries by the county treasurer and clerk of the district court.

Also: 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 legalize the payment of funds by Johnson County, Iowa.

Also: 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 providing for the payment of publications.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 420, a bill for an act providing for the payment of publication of the federal census.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 107, a bill for an act relating to motor vehicle fuels.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 155, a bill for an act relating to the possession of machine guns.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 151, a bill for an act relating to the carrying of firearms by officers in motor vehicles.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 133, a bill for an act relating to the total maximum weight of motor vehicles and loads thereon.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 152

Amend Senate File No. 152:

1. By striking the word "or" in line three (3) of section one (1), and by inserting at the end of said line the following: "or other weapon".
2. By changing the comma (,) following "state" in line four (4) to a period (.) and by striking the remainder of said sentence.
3. By striking from lines nine (9), ten (10), and eleven (11), of said section the following: "or in the apprehension of criminals for some other state, when, in his judgment, the same is advisable".

HOUSE AMENDMENTS TO SENATE FILE NO. 107

Amend Senate File No. 107:

1. By striking all of section three (3) thereof, and substituting therefor the following:

"Sec. 3. "Motor vehicle fuel" shall mean and include any substance or combination of substances which is intended to be or is capable of being used for the purpose of propelling or running by combustion any internal combustion engine and kept for sale or sold for that purpose, except the products commonly known as kerosene and/or distillate or petroleum products of lower gravity (Baume scale) when not used as motor vehicle fuel or for compounding or combining with any motor vehicle fuel."

2. By adding at the end thereof the following:

"Sec. 4. That the law as it appears in section fifty hundred ninety-three-a five (5093-a5) of the code, 1927, be and the same is hereby amended by inserting in line eight (8) thereof immediately following the word 'gallons' therein the following: 'of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act, and'.

"Sec. 5. That the law as it appears in section fifty hundred ninety-three-b one (5093-b1) of the code, 1927, be and the same is hereby

amended by striking from line fifteen (15) thereof the word 'and' and substituting in lieu thereof a comma (,); by striking the period (.) from line fifteen (15) thereof and substituting in lieu thereof a comma (,) and adding thereto the following: 'the number of gallons of motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act.'

3. Amend the title to Senate File No. 107, by adding thereto the following:

"and to amend sections fifty hundred ninety-three-a five (5093-a5), and fifty hundred ninety-three-b one (5093-b1), code, 1927, so as to require reports to be made by carriers and distributors upon all substances to be used in the manufacture, mixture or blending of motor vehicle fuels."

HOUSE AMENDMENT TO SENATE FILE NO. 155

Amend Senate File No. 155:

By inserting after the word "corporation" in line five (5), the following:

“, except law enforcement officers,”.

HOUSE AMENDMENTS TO SENATE FILE NO. 133

Amend Senate File No. 133 as follows:

1. By striking the word "either" in line two (2) of section two (2).
2. By striking all of section eight (8) and by substituting in lieu thereof the following:

"Sec. 8. That section five thousand sixty-five (5065) of the code, 1927, as amended by section two (2) of chapter twenty-five (25) of the laws of the Forty-third (43rd) General Assembly, be amended as follows:

1. By substituting the word "three" for the word "four" in line four (4).
2. By striking all of said section five thousand sixty-five (5065) following the word "weight" in line five (5) thereof, and substituting in lieu the following:

"of any vehicles or combination of vehicles shall not in any event exceed ten (10) tons for a single unit gross weight with a wheel base of eight (8) feet or less and five hundred (500) pounds additional for each additional foot or fraction thereof increase in length. The wheel base of a combination of vehicles shall be construed to mean, in this section, the overall distance between the first and last axles of the vehicle or combination of vehicles. A wheel which carries two (2) or more wheels on the same end of a given axle shall be considered as one (1) wheel."

Also amend Senate File No. 133 by adding to section eight (8) thereof, the following:

"Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a certificate of convenience and necessity from the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252-A1, code, 1927, shall be permitted to operate on the primary roads of this state only, provided the maximum load on any one wheel including the weight of the vehicle and the load does not exceed four (4) tons, and the maximum weight of the vehicle and load does not exceed twenty-eight thousand (28,000) pounds, and provided the vehicle is equipped with pneumatic tires.

Also, amend Senate File No. 133 by adding as Section ten (10) thereof, the following:

Sec. 10. Any person, firm or corporation engaged in the business of hauling bridge material, telephone and telegraph poles, or any other material for structural work which requires the use of a truck, or truck and trailer of a length in excess of these specified in section eight (8) hereof, may transport such material provided such person, firm or corporation shall first secure a permit from the highway commission, or its district engineer and the highway commission, or its district engineer, may, in their discretion issue such a permit.

Also, amend Senate File No. 133 as follows:

1. By striking out of lines three (3) and four (4) of Section four (4) thereof the words and figures "fifty (50)" and inserting in lieu thereof the words and figures "forty (40)".

2. By striking out of line two (2) of Section four (4) thereof the words and figures "thirty-three (33)" and inserting in lieu thereof the words and figures "thirty (30)".

3. By striking out of lines one (1) and two (2) of Section five thereof the words and figures "thirty-three (33)" and inserting in lieu thereof the words and figures "thirty (30)".

Also amend Senate File No. 133 by adding to section four (4) thereof as amended, the following:

"Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a certificate of convenience and necessity issued by the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252, A1, code, 1927, shall be permitted to operate on the primary highways of this state only if the maximum length over all does not exceed thirty-three (33) feet.

Also amend Senate File No. 133, section four (4), by adding thereto the following:

"All contractors engaged in the construction of the primary road system and all contractors engaged in the construction of the secondary road

system shall be permitted to move their necessary machinery and equipment over the roads of the state notwithstanding the provisions regarding dimensions contained in sections two (2), three (3) and four (4) of this act."

Also amend Senate File No. 133, by adding as section eleven (11), the following:

"Sec. 11. By striking from line twelve (12) of section two (2), of chapter one hundred twenty-eight (128), acts of the forty-third (43rd) general assembly, the following word and figure "twenty-five (25)", and inserting in lieu thereof the following word and figure "thirty-five (35)".

Also amend the title to Senate File No. 133:

1. By inserting at the end of line ten (10) thereof, the following: "as amended by section two (2) of chapter twenty-five (25), acts of the forty-third (43rd) general assembly,".

2. By changing the period at the end of line twelve (12) thereof to a semi-colon (;) and adding thereto the following:

"to provide for the operation, until December 31, 1934, of motor vehicles licensed on or before February 16, 1931; to provide for the issuance of permits for certain exceptions; and to amend chapter one hundred twenty-eight (128), acts of the forty-third (43rd) general assembly, relating to speed of freight carrying motor vehicles upon the highways."

HOUSE AMENDMENTS TO SENATE FILE NO. 151

Amend Senate File No. 151:

By striking from lines six (6) and seven (7) of section one (1), the following:

"and in search of or pursuing criminals or law violators".

By striking from the title the words "pursuing criminals" and inserting in lieu thereof the words "on duty".

THIRD READING OF BILLS

On motion of Senator Rigby Senate File No. 289, a bill for an act to amend Section seven thousand two (7002) of the Code, 1927, and to amend Section twenty-three (23), Chapter thirty (30), of the Acts of the 43rd General Assembly, to clarify the law relating to the deduction of real estate of Banks for purposes of taxation and prohibiting any offset against Surplus and Undivided Profits for losses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	MacDonald	Stevens
Bissell	Gunderson	McLeland	Tabor
Booth	Hager	Moen	Wenner
Carden	Hill	Myers	White
Christophe!	Irwin	Quirk	Wilson
Clearman	Kimberly		

Nays, none.

Absent or not voting, 20.

Baird	Clark of Linn	Hicklin	Lowe
Beatty	Clark of Marion	Ickis	Patterson
Blackford	Cochrane	Kent	Stanley
Carroll	Doran	Langfitt	Stoddard
Clark of	Frailey	Leonard	Topping
Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 290, a bill for an act relating to stopping payment on checks and drafts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendments and moved their adoption:

1. Strike from line 10 of Section 1 the figures "30" and insert in lieu thereof the word and figures, "sixty (60)".

2. Strike from line 5 of Section 2 the figures "30" and insert in lieu thereof the word and figures, "sixty (60)".

The amendments were adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Anderson	Clark of Marion Hill	Myers
Bennett	Clearman	Rigby
Benson	Cole	Ritchie
Bissell	Cooney	Tabor
Booth	Coykendall	Wenner
Carden	Gunderson	White
Christophel	Hager	Wilson

Nays, 2.

Quirk	Stevens
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Absent or not voting, 20.

Baird	Clark of Linn	Iekis	MacDonald
Beatty	Cochrane	Kent	Patterson
Blackford	Doran	Langfitt	Stanley
Carroll	Frailey	Leonard	Stoddard
Clark of Cerro Gordo	Hicklin	Low	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 291, a bill for an act to provide that the requirements of Chapter ten (10) of the Acts of the 43rd General Assembly shall not apply to State and Savings Banks and Trust Companies and National Banks subject to the jurisdiction of the Banking Department of the respective State or Federal Government, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Anderson	Christophel	Irwin	Quirk
Beatty	Clark of Marion	Kimberly	Rigby
Bennett	Clearman	Klemme	Ritchie
Benson	Cole	Knudson	Tabor
Bissell	Cooney	MacDonald	Wenner
Booth	Gunderson	McLeland	White
Carden	Hager	Moen	Wilson

Nays, 2.

Coykendall Myers

Absent or not voting, 20.

Baird	Cochrane	Kent	Stevens
Blackford	Doran	Langfitt	Stoddard
Carroll	Frailey	Leonard	Topping
Clark of	Hicklin	Lowe	
Cerro Gordo	Hill	Patterson	
Clark of Linn	Ickis	Stanley	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clearman House File No. 111, a bill for an act to amend section forty-two hundred seventy-four (4274) of the code, 1927, relating to attending school in another corporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clark of Marion	Klemme	Ritchie
Beatty	Clearman	Knudson	Stevens
Bennett	Cole	MacDonald	Tabor
Benson	Cooney	McLeland	Topping
Bissell	Coykendall	Moen	Wenner
Booth	Hager	Myers	White
Carden	Irwin	Quirk	Wilson
Christophel	Kimberly	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of Linn	Hicklin	Leonard
Blackford	Cochrane	Hill	Lowe
Carroll	Doran	Ickis	Patterson
Clark of	Frailey	Kent	Stanley
Cerro Gordo	Gunderson	Langfitt	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 71, a bill for an act to legalize the act of the board of supervisors of Decatur county on January 23, 1931 in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the paupers' fund of said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Clearman	Kimberly	Quirk
Beatty	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Leonard	Stevens
Bissell	Gunderson	McDonald	Topping
Booth	Hager	McLeland	Wenner
Carden	Hill	Moen	White
Christophel	Irwin	Myers	Wilson

Nays, none.

Absent or not voting, 18.

Baird	Clark of Linn	Hicklin	Patterson
Blackford	Clark of Marion	Ickis	Stanley
Carroll	Cochrane	Kent	Stoddard
Clark of	Doran	Langfitt	Tabor
Cerro Gordo	Frailey	Lowe	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Marion House File No. 121, a bill for an act to provide legal help in court actions to which the state highway commission is a party, to authorize payment from the primary road fund of attorneys' compensation and court costs in connection with legal work of the state highway com-

mission, and to relieve the general revenue of the state therefrom, having been substituted for Senate File No. 95 on which the committee report for passage was adopted, was taken up and considered.

Senator Clark of Marion asked unanimous consent to withdraw his amendment as found on page 806 of the Senate Journal of March 19th, and the amendment was withdrawn.

Senator Clark of Marion offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting the following:

"Section 1. The Attorney General may appoint local attorneys to assist in any legal actions brought for or against the State Highway Commission. The compensation of such local attorneys heretofore or hereafter appointed and the special assistant attorney general appointed to look after the legal work of the State Highway Commission shall be fixed by the Attorney General and said Commission, and together with all court costs assessed against the said Commission, shall be payable from the primary road fund.

Section 2. All laws or parts of laws inconsistent with this act are hereby repealed.

Section 3. This act being deemed of immediate importance shall take effect from and after its publication as provided by law."

The amendment was adopted.

The bill was read for information.

Senator Clark of Marion moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Clearman	Kimberly	Quirk
Beatty	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Leonard	Stevens
Bissell	Gunderson	MacDonald	Tabor
Booth	Hager	McLeland	Topping
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	Wilson
Clark of Marion			

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hicklin	Patterson
Blackford	Cochrane	Ickis	Stanley
Carroll	Doran	Kent	Stoddard
Clark of Cerro Gordo	Frailey	Langfitt	White
		Lowe	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Marion moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 358, a bill for an act to amend chapter seventy-eight (78), Code, 1927, relating to permits to sell cigarettes or cigarette papers and to the tax relating thereto, and to provide for refunds of tax in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Clearman	Kimberly	Quirk
Bennett	Cole	Klemme	Rigby
Benson	Cooney	Knudson	Ritchie
Bissell	Coykendall	Leonard	Stevens
Booth	Gunderson	MacDonald	Tabor
Carden	Hager	McLeland	Topping
Christophel	Hill	Moen	Wenner
Clark of Marion	Irwin	Myers	Wilson

Nays, none.

Absent or not voting, 18.

Baird	Clark of Linn	Kent	White
Beatty	Cochrane	Langfitt	
Blackford	Doran	Lowe	
Carroll	Frailey	Patterson	
Clark of Cerro Gordo	Hicklin	Stanley	
	Ickis	Stoddard	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner House File No. 209, a bill for an act to repeal section forty-three hundred forty-five (4345), Code, 1927, as amended by the forty-third (43rd) general assembly, chapter one hundred ten (110), and to enact a substitute therefor relating to the establishment of pension and annuity retirement systems in certain independent school districts, and to legalize the establishment of such systems under the laws herein repealed, was taken up and considered, the report of the committee recommending indefinite postponement having been rejected.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Cole	Klemme	Ritchie
Bennett	Cooney	Knudson	Stevens
Benson	Coykendall	Leonard	Tabor
Booth	Gunderson	McLeland	Topping
Carden	Hager	Moen	Wenner
Christophel	Hill	Myers	White
Clark of Marion	Irwin	Quirk	Wilson
Clearman	Kimberly	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of	Frailey	Lowe
Beatty	Cerro Gordo	Hicklin	MacDonald
Bissell	Clark of Linn	Ickis	Patterson
Blackford	Cochrane	Kent	Stanley
Carroll	Doran	Langfitt	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MEMORIAL RESOLUTION AMENDED

Senator Carden moved to reconsider the vote by which the Dean resolution was adopted, which motion prevailed.

Senator Carden moved to amend the resolution by inserting after the word "procure" the words "and present" and adding to the resolution that this committee be authorized to represent the Senate at the funeral of ex-Senator Dean.

The amendment was adopted.

The resolution as amended was adopted.

The President appointed as such committee to attend the funeral, Senators Moen, Benson and Patterson.

THIRD READING OF BILLS

On motion of Senator Benson House File No. 113, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more, where the houses or business houses average less than two hundred (200) feet apart, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Cole	Knudson	Ritchie
Bennett	Cooney	Low	Stevens
Benson	Coykendall	MacDonald	Tabor
Booth	Gunderson	McLeland	Topping
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	White
Clark of Marion	Kimberly	Quirk	Wilson
Clearman	Klemme	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hager	Leonard
Bissell	Clark of Linn	Hicklin	Patterson
Blackford	Cochrane	Ickis	Stanley
Carroll	Doran	Kent	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson House File No. 271, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by inserting at the beginning of line ten of section 1 the following:

“Sec. 2.”

The amendment was adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 33.

Anderson	Cole	Klemme	Quirk
Bennett	Cooney	Knudson	Rigby
Benson	Coykendall	Leonard	Stevens
Bissell	Gunderson	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Carden	Hill	McLeland	Wenner
Christophel	Irwin	Moen	White
Clark of Marion	Kimberly	Myers	Wilson
Clearman			

Nays, 1.

Ritchie

Absent or not voting, 16.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stanley
Carroll	Cochrane	Kent	Stoddard
	Doran		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson House File No. 338, a bill for an act to legalize a certain deed executed in the name of the independent school district of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said independent school district, on January 12, 1931, conveying to Carl G. Schultz certain real estate situated in the town of Monona, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Bennett	Cooney	Knudson	Rigby
Benson	Coykendall	Leonard	Ritchie
Bissell	Gunderson	Lowe	Stevens
Booth	Hager	MacDonald	Tabor
Carden	Hill	McLeland	Topping
Christophel	Irwin	Moen	Wenner
Clearman	Kimberly	Myers	White
Cole	Klemme	Quirk	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Clark of	Doran	Langfitt
Baird	Cerro Gordo	Fralley	Patterson
Beatty	Clark of Linn	Hicklin	Stanley
Blackford	Clark of Marion	Ickis	Stoddard
Carroll	Cochrane	Kent	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson Senate File No. 386, a bill for an act to legalize the re-incorporation of The First Methodist Episcopal Church of Mason City, Cerro Gordo County, Iowa, its articles of incorporation, the election of officers and board of trustees under said Articles of Incorporation, and of the acts and

proceedings to effect said re-incorporation and the title to the property belonging to said corporation as theretofore incorporated and assumed by said articles of re-incorporation, a committee bill, was taken up and considered.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Cole	Knudson	Rigby
Bennett	Cooney	Leonard	Ritchie
Benson	Coykendall	Lowe	Stevens
Bissell	Gunderson	MacDonald	Tabor
Booth	Hager	McLeland	Topping
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	White
Clark of Marion	Kimberly	Quirk	Wilson
Clearman	Klemme		

Nays, none.

Absent or not voting, 16.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stanley
Carroll	Cochrane	Kent	Stoddard
	Doran		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bennett Senate File No. 345, a bill for an act to amend section nine thousand ten (9010) of the Code of Iowa, 1927, relating to unlawful combinations of insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Clearman	Kimberly	Myers
Bennett	Cole	Klemme	Rigby
Benson	Cooney	Knudson	Ritchie
Bissell	Coykendall	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carden	Hager	MacDonald	Wenner
Christophel	Hill	McLeland	White
Clark of Marion	Irwin	Moen	Wilson

Nays, none.

Absent or not voting, 18.

Baird	Clark of	Frailey	Patterson
Beatty	Cerro Gordo	Hicklin	Quirk
Blackford	Clark of Linn	Ickis	Stanley
Carroll	Cochrane	Kent	Stevens
	Doran	Langfitt	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bennett Senate File No. 344, a bill for an act to amend Chapter two hundred twenty-nine (229) of the Acts of the Forty-Third General Assembly, relating to insurance other than life, and to permit insurance of buildings and other property against loss or damage caused by railroad equipment and motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cole	Klemme	Quirk
Bennett	Cooney	Knudson	Rigby
Benson	Coykendall	Leonard	Ritchie
Bissell	Gunderson	Lowe	Stanley
Booth	Hager	MacDonald	Tabor
Carden	Hill	McLeland	Topping
Christophe'	Irwin	Moen	Wenner
Clark of Marion	Kimberly	Myers	White
Clearman			

Nays, none.

Absent or not voting, 17.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stevens
Carroll	Cochrane	Kent	Stoddard
	Doran		Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bennett House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cole	Leonard	Stanley
Bennett	Cooney	Low	Stevens
Benson	Coykendall	MacDonald	Tabor
Bissell	Gunderson	McLeland	Topping
Booth	Hager	Moen	Wenner
Carden	Hill	Myers	White
Christophel	Irwin	Quirk	
Clark of Marion	Kimberly	Rigby	
Clearman	Knudson	Ritchie	

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Ickis	Patterson
Beatty	Cochrane	Kent	Stoddard
Blackford	Doran	Klemme	Wilson
Carroll	Frailey	Langfitt	
Clark of	Hicklin		
Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Bennett Senate File No. 322 was withdrawn from further consideration.

On motion of Senator Bennett Senate File No. 257, a bill for an act to prohibit the killing, trapping or ensnaring of beavers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cole	Knudson	Ritchie
Bennett	Cooney	Leonard	Stanley
Benson	Coykendall	Lowe	Stevens
Bissell	Gunderson	MacDonald	Tabor
Booth	Hager	McLeland	Topping
Carden	Hill	Moen	Wenner
Christophel	Irwin	Myers	White
Clark of Marion	Kimberly	Quirk	
Clearman	Klemme		

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hicklin	Patterson
Beatty	Cochrane	Ickis	Rigby
Blackford	Doran	Kent	Stoddard
Carroll	Frailey	Langfitt	Wilson
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley Senate File No. 250, a bill for an act to amend section three thousand fifty-eight (3058), Code 1927, establishing a minimum weight for ice cream, with report

of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stanley offered the following amendments and moved their adoption:

Amend by adding after the word "ice-cream" in line four (4) thereof, the words "in factory filled packages".

Further amend by inserting after the period and before the quotation mark in line five (5) thereof, the following: "The bacterial count at the factory shall not exceed two hundred fifty thousand (250,000) to the cubic centimeter."

The amendments were adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clearman	Kimberly	Quirk
Bennett	Cole	Klemme	Ritchie
Benson	Cooney	Knudson	Stevens
Bissell	Coykendall	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carden	Hager	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Marion	Irwin	Myers	

Nays, none.

Absent or not voting, 19.

Baird	Clark of Linn	Hicklin	Patterson
Beatty	Cochrane	Ickis	Rigby
Blackford	Doran	Kent	Stanley
Carroll	Frailey	Langfitt	Stoddard
Clark of Cerro Gordo		MacDonald	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On the motion of Senator Clearman Senate File No. 306, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize the levy, imposition, and col-

lection of a tax annually to pay said indebtedness, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Leonard	Stanley
Bissell	Gunderson	Lowe	Stevens
Booth	Hager	MacDonald	Tabor
Carden	Hill	McLeland	Topping
Christophel	Irwin	Myers	Wenner
Clark of Marion	Kimberly	Quirk	White
Clearman			

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hicklin	Moen
Beatty	Cochrane	Ickis	Patterson
Blackford	Doran	Kent	Stoddard
Carroll	Frailey	Langfitt	Wilson
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moen House File No. 280, a bill for an act to amend section thirty-two hundred sixty-seven (3267), code of 1927, relating to inspection fees for the inspection of scales, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Cole	Klemme	Quirk
Bennett	Cooney	Knudson	Rigby
Benson	Coykendall	Leonard	Ritchie
Bissell	Gunderson	Lowe	Stanley
Carden	Hager	MacDonald	Stevens
Christophel	Hill	McLeland	Tabor
Clark of Marion	Irwin	Moen	Wenner
Clearman	Kimberly	Myers	White

Nays, none.

Absent or not voting, 18.

Baird	Clark of	Frailey	Patterson
Beatty	Cerro Gordo	Hicklin	Stoddard
Blackford	Clark of Linn	Ickis	Topping
Booth	Cochrane	Kent	Wilson
Carroll	Doran	Langftt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moen, Senate File No. 330, a bill for an act to amend section twelve thousand eighty-eight (12088), of the Code 1927, relating to bonds in attachment proceedings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Cole	Klemme	Quirk
Bennett	Cooney	Knudson	Rigby
Benson	Coykendall	Leonard	Ritchie
Bissell	Gunderson	MacDonald	Stanley
Booth	Hager	McLeland	Stevens
Carden	Hill	Moen	Tabor
Christophel	Irwin	Myers	Wenner
Clearman	Kimberly		

Nays, none.

Absent or not voting, 20.

Baird	Clark of Linn	Hicklin	Patterson
Beatty	Clark of Marion	Ickis	Stoddard
Blackford	Cochrane	Kent	Topping
Carroll	Doran	Langfitt	White
Clark of Cerro Gordo	Frailey	Lowe	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Irwin Senate File No. 396, a bill for an act to authorize the issuance of a patent to certain Lands in Clinton County, Iowa, a committee bill, was taken up and considered.

By unanimous consent on request of Senator Irwin, the rules were suspended by which no bill may be read the second and third times the same day.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Cooney	Leonard	Stanley
Bennett	Coykendall	Lowe	Stevens
Benson	Gunderson	MacDonald	Tabor
Bissell	Hager	McLeland	Topping
Booth	Hill	Moen	Wenner
Carden	Irwin	Myers	White
Christophel	Kimberly	Quirk	
Clark of Marion	Klemme	Rigby	
Cole	Knudson	Ritchie	

Nays, none.

Absent or not voting, 17.

Baird	Clark of Linn	Hicklin	Stoddard
Beatty	Clearman	Ickis	Wilson
Blackford	Cochrane	Kent	
Carroll	Doran	Langfitt	
Clark of Cerro Gordo	Frailey	Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson House File No. 189, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across the lands of the Iowa School for the Deaf under the provisions of chapter two hundred sixty-nine (269), acts of the thirty-third (33rd) general assembly; providing for the termination of the right-of-way therein granted and for the obligation of the railway company to remove its property from the state lands, restore them to original condition and surrender possession thereof to the state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Leonard	Stanley
Bissell	Gunderson	Lowe	Stevens
Booth	Hager	MacDonald	Tabor
Carden	Hill	McLeland	Topping
Christophel	Irwin	Moen	Wenner
Clark of Marion	Kimberly	Myers	White
Clearman		Quirk	

Nays, none.

Absent or not voting, 16.

Baird	Clark of	Frailey	Langfitt
Beatty	Cerro Gordo	Hicklin	Patterson
Blackford	Clark of Linn	Ickis	Stoddard
Carroll	Cochrane	Kent	Wilson
	Doran		

The bill having received constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Benson Senate File No. 76 was withdrawn from further consideration.

By unanimous consent on request of Senator Benson House File No. 373, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying of such tax and the anticipation of the collection of such tax by the issuance of said certificates, was substituted for Senate File No. 342, a companion bill on which the report of the committee recommending passage was adopted and was taken up and considered.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Clearman	Kimberly	Myers
Bennett	Cole	Klemme	Quirk
Benson	Cooney	Knudson	Rigby
Bissell	Coykendall	Leonard	Stevens
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Christophel	Hill	McLeland	Wenner
Clark of Marion	Irwin	Moen	White

Nays, none.

Absent or not voting, 18.

Baird	Clark of Linn	Hicklin	Ritchie
Beatty	Cochrane	Ickis	Stanley
Blackford	Doran	Kent	Stoddard
Carroll	Frailey	Langfitt	Wilson
Clark of Cerro Gordo		Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Benson, Senate File No. 342, a companion bill, was withdrawn from further consideration.

On motion of Senator Cooney Senate File No. 196, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of the code, 1927, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the code, 1927, and become a city or town under the general law governing cities and towns, or resume special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cooney offered the following amendment and moved its adoption:

Amend by inserting the word "total" after the word "the" in line five (5) and by striking out all of line six (6) after the word "cast". Also strike out the words "number of votes" in line seven (7), and by adding the following:

Sec. 2. If such proposition to abandon the organization under Chapter three hundred twenty-eight (328) of the Code, 1927, be not adopted at the special election called, the question of abandoning such organization under said Chapter of the Code, shall not be re-submitted to the voters of such city or town, within two years thereafter.

The amendment was adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Cooney	Leonard	Ritchie
Bennett	Coykendall	Lowe	Stanley
Benson	Gunderson	MacDonald	Stevens
Bissell	Hager	McLeland	Tabor
Booth	Hill	Moen	Topping
Christophel	Irwin	Myers	Wenner
Clark of Marion	Kimberly	Quirk	White
Clearman	Klemme	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Clark of	Doran	Knudson
Beatty	Cerro Gordo	Frailey	Langfitt
Blackford	Clark of Linn	Hicklin	Patterson
Carden	Cochrane	Ickis	Stoddard
Carroll	Cole	Kent	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Cooney House File No. 96, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696) of the code of 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty thousand (50,000) once in two years instead of annually, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Cooney	Knudson	Quirk
Bennett	Coykendall	Leonard	Rigby
Benson	Gunderson	Lowe	Stanley
Bissell	Hager	MacDonald	Stevens
Booth	Hill	McLeland	Topping
Carden	Irwin	Moen	Wenner
Clearman	Kimberly	Myers	White
Cole	Klemme		

Nays, none.

Absent or not voting, 20.

Baird	Clark of Linn	Hicklin	Ritchie
Beatty	Clark of Marion	Ickis	Stoddard
Blackford	Cochrane	Kent	Tabor
Carroll	Doran	Langfitt	Wilson
Christophel	Frailey	Patterson	
Clark of Cerro Gordo			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Cooney Senate File No. 246, a companion bill, was withdrawn from further consideration.

On motion of Senator Cooney House File No. 407, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner moved to defer action, which motion prevailed.

On motion of Senator Topping Senate File No. 108, a bill for an act to amend the law as it appears in chapter three hundred seventy-three (373) of the code of 1927 by inserting following section eighty hundred sixty-nine (8069) another section to be known as section eighty hundred sixty-nine a one (8069-a1), so as to provide that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route for said shipment, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike out the word "such" in line 11 and strike out all the subject matter in said bill beginning with the words "provided further" in line 14.

The amendment was adopted.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Carden	Cooney	Kimberly
Bennett	Christophel	Coykendall	Klemme
Benson	Clark of Marion	Gunderson	Knudson
Bissell	Clearman	Hill	Lowe
Booth	Cole	Irwin	McLeland

Moen	Ritchie	Tabor	Wenner
Myers	Stanley	Topping	White
Rigby	Stevens		

Nays, none.

Absent or not voting, 20.

Baird	Clark of Linn	Hicklin	MacDonald
Beatty	Cochrane	Ickis	Patterson
Blackford	Doran	Kent	Quirk
Carroll	Frailey	Langfitt	Stoddard
Clark of Cerro Gordo	Hager	Leonard	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson House File No. 282, a bill for an act to provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Cooney	Knudson	Quirk
Bennett	Coykendall	Leonard	Rigby
Benson	Gunderson	Lowe	Ritchie
Bissell	Hill	MacDonald	Stanley
Booth	Irwin	McLeland	Stevens
Christophel	Kimberly	Moen	Tabor
Clark of Marion	Klemme	Myers	Wenner
Cole			

Nays, none.

Absent or not voting, 21.

Baird	Clark of	Frailey	Patterson
Beatty	Cerro Gordo	Hager	Stoddard
Blackford	Clark of Linn	Hicklin	Topping
Carden	Clearman	Ickis	White
Carroll	Cochrane	Kent	Wilson
	Doran	Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator McLeland House File No. 172, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike out in line four (4) of Section one (1) the word "fifty-one" and substitute therefor the word "thirty-five".

The committee amendment was adopted.

The bill was read for information.

Senator McLeland moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Cooney	Knudson	Quirk
Bennett	Coykendall	Leonard	Ritchie
Benson	Gunderson	Lowe	Stanley
Booth	Hill	MacDonald	Stevens
Christophel	Irwin	McLeland	Tabor
Clark of Marion	Kimberly	Moen	Topping
Clearman	Klemme	Myers	Wenner
Cole			

Nays, none.

Absent or not voting, 21.

Baird	Clark of	Frailey	Patterson
Beatty	Cerro Gordo	Hager	Rigby
Bissell	Clark of Linn	Hicklin	Stoddard
Blackford	Cochrane	Ickis	White
Carden	Doran	Kent	Wilson
Carroll		Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McLeland moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Booth Senate File No. 367, a bill for an act to amend Section 5105-a1 and Section 5105-a39, Chapter 252-a1, Code of Iowa, 1927, amending the definition of the term "motor vehicle" and changing penalty for the violation of the provisions of said chapter, a committee bill, was taken up, and considered.

Senator Booth offered the following amendment and moved its adoption:

Amend by adding the following section:

Sec. 3. This act being deemed of immediate importance shall take effect and be in force after its publication in the Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa, and the Strawberry Point Press, a newspaper published at Strawberry Point, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Cooney	Leonard	Ritchie
Bennett	Coykendall	Lowe	Stanley
Benson	Hager	MacDonald	Stevens
Bissell	Hill	McLeland	Tabor
Booth	Irwin	Moen	Topping
Christophel	Kimberly	Myers	Wenner
Clearman	Klemme	Quirk	
Cole	Langfitt	Rigby	

Nays, none.

Absent or not voting, 20.

Baird	Clark of	Doran	Kent
Beatty	Cerro Gordo	Fralley	Knudson
Blackford	Clark of Linn	Gunderson	Patterson
Carden	Clark of Marion	Hicklin	Stoddard
Carroll	Cochrane	Ickis	White
			Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Booth moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Booth Senate File No. 365, a bill for an act to amend chapter one hundred thirty-one (131) of the laws of the forty-third general assembly relating to the operation of motor trucks and trailers on the public highways of this state, a committee bill, was taken up, and considered.

Senator Booth offered the following amendment and moved its adoption:

Amend by providing for publication in The Waterloo Evening Courier, Waterloo, Iowa, and Shelby News, Shelby, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Cooney	Leonard	Rigby
Bennett	Coykendall	Lowe	Ritchie
Benson	Gunderson	MacDonald	Stanley
Bissell	Hill	McLeland	Stevens
Booth	Irwin	Moen	Tabor
Christophel	Kimberly	Myers	Topping
Cole	Klemme	Quirk	

Nays, none.

Absent or not voting, 23.

Baird	Clark of Linn	Hager	Patterson
Beatty	Clark of Marion	Hicklin	Stoddard
Blackford	Clearman	Iekis	Wenner
Carden	Cochrane	Kent	White
Carroll	Doran	Knudson	Wilson
Clark of Cerro Gordo	Frailey	Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Booth moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Christophel Senate File No. 281, a bill for an act to amend section thirty-one hundred twelve-b one (3112-b1), Code, 1927, relating to the grades of eggs; to establish retail grades of eggs; to establish optional grades for the purchase of eggs from

producers; to provide rules and tolerances for the enforcement thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

President pro tem Wm. E. McLeland took the chair at 3:55 p. m.

Senator Booth moved to defer action which motion prevailed.

RECONSIDERATION OF SENATE FILE NO. 196

Senator Wenner moved to reconsider the vote by which Senate File No. 196 passed the Senate, which motion prevailed.

Senator Wenner moved that the vote by which Senate File No. 196 passed to its third reading, be reconsidered, which motion prevailed.

By unanimous consent on request of Senator Cooney his amendment as previously adopted was withdrawn.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking out lines six (6) and seven (7) of said file and insert in lieu thereof the words: "cast in said city for all the candidates for governor at the last preceding general election."

The amendment was adopted.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Cole	Leonard	Rigby
Bennett	Cooney	Lowe	Ritchie
Benson	Coykendall	MacDonald	Stevens
Bissell	Hill	McLeland	Tabor
Booth	Irwin	Moen	Topping
Christophel	Kent	Myers	Wenner
Clearman	Kimberly	Quirk	

Nays, none.

Absent or not voting, 23.

Baird	Carden	Clark of	Clark of Marion
Beatty	Carroll	Cerro Gordo	Cochrane
Blackford		Clark of Linn	Doran

Frailey
Gunderson
Hager
Hicklin

Ickis
Klemme
Knudson

Langfitt
Patterson
Stanley

Stoddard
White
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COPIES SENATE FILE NO. 133 ORDERED

By unanimous consent on request of Senator Booth 600 copies of Senate File No. 133 as passed by the Senate were ordered printed.

THIRD READING OF BILLS

On motion of Senator Coykendall Senate File No. 128, a bill for an act to amend section two (2), chapter fifty-eight (58), acts of the forty-third General Assembly, relating to the open season for killing, trapping or ensnaring furbearing animals; to provide for an open season on red fox, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Coykendall moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Anderson
Bennett
Benson
Booth
Christophel
Clearman
Cooney

Coykendall
Doran
Hill
Irwin
Kimberly
Klemme
Leonard

Lowe
MacDonald
McLeland
Moen
Myers
Quirk
Rigby

Ritchie
Stevens
Tabor
Topping
Wenner

Nays, 1.

Bissell

Absent or not voting, 23.

Baird
Beatty
Blackford
Carden
Carroll
Clark of
Cerro Gordo

Clark of Linn
Clark of Marion
Cochrane
Cole
Frailey
Gunderson

Hager
Hicklin
Ickis
Kent
Knudson
Langfitt

Patterson
Stanley
Stoddard
White
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Coykendall moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate for consideration of House File No. 184:

LEW MACDONALD	ARTHUR LEONARD
C. A. BENSON	GEO. CLEARMAN
C. D. BOOTH	E. J. WENNER
L. H. DORAN	GEO. W. TABOR
C. L. RIGBY	O. P. BENNETT
M. D. COONEY	W. E. MCLELAND
W. R. RITCHIE	

Roll call revealed the presence of Senators Anderson, Bennett, Benson, Bissell, Booth, Christophel, Clearman, Cooney, Coykendall, Doran, Hill, Irwin, Kimberly, Klemme, Leonard, Lowe, MacDonald, McLeland, Moen, Myers, Quirk, Rigby, Ritchie, Stevens, Tabor, Topping, Wenner.

By unanimous consent on request of Senator MacDonald all absent Senators were excused, and the call was declared complete.

On motion of Senator Moen House File No. 184, a bill for an act to amend section twenty-nine hundred two (2902), code of 1927, relating to state aid for county and district fair associations so as to correct the form of the section, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Booth	Coykendall	Klemme
Bennett	Christophel	Doran	Leonard
Benson	Clearman	Hill	Lowe
Bissell	Cooney	Irwin	MacDonald

McLeland	Quirk	Stevens	Wenner
Moen	Rigby	Tabor	White
Myers	Ritchie	Topping	

Nays, none.

Absent or not voting, 23.

Baird	Clark of Linn	Hager	Langfitt
Beatty	Clark of Marion	Hicklin	Patterson
Blackford	Cochrane	Ickis	Stanley
Carden	Cole	Kent	Stoddard
Carroll	Frailey	Kimberly	Wilson
Clark of Cerro Gordo	Gunderson	Knudson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 13

Senator Anderson submitted the following:

Be It Resolved by the Senate, the House concurring, That the Forty-Fourth General Assembly adjourn, sine die, at twelve o'clock noon, Wednesday, April 15, 1931.

Laid over under the rule.

HOUSE MESSAGES CONSIDERED

House File No. 482, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense fund.

Read first and second times and referred to the sifting committee.

House File No. 419, a bill for an act to amend section sixty-two (62) of the code, 1927, providing for the payment of publications.

Read first and second times and referred to the sifting committee.

House File No. 420, a bill for an act to amend section four hundred twenty-six (426) of the code, 1927, providing for the payment of publication of the federal census.

Read first and second times and referred to the sifting committee.

House File No. 477, a bill for an act to amend section five thousand twenty-six-b one (5026-b1), code, 1927, so as to limit the civil liability of owners and operators of automobiles.

Read first and second times and referred to the sifting committee.

House File No. 414, a bill for an act to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to school elections.

Read first and second times and referred to the sifting committee.

House File No. 292, a bill for an act to repeal section fifty-six hundred ninety-nine (5699), code of 1927, relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service, and to enact a substitute therefor.

Read first and second times and referred to the sifting committee.

House File No. 215, a bill for an act to create a closed season on skunks in various counties, and to provide for notice for such closed season; to provide for expense incident thereto, and to provide for a penalty for the violation of the provisions of this act.

Read first and second times and referred to the sifting committee.

House File No. 530, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Mason City, Cerro Gordo county, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation.

Read first and second times and referred to the sifting committee.

House File No. 527, a bill for an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools.

Read first and second times and referred to the sifting committee.

House File No. 502, a bill for an act to require certain entries by the county treasurer, and by the clerk of the district court, to show the exact time of the making of such entries.

Read first and second times and referred to the sifting committee.

AMENDMENTS FILED

MR. PRESIDENT: I wish to amend Senate File No. 391 by striking Sec. 2 thereof.

C. L. RIGBY.

MR. PRESIDENT: I move to amend Senate File No. 264 by striking out all after the enacting clause, including all pending amendments, and substituting therefor the following:

Section 1. "Pipe Line Company" insofar as this act is concerned, shall include and mean any person, firm, co-partnership, association, corporation or syndicate engaged in or organized for the purpose of owning pipe lines for the transportation or transmission of gas, gasoline, oils or motor fuels within or through this state, or, for the purpose of engaging in the transportation or transmitting of gas, gasoline, oils or motor fuels in or through pipe lines within or through this state.

Sec. 2. No pipe line company shall construct, maintain or operate any pipe line or lines outside of cities and towns under, along, over or across any public highway, grounds, waters or streams of this state without procuring from the Board of Railroad Commissioners a permit granting permission so to do.

Sec. 3. Any pipe line company authorized to engage in business in this state before engaging in its said business in this state shall file with the Board of Railroad Commissioners its verified petition asking for a permit to construct, maintain and operate its pipe line or lines along, over or across the public highways, grounds, waters and streams of this state or the lands of any person, company or corporation and to acquire the necessary interests in real estate for such purposes.

Sec. 4. Said petition shall state:

(a) The name of the individual, firm, corporation, company or association asking for said permit.

(b) The applicant's principal office and place of business.

(c) The route of said proposed line or lines, together with a map thereof.

(d) A general description of the public highways, grounds and waters and private lands along, over or across which said proposed line or lines will pass.

(e) The specifications and manner of construction of said line or lines.

(f) The maximum capacity of said line or lines.

(g) The maximum pressure under which it is proposed to transport gas in said line or lines.

Sec. 5. Upon the filing of said petition the Board of Railroad Commissioners shall fix a date for hearing thereon and shall cause notice thereof to be published in some newspaper of general circulation in each county through which said proposed line or lines will extend; said notice to be published for two (2) consecutive weeks. Said hearing shall be not less than ten (10) days nor more than thirty (30) days from the date of the last publication and shall be held in the offices of said Board of Railroad Commissioners.

Sec. 6. Any person, corporation, company, city or town whose rights or interests may be affected by said pipe line or lines may file written objections to said proposed pipe line or lines or to the granting of said permit but all such objections shall be on file in the office of said Board of Railroad Commissioners not less than five (5) days before the date of hearing on said application but said Board of Railroad Commissioners may permit the filing of said objections later than five (5) days before said hearing, in which event the applicant must be granted a reasonable time to meet said objections. The said Board of Railroad Commissioners may examine the proposed route of said pipe line or lines or may cause such examination to be made by an engineer selected by it. At said hearing the said Board of Railroad Commissioners shall consider said petition and any objections filed thereto and may in its discretion hear such testimony as may aid it in determining the propriety of granting such permit. It may grant such permit in whole or in part upon such terms, conditions and restrictions as to location and route as may be determined by it to be just and proper.

Applicant shall pay all costs and expenses of said proceeding including the cost of publishing notice of hearing on said application, and upon the granting of said permit the said applicant shall pay to said Board of Railroad Commissioners a permit fee of \$1.00 per mile, or any fraction thereof, for each inch of diameter of such pipe line located in the State of Iowa at the time said permit is granted and a like sum for any

pipe lines thereafter constructed under permit and by authority of said Board of Railroad Commissioners under the provisions of this act. And every such pipe line company shall for the privilege and right to use or cross any of the public properties referred to in this act, and for the right to operate in the state of Iowa, pay an annual license fee in the sum of \$1.00 per mile of pipe line or fraction thereof, for each inch of diameter of such pipe line located in the state of Iowa, said license fee to be paid for the calendar year in advance and before January first of that year, to the Board of Railroad Commissioners. Said fee, when collected, shall be paid by said Board of Railroad Commissioners to the State Treasurer for the use and benefit of the General Fund of the State. The said Board of Railroad Commissioners shall have full authority and power to promulgate such rules and regulations as it deems proper and expedient to insure the orderly conduct of the hearings herein provided for.

Sec. 7. The said Board of Railroad Commissioners shall cause to be prepared a uniform blank form of permit which shall provide a space for a general description of the improvement authorized thereby, the name and address of the pipe line company to whom said permit is granted and the terms and conditions upon which it is granted. Said permit shall be signed by the Chairman of the Board of Railroad Commissioners and the official seal of said Board shall be attached thereto.

Sec. 8. No exclusive right shall ever be granted to any pipe line company to construct, maintain and operate its pipe line or lines along, over or across any public highway, grounds or waters and no such permit shall ever be granted for a longer period than twenty-five (25) years.

Sec. 9. When any such pipe line or lines are sold, either voluntarily or by judicial sale, such transfer shall carry with it the permit under which it is owned, maintained or operated. If a transfer of such permit is made before the improvement for which it was issued is constructed in whole or in part such transfer shall not be effective until the person, company or corporation to whom it was issued shall file in the office of said Board of Railroad Commissioners a notice in writing stating the date of such transfer and the name and address of said transferee.

Sec. 10. The Board of Railroad Commissioners shall keep a record of all permits granted and issued by it, showing when and to whom issued with a general statement of the location and route of said pipe line or lines covered thereby. When any transfer of such permit has been made as provided in this chapter the said Board shall also note upon its record the date of such transfer and the name and address of such transferee.

Sec. 11. Any pipe line company obtaining a permit as in this act provided or operating under one shall be conclusively presumed to have accepted the provisions thereof and all laws relating to the regulation, supervision or control thereof which are now in force or which may hereafter be enacted and to have consented to such reasonable regulation as said Commission may from time to time prescribe. And any pipe line

company accepting and operating under such permit or franchise shall be deemed to have thereby consented that the state of Iowa may levy and impose such general property taxes and/or taxes on gross receipts and/or taxes on net income as the General Assembly may hereafter prescribe.

Sec. 12. Any pipe line company owning a permit granted under this act desiring to acquire an extension of such permit may petition the Board in the same manner provided for the granting of such permit and the same proceeding shall be had as on an original application.

Sec. 13. Any pipe line company having secured a permit as in this act provided shall thereupon be vested with the right of Eminent Domain to such extent as may be necessary and as prescribed and approved by said Board of Railroad Commissioners, not exceeding seventy-five (75) feet in width for right-of-way and not exceeding one (1) acre in any one location in addition to right-of-way for the location of pumps, pressure apparatus or other stations or equipment necessary to the proper operation of its said pipe line or lines. If agreement cannot be made with the private owner of lands as to damages caused by the construction of said pipe line the same proceedings shall be taken as provided for taking private property for works of internal improvement. Provided, however, that nothing in this act shall authorize the construction of a pipe line longitudinally on, over or under any public highway or railroad right-of-way without the consent of the public authority having control and supervision over the public highway or the railway company's consent, as the case may be, nor shall it be considered that any provision of this act shall give the right of condemnation or Eminent Domain for any such purposes.

Sec. 14. Pipe line companies operating pipe lines shall have reasonable access to the same for the purpose of constructing, reconstructing, enlarging, repairing or locating its pipes, pumps, pressure apparatus or other stations, devices or equipment used in or upon such line but shall pay to the owner of such lands for the right of entry thereon and the owner of crops thereon all damages caused by entering, using or occupying said lands for said purposes; and shall pay to the owner or owners of such lands all damages caused after the completion of construction of said pipe line on account of wash or erosion of the soil at or along the location of said pipe line by reason of the construction thereof upon said lands on account of the settling of the soil along and above said pipe line, provided however that nothing herein contained shall prevent the execution of an agreement between the pipe line company and the owner of said land or crops with reference to the use thereof. Before any permit is granted under the provisions of this act the applicant must satisfy the Board of Railroad Commissioners that the applicant has or will have within a reasonable time, property within this State other than pipe lines, subject to execution of a value in excess of \$50,000.00, or said applicant must file and maintain with said Board a surety bond in the penal sum of \$50,000.00 with surety approved by the Board, conditioned that said applicant will pay any and all damages legally recovered

against it growing out of the operation of its said pipe line in the State of Iowa. Provided, however, when such pipe line company deposits with said Board of Railroad Commissioners security satisfactory to said Board as a guaranty for the payment of said damages, or furnishes to said Board satisfactory proofs of its solvency and financial ability to pay said damages, the said pipe line company shall be relieved of the said provisions requiring bond. And in all cases arising under this act, the district court of any County, through which said pipe line company is located, shall have jurisdiction; and service of original notice on the pipe line company therein shall be had and made upon the chairman of the Board of Railroad Commissioners.

Sec. 15. The Board of Railroad Commissioners shall have general supervision of all pipe lines in the state and shall from time to time inspect and examine into the condition of said pipe lines and whenever said Board shall determine that any pipe line or any apparatus, device or equipment used in connection therewith is unsafe and dangerous it shall immediately in writing notify said pipe line company operating said pipe line, device, apparatus or other equipment to repair or replace any defective or unsafe part or portion of said pipe line, device, apparatus or equipment. If said pipe line company fails to obey said order within a time prescribed by said Board the said Board may commence an equitable action in the district court of the county where said defective, unsafe or dangerous portion of said pipe line, device, apparatus or equipment is located to compel compliance with its said order. If, after due trial of said action the court finds that said order is reasonable, equitable and just, it shall decree a mandatory injunction compelling obedience to and compliance with said order and may grant such other relief as may be just and proper. Appeal from said decree may be taken in the same manner as in other actions.

Sec. 16. No pipe line shall be constructed except by agreement within two hundred (200) feet of any dwelling house or other building except where said pipe line passes along a public highway or is located alongside or parallel with the right-of-way of any railway company.

O. P. MYERS.

The Journal of March 27th was corrected and approved.

REPORT OF COMMITTEE

Senator Booth submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred Senate File No. 295, a bill for an act to amend the law as it appears in section two (2) of chapter one hundred twenty-eight (128) of the acts of the forty-third general assembly relating to the driving of motor vehicles upon the highways, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out all of said bill after the enacting clause, and substitute in lieu thereof the following:

Section 1. That the law as it appears in section two (2) of chapter one hundred twenty-eight (128) of the acts of the forty-third general assembly be and the same is hereby amended by inserting after the word "assured" in line eight (8), the word "unobstructed".

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

On motion of Senator Topping the Senate adjourned until 1:30 p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 30, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Manson E. Miller, pastor of the Christian Church of Webster City.

By unanimous consent of the Senate, Senators Moen, Benson and Patterson were excused to attend the funeral of Hon. H. E. Dean, also Senator Langfitt on account of illness.

On motion of Senator McLeland the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the governor stating that he had on March 28, 1931, approved the following bills:

Senate File No. 20, relating to a tax levy for park purposes.

Senate File No. 106, relating to the issuance of debentures or bonds.

Senate File No. 284, relating to power of special charter cities.

Senate File No. 116, relating to securities issued by public service utility corporations.

Senate Joint Resolution No. 10, providing for program and plan of conservation.

EXTRA COPIES SENATE FILE NO. 93

By unanimous consent on request of Senator Clark of Linn,

six hundred extra copies of Senate File No. 93 were ordered printed.

THIRD READING OF BILLS

On motion of Senator Clark of Cerro Gordo, House File No. 530, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Mason City, Cerro Gordo county, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Linn	Ickis	Quirk
Baird	Clark of Marion	Irwin	Rigby
Bennett	Clearman	Kent	Ritchie
Bissell	Cochrane	Klemme	Stevens
Blackford	Cole	Knudson	Stoddard
Booth	Coykendall	Leonard	Tabor
Carden	Doran	Lowe	Topping
Christophel	Frailey	MacDonald	Wenner
Clark of	Gunderson	McLeland	White
Cerro Gordo	Hager	Myers	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Cooney	Kimberly	Patterson
Benson	Hicklin	Langfitt	Stanley
Carroll	Hill	Moen	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Cerro Gordo moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Stoddard his

amendments as found on pages 409 and 632 of the Senate Journal were withdrawn from further consideration.

On motion of Senator Stoddard Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Section 50 (page 73):

1. In lines 9, 10 and 11 strike out the following words and figures "Fifteen million seven hundred eighty-three thousand four hundred seventy-three dollars and twenty cents (\$15,783,473.20)" and insert in lieu thereof the following: "fourteen million nine hundred ninety-four thousand two hundred ninety-nine dollars and fifty-four cents (\$14,994,299.54)".

Senator Stoddard offered the following as a substitute for the committee amendment and moved its adoption:

Amend Sec. 50 as follows:

1. In lines 17 and 18 strike out the words and figures "Five million six hundred twenty-nine thousand four hundred three dollars and twenty cents (\$5,629,403.20)" and substitute the words and figures "Five million three hundred ninety-six thousand three dollars and twenty-six cents (\$5,396,003.26)".

2. In lines 35 and 36 strike the words and figures "Five million three hundred sixty-two thousand dollars (\$5,362,000.00)" and substitute the words and figures "Five million one hundred twenty-two thousand dollars (\$5,122,000.00)".

3. In lines 58 and 59 strike the words and figures "One million five hundred seventy-five thousand one hundred sixty dollars (\$1,575,160.00)" and substitute the words and figures "One million five hundred twenty-eight thousand dollars (\$1,528,000.00)".

4. In lines 74 and 75 strike out the words and figures "Four hundred ninety-seven thousand three hundred dollars (\$497,300.00)" and substitute the words and figures "Four hundred seventy-one thousand dollars (\$471,000.00)".

5. In lines 85 and 86 strike out the words and figures "Two hundred fifty-four thousand five hundred dollars (\$254,500.00)" and substitute the words and figures "Two hundred fifty-one thousand dollars (\$251,000.00)".

President Pro Tem Wm. E. McLeland took the chair at 1:59 p. m.

Senator White offered the following amendment to the substitute amendment and moved its adoption:

In lines 85 and 86 strike out the words and figures "Two hundred fifty-one thousand dollars (\$251,000.00)" and substitute the words and figures "Two hundred fifty-four thousand five hundred dollars (\$254,500.00)".

Senator Clark of Linn raised the point of order that a substitute amendment cannot be amended.

The President Pro Tem held the point of order well taken, but that if the substitute is made and adopted, it then can be amended.

President Arch W. McFarlane returned to the chair at 2:12 p. m.

Senator Anderson asked for a roll call on the substitute amendment.

On the question "Shall the substitution be made?" the vote was:

Ayes, 19.

Baird	Cochrane	Hager	Stoddard
Blackford	Cole	Ickis	Topping
Christophel	Cooney	Irwin	White
Clark of Marion	Doran	Kimberly	Wilson
Clearman	Frailey	Rigby	

Nays, 24.

Anderson	Clark of Linn	Knudson	Quirk
Beatty	Coykendall	Leonard	Ritchie
Bennett	Gunderson	Lowe	Stanley
Bissell	Hill	MacDonald	Stevens
Booth	Kent	McLeland	Tabor
Carden	Klemme	Myers	Wenner

Absent or not voting, 7.

Benson	Clark of	Hicklin	Moen
Carroll	Cerro Gordo	Langfitt	Patterson

The substitution was lost.

Senator Clark of Linn moved that section 50 be re-referred to the committee on appropriations with instructions to bring back and present to the Senate an amendment allocating \$14,994,299.54 for the purposes set out in said section 50.

The motion was lost.

Senator Anderson moved to eliminate the School for the Blind from the provisions of the amendment.

Senator Stoddard raised the point of order that the motion was not in proper form.

The President held the point of order well taken.

Senator MacDonald asked for a roll call on the committee amendment.

On the question "Shall the committee amendment be adopted?" the vote was:

Ayes, 20.

Anderson	Clark of	Knudson	Quirk
Beatty	Cerro Gordo	Leonard	Ritchie
Bennett	Clark of Linn	MacDonald	Stanley
Bissell	Coykendall	McLeland	Stevens
Booth	Hill	Myers	Tabor
	Kent		

Nays, 22.

Baird	Cole	Ickis	Stoddard
Blackford	Cooney	Irwin	Topping
Carden	Doran	Kimberly	Wenner
Clark of Marion	Frailey	Klemme	White
Clearman	Hager	Lowe	Wilson
Cochrane		Rigby	

Absent or not voting, 8.

Benson	Christophel	Hicklin	Moen
Carroll	Gunderson	Langfitt	Patterson

The amendment was lost.

Senator Anderson moved to defer action until two of his cohorts return.

Senator Wilson moved to adjourn until 9:30 a. m. Tuesday.

The motion was lost.

The motion to defer action was lost.

Senator Clark of Cerro Gordo moved the adoption of the following committee amendments:

Section 2 (page 1):

1. In line 8, change "3,600.00" to "3,400.00".
2. Strike line 28.

3. In line 35, change "4,200.00" to "4,000.00".
4. In line 36, change "1,500.00" to "750.00".
5. In line 37, change "12,000.00" to "11,000.00".
6. In line 38, change "900.00" to "700.00".
7. In line 41, change "900.00" to "800.00."
8. In line 42, change "1,500.00" to "1,200.00".
9. In line 43, change "9,750.00" to "9,000.00".
10. In line 44, change "5,000.00" to "4,000.00".
11. In line 45, change "4,500.00" to "4,000.00".
12. In line 46, change "1,500.00" to "1,000.00".

Amendments Nos. 1, 2, 3, 4, 5, 6, 7 and 8 were adopted.

Amendment No. 9 was lost.

Amendments Nos. 10, 11 and 12 were adopted.

Senator Klemme moved that the budget director's report be accepted in lieu of the committee's report.

The motion was lost.

Senator Clark of Marion moved the adoption of the following amendment:

Section 3 (page 4):

1. In line 9, change "3,600.00" to "3,300.00".

The amendment was adopted.

Senator Booth moved the adoption of the following amendments:

Section 4 (page 8):

1. In line 11, change "3,000.00" to "2,400.00".
2. In line 22, change "4" to "6", and change "8,000.00" to "12,000.00".
3. Insert as line 25-a: "Assessing public utilities, traveling expenses and contingent fund..... 25,000"

Amendments Nos. 1, 2 and 3 were adopted.

Senator Hager moved the adoption of the following amendment:

Section 6 (page 10):

1. In line 14, change "1,600.00" to "1,400.00".

Senator Klemme asked for a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Beatty	Cole	Kent	Ritchie
Bissell	Coykendall	Leonard	Stanley
Blackford	Doran	Lowe	Stevens
Booth	Frailey	MacDonald	Wenner
Carden	Gunderson	McLeland	White
Christophel	Hager	Myers	Wilson
Clark of Linn	Hill	Quirk	

Nays, 10.

Baird	Cooney	Kimberly	Tabor
Clearman	Ickis	Klemme	Topping
Cochrane		Stoddard	

Absent or not voting, 13.

Anderson	Clark of	Hicklin	Moen
Bennett	Cerro Gordo	Irwin	Patterson
Benson	Clark of Marion	Knudson	Rigby
Carroll		Langfitt	

The amendment was adopted.

Senator Hager moved the adoption of the following amendments:

Section 8 (page 11):

1. Strike line 10.
2. In line 19, change "1,000.00" to "500.00".

The amendments were adopted.

Senator Clark of Marion moved the adoption of the following amendments:

Section 9 (page 12):

1. In line 8, change "100,000.00" to "80,000.00".
2. In line 10, change "40,000.00" to "30,000.00".

Amendment No. 1 was lost.

Amendment No. 2 was adopted.

Senator MacDonald moved the adoption of the following amendments:

Section 10 (page 13):

1. In line 10, change "4,000.00" to "3,600.00".
2. In line 12, change "2" to "1", and change "4,000.00" to "2,500.00".
3. In line 23, change "4" to "3", and change "4,800.00" to "3,600.00".
4. In line 25, change "8" to "7", and change "10,560.00" to "9,240.00".
5. In line 33, change "15,000.00" to "14,000.00".

Senator MacDonald offered the following amendment and moved its adoption:

Strike from line 8 the figures "4,200.00" and insert figures "4,000.00"; also strike from line 8 the figures "12,600.00" and insert "12,000.00".

The amendment was adopted.

Amendments 1, 2, 3, 4 and 5 were adopted.

Senator Hager moved the adoption of the following amendments:

Section 11 (page 16):

1. In line 13, change "6" to "4", and change "9,000.00" to "6,000.00".
2. In line 18, change "8" to "6", and change "9,600.00" to "7,200.00".
3. In line 20, change "14" to "12", and change "18,480.00" to "15,840.00".

Amendments Nos. 1, 2, and 3 were adopted.

Senator Cole moved the adoption of the following amendment:

Section 12 (page 17):

1. In line 7, change "69" to "70", and change "339,000.00" to "344,000.00".

The amendment was adopted.

Senator Hager moved the adoption of the following amendments:

Section 14 (page 19):

1. In line 16, change "2,700.00" to "2,550.00".
2. Insert as line 28-a the following:

"Rent of space for departments of the state government
now housed outside of the capitol building.....20,000.00"

3. Strike line 31.

Amendment No. 1 was adopted.

Senator Stoddard moved to strike from amendment No. 2, line 3, the word "now".

The amendment was adopted.

Amendment No. 2 as amended was adopted.

Amendment No. 3 was adopted.

Further action was deferred.

INTRODUCTION OF BILLS

Senate File No. 406, by committee on appropriations, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service.

Read first and second times and placed on the calendar.

HOUSE FILE NO. 124 SPECIAL ORDER

By unanimous consent on request of Senator Ickis, Senate File No. 124, the fish and game bill, was made special order following the appropriation bill.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate for consideration of Senate File No. 133 on March 31, 1931.

O. P. BENNETT

L. H. DORAN

O. E. GUNDERSON

GEO. W. CHRISTOPHEL

D. W. KIMBERLY

WESLEY C. LOWE

H. C. WHITE

L. T. QUIRK

ROY E. STEVENS

J. R. FRAILEY

B. M. STODDARD

GEO. W. TABOR

C. E. ANDERSON

Senator Frailey moved to defer action on Senate File No. 133 until the special investigating committee returns from Iowa City, which motion prevailed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend the amendment to Senate File No. 10 as found on page 944 of the Senate Journal of March 25th as follows:

Strike all of line one in Section 19.

D. W. KIMBERLY.

MR. PRESIDENT: Amend Senate File No. 10 by inserting as section 19-a following section 19 the following:

"There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, a sufficient amount to pay the expenses of the members of the general assembly, including the lieutenant governor, as provided for in Chapter one (1) of the laws of the 43rd General Assembly."

J. R. FRAILEY.

MR. PRESIDENT: I move to amend Section fifty-five (55) of Senate File No. 10 by striking the colon (:) in line four (4) and substituting a comma (,) and adding the following:

"except that the Treasurer of State may employ such additional employees as shall be necessary to carry out the provisions and enforcement of the gasoline license fee law with the approval of the Executive Council as to the number of additional employees and the compensation thereof:"

Also amend section fifty-five (55), line ten (10) as follows: "strike \$1400.00 and insert in lieu thereof \$1500.00".

J. H. HAGER.

MR. PRESIDENT: I move to amend Senate File No. 10, section 48, page 61, by inserting after the word "Making" in line 13, the following: "(9 months)".

J. H. HAGER.

B. M. STODDARD

MR. PREIDENT: I move to amend Senate File No. 10, Section six, page ten, by striking line nine and inserting in lieu thereof the following:

"9. Chief clerk county accounting, \$2,400

9a. Chief clerk municipal accounting, \$2,400".

J. H. HAGER.

B. M. STODDARD

MR. PRESIDENT: I move to amend Senate File No. 10 as follows:

Amend section 42, line 38, page 54, by striking the figures "3,000" and inserting in lieu thereof the figures "3,300"; also

amend section 42, line 39, page 54, by striking the figures "2,400" and inserting in lieu thereof the figures "2,700"; also

amend section 42, page 54, by striking lines 50 and 51, and on page 55 strike lines 54 to 60, inclusive, and inserting in lieu thereof the following:

"Amend Chapter 215, Section 3, Acts of the 43rd General Assembly, by inserting a "comma (,)" following the word "necessary" in line seven and inserting the following: "subject to the approval of the executive council as to the number of employees and the compensation thereof, and"

J. H. HAGER.

The Journal of March 28th was corrected and approved.

Senator Stanley moved to adjourn until 9:00 a. m. Tuesday.

Senator Clark of Marion moved to amend by making the time 9:30 a. m.

The amendment was adopted.

The motion as amended was adopted and the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 31, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. James A. Laurie, D.D., pastor of the Cedar Heights Church of Cedar Falls, Iowa.

Senator Moen, from the committee to attend the funeral of Hon. H. E. Dean, reported verbally that it had performed its duty, and the committee was discharged.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator MacDonald, from the council of Remsen, opposing the appointment of a state utility commission. Public utilities.

By Senator Iekis, from the Eighth Farm Bureau District, favoring a state income tax and the county assessor bill. Tax revision.

By Senator Clark of Marion, from residents of Albia, favoring restriction of trucks. Motor vehicles.

By Senator Topping, from residents of Burlington, Centerville, and Ottumwa, favoring restriction of motor vehicles. Motor vehicles.

LEAVE OF ABSENCE

Senator White for the day, on request of Senator Clark of Marion.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 218, 194 and 236.

LEW MACDONALD,
Acting Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 21, 37, 74, 99, 105 and 288.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 218, 194 and 236, and Senate Files Nos. 21, 37, 74, 99, 105 and 288.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 31st day of March, 1931, sent to the governor for his approval, Senate Files Nos. 21, 37, 74, 99, 105 and 288.

E. R. HICKLIN, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had on March 31, 1931, approved the following bill:

Senate File No. 148, relating to marriage licenses.

INTRODUCTION OF BILL

Senate File No. 407, by committee on fish and game, a bill for an act to amend section fifteen (15) of chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, limiting the size of fish when using licensed nets or seines.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, was taken up and considered.

Consideration of committee amendments resumed.

Senator Clark of Marion moved the adoption of the following amendment:

Section 15 (page 20):

1. Strike lines 9, 12 and 13.

The amendment was adopted.

Senator Cole moved the adoption of the following amendment:

Section 17 (page 22):

1. In line 16, change "4,300.00" to "3,300.00".

The amendment was adopted.

Senator Clark of Marion moved the adoption of the following amendments:

Section 18 (page 23):

1. In line 13, change "3,000.00" to "2,500.00".
2. In line 15, change "2,500.00" to "2,000.00".
3. Strike lines 16 and 17.

Amendments Nos. 1, 2 and 3 were adopted.

Senator Hager moved the adoption of the following amendment:

Section 19 (page 23) :

1. In line 9, change "1,800.00" to "1,500.00".

The amendment was lost.

Senator Cole moved the adoption of the following amendment :

Section 21 (page 26) :

1. In line 30, change "1,500.00" to "1,200.00".

The amendment was adopted.

Senator Clark of Cerro Gordo moved the adoption of the following amendment :

Section 22 (page 28) :

1. In line 25, change "2,500.00" to "1,500.00".
2. Strike lines 29, 31, 32, 33, 34, 35, 36, and 62.

The amendments were adopted.

Senator Clark of Cerro Gordo moved to amend line 25 of section 22 by striking the words "Iowa Prominent Officials" and inserting the words "of former chief justices of the Iowa Supreme Court."

The amendment was adopted.

Senator Clark of Cerro Gordo moved the adoption of the following amendments :

Section 23 (page 31) :

1. In line 6, change "22,700.00" to "20,000.00".
2. In line 8, change "14,500.00" to "13,000.00".
3. In line 9, change "1,500.00" to "1,000.00".
4. In line 10, change "2,500.00" to "2,000.00".

Amendments Nos. 1, 2, 3 and 4 in section 23 were adopted.

Senator Cole moved the adoption of the following amendment :

Section 25 (page 33) :

1. In line 8, following the word "Deputy" add the following :

"not less than \$3,400 nor more than \$3,600 as the head of the department may determine".

The amendment was adopted.

Senator Clark of Cerro Gordo moved the adoption of the following amendment:

Section 28 (page 37):

1. In line 13, change "1,320.00" to "1,200.00".
2. In line 20, change "8,000.00" to "6,500.00".
3. In line 21, change "2,300.00" to "2,000.00".

Amendments Nos. 1, 2 and 3 of section 28 were adopted.

Section 29 (page 38):

1. In line 15, change "1,800.00" to "1,500.00".
2. In line 20, change "6,000.00" to "5,500.00".
3. In line 46, change "2,500.00" to "2,000.00".
4. In line 59, change "2,000.00" to "1,500.00".

Amendments Nos. 1, 2, 3, and 4 of section 29 were adopted.

Senator Cole moved the adoption of the following amendment:

Section 31 (page 41):

1. In line 16, change "6,250.00" to "4,500.00".

The amendment was adopted.

Senator Hager moved the adoption of the following amendments:

Section 37 (page 46):

1. In line 15, strike out the comma following "ment" and insert the following: "for elimination of bovine tuberculosis,"

2. In lines 30, 31 and 32 strike out the following:

"Also any new activities authorized by the 44th General Assembly that would require additional printing would call for an additional appropriation."

Amendments Nos. 1 and 2 of section 37 were adopted.

Senator Hager moved the adoption of the following amendments:

Section 38 (page 48):

1. In line 12, change "1,200.00" to "1,320.00".
2. In line 13, change "3,000.00" to "8,000.00".
3. In line 18, change "5,500.00" to "5,000.00".

Amendment No. 1 was adopted.

Senator Stanley offered the following amendment to the amendment and moved its adoption:

Strike the figures "\$8000.00" found in line 2 under section 38, and substitute therefor the figures "\$6000.00".

The amendment to the amendment was adopted.

Amendment No. 2, as amended, was adopted.

Amendment No. 3 was adopted.

Senator Clark of Cerro Gordo moved the adoption of the following amendment:

Section 40 (page 49):

1. Strike lines 7 and 8 and insert in lieu thereof the following:

"Relief of Marjorie Ball..... 200.00".

The amendment was adopted.

Senator Hager moved the adoption of the following amendment:

Section 42 (page 53):

1. In line 23, change "3,600.00" to "4,000.00".

2. In line 42, change "2" to "1", and change "\$2,000.00" to "\$2,400.00" and change "4,000.00" to "2,400.00".

Amendments Nos. 1 and 2 were adopted.

Senator Cole moved the adoption of the following amendments:

Section 44 (page 56):

1. In line 9, change "2,000.00" to "1,800.00".

The amendment was adopted.

Section 45 (page 57):

1. In line 18 after the word "appropriations" insert the following: "except as provided by section 177 of the Code".

The amendment was adopted.

Senator Hager moved the adoption of the following amendments:

Section 46 (page 58):

1. In line 13, change "1,650.00" to "1,500.00".

2. In line 54, change "\$1,920.00" to "\$1,800.00", and change "15,360.00" to "14,400.00".

Amendments Nos. 1 and 2 to section 46 were adopted.

Senator Hager moved the adoption of the following amendment:

Section 48 (page 62):

1. Strike line 20.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Clark of	Hill	Myers
Beatty	· Cerro Gordo	Klemme	Patterson
Bissell	Clark of Linn	Knudson	Rigby
Blackford	Clark of Marion	Leonard	Ritchie
Booth	Gunderson	Lowe	Stevens
Carden	Hager	MacDonald	Stoddard
Christophel	Hicklin	McLeland	Tabor

Nays, 20.

Bennett	Cooney	Irwin	Quirk
Benson	Coykendall	Kent	Stanley
Clearman	Doran	Kimberly	Topping
Cochrane	Frailey	Langfitt	Wenner
Cole	Ickis	Moen	Wilson

Absent or not voting, 3.

Baird	Carroll	White
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The amendment was adopted.

Senator MacDonald moved the adoption of the following amendments:

Section 49 (page 64):

1. Strike line 36.

2. In line 39, strike out the words "Laundry Equipment" and insert in lieu thereof: "Hog House".

3. In line 50, change "\$739,278.00" to "\$763,278".

4. Strike line 52.

5. In line 119, change "40,000.00" to "10,000.00".

6. In line 128, change "\$826,750.00" to "\$856,750.00".

7. In line 149, change "\$737,820.00" to "\$767,820.00".

8. Strike line 168.

9. Strike line 182.

10. Strike line 204.

11. Strike line 222.

Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 were adopted.

On motion of Senator MacDonald, the Senate recessed until 1:15 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the call of the gavel, President Arch W. McFarlane presiding.

On motion of Senator Irwin the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. John W. Strohm of Clinton, to the office of State Fire Marshal for the term of four years, ending June 30, 1935.

The Senate arose from executive session and resumed regular session.

CONSIDERATION OF SENATE FILE NO. 10 RESUMED

Senator Hager moved the adoption of the following amendment:

Section 51 (page 78):

1. In lines 5 and 6 strike out the words "Governor and Director of the Budget" and insert in lieu thereof: "Committee on Retrenchment and Reform".

The amendment was adopted.

Senator Cole moved the adoption of the following amendments:

Section 52 (page 79):

1. In line 4, change "\$15.00" to "\$17.50".

2. In line 5, change "\$12.50" to "\$15.00".

Amendments Nos. 1 and 2 were adopted.

Senator Hager moved the adoption of the following amendments:

Section 54 (page 79):

1. In line 6, change "3,300.00" to "4,000.00".
2. Strike lines 7 and 8 and insert in lieu thereof the following: "Assistant Game Wardens (3—not to exceed).....5,400.00".
3. Strike line 10.
4. In line 12, strike out the word "Fifty" and insert in lieu thereof the word "forty".

Amendment No. 1 was lost.

Amendments Nos. 2, 3 and 4 were adopted.

Section 56 (page 81):

1. In line 10, change "3" to "2", and change "12,600.00" to "8,400.00".

The amendment was adopted.

Senator Hager moved the adoption of the following amendments:

Section 60 (page 84):

1. In line 7, insert "2,400.00".
2. Insert following line 33 the following:

"Provided also that the department may employ such additional employes as shall be necessary to carry out the provisions and enforcement of the Motor Vehicle Law, and the executive council shall fix the number and compensation thereof."

Amendment No. 1 was lost.

Amendment No. 2 was adopted.

Senators Clark of Marion and Stoddard offered the following amendment and moved its adoption:

Amend by striking out the figures "35,000.00" in line 8 of section 15, and inserting in lieu thereof the figures "50,000.00". Also insert after the word "buildings" in the same line the words "and improvements".

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by inserting as section 19-a following section 19 the following:

"There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, a sufficient amount to pay the expenses of the members of the general assembly, including the lieutenant governor, as

provided for in Chapter one (1) of the laws of the 43rd General Assembly."

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking the figures "\$50,000.00" in line 19 of section 26, and inserting in lieu thereof the figures "\$75,000.00".

The amendment was lost.

Senator Stanley offered the following amendment and moved its adoption:

Amend by adding as line 13a of section 38 the following:

"Traveling expenses and clerical help.....\$2000.00."

Senator Stanley moved to amend by striking the figure 13a and inserting the figure 18a.

The amendment to the amendment was adopted.

The amendment was lost.

Senator Hager offered the following amendment and moved its adoption:

Amend Section fifty-five (55) by striking the colon (:) in line four (4) and substituting a comma (,) and adding the following:

"except that the Treasurer of State may employ such additional employees as shall be necessary to carry out the provisions and enforcement of the gasoline license fee law with the approval of the Executive Council as to the number of additional employees and the compensation thereof:"

Also, amend Section fifty-five (55), line ten (10) as follows: "strike \$1400.00 and insert in lieu thereof \$1500.00."

Senator Wilson offered the following as a substitute for the pending amendment and moved its adoption:

Amend by striking out all of section 55.

The substitution was made.

The amendment as substituted was adopted.

Senator Hager offered the following amendment and moved its adoption:

Amend section 42, line 38, page 54, by striking the figures "3,000" and inserting in lieu thereof the figures "3,300"; also

amend section 42, line 39, page 54, by striking the figures "2,400" and inserting in lieu thereof the figures "2,700"; also

amend section 42, page 54, by striking lines 50 and 51, and on page 55 strike lines 54 to 60, inclusive, and inserting in lieu thereof the following:

"Amend Chapter 215, Section 3, Acts of the 43rd General Assembly, by inserting a "comma (,)" following the word "necessary" in line seven and inserting the following: "subject to the approval of the executive council as to the number of employees and the compensation thereof, and".

Senator Wilson offered the following as a substitute for the pending amendment and moved its adoption:

1. Amend section forty-two (42) by striking lines thirty-six (36) to sixty (60), inclusive,

also, amend line sixty-three (63) by striking therefrom the figure \$68,200.00, and by substituting in lieu thereof \$46,100.00.

The substitution was made.

The amendment as substituted was adopted.

Senator Hager offered the following amendment and moved its adoption:

Amend section six, page ten, by striking line nine and inserting in lieu thereof the following:

"9. Chief clerk county accounting, \$2,400.

9a. Chief clerk municipal accounting, \$2,400".

The amendment was adopted.

Senator Hager offered the following amendment and moved its adoption:

Amend section 48, page 61, by inserting after the word "Making" in line 13, the following: "(9 months)".

The amendment was adopted.

Senator Anderson offered the following amendment and moved its adoption:

Amend section 50 as follows:

(1) By striking out of lines 17 and 18 thereof the words and figures "five million six hundred twenty-nine thousand four hundred three dollars and twenty cents (\$5,629,403.20)" and inserting in lieu thereof the words and figures "five million two hundred fifty dollars (\$5,250,000)".

Senator Doran offered as a substitute for the pending amendment and moved its adoption:

Amend sec. 50 by striking from lines 17 and 18 the words and figures "Five million six hundred twenty-nine thousand four hundred three dollars and twenty cents (\$5,629,403.20)" and inserting the words and figures "Five million three hundred ninety thousand dollars (\$5,390,000.00)".

Roll call was demanded on the substitute.

Rule 8 was invoked.

On the question "Shall the substitution be made?" the vote was:

Ayes, 22.

Benson	Clearman	Frailey	Rigby
Blackford	Cochrane	Hager	Stanley
Carden	Cole	Hicklin	Stoddard
Clark of	Cooney	Ickis	Topping
Cerro Gordo	Coykendall	Irwin	Wilson
Clark of Marion	Doran	Kimberly	

Nays, 24.

Anderson	Gunderson	Leonard	Patterson
Bennett	Hill	Lowe	Quirk
Bissell	Kent	MacDonald	Ritchie
Booth	Klemme	McLeland	Stevens
Christophel	Knudson	Moen	Tabor
Clark of Linn	Langfitt	Myers	Wenner

Absent or not voting, 4.

Baird	Beatty	Carroll	White
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The substitution was lost.

Senator Bissell moved the previous question on the amendment which motion prevailed.

Roll call was demanded on the amendment.

Rule 8 was invoked by Senator MacDonald.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 25.

Anderson	Gunderson	Lowe	Quirk
Beatty	Hill	MacDonald	Ritchie
Bennett	Kent	McLeland	Stanley
Bissell	Knudson	Moen	Stevens
Booth	Langfitt	Myers	Tabor
Clark of Linn	Leonard	Patterson	Wenner
Coykendall			

Nays, 21.

Benson	Clark of Marion	Doran	Kimberly
Blackford	Clearman	Frailey	Klemme
Carden	Cochrane	Hager	Stoddard
Christophel	Cole	Hicklin	Topping
Clark of Cerro Gordo	Cooney	Ickis	Wilson
		Irwin	

Absent or not voting, 4.

Baird	Carroll	Rigby	White
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The amendment was adopted.

Senator Anderson moved the adoption of the following amendment:

(2) Strike out of lines 35 and 36 the words and figures "five million three hundred sixty-two thousand dollars (\$5,362,000)" and inserting in lieu thereof the words and figures "five million dollars (\$5,000,000)".

Senator Doran offered the following as a substitute for the pending amendment and moved its adoption:

Amend sec. 50 by striking from lines 35 and 36 the words and figures "Five million three hundred sixty-two thousand dollars (\$5,362,000.00)" and substitute the words and figures "Five million one hundred fifteen thousand dollars (\$5,115,000.00)".

Roll call was demanded.

On the question "Shall the substitution be made?" the vote was:

Ayes, 17.

Benson	Clark of Marion	Doran	Lowe
Blackford	Clearman	Hager	Stanley
Carden	Cochrane	Hicklin	Topping
Clark of Cerro Gordo	Cole	Ickis	Wilson
		Irwin	

Nays, 27.

Anderson	Frailey	Langfitt	Quirk
Beatty	Gunderson	Leonard	Ritchie
Bennett	Hill	MacDonald	Stevens
Bissell	Kent	McLeland	Stoddard
Booth	Kimberly	Moen	Tabor
Clark of Linn	Klemme	Myers	Wenner
Cooney	Knudson	Patterson	

Absent or not voting, 6.

Baird	Christophel	Coykendall	White
Carroll		Rigby	

The substitution was lost.

Roll call was demanded on the amendment.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 29.

Anderson	Coykendall	Leonard	Quirk
Beatty	Frailey	Lowe	Ritchie
Bennett	Gunderson	MacDonald	Stanley
Bissell	Hill	McLeland	Stevens
Booth	Kent	Moen	Stoddard
Carden	Knudson	Myers	Tabor
Clark of Linn	Langfitt	Patterson	Wenner
Cooney			

Nays, 16.

Benson	Clearman	Hager	Kimberly
Blackford	Cochrane	Hicklin	Klemme
Clark of Cerro Gordo	Cole	Ickis	Topping
Clark of Marion	Doran	Irwin	Wilson

Absent or not voting, 5.

Baird	Christophel	Rigby	White
Carroll			

The amendment was adopted.

Senator Anderson moved the adoption of the following amendment :

(3) Strike out of lines 58 and 59 the words and figures "one million five hundred seventy-five thousand one hundred sixty dollars (\$1,575,160)" and insert in lieu thereof the words and figures "one million five hundred thousand dollars (\$1,500,000)".

Senator Doran offered as a substitute for the pending amendment and moved its adoption :

Amend sec. 50 by striking from lines 58 and 59 the words and figures "One million five hundred seventy-five thousand one hundred sixty dollars (\$1,575,160.00)" and inserting the words and figures "One million five hundred twenty-five thousand dollars (\$1,525,000.00)".

Roll call was demanded.

On the question "Shall the substitution be made?" the vote was :

Ayes, 16.

Benson	Clark of Cerro Gordo	Cole	Ickis
Blackford	Clark of Marion	Doran	Stoddard
Booth	Clearman	Hager	Wenner
Carden	Cochrane	Hicklin	Wilson

Nays, 27.

Anderson	Frailey	Knudson	Patterson
Beatty	Gunderson	Langfitt	Quirk
Bennett	Hill	Leonard	Ritchie
Bissell	Irwin	Lowe	Stevens
Clark of Linn	Kent	McLeland	Tabor
Cooney	Kimberly	Moen	Topping
Coykendall	Klemme	Myers	

Absent or not voting, 7.

Baird	Christophel	Rigby	White
Carroll	MacDonald	Stanley	

The substitution was lost.

Roll call was demanded on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 30.

Anderson	Frailey	Langfitt	Quirk
Beatty	Gunderson	Leonard	Ritchie
Bennett	Hill	Lowe	Stanley
Bissell	Irwin	MacDonald	Stevens
Booth	Kent	McLeland	Stoddard
Clark of Linn	Kimberly	Moen	Tabor
Cooney	Knudson	Myers	Topping
Coykendall		Patterson	

Nays, 14.

Benson	Clearman	Doran	Klemme
Blackford	Cochrane	Hager	Wenner
Christophel	Cole	Hicklin	Wilson
Clark of Marion		Ickis	

Absent or not voting, 6.

Baird	Carroll	Clark of	Rigby
Carden		Cerro Gordo	White

The amendment was adopted.

Senator Anderson moved the adoption of the following amendments:

(4) By striking out of lines 104 and 105 the words and figures "two million two hundred thousand dollars (\$2,200,000) and inserting in lieu thereof the words and figures "two million dollars (\$2,000,000)".

(5) By adding after line 108 the following:

"No funds shall be expended under the provisions of Sec. 4028 of the Code of 1927 in excess of the amount herein appropriated."

Further action was deferred.

The Journal of March 30th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 371 as follows:

By striking out the period (.) at the end of Section 6 and adding a comma (,) thereto and the following phrase:

"nor for vending machines owned and operated by blind persons.

E. R. HICKLIN.

MR. PRESIDENT: I move to amend Section 6 of Senate File No. 10 by striking from line 13 the figures 1500 and inserting in lieu thereof the figures 1800.

GEO. A. WILSON.

MR. PRESIDENT: I move to amend Senate File No. 10 as follows:

1. Strike all of section fifty-eight (58).
2. Strike all of section sixty (60) and substitute in lieu thereof the following:

"The secretary of state is hereby authorized to appoint and discharge employees, and the executive council to fix the salaries thereof, as shall be needed, in the motor vehicle department of the office of the secretary of state, to carry out the provisions of the motor vehicle law of Iowa; provided, however, that no portion of the salaries of such employes or the other expenses of such department which are provided for by law shall be paid from the general fund of the state of Iowa, but shall be paid from that portion of the motor vehicle fees which are credited to the maintenance fund of the motor vehicle department as provided in section 4999, of the code, to be expended as provided in section 5000 of the code."

GEO. A. WILSON.

MR. PRESIDENT: I move to amend Senate File No. 10, section 42 by striking from line 9 thereof the figures 3000 and insert in lieu thereof the figures 3300.

GEO. A. WILSON.

MR. PRESIDENT: I move to amend Senate File No. 10, and section 50 thereof by adding thereto the following:

Provided, however, that no appropriation made under this act shall be available for use by or paid to any educational institution that recognizes by accepting membership therein any voluntary organization or association not recognized by or incorporated under the laws of the State of Iowa, which organization presumes to establish rules and requirements

relating to qualification and training and number of teachers, or courses of study, or equipment provided, as a requirement for entrance into or acceptance of credits by other institutions of higher education.

O. P. MYERS.

MR. PRESIDENT: I move to amend section 42 by striking line 28, page 54, and inserting in lieu thereof the following:

"28. Stenographers (2) @ \$1,200.....\$2,400"

Further amend section 42 by inserting as line 30 and 30a the following:

"30. 1 Examiner and Junior Accountant..... 2,400

30a. 1 Investigator 2,200

J. H. HAGER.

MR. PRESIDENT: I move to amend Senate File No. 10 as follows:

Amend section 21 by striking line 15, on page 25; also strike line 29 on page 26.

J. H. HAGER.

MR. PRESIDENT: I move to amend Sec. 50 of Senate File No. 10 by adding to paragraph 6 thereof the following:

"Provided, however, that not less than fifteen per cent (15%) of the beds in said hospital shall at all times be kept available for use by clinic patients who pay the costs of hospitalization".

C. F. CLARK.

Senator Blackford moved to adjourn until 9:30 a. m. Wednesday.

Senator Gunderson moved that the printed calendar be continued until adjournment on Thursday.

Senator Wilson raised the point of order that there was an adjournment motion before the Senate.

The President held the point of order well taken.

The motion prevailed and the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 1, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Levi P. Goodwin, pastor of the merged Wesley Methodist Episcopal Church of Des Moines.

By unanimous consent of the Senate, Senators Baird and Carroll were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Cochrane, from the public schools of Stanton, Elliott consolidated schools, and the instructor of vocational home making at Elliott, opposing a reduction in the present vocational education program. Public schools.

By Senator Clark of Marion, from residents of Albia, opposing additional taxation and restriction of motor vehicles; and from residents of Knoxville and Swan, favoring restriction of motor vehicles. Motor vehicles.

By Senator Ritchie, from members of the bar of Pocahontas county, favoring an increase in the compensation allowed court reporters. Judiciary No. 2.

By Senator Doran, from the Boone division, O. R. C., favoring restriction of trucks and busses. Motor vehicles.

By Senator Stevens, from residents of Ottumwa, relating to requirement of bonds from public utilities. Public utilities.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 105, 341, 307, 46, 71, 96, 111, 113, 117, 136, 177, 189, 190, 209, 248, 279, 280, 282, 338, 373, 421, 422, and 427.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 105, 341, 307, 46, 71, 96, 111, 113, 117, 136, 177, 189, 190, 209, 248, 279, 280, 282, 338, 373, 421, 422 and 427.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, was taken up and considered.

Senator Anderson moved the adoption of the following amendments:

Amend sec. 50 as follows:

(4) By striking out of lines 104 and 105 the words and figures "two million two hundred thousand dollars (\$2,200,000) and inserting in lieu thereof the words and figures "two million dollars (\$2,000,000)".

President pro tem Wm. E. McLeland took the chair at 10:31 a. m.

Senator Frailey moved the previous question, which motion prevailed.

President Arch W. McFarlane returned to the chair at 10:40 a. m.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Cole	Leonard	Quirk
Bennett	Coykendall	Lowe	Ritchie
Bissell	Gunderson	MacDonald	Stevens
Booth	Kent	McLeland	Stoddard
Clark of	Klemme	Moen	Tabor
Cerro Gordo	Knudson	Myers	Wenner
Clark of Linn	Langfitt	Patterson	White

Nays, 20.

Benson	Clearman	Hager	Kimberly
Blackford	Cochrane	Hicklin	Rigby
Carden	Cooney	Hill	Stanley
Christophel	Doran	Ickis	Topping
Clark of Marion	Frailey	Irwin	Wilson

Absent or not voting, 3.

Baird	Beatty	Carroll
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The amendment was adopted.

By unanimous consent on request of Senator Doran the words "five million two hundred fifty dollars" in amendment No. 1 offered by Senator Anderson and as adopted March 31st, were changed to the words "five million two hundred fifty thousand dollars".

Senator Anderson moved the adoption of the following amendment:

Amend sec. 50 as follows:

(5) By adding after line 108 the following:

"No funds shall be expended under the provisions of Sec. 4028 of the Code of 1927 in excess of the amount herein appropriated."

By unanimous consent on request of Senator Anderson the amendment was withdrawn from further consideration.

Senator Wilson offered the following amendment and moved its adoption:

Amend Section 6 by striking from line 13 the figures "1500" and inserting in lieu thereof the figures "1800".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 42 by striking from line 9 thereof the figures "3000" and insert in lieu thereof the figures "3300".

The amendment was adopted.

President pro tem Wm. E. McLeland took the chair at 10:54 a. m.

Senator Wilson offered the following amendments and moved their adoption:

1. Strike all of section fifty-eight (58).
2. Strike all of section sixty (60) and substitute in lieu thereof the following:

"The secretary of state is hereby authorized to appoint and discharge employees, and the executive council to fix the salaries thereof, as shall be needed, in the motor vehicle department of the office of the secretary of state, to carry out the provisions of the motor vehicle law of Iowa; provided, however, that no portion of the salaries of such employes or the other expenses of such department which are provided for by law shall be paid from the general fund of the state of Iowa, but shall be paid from that portion of the motor vehicle fees which are credited to the maintenance fund of the motor vehicle department as provided in section 4999, of the code, to be expended as provided in section 5000 of the code."

President Arch W. McFarlane returned to the chair at 10:59 a. m.

Roll call was demanded on amendment No. 1.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 33.

Bennett	Cochrane	Kent	Stevens
Benson	Cole	Kimberly	Stoddard
Blackford	Doran	Langfitt	Tabor
Booth	Frailey	Leonard	Topping
Christophel	Hager	Lowe	Wenner
Clark of	Hicklin	McLeland	White
Cerro Gordo	Hill	Moen	Wilson
Clark of Marion	Ickis	Rigby	
Clearman	Irwin	Stanley	

Nays, 10.

Anderson	Gunderson	MacDonald	Quirk
Bissell	Klemme	Myers	
Clark of Linn	Knudson	Patterson	

Absent or not voting, 7.

Baird	Carden	Cooney	Ritchie
Beatty	Carroll	Coykendall	

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Senator Myers offered the following amendment and moved its adoption:

Amend section 50 by adding thereto the following:

Provided, however, that no appropriation made under this act shall be available for use by or paid to any educational institution that recognizes by accepting membership therein any voluntary organization or association not recognized by or incorporated under the laws of the State of Iowa, which organization presumes to establish rules and requirements relating to qualification and training and number of teachers, or courses of study, or equipment provided, as a requirement for entrance into or acceptance of credits by other institutions of higher education.

By unanimous consent on request of Senator Myers the word "act" was stricken from the first line of his amendment and the word "section" inserted in lieu thereof.

Senator Kimberly moved the previous question, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 6.

Clark of Linn	Patterson	Ritchie	Tabor
Myers	Rigby		

Nays, 39.

Anderson	Christophel	Cooney	Hicklin
Benson	Clark of	Coykendall	Hill
Bissell	Cerro Gordo	Doran	Ickis
Blackford	Clark of Marion	Fralley	Irwin
Booth	Cochrane	Gunderson	Kent
Carden	Cole	Hager	Kimberly

Klemme	Lowe	Quirk	Topping
Knudson	MacDonald	Stanley	Wenner
Langfitt	McLeland	Stevens	White
Leonard	Moen	Stoddard	Wilson

Absent or not voting, 5.

Baird	Bennett	Carroll	Clearman
Beatty			

The amendment was lost.

On motion of Senator McLeland the Senate adjourned until 1:15 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 368, a bill for an act reducing the tax rate of various taxing bodies in 1931 and 1932.

Also: That the House has concurred in Senate amendments to Section One (1), House File No. 223, a bill for an act pertaining to the practice of medicine and surgery.

Also: That the House has concurred in Senate amendments to House File No. 365, a bill for an act making it an offense to destroy serial numbers on manufactured products.

Also: That the House has concurred in Senate amendment to Section One (1), House File No. 271, a bill for an act relating to library building funds.

Also: That the House has concurred in Senate amendment to Section Two (2), House File No. 52, a bill for an act relating to fishing with trot-lines.

Also: That the House has concurred in Senate amendment to Section One (1), House File No. 172, a bill for an act relating to assessment districts.

SAM C. RAGAN, *Chief Clerk.*

CONSIDERATION OF SENATE FILE NO. 10 RESUMED

Senator Hager offered the following amendment and moved its adoption:

Amend section 42 by striking line 28, page 54, and inserting in lieu thereof the following:

"28. Stenographers (2) @ \$1,200.....\$2,400"

Further amend section 42 by inserting as line 30 and 30a the following:

"30. 1 Examiner and Junior Accountant..... 2,400

30a. 1 Investigator 2,200

By unanimous consent on request of Senator Hager the amendment was withdrawn from further consideration.

Senator Hager offered the following amendment and moved its adoption:

Amend section 42, page 54, by inserting as line "thirty-five-a (35a)" the following:

"35a. The Secretary of State may employ such additional employees as shall be necessary to carry out the provisions and enforcement of the Securities Division with the approval of the Executive Council as to the number of additional employees and the compensation thereof."

The amendment was adopted.

Senator Hager offered the following amendment and moved its adoption:

Amend section 21 by striking line 15, on page 25; also strike line 29 on page 26.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Benson	Coykendall	Klemme	Rigby
Bissell	Doran	Leonard	Stanley
Blackford	Hager	Lowe	Stevens
Booth	Hill	MacDonald	Tabor
Christophel	Ickis	McLeland	Wenner
Cole	Irwin	Myers	White
Cooney	Kimberly	Patterson	

Nays, 15.

Anderson	Clark of Marion	Hicklin	Stoddard
Bennett	Cochrane	Knudson	Topping
Carden	Frailey	Moen	Wilson
Clark of Linn	Gunderson	Quirk	

Absent or not voting, 8.

Baird	Clark of	Clearman	Langfitt
Beatty	Cerro Gordo	Kent	Ritchie
Carroll			

The amendment was adopted.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend Sec. 50 by adding to paragraph 6 thereof the following:

"Provided, however, that not less than fifteen per cent (15%) of the beds in said hospital shall at all times be kept available for use by clinic patients who pay the costs of hospitalization".

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Anderson	Coykendall	McLeland	Stevens
Bennett	Knudson	Moen	Tabor
Bissell	Langfitt	Myers	Wenner
Booth	Leonard	Patterson	White
Christophel	Lowe	Quirk	
Clark of Linn	MacDonald	Ritchie	

Nays, 24.

Benson	Cole	Hicklin	Klemme
Blackford	Cooney	Hill	Rigby
Carden	Doran	Ickis	Stanley
Clark of Marion	Frailey	Irwin	Stoddard
Clearman	Gunderson	Kent	Topping
Cochrane	Hager	Kimberly	Wilson

Absent or not voting, 4.

Baird	Beatty	Carroll	Clark of Cerro Gordo
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The amendment was lost.

Senator Bennett offered the following amendment and moved its adoption:

Amend by striking the figures \$50,000.00 in line 19 of Section 26 and inserting in lieu thereof the figures \$70,000.00.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Anderson	Doran	MacDonald	Ritchie
Beatty	Frailey	Moen	Stanley
Bennett	Gunderson	Myers	Stevens
Bissell	Hill	Patterson	Stoddard
Christopher	Klemme	Quirk	
Coykendall	Leonard	Rigby	

Nays, 24.

Benson	Cochrane	Irwin	McLeland
Blackford	Cole	Kent	Tabor
Booth	Cooney	Kimberly	Topping
Carden	Hager	Knudson	Wenner
Clark of Marion	Hicklin	Langfitt	White
Clearman	Ickis	Lowe	Wilson

Absent or not voting, 4.

Baird	Carroll	Clark of Cerro Gordo	Clark of Linn
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The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend section 12 by striking out the figures "26,000.00" in line 10 and inserting in lieu thereof the figures "30,000.00".

The amendment was adopted.

Senator Cole offered the following amendments and moved their adoption:

Amend section twenty-four, line twenty-five, Death Claims, by inserting the figures "\$2600" instead of "\$3500", and in line twenty-six, Injuries, by inserting the figures "\$7500" instead of "\$10,000", and in line twenty-seven, Physicians, Surgeons and Hospital Bills, by inserting the figures "\$1500" instead of "\$4500".

The amendments were adopted.

By unanimous consent on request of Senator Kimberly, his

amendment as found on page 1068 of the Senate Journal was withdrawn from further consideration.

Senator Stoddard moved the previous question on all amendments and the main bill, except regulatory changes, which motion prevailed, and further action was deferred.

On motion of Senator Iekis House File No. 124, a bill for an act relating to Fish, Game, Fur-Bearing Animals and Protected Birds; Creating a Fish and Game Commission, Prescribing its Powers and Duties, and Transferring Funds for the use of such Commission, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senators Hicklin, Cole, Blackford, Rigby and White offered the following amendments as a substitute for all pending amendments and moved their adoption:

Amend as follows:

1. Strike the period (.) at the end of Section 1 and insert in lieu thereof a comma (,) and add the following:

“and to consolidate the Department of Fish and Game and the State Board of Conservation under one Commission and to invest such Commission with all the rights, powers and duties now pertaining to both of such departments”.

2. Strike all of Sec. 2 and substitute in lieu thereof the following:

“Sec. 2. Commission. Members. Appointment. Term. Qualification. The State Board of Conservation shall hereafter be known as the State Conservation Commission, and its members shall be increased to six (6). The members of said Commission shall be appointed by the Governor and confirmed by the Senate by a two-thirds ($\frac{2}{3}$) majority vote, and the term of office of the said members shall be for four (4) years. No more than three (3) of the members of said Commission shall hereafter be from the same zone as defined in Section 1730 of the Code of 1927, and no more than five (5) of said Commission shall be from the same political party. The members of the present State Board of Conservation shall serve until the expiration of their present term of office. New members of the Commission when appointed shall be citizens of the State and persons having a knowledge of and an interest in conservation. No person appointed as a member of such Commission shall during the term of his office hold any other State or Federal office. In case of death, resignation, removal from office or loss of citizenship, or inability to act on the part of any of said commissioners, the Governor shall appoint a successor who shall be confirmed by the Senate in the same manner as the original appointee.”.

3. Strike out Sec. 3 and substitute in lieu thereof the following:

"Sec. 3. The members of the State Conservation Commission shall receive as compensation for their services the sum of ten (\$10) dollars per diem, for time actually spent in the discharge of their official duties and in addition thereto shall be re-imbursed for their actual and necessary traveling and hotel expenses while absent from their homes in attendance upon such duties, as delegated and authorized by the Commission; said compensation and expenses to be paid from the State Conservation Commission Fund, and such expenses to be charged against and paid from the respective departments incurring or creating the same."

4. Amend Sec. 4 by striking out of line 9 thereof the words, "fish and Game" and insert in lieu thereof the word, "Conservation".

5. Strike out Sec. 5 and substitute in lieu thereof the following:

"Sec. 5. The Commission shall meet regularly on the first Tuesday of January, April, July and October of each year and at such other times and places as the Commission shall deem necessary. Meetings may be called by the Chairman and shall be called on the request of any two (2) members. Four (4) members of said Commission shall constitute a quorum to transact the business thereof at any meeting. At the first meeting of said Commission after the passage of this act, the Chairman thereof shall divide the duties of said Commission into four (4) departments and shall select and designate as Chairman for each of said departments some member of the Commission. One department shall be devoted to the propagation and protection of game, fur-bearing animals and wild life; one department shall be devoted to the promotion, development and/or control of fish, fisheries, fish hatcheries, fishing and to rescue work and stream pollution; one department shall be devoted to the acquisition, development, control and preservation of state parks, forests and playgrounds; one department shall be devoted to the superintending of wardens to the enforcement of the laws in regard to fish, game and state parks. The Chairman of such departments shall devote so much time as is necessary to the proper discharge of the duties thereof and shall report thereon to the regular or called meeting of the Commission".

6. Amend Sec. 7 by inserting before line 2 the following:

"All of the rights, powers and duties given to the State Board of Conservation in Chapter eighty-seven (87) of the Code of 1927 and the laws amendatory thereto shall be vested in the State Conservation Commission and in addition thereto".

7. Strike out from lines 13 and 14 of Sec. 7 the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

8. Strike out of line 17 of Sec. 7 the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

9. Strike out of line 57 of Sec. 7 the words "Fish and Game" and substitute in lieu thereof the word, "Conservation".

10. Amend Sec. 8 by striking out of line 2 thereof the words, "Fish and Game" and insert in lieu thereof the word, "Conservation".

11. Amend Sec. 10 by striking out of lines 16 and 17 the words, "Fish and Game" and substituting in lieu thereof the word, "Conservation".

12. Strike from Sec. 10 line 16 the words, "administrative head" and substituting in lieu thereof the words, "executive officer".

13. Amend Sec. 10 by striking from line 22 thereof the words, "in the interim of its meeting".

14. Strike out Sec. 12 and substitute in lieu thereof the following:

"Sec. 12. The State Conservation Commission shall at the first of each month make a return of all monies received by it, from any source, to the State Treasurer which shall be deposited in a State Conservation Commission Fund. All funds received by the Commission from any source, shall be expended and used for the purpose, and in the department for which said funds were respectively received, and the State Commission shall not be authorized to transfer or use fees or funds from one department under its control to another."

15. Amend Sec. 14 by striking from line 5 the words, "Fish and Game" and substituting in lieu thereof the word, "Conservation".

16. Strike all of sub-section (b) of Sec. 14 after the word, "office" in line 12 thereof.

17. Amend Sec. 15 by striking from lines 1, 2, 3, and 4 thereof the words "State Fish and Game Commission" and insert in lieu thereof in both instances the words, "State Conservation Commission".

Senator Cooney moved to amend sec. 2, line 9, by striking the word and figure "five (5)" and inserting in lieu thereof the word and figure "four (4)".

The amendment to the amendment was adopted.

Senator Ickis offered the following amendment to the amendment and moved its adoption:

Amend sec. 2 line 4 by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "five (5)".

The amendment to the amendment was adopted.

Senator Cooney moved to amend the amendment by striking from sec. 2, line 9, the word and figure "four (4)" and inserting the word and figure "three (3)".

The amendment to the amendment was adopted.

Roll call was demanded on the substitute.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 14.

Blackford	Cooney	Kimberly	Rigby
Booth	Hager	MacDonald	White
Clark of Marion	Hicklin	McLeland	
Cole	Irwin	Moen	

Nays, 31.

Anderson	Coykendall	Knudson	Stanley
Bennett	Doran	Langfitt	Stevens
Bissell	Frailey	Leonard	Stoddard
Carden	Gunderson	Lowe	Tabor
Christophel	Hill	Myers	Topping
Clark of Linn	Ickis	Patterson	Wenner
Clearman	Kent	Quirk	Wilson
Cochrane	Klemme	Ritchie	

Absent or not voting, 5.

Baird	Benson	Carroll	Clark of
Beatty			Cerro Gordo

The substitution was lost.

Senator Ickis moved the adoption of the following committee amendments:

Amend by striking the word "three" in line five (5) Section two (2). Also amend by striking lines six (6), seven (7), and eight (8) of said Section and inserting in lieu thereof the following: "not more than three from one Zone, and".

2. Strike the amendment in line nine (9) Section two (2).

3. Amend line ten (10) Section two (2) by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".

4. Amend line twelve (12) of Section two (2) by striking the words "two for four (4) years and two" and substituting in lieu thereof the words "and three".

5. Amend line thirteen (13) Section two (2) by striking the word and figure "(6) years" and substituting in lieu thereof the words and figure "four (4) years".

6. Strike out amendment to line eight (8) Section three (3).

7. Amend Section six (6) by striking lines five (5), six (6), and

seven (7) of said Section and inserting a period after the word "furniture".

8. Insert in line seven (7) Section ten (10) a period immediately following the word "Commission" and by striking therefrom the amendment to said line found in the House Journal of February 16.

9. Strike out the period immediately after the word "State" and insert in lieu thereof a semi-colon; and insert in line twelve (12) Section ten (10) "provided, however, the State Fish and Game Warden shall serve his unexpired term to March 1, 1933."

10. Amend line two (2) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden"; and insert immediately following the word "employ" the following: "not to exceed fifty".

11. Amend line three (3) Section eleven (11) by striking the words "in such numbers as it deems necessary".

12. Amend lines five (5) and eleven (11) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

13. Amend line eight (8) Section eleven (11) by striking the words and figures "One Thousand (\$1,000.00) Dollars" and inserting in lieu thereof the words and figures "Five Hundred (\$500.00) Dollars".

14. Amend line fifteen (15) of Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

15. Amend line twenty-three (23) Section ten (10) by striking the word "Commission" and inserting in lieu thereof the word "Warden", and by striking the word "their" in line twenty-four (24) and inserting in lieu thereof the word "his".

16. Amend line five (5) Section fourteen (14) by striking the period following the word "Commission" and inserting in lieu thereof a comma and adding the following: "excepting as provided for in Sections ten (10) and eleven (11)."

The committee amendments were adopted.

Senator Iekis offered the following amendments and moved their adoption:

1. In Section 2, line 4, strike word and figures "six (6)" and substitute in lieu thereof the word and figures "five (5)".

2. Section 2, line 9, strike word "four" and substitute in lieu thereof the word "three".

3. Section 2, lines 15, 16, 17, 18, strike the sentence beginning with "Thereafter" and all of lines 16-17 and first word of line 18.

4. Section 5, line 13, strike first word "Four" and substitute in lieu word "Three".

5. Section 10, line 12, strike last two lines of amendment to line 12, filed in Senate Journal on page 700, and substitute the following, "provided, however, the present State Fish and Game Warden shall serve his unexpired term to March 1st, 1933."

6. Section 10, strike lines 23, 24, 25, and 26.

7. Section 11, add the following:

All appointments of deputy game wardens and other employes made after the taking effect of this act, shall be with the advice and approval of the commission; provided, however, that such approval shall not be required for the deputy game wardens now in the service.

Senator Topping offered as a substitute for amendment No. 3 the following amendment and moved its adoption:

3. Strike from section 2 the sentence beginning with the word "Thereafter" in line 15 and ending with the word "term" in line 18 and insert in lieu thereof the following: "Thereafter, during February in each odd-numbered year, beginning in 1933, two (2) or three (3) members, as the number to be appointed may be, shall be likewise appointed and approved for a full term."

The substitution was made.

The substitute amendment to the amendment was adopted.

The amendments as amended were adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend line 5 sec. 2 by inserting after the word "Senate" the words "by a two-thirds vote of the members present in executive session".

The amendment was adopted.

The bill was read for information.

Senator Ickis moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Christophel	Gunderson	Knudson
Bennett	Clark of Linn	Hicklin	Langfitt
Bissell	Cochrane	Hill	Leonard
Carden	Coykendall	Ickis	Lowe

MacDonald
McLeland
Moen
Patterson

Quirk
Ritchie
Stanley

Stevens
Stoddard
Topping

Wenner
White
Wilson

Nays, 16.

Benson
Blackford
Booth
Clark of Marion

Clearman
Cole
Cooney
Doran

Frailey
Hager
Kent
Kimberly

Klemme
Myers
Rigby
Tabor

Absent or not voting, 5.

Baird
Beatty

Carroll

Clark of
Cerro Gordo

Irwin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ickis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COPIES HOUSE FILE 124 PRINTED

By unanimous consent on request of Senator Ickis 600 additional copies of House File No. 124, the fish and game bill, were ordered printed, as passed by the Senate.

INTRODUCTION OF BILLS

Senate File No. 408, by committee on claims, a bill for an act to make an appropriation to George F. Van Note.

Read first and second times and referred to committee on appropriations.

Senate File No. 409, by committee on claims, a bill for an act to make an appropriation to J. G. Minert, and to Etta S. Minert and Phyllis S. Davenport as executrices under the will of Adeline C. Schreiner, Deceased.

Read first and second times and referred to committee on appropriations.

Senate File No. 410, by committee on claims, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman, and D. F. Brownlee.

Read first and second times and referred to committee on appropriations.

Senate File No. 411, by committee on appropriations, a bill for an act to amend chapter one hundred twenty-nine (129) Acts of the Forty-third General Assembly relating to the regulation of motor trucks, and to provide date when unexpended balances of the fees on motor trucks shall be credited to the general fund of the state.

Read first and second times and placed on the calendar.

HOUSE MESSAGE CONSIDERED

House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five percent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years.

Read first and second times and referred to sifting committee.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 353, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa at the Century Progress Exposition, to be held in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

In lines three and four of section two, strike out the words and figures

"one hundred twenty-five thousand dollars (\$125,000)" and insert in lieu thereof the words and figures "fifty thousand dollars (\$50,000.00)".

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger, and A. E. McGlothlen, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 161, a bill for an act to make an appropriation to pay the cost of paving certain streets which pass through or are adjacent to property belonging to the State University of Iowa, Iowa City, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

SENATE CONCURRENT RESOLUTION NO. 14

Senators Benson, Baird, Wilson, Rigby and Doran submitted the following concurrent resolution :

Whereas, Legislative problems are continually increasing, both in number and in complexity; and

Whereas, It is evident that in order to solve such problems most effectively, each legislature must give systematic, scientific and business-like consideration to the actual facts which have a bearing upon each question—to the extent that such facts have been determined by reliable research; and

Whereas, Each legislature must give similar consideration to the methods and experience of other jurisdictions in dealing with problems similar to its own; and

Whereas, Such problems cannot be dealt with adequately until facilities are established to assist legislators to secure the most accurate information and the most expert advice available; and

Whereas, Experience indicates the need for an interstate legislative reference bureau to serve as a clearing house of information between the

legislative reference services which are now being conducted by numerous states, and also to serve as a clearing house of information between the legislatures and other agencies which are engaged in the study and analysis of legislative problems, such as governmental departments, political science departments of universities, competent reputable associations, and other sources of information; and

Whereas, Experience also indicates that in certain states which do not maintain legislative reference services, there is an imperative need for such an interstate legislative reference bureau, which will assist the legislators of those states to secure whatever information they desire in analyzing the legislative problems which they must determine, and to make more readily accessible for them, without cost, the valuable material which is available from the legislative reference libraries and bureaus of various other states, and from many other reliable sources; and

Whereas, Every individual legislator in the United States shares the responsibility for improving the present inadequate and unsatisfactory condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one state, can bring about such improvement without the cooperation of legislators of other states; and

Whereas, Such an interstate legislative reference bureau cannot be maintained by any one state alone, without the cooperation of the legislatures of other states; and

Whereas, In order to set the machinery in motion to secure the necessary cooperation of the forty-eight legislatures, members of each legislature are working together in the development of the project of the American Legislators' Association; and

Whereas, The said American Legislators' Association has now established in the vicinity of the University of Chicago, the Interstate Legislative Reference Bureau, which by explicit pledge is without color of politics, partisanship or propaganda, is conducted without profit, and is engaged upon three principal purposes;

First: to procure promptly for all inquiring state legislators, and their agents, whatever information or advice they desire in connection with any legislative problem, primarily by assisting them to secure, without cost, the benefit of all researches conducted by governmental departments, universities, associations, legislative reference bureaus, and other agencies throughout the United States.

Second: to conduct a systematic study of the legislative processes of each of the states, in order to ascertain the practices which contribute most to efficient and economical organization and procedure; and to render all possible assistance to each legislature—and to each legislative reference bureau—which is endeavoring to improve its organization.

Third: to publish for the benefit of all state legislators the monthly magazine, *State Government*, as well as special bulletins, and thus to dis-

seminate information which will be helpful to all conscientious students of legislation; and

Whereas, The American Legislators' Association is promoting acquaintance and mutual understanding among individuals and organizations officially concerned with the impartial and scientific functioning of the legislatures of the various states, by the organization of Standing Committees and Advisory Boards, and otherwise; and

Whereas, The character and project of the American Legislators' Association have the endorsement, and its organization has the active cooperation, not only of its membership, which consists entirely of members and ex-members of state legislatures, but also of numbers of other responsible citizens, many of whom, having specialized knowledge, are serving on the Association's Advisory Boards; now, therefore

Be It Resolved by the Senate, the House concurring, That the organization of the American Legislators' Association and of the Interstate Legislative Reference Bureau are hereby commended as legitimate and constructive efforts to assist the legislatures of the various states in the efficient performance of their work.

By unanimous consent on request of Senator Benson the resolution was taken up and considered.

The resolution was adopted.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. 381, by Conservation Committee, prohibiting the erection, construction or maintenance of certain structures.

S. F. 391, by Committee on Reduction of Expenditures, relating to junior colleges.

S. F. 392, by Public Health Committee, amending Section 2545, relating to Podiatry.

S. F. 395, by Police Regulations Committee, authorizing regulations regarding certain inflammable materials.

H. F. 354, by Orr, authorizing issuance of a patent to lands in Clayton County.

H. F. 482, by Whiting, legalizing the payment of funds by Johnson County.

O. E. GUNDERSON, *Vice-Chairman*.

The Journal of March 31st was corrected and approved.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 348 by adding the following section thereto:

Section 5. Amend Section forty twelve (4012) of the Code, 1927, by adding the following paragraph thereto:

"That whenever a woman who is pregnant is committed to the hospital under the provisions of Section forty twelve (4012) of the Code, 1927, the said commitment shall authorize the hospital to provide proper medical or surgical treatment and hospital care for the infant."

H. L. IRWIN.

On motion of Senator Cooney the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 2, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. C. M. Granskou, president of the Waldorf College of Forest City.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Langfitt for the day on request of Senator Benson.

By unanimous consent of the Senate, Senators Baird and Carroll were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Benson, from the Monona public schools, opposing a reduction in the vocational education program. Appropriations.

By Senator Iekis, from the Johnson consolidated school, opposing a reduction in the vocational education program. Appropriations.

By Senator Lowe, from residents of Osceola, favoring restriction of motor vehicles. Motor vehicles.

By Senator Stevens, from residents of Ottumwa and the board of supervisors of Wapello county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clearman, from residents of Oxford, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clark of Marion, from railroad employees and residents of Marion county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Stoddard, from members of the La Porte city night school and residents of Sloan, opposing a reduction in the vocational education program. Appropriations.

By Senator Wilson, from Order of Red Men, Des Moines, favoring an old age pension and highway wage bill. Judiciary No. 2.

By Senator MacDonald, from the school board of LeMars, opposing a reduction in the vocational education program. Appropriations.

By Senator Carden, from residents of Washington county, favoring restriction of motor vehicles. Motor vehicles.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 553, a proposed bill to legalize the proceedings of the county board of supervisors of Appanoose county.

WALTER H. BEAM, *Secretary.*

SENATE FILE NO. 133 SPECIAL ORDER

By unanimous consent on request of Senator Bennett, Senate File No. 133 was made a special order for 9:45 a. m. Friday.

Senator Benson moved that Senators Baird and Carroll be excused from the call on Senate File No. 133, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

Mr. President—Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 184, 271, 172, 52, 365, 223, and 530.

LEW MACDONALD,

Acting Chairman Senate Committee.

C. J. ORR,

Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 184, 271, 172, 52, 365, 223, and 530.

INTRODUCTION OF BILLS

Senate File No. 412, by committee on code revision, a bill for an act to amend the law as it appears in section fifty hundred ninety-three a eleven (5093-a11) of the code, 1927, so as to provide for the payment of postage, equipment, supplies and printing, used by the gasoline license tax department, out of the gasoline fees.

Read first and second times and referred to sifting committee.

Senate File No. 413, by committee on code revision, a bill for an act to amend section thirteen thousand six hundred forty-five (13645), Code, 1927, relating to the filing of informations by the county attorney.

Read first and second times and referred to sifting committee.

Senate File No. 414, by committee on claims, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, Dr. F. L. Buck, Dr. J. M. Lichty, Dr. March Green, Dr. C. J. Scott, Dr. J. F. McCabe, Dr. John W. Haxby, Dr. J. E. Frank, Dr. G. A. Evans, Dr. F. C. Roach, Dr. Chas. Murray, Dr. G. C. Bevan, Dr. J. E. Robertson, Dr. C. E. Baxter, Dr. Edd Scantlebury, and Will Kuhlman.

Read first and second times and referred to committee on appropriations.

HOUSE AMENDMENTS CONSIDERED

Senator Hill called up for consideration Senate File No. 151, amended by the House, and moved that the Senate concur in the following amendments:

By striking from lines six (6) and seven (7) of section one (1), the following:

“and in search of or pursuing criminals or law violators”.

On the question “Shall the Senate concur?” the vote was:

Ayes, 40.

Anderson	Clearman	Ickis	Patterson
Bennett	Cochrane	Irwin	Quirk
Benson	Cole	Kent	Ritchie
Bissell	Cooney	Klemme	Stoddard
Blackford	Coykendall	Knudson	Tabor
Booth	Doran	Leonard	Wenner
Carden	Frailey	Lowe	White
Christophel	Gunderson	MacDonald	Wilson
Clark of Cerro Gordo	Hager	McLeland	
Clark of Marion	Hicklin	Moen	
	Hill	Myers	

Nays, none.

Absent or not voting, 10.

Baird	Clark of Linn	Rigby	Stevens
Beatty	Kimberly	Stanley	Topping
Carroll	Langfitt		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Hill called up for consideration Senate File No. 152, amended by the House, and moved that the Senate concur in the following amendments:

1. By striking the word "or" in line three (3) of section one (1), and by inserting at the end of said line the following: "or other weapon".
2. By changing the comma (,) following "state" in line four (4) to a period (.) and by striking the remainder of said sentence.
3. By striking from lines nine (9), ten (10), and eleven (11), of said section the following: "or in the apprehension of criminals for some other state, when, in his judgment, the same is advisable".

On the question "Shall the Senate concur?" the vote was:

Ayes, 41.

Anderson	Clearman	Irwin	Myers
Bennett	Cochrane	Kent	Patterson
Benson	Cole	Kimberly	Quirk
Bissell	Cooney	Klemme	Rigby
Blackford	Coykendall	Knudson	Ritchie
Booth	Frailey	Leonard	Stevens
Carden	Gunderson	Lowe	Tabor
Christophel	Hager	MacDonald	Wenner
Clark of Cerro Gordo	Hicklin	McLeland	White
Clark of Marion	Hill	Moen	Wilson
	Ickis		

Nays, none.

Absent or not voting, 9.

Baird	Clark of Linn	Langfitt	Stoddard
Beatty	Doran	Stanley	Topping
Carroll			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Hill called up for consideration Senate File No. 155, amended by the House, and moved that the Senate concur in the following amendments:

By inserting after the word "corporation" in line five (5), the following:

" , except law enforcement officers,".

On the question "Shall the Senate concur?" the vote was:

Ayes, 41.

Anderson	Clearman	Ickis	Myers
Bennett	Cochrane	Irwin	Patterson
Benson	Cole	Kent	Quirk
Bissell	Cooney	Kimberly	Rigby
Blackford	Coykendall	Klemme	Ritchie
Booth	Frailey	Knudson	Stevens
Carden	Gunderson	Leonard	Tabor
Christophel	Hager	Lowe	Wenner
Clark of	Hicklin	MacDonald	White
Cerro Gordo	Hill	McLeland	Wilson
Clark of Marion		Moen	

Nays, none.

Absent or not voting, 9.

Baird	Clark of Linn	Langfitt	Stoddard
Beatty	Doran	Stanley	Topping
Carroll			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Benson called up for consideration Senate File No. 107, amended by the House, and moved that the Senate amend and concur in the following amendments:

1. By striking all of section three (3) thereof, and substituting therefor the following:

"Sec. 3. "Motor vehicle fuel" shall mean and include any substance or combination of substances which is intended to be or is capable of be-

ing used for the purpose of propelling or running by combustion any internal combustion engine and kept for sale or sold for that purpose, except the products commonly known as kerosene and/or distillate or petroleum products of lower gravity (Baume scale) when not used as motor vehicle fuel or for compounding or combining with any motor vehicle fuel."

2. By adding at the end thereof the following:

"Sec. 4. That the law as it appears in section fifty hundred ninety-three-a five (5093-a5) of the code, 1927, be and the same is hereby amended by inserting in line eight (8) thereof immediately following the word 'gallons' therein the following: 'of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act, and'.

"Sec. 5. That the law as it appears in section fifty hundred ninety-three-b one (5093-b1) of the code, 1927, be and the same is hereby amended by striking from line fifteen (15) thereof the word 'and' and substituting in lieu thereof a comma (,); by striking the period (.) from line fifteen (15) thereof and substituting in lieu thereof a comma (,) and adding thereto the following: 'the number of gallons of motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act.'"

3. Amend the title to Senate File No. 107, by adding thereto the following:

"and to amend sections fifty hundred ninety-three-a five (5093-a5), and fifty hundred ninety-three-b one (5093-b1), code, 1927, so as to require reports to be made by carriers and distributors upon all substances to be used in the manufacture, mixture or blending of motor vehicle fuels."

Senator Benson offered the following amendments to the amendments and moved their adoption:

Amend by striking amendment No. two (2) and inserting in lieu thereof the following:

"2. By adding at the end thereof the following:

"Sec. 4. That the law as it appears in section fifty hundred ninety-three-a five (5093-a5) of the Code, 1927, be and the same is hereby amended by striking the word "gasoline" in line seven (7) and inserting in lieu thereof the following: "motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act".

Sec. 5. That the law as it appears in section fifty hundred ninety-three-b one (5093-b1) of the Code, 1927, be and the same is hereby amended by striking from line fifteen (15) thereof the word "and" and

substituting in lieu thereof a comma (,); by striking the period (.) from line fifteen (15) thereof and substituting in lieu thereof a comma (,) and inserting (immediately after the word "consignee" in said line fifteen (15)) the following: "the number of gallons of motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act."

Further amend by striking from line nine (9) of amendment No. one (1) the word "as" and substituting in lieu thereof the words "to propel a", and by striking from the said line nine (9) the word "fuel".

The amendments to the amendments were adopted.

On the question "Shall the Senate concur in the House amendments as amended?" the vote was:

Ayes, 37.

Anderson	Cochrane	Kent	Myers
Bennett	Cole	Kimberly	Patterson
Benson	Cooney	Klemme	Quirk
Blackford	Coykendall	Knudson	Rigby
Carden	Frailey	Leonard	Ritchie
Christophel	Gunderson	Lowe	Stevens
Clark of	Hager	MacDonald	Tabor
Cerro Gordo	Hill	McLeland	Wenner
Clark of Marion	Ickis	Moen	White
Clearman	Irwin		

Nays, none.

Absent or not voting, 13.

Baird	Carroll	Hicklin	Stoddard
Beatty	Clark of Linn	Langfitt	Topping
Bissell	Doran	Stanley	Wilson
Booth			

The House amendments as amended having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Ickis House File No. 200, a bill for an act to amend section seventeen (17), chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the sale by game wardens of undesirable fish, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Ickis offered the following amendment and moved its adoption:

Amend by adding thereto the following:

"Further amend said section by striking the comma in line twenty-one and inserting in lieu thereof a period and striking the remainder of the paragraph."

The amendment was adopted.

The bill was read for information.

Senator Ickis moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clearman	Kent	Myers
Bennett	Cochrane	Kimberly	Quirk
Bissell	Cole	Klemme	Rigby
Blackford	Cooney	Knudson	Ritchie
Booth	Coykendall	Leonard	Stevens
Carden	Frailey	Lowe	Stoddard
Christophel	Hager	MacDonald	Tabor
Clark of	Hill	McLeland	Wenner
Cerro Gordo	Ickis	Moen	White
Clark of Marion			

Nays, none.

Absent or not voting, 14.

Baird	Clark of Linn	Hicklin	Stanley
Beatty	Doran	Irwin	Topping
Benson	Gunderson	Langfitt	Wilson
Carroll		Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF SENATE FILE NO. 10 RESUMED

Senator Stoddard offered the following amendments to the totals, corrected to conform with amendments adopted, and moved their adoption:

Amend section 2 as follows:

1. In lines three and four strike out the words and figures "two hundred twenty-eight thousand five hundred twenty-five dollars (\$228,525.00)" and insert in lieu thereof the words and figures "two hundred twenty-two thousand five hundred seventy-five dollars (\$222,575.00)".

2. In line 30, strike out the figures "\$30,040.00" and insert in lieu thereof the figures "\$28,640.00".

3. In line 48, strike out the figures "\$197,045.00" and insert in lieu thereof the figures "\$192,495.00".

4. In line 50, strike out the figures "\$227,085.00" and insert in lieu thereof the figures "\$221,135.00".

5. In line 58, strike out the figures "\$228,525.00" and insert in lieu thereof the figures "\$222,575.00".

Amend section 3 as follows:

1. In lines 3 and 4 strike out the words and figures "four hundred eighty-three thousand nine hundred fifty dollars (\$483,950.00)" and insert in lieu thereof the words and figures "four hundred eighty-three thousand six hundred fifty dollars (\$483,650.00)".

2. In line 26, strike out the figures "\$127,900.00" and insert in lieu thereof the figures "\$127,600.00".

3. In line 33, strike out the figures "\$170,900.00" and insert in lieu thereof the figures "\$170,600.00".

4. In line 81, strike out the figures "\$483,950.00" and insert in lieu thereof the figures "\$483,650.00".

Amend section 4 as follows:

1. In lines 3 and 4 strike out the words and figures "sixty-one thousand eight hundred twenty dollars (\$61,820.00)" and insert in lieu thereof the words and figures "ninety thousand two hundred twenty dollars (\$90,220.00)".

2. In line 24, strike out the figures "\$43,320.00" and insert in lieu thereof the figures "\$46,720.00".

3. In line 29, strike out the figures "\$18,500.00" and insert in lieu thereof the figures "\$43,500.00".

4. In line 32, strike out the figures "\$61,820.00" and insert in lieu thereof the figures "\$90,220.00".

Amend section 6 as follows:

1. In lines 3 and 4, strike out the words and figures "twenty-seven thousand seven hundred dollars (\$27,700.00)" and insert in lieu thereof the words and figures "thirty thousand two hundred dollars (\$30,200.00)".

2. In line 19, strike out the figures "\$24,200.00" and insert in lieu thereof the figures "\$26,700.00".

3. In line 27, strike out the figures "\$27,700.00" and insert in lieu thereof the figures "\$30,200.00".

Amend section 8 as follows:

1. In lines 3 and 4 strike out the words and figures "twenty-six thousand

one hundred fifty dollars (\$26,150.00)" and insert in lieu thereof the words and figures "twenty-three thousand two hundred fifty dollars (\$23,250.00)".

2. In line 16, strike out the figures "\$22,400.00" and insert in lieu thereof the figures "\$20,000.00".

3. In line 22, strike out the figures "\$3,750.00" and insert in lieu thereof the figures "\$3,250.00".

4. In line 25, strike out the figures "\$26,150.00" and insert in lieu thereof the figures "\$23,250.00".

Amend section 9 as follows:

1. In line 3, strike out the words and figures "one hundred forty thousand dollars (\$140,000.00)" and insert in lieu thereof the words and figures "one hundred thirty thousand dollars (\$130,000.00)".

2. In line 12, strike out the figures "\$140,000.00" and insert in lieu thereof the figures "\$130,000.00".

Amend section 10 as follows:

1. In lines 3 and 4, strike out the words and figures "one hundred forty-one thousand seven hundred twenty dollars (\$141,720.00)" and insert in lieu thereof the words and figures "one hundred thirty-five thousand seven hundred dollars (\$135,700.00)".

2. In line 29, strike out the figures "\$65,150.00" and insert in lieu thereof the figures "\$60,130.00".

3. In line 39, strike out the figures "\$26,950.00" and insert in lieu thereof the figures "\$25,950.00".

4. In line 41, strike out the figures "\$92,100.00" and insert in lieu thereof the figures "\$86,080.00".

5. In line 62, strike out the figures "\$141,720.00" and insert in lieu thereof the figures "\$135,700.00".

Amend section 11 as follows:

1. In lines 3 and 4, strike out the words and figures "sixty-eight thousand seven hundred twenty dollars (\$68,720.00)" and insert in lieu thereof the words and figures "sixty thousand six hundred eighty dollars (\$60,680.00)".

2. In line 27, strike out the figures "\$66,470.00" and insert in lieu thereof the figures "\$58,430.00".

3. In line 35, strike out the figures "\$68,720.00" and insert in lieu thereof the figures "\$60,680.00".

Amend section 12 as follows:

1. In lines 3 and 4, strike out the words and figures "three hundred sixty-five thousand dollars (\$365,000.00)" and insert in lieu thereof the

words and figures "three hundred seventy-four thousand dollars (\$374,000.00)".

2. In line 14, strike out the figures "\$365,000.00" and insert in lieu thereof the figures "\$374,000.00".

Amend section 14 as follows:

1. In lines 3 and 4, strike out the words and figures "two hundred thirty-four thousand fifty dollars (\$234,050.00)" and insert in lieu thereof the words and figures "two hundred forty-eight thousand nine hundred dollars (\$248,900.00)".

2. In line 21, strike out the figures "\$20,300.00" and insert in lieu thereof the figures "\$20,150.00".

3. In line 34, strike out the figures "\$213,750.00" and insert in lieu thereof the figures "\$228,750.00".

4. In line 37, strike out the figures "\$234,050.00" and insert in lieu thereof the figures "\$248,900.00".

Amend section 15 as follows:

1. In lines 3 and 4, strike out the words and figures "eighty-eight thousand dollars (\$88,000.00)" and insert in lieu thereof the words and figures "fifty-three thousand dollars (\$53,000.00)".

2. In line 11, strike out the figures "\$88,000.00" and insert in lieu thereof the figures "\$53,000.00".

3. In line 16, strike out the figures "\$88,000.00" and insert in lieu thereof the figures "\$53,000.00".

Amend section 17 as follows:

1. In lines 3 and 4, strike out the words and figures "eighteen thousand five hundred fifty dollars (\$18,550.00)" and insert in lieu thereof the words and figures "seventeen thousand five hundred fifty dollars (\$17,550.00)".

2. In line 20, strike out the figures "\$8,450.00" and insert in lieu thereof the figures "\$7,450.00".

3. In line 23, strike out the figures "\$18,550.00" and insert in lieu thereof the figures "\$17,550.00".

Amend section 18 as follows:

1. In lines 3 and 4, strike out the words and figures "twenty-five thousand three hundred dollars (\$25,300.00)" and insert in lieu thereof the words and figures "nine thousand three hundred dollars (\$9,300.00)".

2. In line 19, strike out the figures "\$20,500.00" and insert in lieu thereof the figures "\$4,500.00".

3. In line 22, strike out the figures "\$25,300.00" and insert in lieu thereof the figures "\$9,300.00".

Amend section 21 as follows:

1. In lines 3 and 4, strike out the words and figures "one hundred thousand four hundred fifty dollars (\$100,450.00)" and insert in lieu thereof the words and figures "ninety-five thousand nine hundred fifty dollars (\$95,950.00)".

2. In line 26, strike out the figures "\$41,200.00" and insert in lieu thereof the figures "\$38,200.00".

3. In line 34, strike out the figures "\$20,200.00" and insert in lieu thereof the figures "\$18,700.00".

4. In line 36, strike out the figures "\$61,400.00" and insert in lieu thereof the figures "\$56,900.00".

5. In line 73, strike out the figures "\$100,450.00" and insert in lieu thereof the figures "\$95,950.00".

Amend section 22 as follows:

1. In lines 3 and 4, strike out the words and figures "sixty-two thousand one hundred eighty-five dollars (\$62,185.00)" and insert in lieu thereof the words and figures "forty-seven thousand seven hundred thirty-five dollars (\$47,735.00)".

2. In line 38, strike out the figures "\$16,925.00" and insert in lieu thereof the figures "\$3,675.00".

3. In line 40, strike out the figures "\$34,665.00" and insert in lieu thereof the figures "\$21,415.00".

4. In line 64, strike out the figures "\$3,600.00".

5. In line 78, strike out the figures "\$62,185.00" and insert in lieu thereof the figures "\$47,735.00".

Amend section 23 as follows:

1. In lines 3 and 4, strike out the words and figures "forty-one thousand two hundred dollars (\$41,200.00)" and insert in lieu thereof the words and figures "thirty-six thousand dollars (\$36,000.00)".

2. In line 12, strike out the figures "\$18,500.00" and insert in lieu thereof the figures "\$16,000.00".

3. In line 15, strike out the figures "\$41,200.00" and insert in lieu thereof the figures "\$36,000.00".

Amend section 24 as follows:

1. In lines 3 and 4, strike out the words and figures "thirty-six thousand nine hundred fifty dollars (\$36,950.00)" and insert in lieu thereof the words and figures "thirty thousand five hundred fifty dollars (\$30,550.00)".

2. In line 30, strike out the figures "\$18,300.00" and insert in lieu thereof the figures "\$11,900.00".

3. In line 33, strike out the figures "\$36,950.00" and insert in lieu thereof the figures "\$30,550.00".

Amend section 28 as follows:

1. In lines 3 and 4, strike out the words and figures "twenty-five thousand nine hundred forty dollars (\$25,940.00)" and insert in lieu thereof the words and figures "twenty-four thousand twenty dollars (\$24,020.00)".

2. In line 17, strike out the figures "\$14,940.00" and insert in lieu thereof the figures "\$14,820.00".

3. In line 24, strike out the figures "\$11,000.00" and insert in lieu thereof the figures "\$9,200.00".

4. In line 27, strike out the figures "\$25,940.00" and insert in lieu thereof the figures "\$24,020.00".

Amend section 29 as follows:

1. In lines 3 and 4, strike out the words and figures "fifty-five thousand twenty dollars (\$55,020.00)" and insert in lieu thereof the words and figures "fifty-three thousand two hundred twenty dollars (\$53,220.00)".

2. In line 18, strike out the figures "\$17,200.00" and insert in lieu thereof the figures "\$16,900.00".

3. In line 22, strike out the figures "\$23,200.00" and insert in lieu thereof the figures "\$22,400.00".

4. In line 49, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00".

5. In line 51, strike out the figures "\$9,700.00" and insert in lieu thereof the figures "\$9,200.00".

6. In line 61, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,500.00".

7. In line 64, strike out the figures "\$55,020.00" and insert in lieu thereof the figures "\$53,220.00".

Amend section 31 as follows:

1. In lines 3 and 4, strike out the words and figures "twenty thousand two hundred ten dollars (\$20,210.00)" and insert in lieu thereof the words and figures "eighteen thousand four hundred sixty dollars (\$18,460.00)".

2. In line 23, strike out the figures "\$9,110.00" and insert in lieu thereof the figures "\$7,360.00".

3. In line 26, strike out the figures "\$20,210.00" and insert in lieu thereof the figures "\$18,460.00".

Amend section 38 as follows:

1. In line 4, strike out the words and figures "thirty-eight thousand

five hundred dollars (\$38,500.00)" and insert in lieu thereof the words and figures "forty-one thousand one hundred twenty dollars (\$41,120.00)".

2. In line 16, strike out the figures "\$29,000.00" and insert in lieu thereof the figures "\$32,120.00".

3. In line 21, strike out the figures "\$9,500.00" and insert in lieu thereof the figures "\$9,000.00".

4. In line 24, strike out the figures "\$38,500.00" and insert in lieu thereof the figures "\$41,120.00".

Amend section 40 as follows:

1. In line 3, strike out the words and figures "six hundred dollars (\$600.00)" and insert in lieu thereof the words and figures "five hundred sixty dollars (\$560.00)".

2. In line 10, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$560.00".

3. In line 12, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$560.00".

Amend section 42 as follows:

1. In lines 3 and 4, strike out the words and figures "sixty-eight thousand two hundred dollars (\$68,200.00)" and insert in lieu thereof the words and figures "forty-six thousand eight hundred dollars (\$46,800.00)".

2. In line 16, strike out the figures "\$16,600.00" and insert in lieu thereof the figures "\$16,900.00".

3. In line 20, strike out the figures "\$17,100.00" and insert in lieu thereof the figures "\$17,400.00".

4. In line 31, strike out the figures "\$16,200.00" and insert in lieu thereof the figures "\$16,600.00".

5. In line 35, strike out the figures "\$29,000.00" and insert in lieu thereof the figures "\$29,400.00".

6. In line 63, strike out the figures "\$68,200.00" and insert in lieu thereof the figures "\$46,800.00".

Amend section 44 as follows:

1. In lines 3 and 4, strike out the words and figures "eighty-six thousand seven hundred dollars (\$86,700.00)" and insert in lieu thereof the words and figures "eighty-six thousand five hundred dollars (\$86,500.00)".

2. In line 11, strike out the figures "\$85,700.00" and insert in lieu thereof the figures "\$85,500.00".

3. In line 17, strike out the figures "\$86,700.00" and insert in lieu thereof the figures "\$86,500.00".

Amend section 46 as follows:

1. In lines 3 and 4, strike out the words and figures "one hundred

thousand five hundred fifty-five dollars (\$100,555.00)" and insert in lieu thereof the words and figures "ninety-nine thousand four hundred forty-five dollars (\$99,445.00)".

2. In line 20, strike out the figures "\$22,570.00" and insert in lieu thereof the figures "\$22,420.00".

3. In line 28, strike out the figures "\$28,695.00" and insert in lieu thereof the figures "\$28,545.00".

4. In line 59, strike out the figures "\$31,860.00" and insert in lieu thereof the figures "\$30,900.00".

5. In line 67, strike out the figures "\$52,360.00" and insert in lieu thereof the figures "\$51,400.00".

6. In line 70, strike out the figures "\$100,555.00" and insert in lieu thereof the figures "\$99,445.00".

Amend section 48 as follows:

1. In lines 3 and 4, strike out the words and figures "sixty-five thousand four hundred eighty-six dollars and forty-five cents (\$65,486.45)" and insert in lieu thereof the words and figures "forty thousand four hundred eighty-six dollars and forty-five cents (\$40,486.45)".

2. In line 22, strike out the figures "\$30,800.00" and insert in lieu thereof the figures "\$5,800.00".

3. In line 24, strike out the figures "\$41,210.00" and insert in lieu thereof the figures "\$16,210.00".

4. In line 40, strike out the figures "\$65,486.45" and insert in lieu thereof the figures "\$40,486.45".

Amend section 49 as follows:

1. In lines 20, 21 and 22, strike out the words and figures "nine million one hundred forty-eight thousand one hundred seventy-eight dollars (\$9,148,178.00)" and insert in lieu thereof the words and figures "eight million nine hundred twenty-nine thousand six hundred seventy-eight dollars (\$8,929,678.00)".

2. In lines 30 and 31, strike out the words and figures "seven hundred forty-eight thousand two hundred sixty dollars (\$748,260.00)" and insert in lieu thereof the words and figures "seven hundred forty-seven thousand seven hundred sixty dollars (\$747,760.00)".

3. In line 41, strike out the figures "\$156,500.00" and insert in lieu thereof the figures "\$156,000.00".

4. In line 43, strike out the figures "\$748,260.00" and insert in lieu thereof the figures "\$747,760.00".

5. In lines 47 and 48, strike out the words and figures "seven hundred ninety-nine thousand two hundred seventy-eight dollars (\$799,278.00)"

and insert in lieu thereof the words and figures "seven hundred sixty-three thousand two hundred seventy-eight dollars (\$763,278.00)".

6. Strike lines 51, 53 and 54.

7. In lines 114 and 115 strike out the words and figures "two hundred fifty-six thousand seven hundred fifty dollars (\$256,750.00)" and insert in lieu thereof the words and figures "two hundred and twenty-six thousand seven hundred fifty dollars (\$226,750.00)".

8. In line 121, strike out the figures "\$256,750.00" and insert in lieu thereof the figures "\$226,750.00".

9. In lines 125 and 126, strike out the words and figures "nine hundred seven thousand seven hundred fifty dollars (\$907,750.00)" and insert in lieu thereof the words and figures "nine hundred thirty-seven thousand seven hundred fifty dollars (\$937,750.00)".

11. In line 138, strike out the figures "\$907,750.00" and insert in lieu thereof the figures "\$937,750.00".

12. In lines 146 and 147, strike out the words and figures "eight hundred twenty-two thousand eight hundred twenty dollars (\$822,820.00)" and insert in lieu thereof the words and figures "eight hundred fifty-two thousand eight hundred twenty dollars (\$852,820.00)".

14. In line 156, strike out the figures "\$822,820.00" and insert in lieu thereof the figures "\$852,820.00".

15. In lines 163 and 164, strike out the words and figures "one hundred sixty-six thousand nine hundred dollars (\$166,900.00)" and insert in lieu thereof the words and figures "one hundred sixteen thousand nine hundred dollars (\$116,900.00)".

16. In line 171, strike out the figures "\$55,000.00" and insert in lieu thereof the figures "\$5,000.00".

17. In line 173, strike out the figures "\$166,900.00" and insert in lieu thereof the figures "\$116,900.00".

18. In lines 177 and 178, strike out the words and figures "six hundred twenty-eight thousand six hundred sixty dollars (\$628,660.00)" and insert in lieu thereof the words and figures "five hundred twenty-eight thousand six hundred sixty dollars (\$528,660.00)".

19. In line 186, strike out the figures "\$113,000.00" and insert in lieu thereof the figures "\$13,000.00".

20. In line 188, strike out the figures "\$628,660.00" and insert in lieu thereof the figures "\$528,660.00".

21. In lines 199 and 200, strike out the words and figures "four hundred eleven thousand eight hundred twenty dollars (\$411,820.00)" and insert in lieu thereof the words and figures "three hundred eighty-one thousand eight hundred twenty dollars (\$381,820.00)".

22. In line 211, strike out the figures "\$44,500.00" and insert in lieu thereof the figures "\$14,500.00".

23. In line 213, strike out the figures "\$411,820.00" and insert in lieu thereof the figures "\$381,820.00".

24. In lines 217 and 218, strike out the words and figures "four hundred fourteen thousand seven hundred eighty dollars (\$414,780.00)" and insert in lieu thereof the words and figures "three hundred eighty-two thousand seven hundred eighty dollars (\$382,780.00)".

25. In line 225, strike out the figures "\$37,000.00" and insert in lieu thereof the figures "\$5,000.00".

26. In line 227, strike out the figures "\$414,780.00" and insert in lieu thereof the figures "\$382,780.00".

Amend section 50 as follows:

1. In lines 9, 10 and 11, strike out the words and figures "fifteen million seven hundred eighty-three thousand four hundred seventy-three dollars and twenty cents (\$15,783,473.20)" and insert in lieu thereof the words and figures "fourteen million seven hundred sixty-six thousand nine hundred ten dollars (\$14,766,910.00)".

2. In line 137, strike out the figures "\$15,783,473.20" and insert in lieu thereof the figures "\$14,766,910.00".

Amend section 72 as follows:

1. In lines 3 and 4, strike out the words and figures "ten million five hundred forty-one thousand three hundred forty-six dollars (\$10,541,346.00)" and insert in lieu thereof the words and figures "nine million five hundred sixty-eight thousand one hundred ninety-two dollars (\$9,568,192.00)".

2. In lines 5 and 6, strike out the words and figures "ten million five hundred forty-one thousand three hundred forty-six dollars (\$10,541,346.00)" and insert in lieu thereof the words and figures "nine million five hundred sixty-eight thousand one hundred ninety-two dollars (\$9,568,192.00)".

The amendments to the totals were adopted.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Bissell	Clark of	Cochrane
Beatty	Blackford	Cerro Gordo	Cole
Bennett	Booth	Clark of Linn	Cooney
Benson	Christophel	Clark of Marion	Coykendall

Doran	Kimberly	Moen	Stoddard
Frailey	Klemme	Myers	Tabor
Gunderson	Knudson	Patterson	Topping
Hager	Leonard	Quirk	Wenner
Hill	Lowe	Ritchie	White
Ickis	MacDonald	Stevens	Wilson
Kent	McLeland		

Nays, none.

Absent or not voting, 9.

Baird	Clearman	Irwin	Rigby
Carden	Hicklin	Langfitt	Stanley
Carroll			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Myers House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Myers offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting therefor the following:

Section 1. Section three hundred ninety-seven (397) of the Code of Iowa, 1927, is hereby repealed, and the following is enacted and substituted in lieu thereof:

"397. Board of Education, and Board of Control. This Chapter shall expressly apply to and include the presentation and payment of all claims and liabilities arising in any manner from the operation, management and maintenance of the institutions under the government and control of the State Board of Education and the State Board of Control."

Sec. 2. All provisions of law in conflict with Section 1 hereof are hereby repealed.

Sec. 3. The State Audit Board, the Auditor of State and the Treasurer of State are hereby authorized to employ such additional assistance as may be necessary to carry out the provisions of this Act, and the

expense incurred thereby shall be paid from any funds in the State Treasury not otherwise appropriated.

The amendment was adopted.

Senator Wilson raised the point of order that the bill has to be referred to the appropriations committee as it provides for an appropriation.

The President held that under Rule 21 it would have to be referred to the appropriations committee, if it carried an appropriation.

Senator Myers moved to amend by striking section 3.

Senator Wilson raised the point of order that the vote by which the amendment was adopted would have to be reconsidered.

The President held the point of order well taken.

Senator Myers moved to reconsider the vote by which the amendment was adopted.

Senator Blackford raised the point of order that the bill had already been referred to the appropriations committee.

The President held that Senator Myers only asked what would be the proper procedure.

The motion to reconsider the vote by which the amendment was adopted was lost and the bill was referred to the committee on appropriations.

On motion of Senator Hill Senate File No. 94, a bill for an act to regulate outdoor advertising and to tax outdoor advertising, and to tax outdoor advertisers, and to require and provide for the issuing of licenses and permits to persons, firms, and corporations for the construction, maintenance and use of billboards and other structures for outdoor advertising, to license, tax and regulate all manner of outdoor advertisements and advertisers, and to provide for the administration and collection of the tax by the State Board of Assessment and Review and the city or town councils; and to repeal paragraph 5, section 5743 the Code, 1927, relating to billboards in cities and towns, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike all of said bill after the enacting clause and substitute therefor the following:

Section 1. Advertiser for Direct Profit to be Licensed: Fee. No person, firm or corporation shall engage or continue in the business of outdoor advertising for direct profit through rentals or compensation received for the erection, maintenance or display of painted bulletins, poster panels, or other outdoor advertising devices, upon real property, or otherwise, until such person, firm, or corporation shall have secured from the Iowa State Board of Assessment and Review, in this Act hereinafter called "Board", a license to engage in the business of outdoor advertising. The fee for such license shall be the sum of One Hundred (\$100.00) Dollars per year, hereby imposed for revenue for the use of the state of Iowa, payable annually in advance on the first day of July to the Board.

It is provided, however, that County license may be issued in lieu thereof authorizing the carrying on of said business within County limits by payment of annual fees for the use of the general state fund, as follows:

In a County of less than 20,000 population.....	\$ 5.00
In a County having a population not less than 20,000 nor more than 30,000	10.00
In a County having a population of not less than 30,000 nor more than 40,000	15.00
In a County having a population of 40,000 and not more than 50,000	20.00
In Counties having a population of more than 50,000.....	25.00

Sec. 2. Application for Permits to Maintain or Erect Signs. No person, firm or corporation, licensed under the provisions of Section One of this Act, shall erect or maintain any outdoor advertising structure, device or display outside of city and town limits until a permit for the erection of such structure, device or display shall have been obtained from the Board. Application for such permit shall be in writing, signed by the applicant or his duly authorized agent, upon blanks furnished by the Board, in such form and requiring such information as said Board may prescribe. Each application shall have attached thereto the written consent of the owners of the property on which such structure, device or display is to be erected or maintained. The fee for such permit shall be as provided in Section Four of this Act, payable upon the granting of such permit to the Board, and annually thereafter on the first day of July. Application shall be made in like manner for permits to maintain all existing outdoor advertising structures, devices or displays and unless permits are obtained therefor and the permit fees provided in said Section Five are paid, the same shall be removed in accordance with Sections Twenty-two and Twenty-three of this Act.

Sec. 3. Advertisers Other Than Those Licensed. No person, firm or corporation not engaged in the business of outdoor advertising for direct profit, shall erect, maintain, or continue to maintain any outdoor advertising structure, device, or display outside of cities and towns other than upon property within two hundred feet of the place where the goods advertised are manufactured or offered for sale, or where the

business advertised is carried on, until a permit shall have been obtained therefor from the Board, as provided in Section Two, and the permit fees, as provided by Section Five, shall have been paid. Applications for such permits shall be made in the manner provided by the Section two of this Act.

Sec. 4. The Board shall collect the fee provided in Section 1 of this Act and also all fees for licenses or displays erected or maintained outside of city or town limits, and said licenses and fees are imposed for revenue for the use of the State of Iowa. The city or town shall collect the permit fees for displays within their respective towns or city limits, and said fees are imposed for revenue of the respective city or town.

Sec. 5. Fee for Permits. The annual fee for said permit shall be as follows:

A. For each panel, bulletin, sign or display containing 50 Square Feet or less of advertising space.....	\$1.00
B. For each panel, bulletin, sign or display containing more than 50 square feet and not exceeding 100 Square Feet of Advertising space	2.00
C. For each panel, bulletin, sign or display containing more than 100 Square Feet and not exceeding 250 Square Feet of advertising space	3.00
D. For each panel, bulletin, sign or display containing more than 250 Square Feet, and not more than 500 Square Feet of advertising space	5.00
E. For each panel, bulletin, sign or display containing more than 500 Square Feet, and not more than 1,000 Square Feet of advertising space	10.00

No sign shall be erected which shall contain more than 1,000 Square Feet of advertising space. The fee for any fractional part of a year shall bear the same proportion to the fee for an entire year that such fractional part shall bear to the entire year, but in no event less than \$2.00.

Sec. 6.

CITIES AND TOWNS

It shall be unlawful to construct or maintain, or cause to be constructed or be maintained any billboard, advertising structure or display in any city or town, without first securing a license therefor from the Mayor, and strictly complying with the provisions of Section Seven to Fifteen inclusive of this Act which sections are declared applicable only to cities and towns and cities operating under special charter. (Except Section 4.)

Sec. 7. The license for each billboard advertising structure or display shall be at the same rate for each panel, bulletin, sign, or display as set forth in Section 5 hereof. All licenses shall be due and payable on the first day of July of each year. For any billboards, advertising structures or displays now in place or hereafter constructed the license shall be a pro rata amount of the regular license to the succeeding first day of July 1931.

Sec. 8. It shall be unlawful to construct or maintain or cause to be constructed or maintained, any billboard, advertising structure or display in such a manner as to

- (a) Obstruct the free use of the streets, alleys or sidewalks.
- (b) Be dangerous to the public by falling or by blowing down.
- (c) Unable to stand a pressure of at least thirty pounds per square foot of advertising space.
- (d) Exceed ten hundred square feet in area.
- (e) Obstruct the view of railroad crossings or street crossings.
- (f) Other than of fireproof construction, within established fire limits.
- (g) Increase the danger or loss by fire or to increase the rate for fire insurance.
- (h) Less than three feet above the level of the ground on which it is located.
- (i) Have the face of the panel exceed sixteen feet in height.
- (j) Approach nearer than two feet to any building unless built against the building.

Sec. 9. It shall be unlawful to construct or maintain any billboard, advertising structure or display in any block in which one half of the buildings on both sides of the street are used exclusively for residence purposes without first obtaining the consent in writing of the owners, or duly authorized agents of said owners owning the property within one hundred feet of such billboard, advertising structure or display. Such written consent shall be filed with the mayor before a license shall be granted for such location. The word, "block" used in this section, means that part of a street which lies between the two nearest intersecting streets, one on either side thereof.

Sec. 10. The name of the person, firm or corporation owning or controlling each billboard, advertising structure or display shall be placed and maintained on such billboard, signboard, advertising structure or display so as to be easily read.

Sec. 11. Every person, firm or corporation, maintaining a billboard, advertising structure or display for the purpose of displaying advertising shall file with the mayor within thirty days after the passage and publication of this Act a full and complete report of the location, size and construction of all existing billboards, advertising structures or displays.

Sec. 12. This Act shall apply to all billboards, advertising structures or displays hereafter built, rebuilt or reconstructed.

Sec. 13. This Act shall not apply to billboards, advertising structures, displays, or signboards, attached to the surface of a permanent building and designed to give publicity to any business carried on in such building or to billboards, advertising structures or displays used to advertise the sale or lease of the property upon which they shall be erected and not exceeding thirty-six square feet in area.

Sec. 14. Anyone violating any of the provisions of this Act shall, upon

conviction, be subject to imprisonment not exceeding thirty days, or to a fine not exceeding one hundred dollars. Whenever the fine and costs imposed for the violation of this Act are not paid, the person convicted may be committed to jail until the fine and costs are paid, not to exceed thirty days.

Sec. 15. The mayor may require every person, firm or corporation engaged in the business of constructing and maintaining billboards, advertising structures or displays to file with the city clerk a bond, with surety to be approved by the mayor, in the sum of not more than one thousand dollars conditioned that such person, firm or corporation shall hold the municipality free from all damages, loss, expense or decrees which may be secured against the municipality on account of the construction or maintenance of any billboard, advertising structure or displays, and the city council may by ordinance provide such regulations as are not in conflict with this Act.

Sec. 16. Lieu Tax. The license and fees imposed by this Act upon billboard, outdoor displays or outdoor advertising structures shall be in lieu of all property taxes, general or local, or licenses to which said displays, billboards, or advertising structures may be subject.

Sec. 17. Permits to Contain Certain Information. Upon receipt of an application, as set forth in Section Two and the required fee, the Board, shall cause to be issued a permit for the erection or continued maintenance of the outdoor advertising structure, device or display named in such application, which permit shall state the size of such structure, device or display and the location upon which it is to be erected or maintained, and shall be in force until the first day of July next following the date thereof.

Sec. 18. Exemptions from Applications of the Law. This Act shall not require any license or permit for signs displayed by the State Highway Commission or Board of Supervisors, nor for signs advertising the products or services of the owners of the land, or offering by the owner of his land or lots for sale or lease, nor shall a license be required for any advertising sign containing six feet square or less from any town, city or village, or any service club, or church or ecclesiastical society or fair association in this state, for any advertisement owned by it and advertising its industries or attractions, and maintained at their public or private expense; nor shall licenses or permits be required for the posting of notices or signs required by law, nor for ordinary sale posters advertising farm auctions, nor for outdoor advertisements and displays containing thirty-six (36) square feet or less by residents or resident merchants; such outdoor advertisements or displays erected and maintained at the expense of said residents or resident merchants and not in conjunction with manufacturers, jobbers or nationally advertised goods, within a radius of five (5) miles of the place where their business is conducted.

(a) All temporary signs or advertising displays erected or maintained under the provisions of Section Eighteen (18) which have a

definite date on which their usefulness has been reached shall be removed within thirty (30) days after said date has expired. Such signs or advertising displays not so removed shall be subject to removal as provided for by Sections Twenty-two and Twenty-three of this Act.

Sec. 19. Restricted Locations: Relocation of Existing Structures. Advertisements and signs shall not be displayed within one hundred (100) feet of any public park, playground or cemetery, or within five (5) feet from the outside line of any highway outside of the thickly settled or business part of a city or town, except upon the walls of a building in which the goods advertised are offered for sale or the business advertised is conducted, and except signs erected by the state or town, county or city which solely indicate highway directions, traffic regulations and dangerous places. All existing structures within a distance of five (5) feet from the outside line of any highway shall be removed and relocated as required by the provisions of this Act, within two years from its passage.

Sec. 20. Discretion in Granting Permits. No permit to erect or maintain a billboard or other structure for advertising purposes, shall be issued which, in the judgment of the Board is or would be injurious to property in the vicinity thereof, or injuriously affect any public interest or against public policy; nor shall any such permit be issued to erect or maintain any such billboard or other structure in a place where the same is or shall be prohibited by any municipal ordinance.

Sec. 21. Bond Required from out of State Advertisers. A license shall not be granted to a person, firm or corporation having his or its principal place of business outside of the state, for the display of any advertisement or the erection of any billboard or other structure designed and intended for the display of advertising matter, until such person, firm or corporation shall have furnished and filed with the Board a bond to the state, satisfactory to said Board, in such sum as said Board shall determine, conditioned that such licensee shall fulfill all requirements of law and the regulations and orders of said Board relating to the display of advertisements, and otherwise conditioned as said Board may determine. Such bond shall remain in full force and effect as long as any obligations of such licensee to the state remain unsatisfied.

Sec. 22. Orders for Removal of Illegal Signs and Structures. The Board may order the removal or change in location of any advertisements when, in the opinion of said Board, such advertisement obstructs a clear view along any highway, or is within the legal limits of any highway, or when the license or permit fees provided for have not been paid, and said Board may order the removal of any advertisement displayed contrary to any statutory provision. If the person, firm or corporation in control of or owning any advertisement which has been ordered removed or changed in its location, as provided in this Section, shall not remove such advertisement or display within thirty days after such order of removal or change has been sent to such person, firm or corporation by said Board by registered mail, said Board may cause such advertisement to be removed and the expense of such removal may be collected from the person, firm or corporation owning or controlling the same, in an

action based on the provisions of this Act and from the sureties on the bond which such person, firm or corporation has filed.

Sec. 23. **Peace Officers to Remove Certain Signs.** Any peace officer of the state shall remove, or cause to be removed, any advertisement or sign displayed contrary to the provisions of this Act, when requested so to do by the Board.

Sec. 24. **Administration.** The Board is hereby authorized to employ and discharge clerical or other assistance, and to fix their compensation, to make orders and regulations for the enforcement of this Act; to prescribe and enforce penalty for failure to comply with any provisions of this Act. The Board shall have authority and is hereby authorized to cancel or revoke any permit issued by it, for failure of the holder to comply with any of the provisions of this Act or rules prescribed by said Board.

Sec. 25. **Deposit.** All moneys paid to the Board under the provisions of this Act shall be deposited daily with the treasurer of state and by him credited to the general fund of the state. All expenses incurred by the Board, under the provisions of this Act, shall be paid out of the general fund in the state treasury upon approval by the State Board of Audit. No expenditures shall be made in excess of the receipts arising under the provisions of this Act, during any fiscal year of its operation.

Sec. 26. **Definition of Terms: Time Limit of Liability.** The word, "display," as used in this Act and in other laws of the state relating to advertisements and signs, shall mean erecting, maintaining, pasting, painting and posting any advertisement or sign out-of-doors, or erecting or maintaining any billboard or other structure designed and intended for the display of advertising matter where the same may be seen by the public or allowing any such advertisement, billboard or other structure designed and intended for the display of advertising matter where the same may be seen by the public or allowing any such advertisement, billboard or other structure erected or displayed either before or after the passage of this Act, to remain exposed, in whole or in part, to public view, and shall include the Act itself and the causing of such Act to be done. The obligation to pay license and permit fees required by law, shall apply and be in force for such time as such advertisement or sign or any part thereof shall remain visible and as long as any board or structure or any part thereof erected or built for the purpose of displaying advertising matter thereon shall remain exposed to public view.

Sec. 27. **All Advertisements to Bear Name of Advertiser or Agent, and License Plate.** All advertisements and all billboards and structures designed for the display of advertising matter thereon, shall show the name and address of the person, firm or corporation displaying such advertisements or owning or leasing such billboards and structures and shall bear an official license plate for the current year, issued by the Board.

Sec. 28. **Penalty.** Any person who shall erect, maintain, display or

allow to remain in view an advertisement, sign or billboard or any structure designed for the display of advertising matter contrary to the provisions of this Act, shall be fined not more than one hundred (\$100.00) dollars for each sign so displayed.

Sec. 29. Paragraph 5 of Section Five Thousand Seven Hundred Forty-three, the Code of 1927 relating to billboard ordinances and all other laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 30. If any clause or provision of this Act shall be held to be unconstitutional or invalid, such determination shall not be held to affect any other section, clause, or provision hereof.

Sec. 31. The provisions of this Act shall apply to cities acting under special charter.

Sec. 32. This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Charles City Press, a newspaper published at Charles City, Iowa, and the Winnebago Republican, a newspaper published at Forest City, Iowa.

Senator Hill offered the following amendments to the committee amendment and moved their adoption:

Amend Section one (1) by inserting after the word "engage" in line two (2), the word "in".

Strike out lines three (3) and four (4) of Section one (1) of the printed bill the words "for direct profit".

Amend Section two (2) by inserting after the word "owners" in line eleven (11), the words "or lessees".

Amend Section three (3) by striking out of the lines five (5) and six (6) of the printed bill the words "within two hundred feet of the place".

Amend Section five (5) by striking out paragraphs A, B, C and D, and substituting therefor the following "For each 250 square feet of advertising space or fraction thereof \$1.00.", and strike the letter "E" in line 14 and substitute the letter "A".

Amend Section five (5) by striking out the word "\$2.00" in line twenty-one (21), and inserting in lieu thereof "\$1.00".

Amend Section six (6) by substituting a period in place of the comma after the word "Mayor" in line six (6) of the printed bill and strike the rest of the section.

Amend Section nineteen (19) by inserting the words "entrance to" following the word "of" in line three (3) of said section.

By unanimous consent on request of Senator Hill action was deferred until tomorrow morning.

On motion of Senator Benson Senate File No. 281, a bill for an act to amend section thirty-one hundred twelve-b one (3112-b1), Code, 1927, relating to the grades of eggs; to establish retail grades of eggs; to establish optional grades for the purchase of eggs from producers; to provide rules and tolerances for the enforcement thereof, was taken up and considered. The report of the committee recommending passage was adopted March 28th.

The bill was read for information.

Senator Booth offered the following amendment and moved its adoption:

Amend Sec. 8 by striking from lines 2 and 3 the words "on their own farm".

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend by striking out section 8.

The amendment was lost.

Senator Christophel moved that the reading had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Christophel	Hager	Patterson
Bennett	Clark of	Hicklin	Quirk
Benson	Cerro Gordo	Knudson	Rigby
Bissell	Clearman	Langfitt	Ritchie
Blackford	Cochrane	Leonard	Tabor
Booth	Cole	Moen	Wenner
Carden	Gunderson	Myers	White

Nays, 13.

Clark of Marion	Hill	Kent	Stevens
Coykendall	Ickis	Klemme	Stoddard
Doran	Irwin	McLeland	Wilson
Frailey			

Absent or not voting, 10.

Baird	Clark of Linn	Kimberly	Stanley
Beatty	Cooney	Lowe	Topping
Carroll		MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Christophel moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson the Senate recessed until 1:15 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

THIRD READING OF BILLS

On motion of Senator Hager House File No. 238, a bill for an act to amend sections five hundred twenty-six-b one (526-b1) and five hundred twenty-six-b two (526-b2) of the code, 1927, relating to state representative districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hager moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Cole	Ickis	Quirk
Benson	Cooney	Kent	Rigby
Blackford	Coykendall	Klemme	Ritchie
Booth	Doran	Knudson	Stoddard
Carden	Frailey	Lowe	Tabor
Christophel	Gunderson	MacDonald	Topping
Clark of Linn	Hager	Moen	Wenner
Clearman	Hicklin	Myers	White
Cochrane	Hill	Patterson	

Nays, none.

Absent or not voting, 15.

Baird	Carroll	Irwin	McLeland
Beatty	Clark of	Kimberly	Stanley
Bennett	Cerro Gordo	Langfitt	Stevens
Bissell	Clark of Marion	Leonard	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Frailey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson Senate File No. 242, a bill for an act to amend section five thousand five hundred eighty-five (5585) of the code, 1927, relating to the payment of license fees received under provisions of chapter two hundred eighty-five (285), into the township road fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clearman	Hill	Myers
Beatty	Cochrane	Ickis	Quirk
Benson	Cole	Kent	Rigby
Bissell	Cooney	Kimberly	Ritchie
Blackford	Coykendall	Klemme	Stevens
Booth	Frailey	Leonard	Stoddard
Carden	Gunderson	Lowe	Tabor
Christophel	Hager	MacDonald	Wenner
Clark of Linn	Hicklin	McLeland	White
Clark of Marion		Moen	

Nays, none.

Absent or not voting, 12.

Baird	Clark of	Knudson	Stanley
Bennett	Cerro Gordo	Langfitt	Topping
Carroll	Doran	Patterson	Wilson
	Irwin		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 359, a bill for an act to amend section four thousand three hundred eighty-six (4386) of the Code, 1927, relating to school taxes for the general fund, a committee bill, was taken up and considered.

Senator Beatty offered the following amendment and moved its adoption:

Amend section 1 by striking from line 4 the word "ninety" and substituting the word "ninety-five".

The amendment was adopted.

President Pro Tem McLeland took the chair at 1:38 p. m.

President McFarlane returned to the chair at 1:54 p. m.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by adding the following:

"Sec. 2. Provided that for special cause shown the Budget Director may authorize an additional levy of \$5.00 per pupil."

The amendment was adopted.

Senator Klemme moved the previous question, which motion prevailed.

The bill was read for information.

Senator Beatty moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Clark of	Kent	Quirk
Beatty	Cerro Gordo	Klemme	Rigby
Bennett	Clark of Linn	Knudson	Ritchie
Benson	Cole	Leonard	Stevens
Bissell	Cooney	Lowe	Stoddard
Blackford	Gunderson	McLeland	Tabor
Booth	Hager	Moen	Wenner
Carden	Hicklin	Myers	White
Christophel	Hill	Patterson	

Nays, 10.

Clark of Marion	Doran	Irwin	Topping
Clearman	Frailey	Kimberly	Wilson
Coykendall	Ickis		

Absent or not voting, 6.

Baird	Cochrane	MacDonald	Stanley
Carroll	Langfitt		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 360, a bill for an act to amend sections fifty-eight hundred thirty-five (5835) and fifty-eight hundred thirty-eight (5838), Code, 1927, relating to the levying of a tax for the maintenance or employment of a band for municipal purposes, a committee bill, was taken up and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by striking section 3.

By unanimous consent on request of Senator Hicklin his amendment was withdrawn.

Senator Benson offered the following amendment and moved its adoption:

Amend by inserting the word "also" after the word "shall" in line 1.

Senator Wenner offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "also" the words "and with equal effect".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Blackford offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment be adopted striking the enacting clause?" the vote was:

Ayes, 23.

Anderson	Clearman	Hager	Knudson
Beatty	Cochrane	Hicklin	Leonard
Blackford	Cooney	Hill	Low
Booth	Coykendall	ickis	Stoddard
Clark of	Doran	Irwin	Topping
Cerro Gordo	Frailley	Kimberly	Wilson

Nays, 22.

Bennett	Cole	McLeland	Ritchie
Benson	Gunderson	Moen	Stevens
Bissell	Kent	Myers	Tabor
Carden	Klemme	Patterson	Wenner
Christophel	MacDonald	Quirk	White
Clark of Linn		Rigby	

Absent or not voting, 5.

Baird	Clark of Marion	Langfitt	Stanley
Carroll			

The amendment was adopted.

Senator Stoddard moved that the vote by which the amendment was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Linn Senate File No. 134, a bill for an act to repeal sections seventy hundred fifteen (7015), seventy hundred sixteen (7016), seventy hundred seventeen (7017), and seventy hundred twenty (7020), of the Code of Iowa 1927, relating to the assessment of shares of stock of a mutual building and loan or savings and loan association; to provide for the assessment of the shares of stock of a mutual building and loan or savings and loan association against said association, and to provide for the levy, imposition and collection of a tax on the shares of stock of all mutual building and loan or savings and loan associations doing business within the state in accordance with the provisions of chapter four hundred seventeen (417) of the Code of Iowa 1927, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking the period at the end of section 10 and inserting a comma in lieu thereof and adding the following: "excepting, however, that said shares of stock shall be subject to the one mill levy for soldiers' bonus bonds provided by Section 6987, Code, 1927."

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend Sec. 6, line 6, by striking the word "shall" and inserting in lieu thereof the word "may".

The amendment was lost.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clearman	Hill	Myers
Bennett	Cochrane	Ickis	Patterson
Benson	Cole	Kent	Rigby
Bissell	Cooney	Klemme	Ritchie
Blackford	Coykendall	Knudson	Stevens
Booth	Frailey	Lowe	Stoddard
Christophel	Gunderson	MacDonald	Tabor
Clark of	Hager	McLeland	Wenner
Cerro Gordo	Hicklin	Moen	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 14.

Baird	Clark of Marion	Langfitt	Stanley
Beatty	Doran	Leonard	Topping
Carden	Irwin	Quirk	White
Carroll	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator MacDonald Senate File No. 309, a bill for an act to amend section three (3), chapter one hundred (100) acts of the forty-third (43rd) general assembly, relating to school elections, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Booth	Clearman	Cooney
Bennett	Christophel	Cochrane	Coykendall
Bissell	Clark of Marion	Cole	Frailey

Gunderson	Klemme	Myers	Tabor
Hicklin	Knudson	Quirk	Topping
Hill	Lowe	Rigby	Wenner
Ickis	MacDonald	Ritchie	White
Kent	McLeland	Stevens	Wilson
Kimberly	Moen	Stoddard	

Nays, none.

Absent or not voting, 15.

Baird	Carden	Clark of Linn	Lanfitt
Beatty	Carroll	Doran	Leonard
Benson	Clark of	Hager	Patterson
Blackford	Cerro Gordo	Irwin	Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hill Senate File No. 279, a bill for an act to amend sections forty-three hundred seventeen (4317) and forty-four hundred three (4403), code, 1927, relating to school funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause, and substituting in lieu thereof the following:

Section 1. That the law as it appears in section forty-three hundred seventeen (4317) of the code, 1927, be and the same is hereby repealed and the following enacted in lieu thereof:

"The money collected by a tax authorized by the electors or the proceeds of the sale of bonds authorized by law or the proceeds of a tax estimated and certified by the board for the purpose of paying interest and principal on lawful bonded indebtedness or for the purchase of sites as authorized by law, shall be called the schoolhouse fund and, except when authorized by the electors, may be used only for the purpose for which originally authorized or certified. All other moneys received for any other purpose shall be called the general fund. The treasurer shall keep a separate account with each fund, paying no order that fails to state the fund upon which it is drawn and the specific use to which it is to be applied."

Sec. 2. That the law as it appears in section forty-four hundred three (4403) of the code, 1927, be and the same is hereby repealed and the following enacted in lieu thereof:

"The board of each school corporation shall, when estimating and certifying the amount of money required for general purposes, estimate and certify to the board of supervisors of the proper county for the

schoolhouse fund the amount required to pay interest due or that may become due for the year beginning January first thereafter, upon lawful bonded indebtedness, and in addition thereto such amount as the board may deem necessary to apply on the principal.

"The amount estimated and certified to apply on principal and interest for any one year shall not exceed seven mills on the dollar of the actual valuation of the taxable property of the school corporation."

The amendment was adopted.

President McLeland took the chair at 3:28 p. m.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking the title and substituting in lieu thereof the following:

A bill for an act to repeal the law as it appears in sections forty-three hundred seventeen (4317) and forty-four hundred three (4403) of the code, 1927, and to enact a substitute therefor, relating to school funds.

The amendment was adopted.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Coykendall	Kimberly	Quirk
Bissell	Frailey	Klemme	Rigby
Blackford	Gunderson	Leonard	Ritchie
Christophel	Hager	Lowe	Stevens
Clark of	Hill	McLeland	Stoddard
Cerro Gordo	Ickis	Moen	Tabor
Cochrane	Irwin	Myers	Wenner
Cole	Kent	Patterson	White

Nays, 2.

Topping Wilson

Absent or not voting, 17.

Baird	Carden	Clearman	Knudson
Beatty	Carroll	Cooney	Langfitt
Bennett	Clark of Linn	Doran	MacDonald
Benson	Clark of Marion	Hicklin	Stanley
Booth			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 94, as amended by Senate Tax Revision Committee, by inserting following the word "not" in line two (2) of section eighteen (18), the words "affected or"; and further amend said section eighteen (18) by inserting after the word "land" in line five (5) thereof the words "or for signs located upon the property where the goods advertised are manufactured or offered for sale."

C. H. TOPPING.

MR. PRESIDENT: I propose to amend Senate File No. 5 by striking the period at the end of Section two (2), and adding to said section the following:

"; and provided further that such portion of the assets of a mutual building and loan or savings and loan association, organized under Chapter 417 of the Code of 1927, as is invested in mortgages on which the registration fee has been paid shall not be otherwise taxable, either against the association or against the shares of stock of such association."

EDW. J. WENNER.

MR. PRESIDENT: We move to amend senate file No. 94, as amended by senate tax revision committee, as follows:

Strike all of Section twenty-nine (29).

EDW. J. WENNER,
MATT. D. COONEY,
C. H. TOPPING.

MR. PRESIDENT: We move to amend senate file No. 94, as amended by senate tax revision committee, as follows:

Amend Section twenty-seven (27) line two (2) by striking the word "Plate" and insert in lieu thereof the word "Number".

Further amend Section twenty-seven (27) line six (6) by striking the word "plate" and insert in lieu thereof the word "number".

EDW. J. WENNER,
MATT. D. COONEY,
C. H. TOPPING.

MR. PRESIDENT: We move to amend senate file No. 94, as amended by senate tax revision committee, as follows:

Strike all of Section thirty-two (32).

EDW. J. WENNER,
MATT. D. COONEY,
C. H. TOPPING.

MR. PRESIDENT: We move to amend senate file No. 94, as amended by senate tax revision committee, as follows:

Amend Section two (2) by striking from lines ten (10), eleven (11), and twelve (12) the words: "Each application shall have attached thereto the written consent of the owners of the property on which such structure, device or display is to be erected or maintained."

EDW. J. WENNER,
MATT. D. COONEY,
C. H. TOPPING.

MR. PRESIDENT: We move to amend senate file No. 94, as amended by senate tax revision committee, as follows:

Strike all of Section sixteen (16).

EDW. J. WENNER,
MATT. D. COONEY,
C. H. TOPPING.

MR. PRESIDENT: We move to amend the House Amendment of Section Eight of Senate File 133 numbered one, as follows:

By striking therefrom the word "three" and substituting in lieu thereof the words "three and one-half".

O. P. BENNETT,
C. E. ANDERSON,
W. A. CLARK,
GEO. CLEARMAN,
FRANK I. COYKENDALL,
FRANK BISSELL,
E. R. HICKLIN,
C. H. TOPPING,
ARTHUR LEONARD,
WILLIAM CARDEN,
H. L. IRWIN,

H. C. WHITE,
LAFE HILL,
GEO. W. CHRISTOPHEL,
J. R. FRAILEY,
L. T. QUIRK,
M. D. COONEY,
WM. H. KLEMME,
GEO. W. TABOR,
B. M. STODDARD,
O. P. MYERS.

The Journal of April 1st was corrected and approved.

On motion of Senator Topping the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 3, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. P. B. Gray, pastor of the St. Paul's Methodist Church of Williamsburg.

LEAVE OF ABSENCE

By unanimous consent on request of Senator McLeland Senators Benson and Langfitt were excused on account of illness.

By unanimous consent of the Senate Senators Baird and Carroll were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Cooney, from board of supervisors of Dubuque county, favoring restriction of motor vehicles. Motor vehicles.

By Senator Cole, from board of supervisors of Buchanan county, favoring a refund to counties wherein improved county roads have been made a part of the primary road system. Highways.

By Senator White, from residents of Belle Plaine, favoring taxation of motor vehicles. Motor vehicles:

By Senator Hager, from residents of Dubuque and the board of education of Dubuque, opposing a reduction in the present vocational education program. Appropriations.

By Senator Hicklin, from residents of Wyman, favoring restriction of motor vehicles; and from residents of Muscatine, opposing a reduction in the present vocational education program. Motor vehicles and appropriations.

COMMUNICATION FROM THE GOVERNOR

A communication was received from the Governor stating that he had on April 2, 1931, approved the following bills:

Senate File No. 105, relating to corporations.

Senate File No. 74, relating to licenses for seines or nets.

Senate File No. 99, relating to issuance of certificates to corporations.

Senate File No. 21, relating to a tax levy for park improvement purposes.

Also that on April 3, 1931, he had approved the following bill:

Senate File No. 37, relating to fur dealers licenses.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 151, 152 and 155.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 151, 152 and 155.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 3rd day of April, 1931, sent to the governor for his approval, Senate Files Nos. 151, 152 and 155.

E. R. HICKLIN, *Chairman.*

Report adopted.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. 123, By Gunderson, legalizing act, Lake Mills, Iowa.

H. F. 265, By election contest committee, relating to an appropriation for the expenses incurred in the election contest of Maneor-Berry.

S. F. 252, By Claims committee, relating to appropriations.

S. F. 247, By Irwin, relating to grounds for divorce.

S. F. 361, By committee on appropriations, relating to registration of graves of soldiers and sailors.

H. F. 170, By Greaser, relating to labeling of commercial feeds and stock tonics.

S. F. 362, By committee on printing, relating to payment of publication fees.

S. F. 248, By Irwin, relating to final orders in divorce proceedings.

S. F. 293, By Cooney, relating to actions for damages on account of personal injuries or death to women.

S. F. 366, By motor vehicles committee, defining the term "semi-trailer".

H. F. 227, By committee on suppression of intemperance, relating to intoxicating liquors.

H. F. 321, By claims committee, making an appropriation to the Metz Construction Company.

S. F. 87, By Benson, relating to the special assessments for the improvement of secondary roads.

S. F. 264, By Myers, relating to the licensing of pipe line companies.

S. F. 368, By committee on Highways, relating to maintenance and improvement of highways.

H. F. 131, By Long, relating to general duties of health officers of the local board of health.

H. F. 147, By Long, relating to isolation of persons having communicable diseases.

H. F. 129, By Long, relating to venereal diseases, and the duties of the state and local boards of health.

H. F. 276, By election contest committee, relating to appropriation for the expenses in election contest of Hattendorf vs. Ditto.

S. F. 296, By Myers, relating to the valuation and assessment of pipe line properties.

S. J. R. No. 9, By Judiciary No. 1, making corporation laws of Iowa comprehensive.

S. F. 327, By Clark of Linn, relating to sanitary sewers.

H. F. 133, By Forsling, relating to city plan commission with reference to vacation of streets.

S. F. 369, By committee on appropriations, for eradication of the European corn borer.

S. F. 371, By Committee on Tax Revision, relating to tax on vending machines.

H. F. 454, By Judiciary Committee, relating to appeals to supreme court.

H. F. 67, By Durant, relating to board of supervisors of Hancock County.

H. F. 334, By judiciary committee, relating to refunding of tax on gasoline.

S. F. 347, By Frailey, relating to regulating the issuing of shares of stock of corporations without par value.

O. E. GUNDERSON, *Vice-Chairman.*

COPIES SENATE FILE NO. 10 ORDERED

By unanimous consent on request of Senator Stoddard, one thousand copies of Senate File No. 10, as passed by the Senate, were ordered printed.

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. 297, a bill for an act relating to the license fee on dogs.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 442, a bill for an act redistricting the state into nine (9) congressional districts.

Also: That the House refuses to concur in Senate amendments to House File No. 121, a bill for an act relating to legal help and payment of same in connection with court action which involves the state highway commission.

Also: That the House has concurred in Senate amendments, as amended by the House, to House File No. 328, a bill for an act relating to reporting school census.

Also: That the House refuses to concur in Senate amendments, as amended by the House, to House File No. 2, a bill for an act relating to personal income tax.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE NO. 328

Sec. 4. This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the *Stuart Herald*, a newspaper published in Stuart, Iowa, and *The Grinnell Herald*, a newspaper published in Grinnell, Iowa.

HOUSE AMENDMENT TO SENATE AMENDMENTS TO HOUSE FILE NO. 2

Amend by striking sections forty-one (41) to one hundred twenty-five (125), inclusive, of the Senate amendments.

There being a call of the Senate on Senate File No. 133, the roll call revealed the presence of all Senators who were not previously excused and the call was declared complete.

Senator Langfitt appeared in the Senate Chamber.

Senator Booth moved that action be deferred until Monday, April 6th, at 2 p. m.

Roll call was demanded.

Senator Wenner moved as a substitute to make the time Wednesday, April 8th, at 10:00 a. m.

Senator Wenner withdrew his substitute.

Senator Frailey raised the point of order that under Rule 20 page 75 of Robert's Rules of Order, the motion to defer action from a time set was not debatable, and that he would like to get the question before the Senate.

The President held the point well taken.

On the question "Shall the motion to defer action prevail?" the vote was:

Ayes, 27.

Bissell	Clark of Linn	Ickis	Myers
Blackford	Clearman	Kimberly	Patterson
Booth	Cochrane	Knudson	Rigby
Carden	Cole	Langfitt	Ritchie
Christophel	Coykendall	Leonard	Stoddard
Clark of	Hager	Lowe	Wenner
Cerro Gordo	Hill	Moen	Wilson

Nays, 20.

Anderson	Doran	Kent	Stanley
Beatty	Frailey	Klemme	Stevens
Bennett	Gunderson	MacDonald	Tabor
Clark of Marion	Hicklin	McLeland	Topping
Cooney	Irwin	Quirk	White

Absent or not voting, 3.

Baird Benson Carroll

The motion having failed to receive a two-thirds majority was lost.

HOUSE AMENDMENTS CONSIDERED

Senator Booth called up for consideration Senate File No. 133, amended by the House, and moved that the Senate concur in the following amendments:

1. By striking the word "either" in line two (2) of section two (2).
2. By striking all of section eight (8) and by substituting in lieu thereof the following:

"Sec. 8. That section five thousand sixty-five (5065) of the code, 1927, as amended by section two (2) of chapter twenty-five (25) of the laws of the Forty-third (43rd) General Assembly, be amended as follows:

1. By substituting the word "three" for the word "four" in line four (4).
2. By striking all of said section five thousand sixty-five (5065) following the word "weight" in line five (5) thereof, and substituting in lieu the following:

"of any vehicles or combination of vehicles shall not in any event exceed ten (10) tons for a single unit gross weight with a wheel base of eight (8) feet or less and five hundred (500) pounds additional for each additional foot or fraction thereof increase in length. The wheel base of a combination of vehicles shall be construed to mean, in this section, the overall distance between the first and last axles of the vehicle or combination of vehicles. A wheel which carries two (2) or more wheels on the same end of a given axle shall be considered as one (1) wheel."

Also amend Senate File No. 133 by adding to section eight (8) thereof, the following:

"Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a certificate of convenience and necessity from the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252-A1, code, 1927, shall be permitted to operate on the primary roads of this state only, provided the maximum load on any one wheel including the weight of the vehicle and the load does not exceed four (4) tons, and the maximum weight of the vehicle and load does not exceed twenty-eight thousand (28,000) pounds, and provided the vehicle is equipped with pneumatic tires.

Also, amend Senate File No. 133 by adding as Section ten (10) thereof, the following:

Sec. 10. Any person, firm or corporation engaged in the business of hauling bridge material, telephone and telegraph poles, or any other material for structural work which requires the use of a truck, or truck and trailer of a length in excess of these specified in section eight (8) hereof, may transport such material provided such person, firm or corporation shall first secure a permit from the highway commission, or its district engineer and the highway commission, or its district engineer, may, in their discretion issue such a permit.

Also, amend Senate File No. 133 as follows:

1. By striking out of lines three (3) and four (4) of Section four (4) thereof the words and figures "fifty (50)" and inserting in lieu thereof the words and figures "forty (40)".

2. By striking out of line two (2) of Section four (4) thereof the words and figures "thirty-three (33)" and inserting in lieu thereof the words and figures "thirty (30)".

3. By striking out of lines one (1) and two (2) of Section five thereof the words and figures "thirty-three (33)" and inserting in lieu thereof the words and figures "thirty (30)".

Also amend Senate File No. 133 by adding to section four (4) thereof as amended, the following:

"Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a certificate of convenience and necessity issued by the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252, A1, code, 1927, shall be permitted to operate on the primary highways of this state only if the maximum length over all does not exceed thirty-three (33) feet.

Also amend Senate File No. 133, section four (4), by adding thereto the following:

"All contractors engaged in the construction of the primary road system and all contractors engaged in the construction of the secondary road

system shall be permitted to move their necessary machinery and equipment over the roads of the state notwithstanding the provisions regarding dimensions contained in sections two (2), three (3) and four (4) of this act."

Also amend Senate File No. 133, by adding as section eleven (11), the following:

"Sec. 11. By striking from line twelve (12) of section two (2), of chapter one hundred twenty-eight (128), acts of the forty-third (43rd) general assembly, the following word and figure "twenty-five (25)", and inserting in lieu thereof the following word and figure "thirty-five (35)".

Also amend the title to Senate File No. 133:

1. By inserting at the end of line ten (10) thereof, the following: "as amended by section two (2) of chapter twenty-five (25), acts of the forty-third (43rd) general assembly,".

2. By changing the period at the end of line twelve (12) thereof to a semi-colon (;) and adding thereto the following:

"to provide for the operation, until December 31, 1934, of motor vehicles licensed on or before February 16, 1931; to provide for the issuance of permits for certain exceptions; and to amend chapter one hundred twenty-eight (128), acts of the forty-third (43rd) general assembly, relating to speed of freight carrying motor vehicles upon the highways."

Senator Bennett and twenty-one other Senators offered the following amendment to the amendment to section 8, numbered "1.", and moved its adoption:

Amend by striking therefrom the word "three" and substituting in lieu thereof the words "three and one-half".

Senator Cooney raised the point of order that Senator Knudson was not talking on a subject germane to the matters of the issue.

The President held that the matters were subject to debate as they were a part of the amendments taken as a whole.

Senator Frailey moved the previous question, which motion prevailed.

Senator Clark of Linn raised the point of order that under Rule 12 Senator Hicklin was estopped from talking as he had already spoken.

The President held that Senator Hicklin had filed a request.

Roll call was demanded on the amendment.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Anderson	Clearman	Hill	Myers
Beatty	Cooney	Irwin	Quirk
Bennett	Doran	Kent	Stevens
Bissell	Frailey	Klemme	Tabor
Carden	Gunderson	Langfitt	Topping
Clark of Marion	Hicklin	McLeland	White

Nays, 23.

Blackford	Cochrane	Knudson	Rigby
Booth	Cole	Leonard	Ritchie
Christophel	Coykendall	Lowe	Stanley
Clark of Cerro Gordo	Hager	MacDonald	Stoddard
Clark of Linn	Ickis	Moen	Wenner
	Kimberly	Patterson	Wilson

Absent or not voting, 3.

Baird	Benson	Carroll
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The amendment was adopted.

Senator Doran offered the following amendments and moved their adoption:

Amend by inserting after the word "all" in line two of Section four thereof the following: "excepting fire trucks and/or fire fighting apparatus".

Further amend Section four by striking out the word "only" appearing in line 11 of said section, and inserting in lieu thereof the following: "or upon the streets and alleys of any city or town, including cities under special charter".

The amendments were adopted.

On the question "Shall the Senate concur in and adopt the House amendments as amended?" the vote was:

Ayes, 19.

Anderson	Clark of Marion	Hicklin	Quirk
Beatty	Cooney	Irwin	Stevens
Bennett	Doran	Kent	Topping
Bissell	Frailey	Klemme	White
Carden	Gunderson	Myers	

Nays, 28.

Blackford	Clark of Linn	Hager	Langfitt
Booth	Clearman	Hill	Leonard
Christophel	Cochrane	Ickis	Lowe
Clark of Cerro Gordo	Cole	Kimberly	MacDonald
	Coykendall	Knudson	McLeland

Moen
Patterson
Rigby

Ritchie
Stanley

Stoddard
Tabor

Wenner
Wilson

Absent or not voting, 3.

Baird

Benson

Carroll

The House amendments as amended having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

Senator Blackford moved that the vote by which the amendments failed to be adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Cooney moved that a committee of three be appointed to draft a suitable resolution of sympathy to be sent to Mrs. Knute Rockne in her late bereavement.

The motion prevailed and the President appointed as such committee Senators Cooney, Hicklin, and Kimberly.

Senator Topping moved that when we adjourn it be to reconvene Monday afternoon at 2:00 p. m.

Senator Gunderson moved as a substitute to make the time Saturday at 10:00 a. m.

Roll call was demanded.

On the question "Shall the substitution be made?" the vote was:

Ayes, 26.

Anderson
Bissell
Blackford
Booth
Clark of
Cerro Gordo
Clark of Linn

Clearman
Coykendall
Doran
Frailey
Gunderson
Hager
Kent

Klemme
Knudson
Langfitt
Leonard
MacDonald
McLeland
Moen

Myers
Patterson
Rigby
Ritchie
Stanley
White

Nays, 17.

Beatty
Bennett
Christophel
Clark of Marion
Cochrane

Cole
Cooney
Hill
Ickis

Lowe
Quirk
Stevens
Stoddard

Tabor
Topping
Wenner
Wilson

Absent or not voting, 7.

Baird
Benson

Carden
Carroll

Hicklin
Irwin

Kimberly

The substitution was made.

The motion as substituted was adopted.

On motion of Senator Wilson the Senate recessed until 1:15 p. m. today.

AFTERNOON SESSION

The Senate reconvened, President Arch W. McFarlane presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Quirk for the afternoon, on request of Senator Leonard; Senator Kimberly for the afternoon and tomorrow, on request of Senator Hicklin.

By unanimous consent on his own request, Senator Tabor was excused for today and tomorrow.

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. 177, a bill for an act making it a felony to bring liquor into the state and providing punishment therefor.

Also: 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 relating to the non-employment of a teacher.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 344, a bill for an act relating to the purchase of interstate bridges or construction in conjunction with adjoining states.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 395, a bill for an act relating to teacher training courses.

Also: 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 granting power and authority to certain cities and towns to buy, sell and dispose of certain fixtures.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 197, a bill for an act relating to general duties of county officers, deputies and clerks.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 352, a bill for an act relating to valuation and assessment on pipe lines.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 552, a bill for an act relating to the transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns, so as to authorize the use of surplus funds for municipal improvements.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 345, a bill for an act relating to publication of notice of school election.

Also: That the House has concurred in Senate amendments to House File No. 124, a bill for an act relating to creating a fish and game commission, and prescribing its powers and duties.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 14, relating to time for adjournment of the Forty-fourth General Assembly.

Also: That the Speaker of the House has appointed as members of a conference committee on the part of the House, on House File No. 2, relating to personal income tax, McCaulley, Hutcheon, Durant and Nelson of Story.

SAM C. RAGAN, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 14

Be It Resolved by the House, the Senate concurring, That the Forty-fourth General Assembly adjourn, sine die, at 12 o'clock noon, Wednesday, April 15th, 1931.

INTRODUCTION OF BILLS.

Senate File No. 415, by claims committee, a bill for an act to make an appropriation to Ethel F. Katz.

Read first and second times and referred to committee on appropriations.

Senate File No. 416, by claims committee, a bill for an act to make an appropriation to A. D. Willard.

Read first and second times and referred to committee on appropriations.

CONSIDERATION OF HOUSE FILE NO. 2

Senator Clark of Linn moved that the Senate recede on its amendments to House File No. 2.

On the question "Shall the Senate recede?" the vote was:

Ayes, none.

Nays, 39.

Anderson	Cole	Irwin	Rigby
Bennett	Cooney	Klemme	Ritchie
Booth	Coykendall	Knudson	Stanley
Christophel	Doran	Langfitt	Stevens
Clark of	Frailey	Leonard	Stoddard
Cerro Gordo	Gunderson	Lowe	Tabor
Clark of Linn	Hager	MacDonald	Topping
Clark of Marion	Hicklin	McLeland	Wenner
Clearman	Hill	Myers	White
Cochrane	Ickis	Patterson	Wilson

Absent or not voting, 11.

Baird	Bissell	Carroll	Moen
Beatty	Blackford	Kent	Quirk
Benson	Carden	Kimberly	

The Senate refused to recede and insisted on its amendments to House File No. 2.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

The President appointed as conference committee from the Senate on House File No. 2 Senators Patterson, Benson, Cooney and Moen.

THIRD READING OF BILLS

On motion of Senator Hill, Senate File No. 94, a bill for an act to regulate outdoor advertising and to tax outdoor advertising, and to tax outdoor advertisers, and to require and provide for the issuing of licenses and permits to persons, firms, and corporations for the construction, maintenance and use of billboards and other structures for outdoor advertising, to license, tax and regulate all manner of outdoor advertisements and advertisers, and to provide for the administration and collection of the tax by the State Board of Assessment and Review and the city or town councils; and to repeal paragraph 5, section 5743 the Code, 1927, relating to billboards in cities and towns, was taken up and considered, the report of the committee having been adopted April 2d.

Senator Hill moved the adoption of his amendments to the committee amendments as found on page 1134 of Senate Journal of April 2d.

The amendments to the amendment were adopted.

Senator Topping offered the following amendment to the committee amendment and moved its adoption:

Amend by inserting following the word "not" in line two (2) of section eighteen (18), the words "affected or"; and further amend said section eighteen (18) by inserting after the word "land" in line five (5) thereof the words "or for signs located upon the property where the goods advertised are manufactured or offered for sale."

By unanimous consent on request of Senator Topping the word "affected" in line 2 was changed to the word "affect".

The amendment, as amended, to the amendment was adopted.

Senators Wenner, Cooney and Topping offered the following amendment to the committee amendment and moved its adoption:

Amend Section twenty-seven (27) line two (2) by striking the word "Plate" and insert in lieu thereof the word "Number".

Further amend Section twenty-seven (27) line six (6) by striking the word "plate" and insert in lieu thereof the word "number".

The amendment to the amendment was adopted.

Senators Wenner, Cooney and Topping offered the following amendment to the committee amendment and moved its adoption:

Amend Section two (2) by striking from lines ten (10), eleven (11), and twelve (12) the words: "Each application shall have attached thereto the written consent of the owners of the property on which such structure, device or display is to be erected or maintained."

The amendment to the amendment was adopted.

Senators Wenner, Cooney and Topping offered the following amendment to the committee amendment and moved its adoption:

Amend by striking all of Section 32.

The amendment to the amendment was adopted.

Senator Hill offered the following amendment to the committee amendment and moved its adoption:

Amend line 4 of section 11 by striking the words "and publication".

The amendment to the amendment was adopted.

Senators Wenner, Cooney and Topping offered the following amendment to the committee amendment and moved its adoption:

Amend by striking sec. 16.

Senator Gunderson moved the previous question, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 9.

Cochrane
Cooney
Hicklin

Irwin
Kent

MacDonald
McLeland

Topping
Wenner

Nays, 30.

Beatty
Bissell
Booth
Christophel

Clark of
Cerro Gordo
Clark of Linn
Clark of Marion

Clearman
Cole
Coykendall
Doran

Frailey
Gunderson
Hager
Hill

Ickis	Leonard	Patterson	Stoddard
Klemme	Lowe	Ritchie	Tabor
Knudson	Moen	Stanley	White
Langfitt	Myers	Stevens	

Absent or not voting, 11.

Anderson	Benson	Carroll	Rigby
Baird	Blackford	Kimberly	Wilson
Bennett	Carden	Quirk	

The amendment to the amendment was lost.

Senators Cooney, Wenner and Topping offered the following amendments to the committee amendments and moved their adoption:

Amend as follows:

1. Strike Sections two (2) and three (3).
2. Strike all of Section 4 after the word "act" in line 2.
3. Strike all of Sections (5) five, (6) six, (7) seven, eight (8), nine (9), eleven (11), twelve (12), fourteen (14), fifteen (15), seventeen (17), twenty (20) and twenty-four (24).
4. Strike the words "and permit" at end of line 13 and beginning of line 14 in Section 26.
5. Further amend by inserting in Section 18 after the word "law" in line 11 the following, "for personal or political posters or advertisements,".

Amendment No. 5 to the amendment was lost.

Roll call was demanded on amendments Nos. 1, 2, 3 and 4.

On the question "Shall the amendments to the amendment be adopted?" the vote was:

Ayes, 14.

Beatty	Frailey	Irwin	Stanley
Clark of Marion	Hicklin	Kent	Topping
Cochrane	Ickis	Knudson	Wenner
Cooney		McLeland	

Nays, 19.

Bissell	Clearman	Hill	Moen
Christophel	Cole	Klemme	Myers
Clark of	Coykendall	Langfitt	Patterson
Cerro Gordo	Gunderson	Leonard	Ritchie
Clark of Linn	Hager	Lowe	White

Absent or not voting, 17.

Anderson	Booth	Kimberly	Stevens
Baird	Carden	MacDonald	Stoddard
Bennett	Carroll	Quirk	Tabor
Benson	Doran	Rigby	Wilson
Blackford			

The amendments to the amendments were lost.

Senator Stevens offered the following amendments to the committee amendments and moved their adoption:

Amend by striking from line thirteen (13), section eighteen (18) the word "thirty-six" and the figures "36" and inserting in lieu thereof the word "sixty-four" and the figures "64". Also in line seventeen (17) of section eighteen (18) by striking the word "five" and the figure "5" and inserting in lieu thereof the word "ten" and the figures "10".

The amendments to the amendments were adopted.

Senators Wenner, Cooney and Topping offered the following amendment to the committee amendment and moved its adoption:

Amend by striking all of Section 29.

The amendment to the amendment was lost.

The committee amendment as amended was adopted.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, respectfully request a call of the Senate on Senate File No. 94.

G. W. PATTERSON	L. H. DORAN
C. F. CLARK	E. W. CLARK
O. P. BENNETT	GEO. W. CHRISTOPHEL
O. P. MYERS	W. E. MCLELAND
T. E. MOEN	I. H. KNUDSON
O. E. GUNDENSON	W. A. CLARK
ARTHUR LEONARD	

Senator Patterson moved the previous question on the bill, which motion prevailed.

The roll call revealed the presence of all Senators except Senators Anderson, Bennett, Carden, Cochrane, MacDonald and Stoddard, and those previously excused.

Senator Hicklin moved that the absent Senators be excused, which motion prevailed and the call was declared complete.

Senator Hill moved that the reading had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Bissell	Clearman	Langfitt	Patterson
Christophel	Cole	Leonard	Ritchie
Clark of Cerro Gordo	Hager	Lowe	Stanley
Clark of Linn	Hill	Moen	White
	Klemme	Myers	

Nays, 19.

Beatty	Coykendall	Ickis	Stevens
Blackford	Doran	Irwin	Topping
Booth	Frailey	Kent	Wenner
Clark of Marion	Gunderson	Knudson	Wilson
Cooney	Hicklin	McLeland	

Absent or not voting, 13.

Anderson	Carden	Kimberly	Rigby
Baird	Carrroll	MacDonald	Stoddard
Bennett	Cochrane	Quirk	Tabor
Benson			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Topping moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion to table lost.

HOUSE MESSAGES CONSIDERED

House File No. 297, a bill for an act to amend section fifty-four hundred twenty-five (5425), code, 1927, relating to the license fee on dogs.

Read first and second times and referred to sifting committee.

House File No. 442, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, and to enact a substitute therefor, redistricting the state into nine (9) congressional districts.

Read first and second times and referred to sifting committee.

House File No. 344, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges;

to provide the funds for the construction, purchase and maintenance of such bridges; to provide the method of letting the contracts for the construction of such bridges; to authorize any county, township or city in the state to aid in the construction or purchase of such bridges and issue bonds for such purpose and providing for the submission of the same to the electors of such county, township or city; and providing for the operation of such a bridge as a toll bridge for a limited period after which such bridge shall forever be free.

Read first and second times and referred to sifting committee.

House File No. 197, a bill for an act to amend chapter two hundred sixty-four (264) of the code, 1927, relating to general duties of county officers, deputies and clerks.

Read first and second times and referred to sifting committee.

House File No. 352, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies.

Read first and second times and referred to sifting committee.

House File No. 552, a bill for an act to amend sections sixty-one hundred fifty-one-b one (6151-b1) and sixty-one hundred fifty-one-b two (6151-b2) code, 1927, as amended by chapter one hundred eighty-three (183), acts of the forty-third (43rd) general assembly, relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns, including cities and towns under special charter, so as to authorize the use of surplus funds for municipal improvements.

Read first and second times and referred to sifting committee.

House File No. 399, a bill for an act granting power and authority to cities and towns, including cities acting under special charter and the board of trustees of municipal-owned utility plants to buy, sell, and dispose of electrical, gas, water, and heating

equipment, fixtures, appliances, and merchandise, and to furnish service for the same.

Read first and second times and referred to sifting committee.

House File No. 345, a bill for an act to amend section forty-three hundred fifty-six (4356), code, 1927, relating to publication of notice of school election.

Read first and second times and referred to sifting committee.

House File No. 395, a bill for an act to amend section thirty-eight hundred ninety-nine (3899) and thirty-nine hundred two (3902) of the code, 1927, and chapter one hundred ninety-four (194) of the code, 1927, relating to teacher training courses.

Read first and second times and referred to sifting committee.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 299, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company as refunds for overpayments of taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise, executrix of the estate of A. M. Blaise, for balance due for rental on an armory erected and constructed for and leased to Troop E, First Iowa Cavalry, Iowa National Guard, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 80, a bill for an act to appropriate \$20,000 or so much thereof as may be necessary for the purpose of paying the expenses of district court judges, for the period from Jan. 1, 1931 to June 30, 1931, inclusive, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 408, a bill for an act to make an appropriation to Geo. F. Van Note, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

SENATE FILE NO. 161 WITHDRAWN

By unanimous consent on request of Senator Clearman Senate File No. 161, relating to paving certain streets in Iowa City, was withdrawn from further consideration.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move that the vote by which Senate File No. 94 failed to pass the Senate be reconsidered.

O. E. GUNDERSON.

AMENDMENT FILED

I move to amend Senate File No. 397 by inserting after the word "practice" in line 5 the following:

"the dean of the law department of Drake University,".

O. P. BENNETT.

The Journal of April 2nd was corrected and approved.

On motion of Senator Blackford, the Senate adjourned.

Under a motion previously adopted the time of reconvening was set at 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 4, 1931.

The Senate met in regular session, President Pro Tem Wm. E. McLeland presiding.

Prayer was offered by Rev. H. Millard Jones, pastor of the Friends Church of Indianola.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Lowe for the day, on request of Senator White; Senator Hill for the day, on request of Senator Klemme.

INTRODUCTION OF BILL

Senate File No. 417, by committee on highways, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system.

Read first and second times and referred to sifting committee.

Senator Booth moved that only bills reported out by the sifting committee be considered today.

The motion prevailed.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. No. 407, By Fish and Game Committee, amending section 15 of chapter 57, limiting the size of fish when using licensed nets or seines.

S. F. No. 412, By Committee on Code Revision, amending section 5093—all of the Code, 1927.

O. E. GUNDERSON, *Vice-Chairman.*

THIRD READING OF BILLS

On motion of Senator Booth, Senate File No. 366, a bill for an act to amend section four thousand eight hundred and sixty-three (4863), chapter two hundred and fifty-one (251) of the Code of 1927, to define the term "semi-trailer", returned by the sifting committee, was taken up and considered.

The following amendments proposed by the committee on motor vehicles were considered:

Amend by adding Sections two (2) and three (3) as follows:

"Sec. 2. Amend Section four thousand eight hundred and sixty-three (4863), Chapter two hundred and fifty-one (251) of the Code of 1927 by adding a sub-division numbered four-b (4-b) as follows:

4-b. A "truck tractor" shall be deemed to mean a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Sec. 3. Amend the Code of 1927 by adding Section four thousand nine hundred thirteen-a (4913-a) as follows:

4913-a. Truck Tractors. For truck tractors, the annual license fee shall be:

For a truck tractor drawing a semi-trailer of load capacity of three tons or less, \$75.00 per annum. For a truck tractor drawing a semi-trailer of load capacity of four tons, \$120.00 per annum. For a truck tractor drawing a semi-trailer of load capacity of five tons, \$200.00 per annum. For a truck tractor drawing a semi-trailer of load capacity of six tons, \$240.00 per annum.

The license fee for a truck tractor drawing a semi-trailer for each ton of load capacity above six tons shall be \$50.00 in addition to the six-ton rate.

The amendments were adopted.

The bill was read for information.

Senator Blackford moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Anderson	Clark of Marion	Ickis	Rigby
Benson	Clearman	Kent	Ritchie
Bissell	Coykendall	Klemme	Stanley
Blackford	Doran	Langfitt	Tabor
Booth	Gunderson	Leonard	Wenner
Clark of	Hager	McLeland	White
Cerro Gordo	Hicklin	Myers	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 22.

Baird	Cochrane	Irwin	Patterson
Beatty	Cole	Kimberly	Quirk
Bennett	Cooney	Knudson	Stevens
Carden	Frailey	Lowe	Stoddard
Carroll	Hill	MacDonald	Topping
Christophel		Moen	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Booth offered the following amendment to the title:

Amend by striking the title and substituting the following:

"A bill for an act to amend Section Four Thousand Eight Hundred Sixty-Three (4863), Chapter Two Hundred Fifty-One (251), the Code of 1927, to define the terms "semi-trailer" and "truck tractor" and also to provide for the licensing of a semi-trailer, and to amend the Code of 1927 by adding Section Four Thousand Nine Hundred Thirteen-A (4913-A), providing for annual license fees for truck tractors."

The amendment was adopted and the title as amended was agreed to.

Senator Blackford moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson House File No. 354, a bill for an act to authorize the issuance of a patent to certain lands in Clayton county, Iowa, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Anderson	Clearman	Kent	Rigby
Benson	Cooney	Klemme	Ritchie
Bissell	Coykendall	Knudson	Stanley
Blackford	Doran	Langfitt	Tabor
Booth	Hager	Leonard	Wenner
Clark of	Hicklin	McLeland	White
Cerro Gordo	Ickis	Myers	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 22.

Baird	Clark of Marion	Hill	Patterson
Beatty	Cochrane	Irwin	Quirk
Bennett	Cole	Kimberly	Stevens
Carden	Frailey	Lowe	Stoddard
Carroll	Gunderson	MacDonald	Topping
Christophel		Moen	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clearman House File No. 482, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense fund, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Clark of Marion	Hicklin	Ritchie
Benson	Clearman	Ickis	Stanley
Bissell	Cooney	Kent	Stevens
Blackford	Coykendall	Klemme	Tabor
Booth	Doran	Langfitt	Wenner
Clark of	Gunderson	Leonard	White
Cerro Gordo	Hager	McLeland	Wilson
Clark of Linn		Myers	

Nays, none.

Absent or not voting, 21.

Baird	Cochrane	Kimberly	Patterson
Beatty	Cole	Knudson	Quirk
Bennett	Fralley	Lowe	Rigby
Carden	Hill	MacDonald	Stoddard
Carroll	Irwin	Moen	Topping
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cooney Senate File No. 293, a bill for an act to repeal the law as it appears in sections ten thousand four hundred sixty-two (10462), ten thousand four hundred sixty-three (10463) and ten thousand four hundred sixty-four (10464) of the code, 1927, relating to actions for damages on account of personal injuries or death to women, returned by the sifting committee, was taken up and considered.

Senator Cooney offered the following amendment and moved its adoption:

Amend section 1 by striking the period at the end and adding the following: ", and the following substituted in lieu thereof:"

The amendment was adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Clearman	Ickis	Rigby
Benson	Cooney	Kent	Ritchie
Bissell	Coykendall	Klemme	Stanley
Booth	Doran	Knudson	Tabor
Clark of	Gunderson	Langfitt	Wenner
Cerro Gordo	Hager	Leonard	White
Clark of Linn	Hicklin	McLeland	Wilson
Clark of Marion		Myers	

Nays, none.

Absent or not voting, 21.

Baird	Christophel	Irwin	Patterson
Beatty	Cochrane	Kimberly	Quirk
Bennett	Cole	Low	Stevens
Blackford	Frailey	MacDonald	Stoddard
Carden	Hill	Moen	Topping
Carroll			

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Cooney moved to amend the title by changing the period (.) at the end to a comma (,) and adding the following: "and to enact a substitute therefor."

The amendment was adopted and the title as amended agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hager Senate File No. 381, a bill for an act prohibiting the erection, construction or maintenance of certain structures and the carrying on of certain business for commercial gain within two hundred (200) yards of a public entrance to a State Park, declaring same to constitute a nuisance and providing punishment for violations, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hager moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Clark of Marion	Hicklin	Myers
Benson	Clearman	Ickis	Rigby
Bissell	Cooney	Kent	Ritchie
Blackford	Coykendall	Klemme	Stanley
Booth	Doran	Knudson	Tabor
Clark of	Gunderson	Langfitt	Wenner
Cerro Gordo	Hager	Leonard	White
Clark of Linn		McLeland	

Nays, none.

Absent or not voting, 21.

Baird	Cochrane	Kimberly	Quirk
Beatty	Cole	Lowe	Stevens
Bennett	Frailey	MacDonald	Stoddard
Carden	Hill	Moen	Topping
Carroll	Irwin	Patterson	Wilson
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Clark of Linn Senate File No. 327, a bill for an act to provide for the financing in any city or town of the management, construction, maintenance, and operation of main sanitary sewers, intercepting sanitary sewers, outfall or outlet sanitary sewers, sanitary pumping stations, and sanitary sewage treatment of purifying works by a system of sewer rentals, returned by the sifting committee, was taken up and considered.

Senator Clark of Linn moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Clark of Marion	Ickis	Myers
Bissell	Clearman	Kent	Rigby
Blackford	Coykendall	Klemme	Ritchie
Booth	Doran	Knudson	Stanley
Clark of	Gunderson	Langfitt	Wenner
Cerro Gordo	Hager	Leonard	White
Clark of Linn	Hicklin	McLeland	Wilson

Nays, none.

Absent or not voting, 23.

Baird	Christophel	Irwin	Quirk
Beatty	Cochrane	Kimberly	Stevens
Bennett	Cole	Lowe	Stoddard
Benson	Cooney	MacDonald	Tabor
Carden	Frailey	Moen	Topping
Carroll	Hill	Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White House File No. 170, a bill for an act to amend section thirty-one hundred fourteen (3114), code, 1927; to provide for the classifying and labeling of poultry shells and relating to the labeling of commercial feeds and stock tonics, returned by the sifting committee, was taken up and considered.

The committee amendments reported by the committee on agriculture were considered:

Amend Section 1., by striking out the word "ash" as it appears in line 4 of said section, and insert in lieu thereof the following: "the actual per cent of added mineral matter".

Amend section 2 in line 4, by inserting after the word "shells" as it appears secondly in said line the following, "or poultry limestone".

Also by inserting after the word "shells" as it appears in line 6 thereof the following, "or ingredients".

The amendments were adopted.

Senator White moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Anderson	Cooney	Knudson	Rigby
Bissell	Coykendall	Langfitt	Ritchie
Blackford	Doran	Leonard	Stanley
Booth	Gunderson	McLeland	Tabor
Clark of	Hager	Moen	Wenner
Cerro Gordo	Hicklin	Myers	White
Clark of Linn	Klemme	Patterson	Wilson
Clearman			

Nays, 2.

Ickis	Kent
-------	------

Absent or not voting, 20.

Baird	Carrall	Frailey	MacDonald
Beatty	Christophel	Hill	Quirk
Bennett	Clark of Marion	Irwin	Stevens
Benson	Cochrane	Kimberly	Stoddard
Carden	Cole	Lowe	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator White moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Wenner moved to recess until 12:30 p. m. today.

Senator Wilson moved as a substitute that the Senate adjourn not later than 1:00 p. m. today and that it be to reconvene at 10:00 a. m. Monday.

Senator Wenner moved to amend the substitute by making the time of reconvening 2:00 p. m. Monday.

Senator Wilson raised the point of order that the amendment was out of order.

The President held the point of order well taken.

The substitution was made.

The motion as substituted prevailed.

SENATE CONCURRENT RESOLUTION NO. 15

Senators Cooney, Hicklin and Kimberly submitted the following resolution:

Whereas, By the untimely and lamentable death of Knute K. Rockne, the people of the United States have sustained the loss of one of the greatest exponents of gentlemanly sportsmanship, and one of the outstanding advocates of clean living, fair play and courage to the youth of the country, and

Whereas, Knute K. Rockne has drawn the friendship and admiration, not only of sport loving people, but of all who believe in the development of these human qualities,

Therefore, Be It Resolved by the Senate, the House concurring, That we deplore his tragic death, and that we extend to his sorrowing family the sincere sympathy of the General Assembly and of the people of the State of Iowa.

Be It Further Resolved, That an engrossed copy of this resolution be forwarded to his bereaved family.

Respectfully submitted by the Committee.

By unanimous consent the resolution was considered.

The resolution was unanimously adopted by a rising vote.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 25.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President Pro Tem of the Senate announced that, as President Pro Tem of the Senate, he had signed in the presence of the Senate, Senate File No. 25.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 4th day of April, 1931, sent to the governor for his approval, Senate File No. 25.

E. R. HICKLIN, *Chairman.*

Report adopted.

The Journal of April 3rd was corrected and approved.

On motion of Senator Wilson the Senate adjourned, and, under the former motion, to reconvene at 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 6, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. A. W. Armstrong, of Perry, Historian of the Des Moines Conference.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Rigby for the day, on request of Senator Clark of Linn; Senator Hill for the day, on request of Senator Klemme; Senator Wenner for the day, on request of Senator Clark of Marion; Senator Hicklin for the day, on request of Senator Clark of Marion; Senator Anderson for the day, on request of Senator Patterson.

By unanimous consent of the Senate, Senators Baird, Carroll and Doran were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Stoddard, from residents of Carson, opposing a reduction in the present program of vocational education. Appropriations.

By Senator Wilson, from members of the U. M. W. of A., favoring an old age pension bill. Judiciary No. 2.

By Senator Clark of Marion, from residents of Knoxville, favoring restriction of motor vehicles. Motor vehicles.

By Senator Carden, from residents of Brighton, favoring restriction of motor vehicles. Motor vehicles.

On motion of Senator McLeland the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Senate Sifting Committee reports out the following bills:

S. F. 418, By Senate Sifting Committee, amending chapter 20 of the Laws of the 43rd General Assembly, relating to the improvement of secondary roads.

S. F. 419, By Senate Sifting Committee, repealing chapter 2 of the laws of the extra session of the 42nd General Assembly.

S. F. 420, By Senate Sifting Committee, amending section 265-a1, Code, 1927, relating to supplements to books of annotations.

S. F. 421, By Senate Sifting Committee, relating to cigarette tax.

S. F. 115, By Clark of Linn, Doran, Wenner, imposing a tax and penalties upon admission fees to public amusements.

S. F. 149, By Myers, amending chapter 541 of Code 1927, relating to adult wards and their guardians.

S. F. 179, By Doran, Bennett, Quirk, amending Section 1, Chapter 129, laws of 43rd G. A., making said chapter applicable to carriers of freight under contract for compensation for hire.

S. F. 197, By Coykendall, relating to annual financial statement.

S. F. 236, By Stanley, amending sections 3876 and 3877, relating to teachers' certificates.

S. F. 239, By Wilson, amending section 6180 of Code, relating to fixing rates for private consumers.

S. F. 256, By Bennett, amending section 11024, relating to recovery of real estate.

S. F. 260, By Wenner, amending section 3800, relating to suspensions by the court of sentence in criminal cases.

S. F. 267, By Committee on Judiciary No. 1, amending chapter 259 of the acts of the 43rd G. A. relating to investment of funds by executors.

S. F. 280, By Hill, amending section 5241 of chapter 262, authorizing the giving of either a bond or a liability policy by deputies.

S. F. 295, By Cooney, amending section 2, Chapter 128, acts of the 43rd G. A., relating to driving of motor vehicles.

S. F. 373, By Committee on Public Schools, repealing section 4108 to 4118 inclusive, relating to county teachers' institutes, and enact a substitute therefor.

S. F. 404, By Committee on Judiciary No. 1, amending section 1444 relating to the taking of depositions in Workmen's compensation cases.

H. F. 288, By Ditto, amending sections 2921 and 2923, relating to state aid to short courses.

H. F. 290, By Helgason, amending section 4746, relating to improvement of secondary roads.

H. F. 335, By Judiciary Committee, repealing chapter 162, acts of 43rd G. A., and enact a substitute therefor, relating to election and appointment of city and town officers.

H. F. 377, By Wamstad, providing and adopting standard sets of specifications for use in the State.

H. F. 415, By Kern, amending section 5712, relating to civil service.

O. E. GUNDERSON, *Vice-Chairman*.

INTRODUCTION OF BILLS

Senate File No. 418, by sifting committee, a bill for an act to amend chapter twenty (20) of the Laws of the Forty-third General Assembly relating to the improvement of secondary roads.

Read first and second times and placed on the calendar.

Senate File No. 419, by sifting committee, a bill for an act to repeal Chapter two (2) of the Laws of the Extra Session of the Forty-second General Assembly.

Read first and second times and placed on the calendar.

Senate File No. 420, by sifting committee, a bill for an act to amend section two hundred sixty-five-a one (265-a1), Code, 1927, relating to supplements to books of annotations.

Read first and second times and placed on the calendar.

Senate File No. 421, by sifting committee, a bill for an act relating to the sale of cigarettes, the licensing of dealers, the imposition and collection of a tax on the sale thereof; to amend sections fifteen hundred fifty-seven (1557), fifteen hundred sixty-one (1561), fifteen hundred sixty-three (1563), fifteen hundred seventy (1570), fifteen hundred seventy b-one (1570-b1), fifteen

hundred seventy b-two (1570-b2), fifteen hundred seventy-one b-one (1571-b1), fifteen hundred seventy-two (1572), of the code of Iowa 1927; to provide for the imposition, levy, and collection of a tax on the sale of cigarettes, cigars, snuff and tobacco in all forms used for smoking or chewing; to provide for the licensing of dealers in such commodities and defining the duties and powers of the treasurer of state, and to provide penalties for violations of the provisions of chapter seventy-eight (78) of the code of Iowa 1927, and of this act.

Read first and second times and placed on the calendar.

SENATE AMENDMENTS TO HOUSE FILE NO. 121 CONSIDERED

Senator Clark of Marion moved that the Senate insist on its amendments to House File No. 121.

On the question "Shall the Senate insist?" the vote was:

Ayes, 27.

Beatty	Clark of Linn	Hager	Myers
Benson	Clark of Marion	Ickis	Patterson
Blackford	Clearman	Kent	Ritchie
Booth	Cochrane	Klemme	Stanley
Carden	Cole	Knudson	Stevens
Clark of	Coykendall	McLeland	Stoddard
Cerro Gordo	Gunderson	Moen	Wilson

Nays, none.

Absent or not voting, 23.

Anderson	Cooney	Kimberly	Rigby
Baird	Doran	Langfitt	Tabor
Bennett	Frailey	Leonard	Topping
Bissell	Hicklin	Lowe	Wenner
Carroll	Hill	MacDonald	White
Christophel	Irwin	Quirk	

The Senate insisted on its amendments.

THIRD READING OF BILLS

On motion of Senator Clark of Cerro Gordo, House File No. 129, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305), twenty-three hundred six (2306) and twenty-three hundred nine (2309), of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code,

1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same, with report of committee recommending passage, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Bennett	Clark of Linn	Kent	Patterson
Benson	Clark of Marion	Klemme	Ritchie
Bissell	Clearman	Knudson	Stanley
Blackford	Cochrane	Leonard	Stevens
Booth	Cole	McLeland	Stoddard
Carden	Coykendall	Moen	White
Clark of Cerro Gordo	Hager	Myers	Wilson
	Ickis		

Nays, none.

Absent or not voting, 21.

Anderson	Doran	Irwin	Quirk
Baird	Frailey	Kimberly	Rigby
Beatty	Gunderson	Langfitt	Tabor
Carroll	Hicklin	Lowe	Topping
Christophel	Hill	MacDonald	Wenner
Cooney			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Cerro Gordo moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Cerro Gordo House File No. 131, a bill for an act to repeal section twenty-two hundred thirty-six (2236) of the code, 1927, and to enact a substitute therefor, relating to the general duties of health officers of the local board of health, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Bennett	Clark of Linn	Kent	Patterson
Benson	Clark of Marion	Klemme	Ritchie
Bissell	Cochrane	Knudson	Stanley
Blackford	Cole	Leonard	Stevens
Booth	Coykendall	McLeland	Stoddard
Carden	Gunderson	Moen	White
Clark of	Hager	Myers	Wilson
Cerro Gordo	Ickis		

Nays, none.

Absent or not voting, 21.

Anderson	Cooney	Irwin	Quirk
Baird	Doran	Kimberly	Rigby
Beatty	Frailey	Langfitt	Tabor
Carroll	Hicklin	Lowe	Topping
Christophel	Hill	MacDonald	Wenner
Clearman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Cerro Gordo moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Cerro Gordo House File No. 147, a bill for an act to amend section twenty-two hundred forty-seven (2247) and to repeal twenty-two hundred sixty-six (2266) of the code, 1927, and to enact a substitute therefor, relating to isolation of persons having communicable diseases and determination of such isolation of quarantine; and to repeal section twenty-two hundred sixty-seven (2267) of the code, 1927, relating to the report of termination of quarantine, and to amend sections twenty-two hundred sixty-eight (2268), twenty-two hundred seventy-four (2274) and twenty-two hundred seventy five (2275) of the code, 1927, relating to fumigation, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Beatty	Clark of Linn	Kent	Patterson
Benson	Clark of Marion	Klemme	Ritchie
Bissell	Clearman	Knudson	Stanley
Blackford	Cochrane	Leonard	Stevens
Booth	Cole	McLeland	Stoddard
Carden	Coykendall	Moen	White
Clark of	Gunderson	Myers	Wilson
Cerro Gordo	Hager		

Nays, none.

Absent or not voting, 21.

Anderson	Doran	Irwin	Quirk
Baird	Frailey	Kimberly	Rigby
Bennett	Hicklin	Langfitt	Tabor
Carroll	Hill	Lowe	Topping
Christophel	Ickis	MacDonald	Wenner
Cooney			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Cerro Gordo moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Stanley called up for consideration House File No. 328, the House having amended the Senate amendment, and moved that the Senate concur in the following amendment:

Sec. 4. This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Stuart Herald, a newspaper published in Stuart, Iowa, and The Grinnell Herald, a newspaper published in Grinnell, Iowa.

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Benson	Clark of Linn	Hager	Myers
Bissell	Clark of Marion	Ickis	Patterson
Blackford	Clearman	Kent	Quirk
Booth	Cochrane	Klemme	Stanley
Carden	Cole	Knudson	Stoddard
Clark of	Coykendall	Leonard	White
Cerro Gordo	Gunderson	McLeland	Wilson

Nays, none.

Absent or not voting, 23.

Anderson	Cooney	Kimberly	Ritchie
Baird	Doran	Langfitt	Stevens
Beatty	Frailey	Lowe	Tabor
Bennett	Hicklin	MacDonald	Topping
Carroll	Hill	Moen	Wenner
Christophel	Irwin	Rigby	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stanley moved that the vote by which the amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Ickis Senate File No. 407, a bill for an act to amend section fifteen (15) of chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, limiting the size of fish when using licensed nets or seines, returned by the sifting committee, was taken up and considered.

Senator Hager offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Postville Herald, a newspaper published at Postville, Iowa, and the West Union Argo Gazette, a newspaper published at West Union, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Ickis moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Bennett	Carden	Clearman	Hager
Benson	Clark of	Cochrane	Ickis
Bissell	Cerro Gordo	Cole	Kent
Blackford	Clark of Linn	Coykendall	Klemme
Booth	Clark of Marion	Gunderson	Knudson

Leonard
McLeland
Moen

Myers
Patterson
Quirk

Ritchie
Stanley
Stevens

White
Wilson

Nays, none.

Absent or not voting, 20.

Anderson
Baird
Beatty
Carroll
Christophel

Cooney
Doran
Frailey
Hicklin
Hill

Irwin
Kimberly
Langfitt
Lowe
MacDonald

Rigby
Stoddard
Tabor
Topping
Wenner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ickis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 415, a bill for an act to amend section fifty-seven hundred twelve (5712), code, 1927, relating to civil service, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Beatty
Bennett
Benson
Bissell
Blackford
Booth
Carden
Clark of
Cerro Gordo

Clark of Linn
Clark of Marion
Clearman
Cochrane
Cole
Coykendall
Gunderson
Hager
Ickis

Kent
Klemme
Knudson
Leonard
McLeland
Moen
Myers
Patterson

Quirk
Ritchie
Stanley
Stevens
Stoddard
Topping
White
Wilson

Nays, none.

Absent or not voting, 17.

Anderson
Baird
Carroll
Christophel
Cooney

Doran
Frailey
Hicklin
Hill

Irwin
Kimberly
Langfitt
Lowe

MacDonald
Rigby
Tabor
Wenner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Pro Tem McLeland took the chair at 11:02 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. 309, a bill for an act to require buyers of livestock to keep certain records, providing for inspection of such records by peace officers, and fixing a penalty for violations thereof.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 296, a bill for an act relating to actions against public utilities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 371, a bill for an act relating to workmen's compensation.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 233, a bill for an act relating to the licensing of veterinarians.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 468, a bill for an act to legalize the proceedings relative to an election held in the town of Traer, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 367, a bill for an act relating to the checkweighman at mines.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 361, a bill for an act relating to workmen's compensation.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 37, a bill for an act relating to interest and penalty on special assessments for street improvements.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose county in transferring certain funds.

Also: That the House has passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 6, providing for the appointment of a special corporation committee, and providing for an appropriation therefor.

Also: 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 defining the term "commodity of commerce" as used in Sections 9885 and 9886 of the code.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 289, a bill for an act to clarify the law relating to the deduction of real estate of Banks for purposes of taxation and prohibiting any offset against Surplus and Undivided Profits for losses.

Also: 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 providing that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route for said shipment.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 67, a bill for an act relating to the practice of physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 142, a bill for an act relating to schools and school districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 279, a bill for an act relating to school funds.

Also: 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 relating to municipal bands to provide for municipal appropriation of funds.

Also: That the House insists on its amendments to Senate File No. 133, relating to the total maximum weight of motor vehicles and loads thereon, and requests a conference. The Speaker of the House has appointed as members of a conference committee on the part of the House, Representatives Bair, Witt, Helgason and Fabritz.

SAM C. RAGAN, *Chief Clerk.*

Senator Wilson moved that the vote by which House File No. 415 passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Clark of Cerro Gordo Senate File No. 361, a bill for an act to amend Chapter 134, Acts of the 43rd General Assembly, relating to the registration of graves of soldiers and sailors of the United States Army and Navy and to provide appropriation therefor, an appropriation committee bill, was taken up and considered.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Bennett	Clark of Marion	Kent	Quirk
Benson	Clearman	Klemme	Rigby
Bissell	Cochrane	Knudson	Ritchie
Blackford	Cole	Leonard	Stevens
Booth	Coykendall	McLeland	Stoddard
Carden	Gunderson	Moen	Topping
Clark of Cerro Gordo	Hager	Myers	White
Clark of Linn	Ickis	Patterson	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Cooney	Irwin	MacDonald
Baird	Doran	Kimberly	Stanley
Beatty	Frailey	Langfitt	Taber
Carroll	Hicklin	Lowe	Wenner
Christophel	Hill		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Cerro Gordo moved that the vote by which

the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson Senate File No. 412, a bill for an act to amend the law as it appears in section fifty hundred ninety-three a eleven (5093-a11) of the code, 1927, so as to provide for the payment of postage, equipment, supplies and printing used by the gasoline license tax department, out of the gasoline fees, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Bennett	Clark of Marion	Kent	Patterson
Benson	Clearman	Klemme	Quirk
Bissell	Cochrane	Knudson	Rigby
Blackford	Cole	Lanfitt	Stanley
Booth	Coykendall	Leonard	Stevens
Carden	Doran	McLeland	Topping
Clark of	Gunderson	Moen	White
Cerro Gordo	Hager	Myers	Wilson
Clark of Linn	Ickis		

Nays, none.

Absent or not voting, 17.

Anderson	Cooney	Irwin	Ritchie
Baird	Doran	Kimberly	Stoddard
Beatty	Hicklin	Lowe	Tabor
Carroll	Hill	MacDonald	Wenner
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley Senate File No. 236, a bill for an act to amend sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred seventy-seven (3877), code, 1927, relating to teachers' certificates, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Bennett	Cochrane	Leonard	Ritchie
Benson	Cole	McLeland	Stanley
Bissell	Coykendall	Moen	Stevens
Blackford	Hager	Myers	Stoddard
Booth	Ickis	Patterson	Topping
Carden	Kent	Quirk	White
Clark of Linn	Klemme	Rigby	Wilson
Clearman	Knudson		

Nays, none.

Absent or not voting, 20.

Anderson	Clark of	Gunderson	Langfitt
Baird	Cerro Gordo	Hicklin	Lowe
Beatty	Clark of Marion	Hill	MacDonald
Carroll	Cooney	Irwin	Tabor
Christophel	Doran	Kimberly	Wenner
	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley House File No. 527, a bill for an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools, was substituted for Senate File No. 373, a companion bill, returned by the sifting committee, and was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Beatty	Clark of Linn	Kent	Patterson
Bennett	Clark of Marion	Klemme	Quirk
Benson	Clearman	Knudson	Rigby
Bissell	Cochrane	Langfitt	Ritchie
Blackford	Cole	Leonard	Stanley
Booth	Cooney	McLeland	Stoddard
Carden	Coykendall	Moen	Topping
Clark of	Hager	Myers	White
Cerro Gordo	Ickis		

Nays, none.**Absent or not voting, 17.**

Anderson	Frailey	Irwin	Stevens
Baird	Gunderson	Kimberly	Tabor
Carroll	Hicklin	Lowe	Wenner
Christophel	Hill	MacDonald	Wilson
Doran			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Stanley Senate File No. 373, a companion bill, was withdrawn from further consideration.

SENATE FILE NO. 197 WITHDRAWN

By unanimous consent on request of Senator Coykendall, Senate File No. 197, relating to annual financial statement, was withdrawn from further consideration.

President Arch W. McFarlane returned to the chair at 11:34 a. m.

THIRD READING OF BILLS

On motion of Senator Wilson Senate File No. 239, a bill for an act to amend section sixty-one hundred eighty (6180), Code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned waterworks acquired and operated under and pursuant to Chapter three hundred fourteen (314), Code, 1927, returned by the sifting committee, was taken up and considered.

Amend by striking from sec. 1 the sub-section (a) and inserting in lieu thereof subsection (b) as subsection (a).

The following amendment recommended by the committee on cities and towns was considered:

The amendment was adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Beatty	Clark of Marion	Kent	Quirk
Bennett	Clearman	Klemme	Rigby
Benson	Cochrane	Knudson	Ritchie
Bissell	Cole	Langfitt	Stanley
Blackford	Cooney	Leonard	Stevens
Booth	Coykendall	McLeland	Stoddard
Carden	Gunderson	Moen	Topping
Clark of	Hager	Myers	White
Cerro Gordo	Ickis	Patterson	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 14.

Anderson	Doran	Irwin	MacDonald
Baird	Frailey	Kimberly	Tabor
Carroll	Hicklin	Lowe	Wenner
Christophel	Hill		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cooney Senate File No. 295, a bill for an act to amend the law as it appears in section two (2) of chapter one hundred twenty-eight (128) of the acts of the forty-third general assembly relating to the driving of motor vehicles upon the highways, returned by the sifting committee, was taken up and considered.

The following amendment recommended by the committee on motor vehicles was considered:

Strike out all of said bill after the enacting clause, and substitute in lieu thereof the following:

Section 1. That the law as it appears in section two (2) of chapter one hundred twenty-eight (128) of the acts of the forty-third general assembly be and the same is hereby amended by inserting after the word "assured" in line eight (8), the word "unobstructed".

The amendment was adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Beatty	Clearman	Klemme	Quirk
Bennett	Cochrane	Knudson	Rigby
Benson	Cole	Langfitt	Ritchie
Bissell	Cooney	Leonard	Stevens
Blackford	Coykendall	McLeland	Stoddard
Booth	Gunderson	Moen	Topping
Carden	Hager	Myers	White
Clark of Linn	Ickis	Patterson	Wilson
Clark of Marion	Kent		

Nays, none.

Absent or not voting, 16.

Anderson	Clark of	Hill	MacDonald
Baird	Cerro Gordo	Irwin	Stanley
Carroll	Doran	Kimberly	Tabor
Christophel	Frailey	Lowe	Wenner
	Hicklin		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 16

Senator Cooney submitted the following resolution:

A Concurrent Resolution memorializing the Congress of the United States to pass a bill similar to the Shipstead-Mansfield bill for the adequate financing and speedy completion of the river and harbor projects heretofore adopted by Congress.

Whereas, Congress has recognized the economic necessity of a trade outlet to tidewater for the land-locked states of the midwest, and by the Act of July 3, 1930, has adopted projects for channels on the upper Mis-

Mississippi and Missouri rivers which border Iowa for seven hundred fifty miles, but has made no adequate provision for financing their construction so that the resulting benefits may be enjoyed by the present generation, and

Whereas, The Special Board of United States Engineers assigned to the survey of these river channels, have found and reported that "industries have not located in this area because transportation costs, both on raw material and finished products, have been so high as to dictate their location elsewhere", and "the grain producer has had little choice but to sell at one price to the one market," and

Whereas, These conditions, now aggravated by a nation-wide depression, suggest the immediate employment of labor and industry in the construction of public and reproductive works, and

Whereas, The Shipstead-Mansfield bill, provided for an internal loan to supplement annual budget appropriations for the adequate financing of all river and harbor projects already adopted by Congress, thus effecting a material saving in the primary cost of these works, hastening the date of their completion and beneficial enjoyment, and providing immediate employment for the idle labor, idle industry and idle capital,

Now, Therefore Be It Resolved, The Senate of the State of Iowa, the House of Representatives concurring, that the Congress of the United States be memorialized and urgently requested to enact into law a bill of similar purport to the Shipstead-Mansfield bill, and that our representatives in Congress be urged to support it and use all honorable means to procure its passage.

Be It Further Resolved, That a copy of this resolution attested by the proper officers of both houses, be sent to the President of the United States, the Secretary of War, the presiding officers of the Senate and House of Representatives, and to each United States Senator and member of Congress from the State of Iowa.

By unanimous consent on request of Senator Cooney the resolution was considered.

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Patterson House File No. 290, a bill for an act to amend the law as it appears in section forty-seven hundred forty-six (4746) of the code, 1927, relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Beatty	Clearman	Klemme	Quirk
Bennett	Cochrane	Knudson	Rigby
Benson	Cole	Langfitt	Stanley
Bissell	Cooney	Leonard	Stevens
Blackford	Coykendall	McLeland	Stoddard
Booth	Gunderson	Moen	Topping
Carden	Hager	Myers	White
Clark of Linn	Ickis	Patterson	Wilson
Clark of Marion	Kent		

Nays, none.

Absent or not voting, 16.

Anderson	Clark of	Hill	MacDonald
Baird	Cerro Gordo	Irwin	Ritchie
Carroll	Doran	Kimberly	Tabor
Christophel	Frailey	Lowe	Wenner
	Hicklin		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONFERENCE COMMITTEE ON SENATE FILE NO. 133

The President appointed as conference committee on the part of the Senate on Senate File No. 133, Senators Booth, Hager, Irwin and Bennett.

On motion of Senator Cole the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

HOUSE MESSAGES CONSIDERED

House File No. 412, a bill for an act to amend chapter four hundred thirty-two (432) code, 1927, so as to define the term "commodity of commerce" as used in sections ninety-eight hundred eighty-five (9885) and ninety-eight hundred eighty-six (9886), thereof.

Read first and second times and referred to sifting committee.

House Joint Resolution No. 6, a joint resolution providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of Iowa, and providing an appropriation therefor.

Read first and second times and referred to committee on appropriations.

House File No. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose County in transferring nineteen thousand dollars (\$19,000.00) from the state insane' fund to the paupers' fund by resolution upon March 14, 1931.

Read first and second times and referred to sifting committee.

House File No. 37, a bill for an act to amend section six thousand thirty-three (6033), code, 1927, as amended by chapter one hundred eighty-one (181) of the laws of the Forty-third General Assembly relating to interest and penalty on special assessments for street improvements.

Read first and second times and referred to sifting committee.

House File No. 361, a bill for an act to amend section fourteen hundred three (1403) of the code, 1927, relating to workmen's compensation.

Read first and second times and referred to sifting committee.

House File No. 367, a bill for an act to amend section thirteen hundred twenty (1320) of the code, 1927, relating to check-weighmen at mines.

Read first and second times and referred to sifting committee.

House File No. 468, a bill for an act to legalize the proceedings relating to an election held in the town of Traer, Iowa, on the proposition of establishing and constructing a municipal swimming pool and issuing bonds for such purpose and levying an annual tax for the payment of such bonds and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city.

Read first and second times and referred to sifting committee.

House File No. 233, a bill for an act to amend section twenty-seven hundred eighty-one (2781), and twenty-eight hundred five (2805), and to repeal sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred (2800), twenty-eight hundred and one (2801) and twenty-eight hundred and two (2802) of the code, 1927, and to enact a substitute in lieu thereof, relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine.

Read first and second times and referred to sifting committee.

House File No. 371, a bill for an act to amend section fourteen hundred seventy-nine (1479) of the code, 1927, relating to workmen's compensation.

Read first and second times and referred to sifting committee.

House File No. 296, a bill for an act to amend section eleven thousand forty-two (11042) of the code, 1927, relating to actions against public utilities.

Read first and second times and referred to sifting committee.

House File No. 309, a bill for an act to require buyers of livestock to keep certain records, providing for inspection of such records by peace officers, and fixing a penalty for violations thereof.

Read first and second times and referred to sifting committee.

COMMUNICATION FROM THE GOVERNOR

The President of the Senate of the Forty-fourth General Assembly:

SIR: I have the honor to request the withdrawal from the consideration of the Honorable Body over which you preside the names of Frances B. Hemsworth and Joseph H. Anderson who were nominated as members

of the State Board of Education, for the reason that both of these candidates are alumni of the Iowa State Teachers College.

Respectfully submitted,

DAN W. TURNER, *Governor.*

The unanimous consent of the Senate was granted and the names returned to the Governor.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

MR. PRESIDENT: We, the undersigned members of the conference committee to which has been referred House File No. 2, beg leave to report that after due consideration we find ourselves unable to agree.

G. W. PATTERSON,

T. E. MOEN,

M. D. COONEY

C. A. BENSON,

On the part of the Senate.

MARION R. McCAULLEY,

W. E. S. HUTCHEON,

FRED W. NELSON,

S. B. DURANT,

On the part of the House.

The report was adopted.

Senator Patterson moved that the report be received, the committee be discharged and that the Senate request another conference committee, the membership of which shall be five from each House.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Gunderson Senate File No. 420, a bill for an act to amend section two hundred sixty-five-a one (265-a1), Code, 1927, relating to supplements to books of annotations, a sifting committee bill, was taken up and considered.

By unanimous consent on request of Senator Gunderson the rules were suspended by which no bill may be read the second and third times on the same day.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Bennett	Clearman	Knudson	Rigby
Benson	Cochrane	Langfitt	Ritchie
Bissell	Cole	Leonard	Stanley
Blackford	Cooney	Lowe	Stevens
Booth	Coykendall	McLeland	Tabor
Carden	Gunderson	Moen	Topping
Christophel	Ickis	Myers	White
Clark of Linn	Kent	Patterson	Wilson
Clark of Marion	Klemme	Quirk	

Nays, none.

Absent or not voting, 15.

Anderson	Clark of	Hager	Kimberly
Baird	Cerro Gordo	Hicklin	MacDonald
Beatty	Doran	Hill	Stoddard
Carroll	Frailey	Irwin	Wenner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson Senate File No. 419, a bill for an act to repeal Chapter two (2) of the Laws of the Extra Session of the Forty-second General Assembly, a sifting committee bill, was taken up and considered.

By unanimous consent on request of Senator Gunderson the rules were suspended by which no bill may be read the second and third times on the same day.

The bill was read for information.

Action was deferred.

By unanimous consent on request of Senator Bennett House Joint Resolution No. 6, a joint resolution providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of Iowa, and providing an appropriation therefor, was substituted for Senate Joint Resolution No. 9, a companion bill, on which the report of appropriations committee recommending passage, was adopted, and was taken up and considered.

By unanimous consent on request of Senator Bennett the rules were suspended by which no bill may be read the second and third times the same day.

The resolution was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the resolution pass?" the vote was:

Ayes, 33.

Bennett	Clark of Linn	Klemme	Quirk
Benson	Clearman	Knudson	Rigby
Bissell	Cochrane	Langfitt	Ritchie
Blackford	Cole	Leonard	Stanley
Booth	Cooney	Lowe	Stevens
Carden	Gunderson	Moen	Stoddard
Christophel	Hager	Myers	Tabor
Clark of	Ickis	Patterson	Topping
Cerro Gordo	Kent		

Nays, 4.

Beatty	Clark of Marion	Coykendall	McLeland
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Absent or not voting, 13.

Anderson	Frailey	Irwin	Wenner
Baird	Hicklin	Kimberly	White
Carroll	Hill	MacDonald	Wilson
Doran			

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that the vote by which the resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Bennett Senate Joint Resolution No. 9, a companion bill, was withdrawn from further consideration.

On motion of Senator Myers Senate File No. 149, a bill for an act to amend Chapter five hundred forty-one (541) of the Code of 1927, relating to adult wards and their guardians, and providing for procedure to file, prosecute and establish claims against guardians of adult wards, returned by the sifting committee, was taken up and considered.

Senator Myers offered the following amendment and moved its adoption :

Amend by inserting at the beginning of line 1 the word and figure "Section 1." Also amend by inserting in line 9 after the word "eleven" the word "thousand".

The amendment was adopted.

The bill was read for information.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 32.

Bennett	Clark of Linn	Kent	Myers
Benson	Clark of Marion	Klemme	Patterson
Bissell	Cochrane	Knudson	Rigby
Blackford	Cole	Langfitt	Ritchie
Booth	Cooney	Leonard	Stanley
Carden	Coykendall	Lowe	Stevens
Christophel	Hager	McLeland	Taber
Clark of	Ickis	Moen	White
Cerro Gordo			

Nays, 1.

Wilson

Absent or not voting, 17.

Anderson	Doran	Hill	Quirk
Baird	Frailey	Irwin	Stoddard
Beatty	Gunderson	Kimberly	Topping
Carroll	Hicklin	MacDonald	Wenner
Clearman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Myers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following reports :

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to

the audit of claims against the state and certain agencies thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Co. and the Olson Construction Co. for damages growing out of contracts to build bridges, under the Iowa State Highway Commission, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 388, a bill for an act to make an appropriation to Hamiel & Mather, attorneys at law, and Edwin B. Wilson, attorney at law, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 410, a bill for an act to make an appropriation to C. C. Bell, A. L. McClintock, Harley Cowman and D. F. Brownlee, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

The Journal of April 4th was corrected and approved.

AMENDMENT FILED

MR. PRESIDENT: I hereby amend the substitute amendment to Senate File No. 264 as follows:

In line twenty-nine (29) of Section six (6) thereof strike out the figures \$1.00 and substitute therefor the words "fifty cents".

Also amend by striking out all after the comma in line sixteen (16) of Section thirteen (13) thereof and insert in lieu thereof the following:

"Nor shall any provision of this Act authorize or give the right of condemnation or eminent domain for any such purposes."

Also amend by adding as Section seventeen (17) thereof the following:

Sec. 17. That the law as it appears in section forty-eight hundred fifty-eight (4858) of the code, 1927, be and the same is hereby amended by striking the period (.) at the end of line six (6) thereof, and by inserting at the end of said line six (6) the following:

“to local municipal distributing plants or companies, but not to pipe line companies. This section shall not apply to or include pipe line companies required to obtain a license from the state board of railroad commissioners.”

Also amend by adding as Section eighteen (18) thereof the following:

Sec. 18. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the What Cheer Patriot, a newspaper published at What Cheer, Iowa, and in the Monroe Mirror, a newspaper published at Monroe, Iowa.

O. P. MYERS.

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. 117, By Knudson, amending section 6944, relative to exemptions from taxation of shares of capital stock of telegraph and telephone companies.

S. F. 319, By Stoddard, authorizing and requiring the repayment to counties from the primary road fund.

S. F. 323, By Hill, amending section 4920, relating to license fees for motor vehicle trailers.

S. F. 332, By Wenner, amending section 547, relating to the filing of nomination papers.

S. F. 333, By Wenner, amending section 5818 and 5822, relating to river front improvement commission.

S. F. 340, By Rigby, amending section 6944 and 6953, relating to exemption of property from taxation.

H. F. 203, By Whiting, amending section 5576 relating to transfer of township funds.

H. F. 235, By Judiciary Committee, amending section 239 relating to free distribution of the reports of supreme court.

H. F. 267, By Hopkins, amending section 3873, and repealing section 3874, relating to teachers' examinations.

H. F. 337, By McCaulley, amending section 12064, relating to taxation of attorney's fees.

H. F. 364, By Judiciary Committee, amending section 7, chapter 192, acts of the 43rd G. A., relating to management of public utilities.

H. F. 368, By Elliott of Scott, providing that in the years 1932 and 1933 the tax rates of various taxing bodies, shall be reduced five per cent.

H. F. 372, By Mayne and Brown, regulating the use and operation of motor vehicles of this state.

H. F. 468, Stiger, Legalizing Act, Traer, Iowa.

H. F. 453, By Judiciary Committee, amending section 506, relating to proclamations for elections.

H. F. 476, By Judiciary Committee, amending chapter 640, section 13804, and chapter 645, relating to the arraignment and trial of the defendant.

H. F. 477, By Judiciary Committee, amending section 5026-b1, so as to limit the civil liability of owners and operators of automobiles.

O. E. GUNDERSON, *Vice Chairman.*

On motion of Senator Cooney the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 7, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Frederick A. Clark, pastor of the Congregational Church of Algona.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Langfitt for the day, on request of Senator Benson; Senator Irwin for the day, on request of Senator Kent.

By unanimous consent of the Senate Senators Doran and Carroll were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Blackford, from residents of Farmington, opposing the levy of a tax on theater tickets. Tax revision.

By Senator Lowe, from residents of Lacona, favoring restriction of motor vehicles. Motor vehicles.

By Senator Wilson, from residents of Des Moines, favoring consideration of a general sales tax. Tax revision.

CONFERENCE COMMITTEE ON HOUSE FILES NOS. 2 and 121

The President appointed as second conference committee on House File No. 2, Senators Clark of Linn, Stevens, Blackford, Irwin and Knudson.

The President appointed as conference committee on House

File No. 121, Senators Clark of Marion, Bennett, Topping and Cooney.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Cooney, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 124 and 238, 354 and 482.

M. D. COONEY,
Acting Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 124, 238, 354, and 482.

THIRD READING OF BILLS

On motion of Senator Rigby Senate File No. 391, a bill for an act relating to junior colleges and amending section forty-two hundred sixty-seven b-one (4267 b1), Code, 1927, returned by the sifting committee, was taken up and considered.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

The amendment was adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Beatty	Christophel	Leonard	Ritchie
Bennett	Clark of	Lowe	Stanley
Benson	Cerro Gordo	McLeland	Stevens
Bissell	Clark of Linn	Moen	Stoddard
Blackford	Cole	Myers	Tabor
Booth	Frailey	Patterson	Wenner
Carden	Gunderson	Rigby	White

Nays, 15.

Baird	Coykendall	Ickis	Knudson
Clark of Marion	Hager	Kent	Quirk
Clearman	Hicklin	Kimberly	Topping
Cochrane	Hill	Klemme	

Absent or not voting, 8.

Anderson	Cooney	Irwin	MacDonald
Carroll	Doran	Langfitt	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Patterson Senate File No. 392, a bill for an act to amend section twenty-five hundred forty-five (2545), Code 1927, relating to the practice of podiatry, returned by the sifting committee, was taken up and considered.

Senator Patterson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Clark of Marion	Ickis	Rigby
Bennett	Clearman	Kent	Ritchie
Benson	Cochrane	Kimberly	Stanley
Bissell	Cole	Klemme	Stevens
Blackford	Coykendall	Knudson	Stoddard
Carden	Frailey	Leonard	Tabor
Christophel	Gunderson	Lowe	Topping
Clark of	Hager	Moen	Wenner
Cerro Gordo	Hicklin	Myers	White
Clark of Linn	Hill	Quirk	Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Carroll	Irwin	McLeland
Beatty	Cooney	Langfitt	Patterson
Booth	Doran	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Stoddard Senate File No. 411, a bill for an act to amend chapter one hundred twenty-nine (129) Acts of the Forty-third General Assembly relating to the regulation of motor trucks, and to provide date when unexpended balances of the fees on motor trucks shall be credited to the general fund of the state, an appropriation committee bill, was taken up and considered.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Baird	Clark of Marion	Kent	Rigby
Bennett	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Knudson	Stevens
Blackford	Coykendall	Leonard	Stoddard
Booth	Frailey	Lowe	Tabor
Carden	Gunderson	McLeland	Topping
Christophel	Hager	Moen	Wenner
Cark of	Hicklin	Myers	White
Cerro Gordo	Hill	Patterson	Wilson
Clark of Linn	Ickis	Quirk	

Nays, none.

Absent or not voting, 8.

Anderson	Carroll	Doran	Langfitt
Beatty	Cooney	Irwin	MacDonald

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator White, House File No. 468, a bill for an act to legalize the proceedings relating to an election held in the town of Traer, Iowa, on the proposition of establishing and constructing a municipal swimming pool and

issuing bonds for such purpose and levying an annual tax for the payment of such bonds and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Baird	Cochrane	Kimberly	Rigby
Beatty	Cole	Klemme	Ritchie
Bennett	Coykendall	Knudson	Stanley
Benson	Frailey	Leonard	Stevens
Bissell	Gunderson	Lowe	Stoddard
Blackford	Hager	McLeland	Tabor
Booth	Hicklin	Moen	Topping
Carden	Hill	Myers	Wenner
Christophel	Ickis	Patterson	White
Clark of Marion	Kent	Quirk	Wilson
Clearman			

Nays, none.

Absent or not voting, 9.

Anderson	Clark of	Cooney	Irwin
Carroll	Cerro Gordo	Doran	Langfitt
	Clark of Linn		MacDonald

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator White moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moen House File No. 276, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Baird	Clark of Linn	Kent	Rigby
Beatty	Clark of Marion	Kimberly	Ritchie
Bennett	Clearman	Klemme	Stanley
Benson	Cochrane	Knudson	Stevens
Bissell	Cole	Leonard	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Frailey	McLeland	Topping
Carden	Gunderson	Moen	Wenner
Christophel	Hager	Myers	White
Clark of Cerro Gordo	Hicklin Hill	Patterson Quirk	Wilson

Nays, none.

Absent or not voting, 8.

Anderson	Cooney	Ickis	Langfitt
Carroll	Doran	Irwin	MacDonald

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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. 345, a bill for an act relating to unlawful combinations of insurance companies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 344, a bill for an act relating to insurance other than life.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 15, relative to the death of Knute Rockne.

Also: That the House has appointed as a Second Conference Committee on House File No. 2, relating to income tax, the following: Repre-

sentatives Johnson of Marion, Ditto of Osceola, TePaske of Sioux, Strachan of Humboldt and Greaser of Benton.

Also: That the House respectfully requests the return of Senate File No. 41, relating to municipal bands, on which a motion to reconsider has been filed.

SAM C. RAGAN, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Moen House File No. 288, a bill for an act to amend sections twenty-nine hundred twenty-one (2921), code, 1927, and twenty-nine hundred twenty-three, (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held, returned by the sifting committee, was taken up and considered.

The following amendments proposed by the committee on agriculture were considered:

Amend by striking out after the word "first" in line two of sub-section 1-b of Section 2, the words "of each" and inserting in lieu thereof the words "of the preceding".

Also amend by striking out the word "eighty" in line four of Section 3 and inserting in lieu thereof the word "sixty", and at the end of line five, by striking out the word "six" and inserting in lieu thereof the word "four".

The amendments were adopted.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Clark of Marion	Kimberly	Rigby
Beatty	Clearman	Klemme	Ritchie
Bennett	Cochrane	Knudson	Stanley
Benson	Cole	Leonard	Stevens
Bissell	Coykendall	Lowe	Stoddard
Blackford	Frailey	McLeland	Tabor
Booth	Gunderson	Moen	Topping
Carden	Hager	Myers	Wenner
Clark of	Hill	Patterson	White
Cerro Gordo	Ickis	Quirk	Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Clark of Linn	Hicklin	Langfitt
Carroll	Cooney	Irwin	MacDonald
Christophel	Doran	Kent	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Myers Senate File No. 264, a bill for an act to provide for the licensing of pipe line companies engaged in the business of transporting or transmitting gas, gasoline, oils or motor fuels within or through this state, providing a license fee therefor, and providing for the regulation of the method of construction, location and inspection of pipe lines, and amending section forty-eight hundred fifty-eight (4858) of the code, 1927, relating to grants for the use of highways outside of cities and towns, returned by the sifting committee, was taken up and considered.

Senator Myers offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. "Pipe Line Company" insofar as this act is concerned, shall include and mean any person, firm, co-partnership, association, corporation or syndicate engaged in or organized for the purpose of owning pipe lines for the transportation or transmission of gas, gasoline, oils or motor fuels within or through this state, or, for the purpose of engaging in the transportation or transmitting of gas, gasoline, oils or motor fuels in or through pipe lines within or through this state.

Sec. 2. No pipe line company shall construct, maintain or operate any pipe line or lines outside of cities and towns under, along, over or across any public highway, grounds, waters or streams of this state without procuring from the Board of Railroad Commissioners a permit granting permission so to do.

Sec. 3. Any pipe line company authorized to engage in business in this state before engaging in its said business in this state shall file with the Board of Railroad Commissioners its verified petition asking for a permit to construct, maintain and operate its pipe line or lines along, over or across the public highways, grounds, waters and streams of this state or the lands of any person, company or corporation and to acquire the necessary interests in real estate for such purposes.

Sec. 4. Said petition shall state:

(a) The name of the individual, firm, corporation, company or association asking for said permit.

(b) The applicant's principal office and place of business.

(c) The route of said proposed line or lines, together with a map thereof.

(d) A general description of the public highways, grounds and waters and private lands along, over or across which said proposed line or lines will pass.

(e) The specifications and manner of construction of said line or lines.

(f) The maximum capacity of said line or lines.

(g) The maximum pressure under which it is proposed to transport gas in said line or lines.

Sec. 5. Upon the filing of said petition the Board of Railroad Commissioners shall fix a date for hearing thereon and shall cause notice thereof to be published in some newspaper of general circulation in each county through which said proposed line or lines will extend; said notice to be published for two (2) consecutive weeks. Said hearing shall be not less than ten (10) days nor more than (30) days from the date of the last publication and shall be held in the offices of said Board of Railroad Commissioners.

Sec. 6. Any person, corporation, company, city or town whose rights or interests may be affected by said pipe line or lines may file written objections to said proposed pipe line or lines or to the granting of said permit but all such objections shall be on file in the office of said Board of Railroad Commissioners not less than five (5) days before the date of hearing on said application but said Board of Railroad Commissioners may permit the filing of said objections later than five (5) days before said hearing, in which event the applicant must be granted a reasonable time to meet said objections. The said Board of Railroad Commissioners may examine the proposed route of said pipe line or lines or may cause such examination to be made by an engineer selected by it. At said hearing the said Board of Railroad Commissioners shall consider said petition and any objections filed thereto and may in its discretion hear such testimony as may aid it in determining the propriety of granting such permit. It may grant such permit in whole or in part upon such terms, conditions and restrictions as to location and route as may be determined by it to be just and proper.

Applicant shall pay all costs and expenses of said proceeding including the cost of publishing notice of hearing on said application, and upon the granting of said permit the said applicant shall pay to said Board of Railroad Commissioners a permit fee of \$1.00 per mile, or any fraction thereof, for each inch of diameter of such pipe line located in the State of Iowa at the time said permit is granted and a like sum for any pipe lines thereafter constructed under permit and by authority of said Board of Railroad Commissioners under the provisions of this act. And every such pipe line company shall for the privilege and right to use or cross any of the public properties referred to in this act, and for the

right to operate in the state of Iowa, pay an annual license fee in the sum of \$1.00 per mile of pipe line or fraction thereof, for each inch of diameter of such pipe line located in the state of Iowa, said license fee to be paid for the calendar year in advance and before January first of that year, to the Board of Railroad Commissioners. Said fee, when collected, shall be paid by said Board of Railroad Commissioners to the State Treasurer for the use and benefit of the General Fund of the State. The said Board of Railroad Commissioners shall have full authority and power to promulgate such rules and regulations as it deems proper and expedient to insure the orderly conduct of the hearings herein provided for.

Sec. 7. The said Board of Railroad Commissioners shall cause to be prepared a uniform blank form of permit which shall provide a space for a general description of the improvement authorized thereby, the name and address of the pipe line company to whom said permit is granted and the terms and conditions upon which it is granted. Said permit shall be signed by the Chairman of the Board of Railroad Commissioners and the official seal of said Board shall be attached thereto.

Sec. 8. No exclusive right shall ever be granted to any pipe line company to construct, maintain and operate its pipe line or lines along, over or across any public highway, grounds or waters and no such permit shall ever be granted for a longer period than twenty-five (25) years.

Sec. 9. When any such pipe line or lines are sold, either voluntarily or by judicial sale, such transfer shall carry with it the permit under which it is owned, maintained or operated. If a transfer of such permit is made before the improvement for which it was issued is constructed in whole or in part such transfer shall not be effective until the person, company or corporation to whom it was issued shall file in the office of said Board of Railroad Commissioners a notice in writing stating the date of such transfer and the name and address of said transferee.

Sec. 10. The Board of Railroad Commissioners shall keep a record of all permits granted and issued by it, showing when and to whom issued with a general statement of the location and route of said pipe line or lines covered thereby. When any transfer of such permit has been made as provided in this chapter the said Board shall also note upon its record the date of such transfer and the name and address of such transferee.

Sec. 11. Any pipe line company obtaining a permit as in this act provided or operating under one shall be conclusively presumed to have accepted the provisions thereof and all laws relating to the regulation, supervision or control thereof which are now in force or which may hereafter be enacted and to have consented to such reasonable regulation as said Commission may from time to time prescribe. And any pipe line company accepting and operating under such permit or franchise shall be deemed to have thereby consented that the state of Iowa may levy and impose such general property taxes and/or taxes on gross receipts and/or taxes on net income as the General Assembly may hereafter prescribe.

Sec. 12. Any pipe line company owning a permit granted under this act desiring to acquire an extension of such permit may petition the Board in the same manner provided for the granting of such permit and the same proceeding shall be had as on an original application.

Sec. 13. Any pipe line company having secured a permit as in this act provided shall thereupon be vested with the right of Eminent Domain to such extent as may be necessary and as prescribed and approved by said Board of Railroad Commissioners, not exceeding seventy-five (75) feet in width for right-of-way and not exceeding one (1) acre in any one location in addition to right-of-way for the location of pumps, pressure apparatus or other stations or equipment necessary to the proper operation of its said pipe line or lines. If agreement cannot be made with the private owner of lands as to damages caused by the construction of said pipe line the same proceedings shall be taken as provided for taking private property for works of internal improvement. Provided, however, that nothing in this act shall authorize the construction of a pipe line longitudinally on, over or under any public highway or railroad right-of-way without the consent of the public authority having control and supervision over the public highway or the railway company's consent, as the case may be, nor shall it be considered that any provision of this act shall give the right of condemnation or Eminent Domain for any such purposes.

Sec. 14. Pipe line companies operating pipe lines shall have reasonable access to the same for the purpose of constructing, reconstructing, enlarging, repairing or locating its pipes, pumps, pressure apparatus or other stations, devices or equipment used in or upon such line but shall pay to the owner of such lands for the right of entry thereon and the owner of crops thereon all damages caused by entering, using or occupying said lands for said purposes; and shall pay to the owner or owners of such lands all damages caused after the completion of construction of said pipe line on account of wash or erosion of the soil at or along the location of said pipe line by reason of the construction thereof upon said lands on account of the settling of the soil along and above said pipe line, provided however that nothing herein contained shall prevent the execution of an agreement between the pipe line company and the owner of said land or crops with reference to the use thereof. Before any permit is granted under the provisions of this act the applicant must satisfy the Board of Railroad Commissioners that the applicant has or will have within a reasonable time, property within this State other than pipe lines, subject to execution of a value in excess of \$50,000.00, or said applicant must file and maintain with said Board a surety bond in the penal sum of \$50,000.00 with surety approved by the Board, conditioned that said applicant will pay any and all damages legally recovered against it growing out of the operation of its said pipe line in the State of Iowa. Provided, however, when such pipe line company deposits with said Board of Railroad Commissioners security satisfactory to said Board as a guaranty for the payment of said damages, or furnishes to said Board satisfactory proofs of its solvency and financial ability to pay said

damages, the said pipe line company shall be relieved of the said provisions requiring bond. And in all cases arising under this act, the district court of any County, through which said pipe line company is located, shall have jurisdiction; and service of original notice on the pipe line company therein shall be had and made upon the chairman of the Board of Railroad Commissioners.

Sec. 15. The Board of Railroad Commissioners shall have general supervision of all pipe lines in the state and shall from time to time inspect and examine into the condition of said pipe lines and whenever said Board shall determine that any pipe line or any apparatus, device or equipment used in connection therewith is unsafe and dangerous it shall immediately in writing notify said pipe line company operating said pipe line, device, apparatus or other equipment to repair or replace any defective or unsafe part or portion of said pipe line, device, apparatus or equipment. If said pipe line company fails to obey said order within a time prescribed by said Board the said Board may commence an equitable action in the district court of the county where said defective, unsafe or dangerous portion of said pipe line, device, apparatus or equipment is located to compel compliance with its said order. If, after due trial of said action the court finds that said order is reasonable, equitable and just, it shall decree a mandatory injunction compelling obedience to and compliance with said order and may grant such other relief as may be just and proper. Appeal from said decree may be taken in the same manner as in other actions.

Sec. 16. No pipe line shall be constructed except by agreement within two hundred (200) feet of any dwelling house or other building except where said pipe line passes along a public highway or is located alongside or parallel with the right-of-way of any railway company.

Senator Myers offered the following amendments to the amendment and moved their adoption:

In line twenty-nine (29) of Section six (6) thereof strike out the figures \$1.00 and substitute therefor the words "fifty cents".

Also amend by striking out all after the comma in line sixteen (16) of Section thirteen (13) thereof and insert in lieu thereof the following:

"Nor shall any provision of this Act authorize or give the right of condemnation or eminent domain for any such purposes."

Also amend by adding as Section seventeen (17) thereof the following:

Sec. 17. That the law as it appears in section forty-eight hundred fifty-eight (4858) of the code, 1927, be and the same is hereby amended by striking the period (.) at the end of line six (6) thereof, and by inserting at the end of said line six (6) the following:

"to local municipal distributing plants or companies, but not to pipe line companies. This section shall not apply to or include pipe line companies required to obtain a license from the state board of railroad commissioners."

Also amend by adding as Section eighteen (18) thereof the following:

Sec. 18. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the What Cheer Patriot, a newspaper published at What Cheer, Iowa, and in the Monroe Mirror, a newspaper published at Monroe, Iowa.

The amendments to the amendment were adopted.

The amendment as amended was adopted.

The bill was read for information.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Clark of Linn	Hill	Patterson
Beatty	Clark of Marion	Ickis	Rigby
Bennett	Clearman	Kent	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Knudson	Stevens
Blackford	Coykendall	Leonard	Tabor
Booth	Frailey	Lowe	Topping
Carden	Gunderson	McLeland	Wenner
Christophel	Hager	Moen	White
Clark of	Hicklin	Myers	Wilson
Cerro Gordo			

Nays, none.

Absent or not voting, 10.

Anderson	Doran	Langfitt	Quirk
Carroll	Irwin	MacDonald	Stoddard
Cooney	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Myers moved to amend by striking the title and substituting in lieu thereof the following:

"An Act to provide for the licensing of pipe line companies engaged in the business of owning or operating lines for the transportation or transmission of gas, gasoline, oils, or motor fuels within or through this state; providing a permit fee and an annual occupation tax therefor; providing for the regulation of the construction, location and inspection of pipe lines; providing for the right of eminent domain and regulating the use of such right; providing that the board of railroad commissioners shall have supervision over pipe lines, and providing for the fixing of property security and responsibility by pipe line companies for the protection of persons sustaining damage by them; fixing jurisdiction in the district

court of the county where any controversy arises involving said pipe lines, and providing a method of service of notice of suit against pipe line companies; and amending section forty-eight hundred fifty-eight (4858), of the code, 1927, relating to grants for the use of highways by certain pipe lines outside of cities and towns."

The amendment was adopted and the title as amended agreed to.

Senator Myers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley House File No. 267, a bill for an act to amend section thirty-eight hundred seventy-three (3873), code, 1927, and to repeal section thirty-eight hundred seventy-four (3874), code, 1927, relating to teachers' examinations, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Clearman	Kent	Patterson
Beatty	Cochrane	Kimberly	Rigby
Bennett	Cole	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Frailey	Leonard	Stevens
Blackford	Hager	Lowe	Tabor
Booth	Hicklin	McLeland	Topping
Christophel	Hill	Moen	Wenner
Clark of Marion	Ickis	Myers	White

Nays, none.

Absent or not voting, 14.

Anderson	Clark of	Doran	MacDonald
Carden	Cerro Gordo	Gunderson	Quirk
Carroll	Clark of Linn	Irwin	Stoddard
	Cooney	Langfitt	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Frailey Senate File No. 347, a bill for an act to amend Chapter 6, Acts of the Forty-third General Assembly, regulating the issuing of shares of stock of corporations without par value, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Clark of Marion	Hill	Moen
Bennett	Clearman	Ickis	Patterson
Benson	Cochrane	Kent	Quirk
Bissell	Cole	Kimberly	Rigby
Blackford	Coykendall	Klemme	Stanley
Carden	Frailey	Knudson	Stevens
Christophel	Gunderson	Leonard	Tabor
Clark of	Hager	Lowe	Topping
Cerro Gordo	Hicklin	McLeland	Wenner

Nays, none.

Absent or not voting, 15.

Anderson	Clark of Linn	Langfitt	Stoddard
Beatty	Cooney	MacDonald	White
Booth	Doran	Myers	Wilson
Carroll	Irwin	Ritchie	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Frailey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Hill called up for consideration Senate File 177, amended by the House, and moved that the Senate concur in the following amendments:

By striking from line ten (10) of Section one (1), the following:

"less than two (2) years nor".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Baird	Clark of Marion	Ickis	Patterson
Beatty	Clearman	Kent	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Ritchie
Bissell	Coykendall	Leonard	Stanley
Blackford	Frailey	Lowe	Stevens
Booth	Gunderson	McLeland	Stoddard
Carden	Hager	Moen	Tabor
Christophel	Hicklin	Myers	Wenner
Clark of Cerro Gordo	Hill		Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Cooney	Kimberly	Topping
Carroll	Doran	Langfitt	White
Clark of Linn	Irwin	MacDonald	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Hill Senate File No. 395, a bill for an act to authorize and empower cities and towns to regulate the keeping, storage, possession, sale, manufacture or use of certain inflammable materials, substance or compounds, including the buildings, structures or places where any such materials, substances or compounds are kept, stored, sold, manufactured or used, and providing punishment for violation of any such ordinance, returned by the sifting committee, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend sec. 3 by inserting after the word "hereof," in line 3 the words "such ordinance shall provide that".

The amendment was adopted.

By unanimous consent on request of Senator Hill the word "or" in line 5 of section 1 was changed to the word "of".

Senator Hicklin offered the following amendments and moved their adoption:

Amend by renumbering sec. 4 as sec. 5.

Also amend by adding as sec. 4 the following: "Sec. 4. This act shall apply to cities acting under special charter."

The amendments were adopted.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Clark of Marion	Kent	Ritchie
Bennett	Clearman	Kimberly	Stanley
Benson	Cochrane	Klemme	Stevens
Bissell	Cole	Leonard	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Gunderson	McLeland	Topping
Carden	Hager	Moen	Wenner
Christophel	Hicklin	Myers	White
Clark of	Hill	Patterson	Wilson
Cerro Gordo	Ickis	Quirk	

Nays, none.

Absent or not voting, 12.

Anderson	Clark of Linn	Frailey	Langfitt
Beatty	Cooney	Irwin	MacDonald
Carroll	Doran	Knudson	Rigby

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson Senate File No. 87, a bill for an act to amend, revise, and codify sections forty-seven hundred forty-five (4745), forty-seven hundred forty-five-a one (4745-a1), forty-seven hundred forty-six (4746) to forty-seven hundred fifty-three (4753), inclusive, and forty-seven hundred fifty-three-a one (4753-a1) to forty-seven hundred fifty-three-a nine (4753-a9), inclusive, all of the Code, 1927, relating to special assessments for the improvement of secondary roads, returned by the sifting committee, was taken up and considered.

Senator Benson offered the following amendment and moved its adoption:

Amend sec. 3 by striking from lines 1 and 2 the words and figure "twenty per cent (20%)" and inserting in lieu thereof the words and figures "thirty-five per cent (35%)".

The amendment was adopted.

Senator Quirk offered the following amendment and moved its adoption:

Amend sec. 3 by striking from line 3 the words "who are residents of the county".

The amendment was adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Clark of Marion	Kimberly	Rigby
Beatty	Clearman	Klemme	Ritchie
Bennett	Cochrane	Knudson	Stanley
Benson	Cole	Leonard	Stevens
Bissell	Frailey	Lowe	Stoddard
Blackford	Gunderson	McLeland	Tabor
Booth	Hager	Moen	Topping
Carden	Hill	Myers	Wenner
Christophel	Ickis	Quirk	White
Clark of Cerro Gordo	Kent		Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Cooney	Hicklin	MacDonald
Carroll	Coykendall	Irwin	Patterson
Clark of Linn	Doran	Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson Senate File No. 123, a bill for an act to legalize a certain contract entered into by the town of Lake Mills, Iowa, for the construction of a municipal electric plant and distribution system, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 13.

Anderson	Carden	Moen	Ritchie
Bennett	Clark of Linn	Myers	Stanley
Bissell	Gunderson	Quirk	White
Booth			

Nays, 20.

Baird	Cochrane	Kent	Rigby
Beatty	Cole	Kimberly	Stevens
Blackford	Coykendall	Klemme	Topping
Clark of Marion	Frailey	Lowe	Wenner
Clearman	Ickis	McLeland	Wilson

Absent or not voting, 17.

Benson	Cooney	Irwin	Patterson
Carroll	Doran	Knudson	Stoddard
Christophel	Hager	Langfitt	Tabor
Clark of Cerro	Hicklin	Leonard	
Gordo	Hill	MacDonald	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Gunderson moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hill Senate File No. 280, a bill for an act to amend Section fifty-two hundred forty-one (5241) Chapter two hundred sixty-two (262), of the Code, 1927, to authorize the giving of either a bond or a liability policy by deputies, returned by the sifting committee, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend by providing publication in the Lawler Dispatch and the Rockford Register.

The amendment was adopted.

Further action was deferred.

SENATE FILE NO. 395 RECONSIDERED

Senator Hill moved to take from the table the motion to reconsider the vote by which Senate File No. 395 passed the Senate.

The motion prevailed.

Senator Hill moved to reconsider the vote by which the bill passed the Senate.

On the question "Shall the motion prevail?" the vote was:

Ayes, 39.

Baird	Clearman	Kent	Quirk
Beatty	Cochrane	Kimberly	Rigby
Bennett	Cole	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Frailey	Leonard	Stevens
Blackford	Gunderson	Lowe	Topping
Booth	Hager	McLeland	Wenner
Carden	Hicklin	Moen	White
Christophel	Hill	Myers	Wilson
Clark of Marion	Ickis	Patterson	

Nays, none.

Absent or not voting, 11.

Anderson	Clark of Linn	Irwin	MacDonald
Carroll	Cooney	Langfitt	Stoddard
Clark of Cerro Gordo	Doran		Taber

The motion prevailed.

Senator Hill moved to reconsider the vote by which the bill passed to its third reading, which motion prevailed.

Further action was deferred.

On motion of Senator Frailey the Senate adjourned until 2 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ickis for the afternoon, on request of Senator Clearman.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 67, 108, 142, 279, 289, 344 and 345.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 67, 108, 142, 279, 289, 344 and 345.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 7th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 67, 108, 142, 279, 289, 344 and 345.

E. R. HICKLIN, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the governor stating that he had on April 3, 1931, approved the following bill:

Senate File No. 288, relating to bank drafts and cashiers' checks.

Also that on April 4, 1931, he had approved the following bills:

Senate File No. 152, relating to concealed weapons.

Senate File No. 155, relating to the possession of machine guns.

Senate File No. 25, relating to the non-employment of a teacher.

Senate File No. 151, relating to the carrying of firearms in motor vehicles.

INTRODUCTION OF BILLS

Senate File No. 422, by committee on aeronautics, a bill for an act to amend the law as it appears in chapter one hundred thirty-eight (138) of the code, 1927, relating to airports so as to extend the provisions thereof to counties and to cities and towns when enacting jointly with each other, and to extend the provisions thereof relative to condemnation.

Read first and second times and referred to sifting committee.

Senate File No. 423, by sifting committee, a bill for an act to amend section five hundred twenty-six a-two (526-a2) of the Code, 1927, relating to state senatorial districts.

Read first and second times and placed on the calendar.

NEW MEMBER OF CONFERENCE COMMITTEE

On account of illness of Senator Irwin, the President appointed, in his place, Senator Hicklin as a member of the second conference committee on House File No. 2.

SENATE FILE NO. 395 REREFERRED

By unanimous consent on request of Senator Hill, Senate File No. 395, relating to possession of certain inflammable materials, was re-referred to the sifting committee.

THIRD READING OF BILLS

On motion of Senator Stoddard House File No. 265, a bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor vs. Berry, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cole moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Kimberly	Ritchie
Bennett	Clearman	Klemme	Stanley
Benson	Cochrane	Knudson	Stevens
Bissell	Cole	Leonard	Stoddard
Blackford	Cooney	Lowe	Tabor
Booth	Gunderson	Moen	Topping
Carden	Hager	Patterson	Wenner
Christophel	Hicklin	Quirk	White
Clark of	Hill	Rigby	Wilson
Cerro Gordo	Kent		

Nays, none.

Absent or not voting, 13.

Baird	Coykendall	Ickis	MacDonald
Beatty	Doran	Irwin	McLeland
Carroll	Frailey	Langfitt	Myers
Clark of Linn			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, respectfully request a call of the Senate on Senate File No. 320 and House File No. 442.

WILLIAM CARDEN	WM. COCHRANE
LEW MACDONALD	WM. R. KLEMME
J. R. FRAILEY	LAFE HILL
C. E. ANDERSON	EDW. J. WENNER
O. P. BENNETT	M. D. COONEY
C. H. TOPPING	GEO. A. WILSON
H. C. WHITE	J. H. HAGER
A. V. BLACKFORD	E. R. HICKLIN
CHAS. D. BOOTH	

There being a call of the Senate on House File No. 442, the roll call revealed the presence of all Senators not previously excused, except Senator MacDonald.

Senator MacDonald appeared in the Senate Chamber and the call was declared complete.

By unanimous consent on request of Senator Anderson House

File No. 442, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, and to enact a substitute therefor, redistricting the state into nine (9) congressional districts, returned by the sifting committee, was taken up and considered.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend section 1 by striking from line 11 the word "Dubuque," and by inserting at the end of line 16 the word "Dubuque,".

Senator Frailey moved the previous question, which motion prevailed.

Roll call was demanded on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Beatty	Cole	Lowe	Ritchie
Christophel	Coykendall	MacDonald	Stanley
Clark of Linn	Kimberly	Myers	Stoddard
Clearman	Leonard	Rigby	Wenner
Cochrane			

Nays, 28.

Anderson	Clark of Cerro	Hicklin	Patterson
Baird	Gordo	Hill	Quirk
Bennett	Clark of Marion	Kent	Stevens
Benson	Cooney	Klemme	Tabor
Bissell	Frailey	Knudson	Topping
Blackford	Gunderson	McLeland	White
Booth	Hager	Moen	Wilson
Carden			

Absent or not voting, 5.

Carroll	Ickis	Irwin	Langftt
Doran			

The amendment was lost.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clark of	Kent	Patterson
Baird	Cerro Gordo	Klemme	Quirk
Bennett	Clark of Marion	Knudson	Stanley
Benson	Cooney	Langfitt	Stevens
Bissell	Frailey	Lowe	Stoddard
Blackford	Gunderson	MacDonald	Tabor
Booth	Hager	McLeland	Topping
Carden	Hicklin	Moen	Wenner
Christophel	Hill	Myers	White
			Wilson

Nays, 8.

Beatty	Clearman	Cole	Leonard
Clark of Linn	Cochrane	Coykendall	Rigby

Absent or not voting, 6.

Carroll	Ickis	Kimberly	Ritchie
Doran	Irwin		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Anderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 388, a bill for an act to make an appropriation to Hamiel and Mather, attorneys at law, and Edwin B. Wilson, attorney at law, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Clark of Marion	Klemme	Quirk
Baird	Clearman	Knudson	Rigby
Bennett	Cochrane	Langfitt	Ritchie
Benson	Cole	Leonard	Stanley
Bissell	Cooney	Lowe	Stevens
Blackford	Gunderson	MacDonald	Stoddard
Booth	Hager	McLeland	Tabor
Carden	Hicklin	Moen	Wenner
Christophel	Hill	Myers	White
Clark of Cerro Gordo	Kent	Patterson	Wilson

Nays, none.

Absent or not voting, 10.

Beatty	Coykendall	Ickis	Kimberly
Carroll	Doran	Irwin	Topping
Clark of Linn	Frailey		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company for damages growing out of contracts to build bridges, under the Iowa State Highway Commission, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clark of Marion	Kimberly	Quirk
Baird	Clearman	Klemme	Ritchie
Bennett	Cochrane	Knudson	Stanley
Benson	Cole	Leonard	Stevens
Bissell	Cooney	Lowe	Stoddard
Blackford	Coykendall	MacDonald	Tabor
Booth	Frailey	McLeland	Topping
Christophel	Gunderson	Moen	Wenner
Clark of	Hicklin	Myers	White
Cerro Gordo	Kent	Patterson	

Nays, none.

Absent or not voting, 12.

Beatty	Clark of Linn	Hill	Langfitt
Carden	Doran	Ickis	Rigby
Carroll	Hager	Irwin	Wilson

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 80, a bill for an act to appropriate twenty thousand dollars (\$20,000.00), or so much thereof as may be necessary for the purpose of paying the expenses of district court judges authorized by law, for the period from January 1, 1931, to June 30, 1931, inclusive, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clark of	Hill	Myers
Baird	Cerro Gordo	Kent	Patterson
Beatty	Clark of Marion	Kimberly	Quirk
Bennett	Clearman	Klemme	Rigby
Benson	Cochrane	Knudson	Ritchie
Bissell	Cole	Langfitt	Stevens
Blackford	Cooney	Lowe	Stoddard
Booth	Frailey	MacDonald	Tabor
Carden	Gunderson	McLeland	Topping
Christophel	Hager	Moen	Wenner
	Hicklin		White

Nays, 1.

Coykendall

Absent or not voting, 8.

Carroll	Doran	Irwin	Stanley
Clark of Linn	Ickis	Leonard	Wilson

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 410, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman, and D. F. Brownlee, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clark of Marion	Kent	Patterson
Baird	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Ritchie
Bissell	Cooney	Langfitt	Stevens
Blackford	Coykendall	Leonard	Stoddard
Booth	Frailey	Lowe	Tabor
Christophel	Gunderson	MacDonald	Topping
Clark of Cerro	Hager	McLeland	Wenner
Gordo	Hicklin	Moen	White
Clark of Linn	Hill	Myers	Wilson

Nays, none.

Absent or not voting, 7.

Beatty	Carroll	Ickis	Stanley
Carden	Doran	Irwin	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Cerro Gordo Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Bissell	Clark of	Cole
Baird	Blackford	Cerro Gordo	Cooney
Beatty	Booth	Clark of Marion	Coykendall
Bennett	Carden	Clearman	Frailey
Benson	Christophel	Cochrane	Gunderson

Hager	Langfitt	Patterson	Stoddard
Hicklin	Leonard	Quirk	Tabor
Hill	Lowe	Rigby	Topping
Kent	MacDonald	Ritchie	Wenner
Klemme	Moen	Stanley	White
Knudson	Myers	Stevens	Wilson

Nays, none.

Absent or not voting, 7.

Carroll	Doran	Irwin	McLeland
Clark of Linn	Ickis	Kimberly	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 299, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company as refunds for overpayment of taxes, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Cerro	Klemme	Quirk
Baird	Gordo	Knudson	Rigby
Beatty	Clark of Marion	Langfitt	Ritchie
Bennett	Clearman	Leonard	Stevens
Benson	Cochrane	Lowe	Tabor
Bissell	Cole	MacDonald	Topping
Blackford	Coykendall	McLeland	Wenner
Booth	Hager	Myers	White
Carden	Hill	Patterson	Wilson
Christophel	Kent		

Nays, none.

Absent or not voting, 13.

Carroll	Frailey	Ickis	Moen
Clark of Linn	Gunderson	Irwin	Stanley
Cooney	Hicklin	Kimberly	Stoddard
Doran			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Clearman	Kimberly	Rigby
Baird	Cochrane	Klemme	Ritchie
Bennett	Cole	Langfitt	Stanley
Benson	Cooney	Leonard	Stevens
Bissell	Coykendall	Lowe	Stoddard
Blackford	Frailey	MacDonald	Tabor
Carden	Gunderson	McLeland	Topping
Christophel	Hager	Moен	Wenner
Clark of	Hicklin	Myers	White
Cerro Gordo	Hill	Patterson	Wilson
Clark of Marion			

Nays, none.

Absent or not voting, 10.

Beatty	Clark of Linn	Irwin	Knudson
Booth	Doran	Kent	Quirk
Carroll	Ickis		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise, executrix of the estate of A. M. Blaise, for balance due for rental on an armory erected and constructed for and leased to Troop E. First Iowa Cavalry, Iowa National Guard, with report of appropriations

committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Linn	Klemme	Ritchie
Baird	Clark of Marion	Knudson	Stanley
Beatty	Clearman	Langfitt	Stevens
Bennett	Cochrane	Leonard	Stoddard
Benson	Cole	Lowe	Tabor
Bissell	Cooney	MacDonald	Topping
Blackford	Coykendall	McLeland	Wenner
Carden	Gunderson	Myers	White
Christophel	Hager	Patterson	Wilson
Clark of Cerro Gordo	Kimberly	Rigby	

Nays, none.

Absent or not voting, 11.

Booth	Frailey	Ickis	Moen
Carroll	Hicklin	Irwin	Quirk
Doran	Hill	Kent	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 406, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service, an appropriation committee bill, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Benson	Christophel	Clark of Marion
Baird	Bissell	Clark of Cerro Gordo	Clearman
Bennett	Carden		Cochrane

Cole	Klemme	Moen	Stoddard
Cooney	Knudson	Myers	Tabor
Coykendall	Langfitt	Patterson	Topping
Gunderson	Leonard	Rigby	Wenner
Hager	Lowe	Ritchie	White
Hill	MacDonald	Stanley	Wilson
Kimberly	McLeland		

Nays, none.

Absent or not voting, 13.

Beatty	Clark of Linn	Hicklin	Kent
Blackford	Doran	Ickis	Quirk
Booth	Frailey	Irwin	Stevens
Carroll			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger and A. E. McGlothlen, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend sec. 4 by providing publication in the Sloan Star and the Waterloo Evening Courier.

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Carden	Coykendall	Leonard
Baird	Clark of Cerro	Frailey	Lowe
Beatty	Gordo	Gunderson	MacDonald
Bennett	Clark of Marion	Hager	McLeland
Benson	Clearman	Hill	Moen
Bissell	Cochrane	Kimberly	Myers
Blackford	Cole	Klemme	Patterson
Booth	Cooney	Langfitt	Rigby

Ritchie
Stanley
Stevens

Stoddard
Tabor

Topping
Wenner

White
Wilson

Nays, none.

Absent or not voting, 10.

Carroll
Christophel
Clark of Linn

Doran
Hicklin
Ickis

Irwin
Kent

Knudson
Quirk

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Baird
Benson
Bissell
Blackford
Booth
Carden
Christophel
Clark of
Cerro Gordo
Clark of Marion

Clearman
Cochrane
Cooney
Coykendall
Gunderson
Hager
Hill
Kent
Kimberly
Klemme

Langfitt
Leonard
Lowe
MacDonald
McLeland
Moen
Myers
Patterson
Rigby

Ritchie
Stanley
Stevens
Stoddard
Tabor
Topping
Wenner
White
Wilson

Nays, none.

Absent or not voting, 13.

Anderson
Beatty
Bennett
Carroll

Clark of Linn
Cole
Doran

Frailey
Hicklin
Ickis

Irwin
Knudson
Quirk

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 321, a bill for an act to make appropriation to the Metz Construction Company, Springfield, Nebr., for legal services incurred in defending suit brought against the said company and the Iowa State Highway Commission, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Langfitt	Rigby
Baird	Clearman	Leonard	Ritchie
Beatty	Cochrane	Lowe	Stanley
Bennett	Cooney	MacDonald	Stevens
Benson	Coykendall	McLeland	Stoddard
Bissell	Frailey	Moen	Topping
Booth	Hill	Myers	Wenner
Christophel	Kent	Patterson	White
Clark of Cerro	Klemme	Quirk	Wilson
Gordo	Knudson		

Nays, none.

Absent or not voting, 13.

Blackford	Cole	Hager	Irwin
Carden	Doran	Hicklin	Kimberly
Carroll	Gunderson	Ickis	Tabor
Clark of Linn			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 252, a bill for an act to make appropriation to the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Corn Show or Farmers Institute, and the Johnson County Poultry Show, with report of appropriations committee recom-

mending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clearman	Klemme	Quirk
Baird	Cochrane	Knudson	Rigby
Beatty	Cooney	Langfitt	Ritchie
Bennett	Coykendall	Leonard	Stanley
Benson	Frailey	Lowe	Stevens
Bissell	Gunderson	MacDonald	Stoddard
Blackford	Hicklin	McLeland	Wenner
Booth	Hill	Myers	White
Christophel	Kent	Patterson	Wilson
Clark of Marion			

Nays, none.

Absent or not voting, 13.

Carden	Clark of Linn	Ickis	Moen
Carroll	Cole	Irwin	Tabor
Clark of	Doran	Kimberly	Topping
Cerro Gordo	Hager		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MRS. ED. H. CAMPBELL MEMORIAL

SENATE CONCURRENT RESOLUTION NO. 1'

The following resolution was submitted:

Be It Resolved by the Senate, the House concurring, That the word of the death of the wife of Congressman Ed. H. Campbell of the Eleventh Congressional District and a former member of this General Assembly, is received with deep sorrow on the part of the members of the Forty-fourth General Assembly;

That we extend to Congressman Campbell; to his son, Ed. Jr.; to the members of the family of Mrs. Campbell; and to her many friends, our most sincere regret and expression of condolence at this hour of great bereavement;

That the President of the Senate and the Speaker of the House name a committee to procure and send a suitable floral tribute as a token of our profound sympathy at the passing of the wife of a former member of this General Assembly.

LEW MACDONALD.

O. P. BENNETT.

B. M. STODDARD.

T. E. MOEN.

L. T. QUIRK.

By unanimous consent of the Senate the resolution was considered, and was unanimously adopted by a rising vote.

The President appointed as such committee on the part of the Senate, Senators MacDonald, Bennett and Stoddard.

The Journal of April 6th was corrected and approved.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

H. F. 442, By Tamisiea, Greene, Forsling, Rutledge and Husted, redistricting the state into nine congressional districts.

S. F. 423, By Senate Sifting Committee, senatorial redistricting.

S. F. 308, By Clark of Linn, relating to taxation of jury fees.

S. F. 325, By Wenner, relating to the duties of city manager.

S. F. 394, By Fish and Game Committee, relating to the closed season on game birds.

H. F. 197, By Fabritz, relating to general duties of county officers, deputies, and clerks.

H. F. 198, By Ditto and Mead, relating to county aid for county agricultural societies.

H. F. 249, By Hayes and Orr, relating to bonds required for commercial fishermen.

H. F. 268, By Helgason, relieving the county treasurer from listing delinquent special assessments.

W. S. BAIRD, *Chairman.*

AMENDMENT FILED

MR. PRESIDENT: I move to amend House File No. 38 by striking out all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952), inclusive, Code, 1927, are amended by adding immediately after said section sixty-nine hundred fifty-two (6952) the following, to-wit:

'6952-d1. Suspended tax list. The county auditor shall keep and maintain in his office a book which shall be known as the "Suspended Tax List" and in which he shall enter the following data relative to all taxes, and polls, the collection of which have been suspended by order of the board of supervisors, to-wit:

1. A governmental or platted description of the land on which the said tax has been levied or on which it is a lien.
2. The name of the owner of said land.
3. The amount, and current year, of said tax.
4. The date of the order suspending collection of said tax.

Said book shall be so prepared, ruled, and headed that all entries of taxes and polls against the land in a given section or in a given city or town plat, addition, or auditor's plat shall be separate from the entry of taxes against the land in any other section, or city or town plat, addition, or auditor's plat.

The county auditor shall, prior to January 1, 1932, enter in said book the aforesaid data as to all unpaid, uncanceled and unremitted taxes, and polls, the collection of which have been ordered suspended by the board of supervisors since July 4, 1921. The data relative to all other suspended taxes and polls shall be entered immediately following the entry of such suspension.

If a tax or poll on said book be paid, or be subsequently legally cancelled and remitted, the auditor shall enter in said book and over his official signature a satisfaction thereof.'

Sec. 2. This act being deemed of immediate importance shall become effective upon publication in the Emmetsburg Democrat, a newspaper published at Emmetsburg, Iowa, and The Sabula Gazette, a newspaper published at Le Mars, Iowa."

C. F. CLARK.

On motion of Senator Cooney the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 8, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. J. L. Ralston, pastor of the Methodist Episcopal Church of Lake City.

LEAVE OF ABSENCE

By unanimous consent of the Senate Senator Bennett was excused to attend the funeral of Mrs. Ed. H. Campbell.

By unanimous consent of the Senate Senator Carroll was excused to act on the special investigating committee.

MEMORIAL SERVICE

Senator Moen moved that the memorial service be held Monday, the 13th, at 10 a. m.

The motion prevailed.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wilson, from residents of Polk county, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Carden, from residents of New London and Mt. Pleasant, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Christophel, from residents of Sumner, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Knudson, from residents of Hardin county, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Hager, from residents of Oelwein, Hawkeye, and West Union, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Cooney, from residents of Dubuque county, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator White, from residents of Benton county, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Kent, from residents of Wayne county, opposing the county assessor plan. Tax revision.

By Senator Clark of Cerro Gordo, from residents of Franklin county, opposing a reduction in the present plan of vocational education. Appropriations.

By Senator Leonard, from residents of Bedford, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Clark of Marion, from residents of Knoxville, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Rigby, from residents of Cedar county, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Clearman, from residents of Johnson county, Williamsburg, Marengo, North English, and Ladora, opposing the levy of an additional tax on cigarettes. Tax revision.

By Senator Wenner, from citizens of Black Hawk county, opposing an additional tax on cigarettes. Tax revision.

By Senator Lowe, from citizens of Milo and Woodburn, favoring legislation restricting motor busses. Motor vehicles.

By Senator Blackford, from the citizens of Jefferson county, opposing an additional tax on cigarettes. Tax revision.

By Senator Stevens, from citizens of Ottumwa, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clark of Cerro Gordo, from citizens of Cerro Gordo county, opposing an additional tax on cigarettes. Tax revision.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as members of the conference committee, on the part of the House, on House File No. 121, a bill for an act providing legal help in court actions to which the state highway commission is a party: Representatives Forsling, Wamstad, Reimers and Kern.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 16, memorializing the Congress of the United States to pass a bill similar to the Shipstead-Mansfield bill for the adequate financing and speedy completion of the river and harbor projects heretofore adopted by Congress.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 17, relative to the death of Mrs. Ed. H. Campbell. The Speaker of the House appointed the following committee: Representatives TePaske, Forsling and Berry.

SAM C. RAGAN, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Benson Senate File No. 368, a bill for an act to amend the law as it appears in section four thousand six hundred thirty-three (4633) of the Code of 1927, relative to the maintenance and improvement of highways on lands of the state and highways on which such lands abut, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Baird	Clark of	Coykendall	Knudson
Benson	Cerro Gordo	Hager	Langfitt
Bissell	Clark of Marion	Hicklin	Leonard
Blackford	Clearman	Hill	Lowe
Booth	Cochrane	Kent	McLeland
Carden	Cole	Kimberly	Moen
Christophel	Cooney	Klemme	Myers

Patterson
Quirk
Rigby

Stanley
Stevens
Stoddard

Tabor
Wenner

White
Wilson

Nays, none.

Absent or not voting, 13.

Anderson
Beatty
Bennett
Carroll

Clark of Linn
Doran
Frailey

Gunderson
Ickis
Irwin

MacDonald
Ritchie
Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 133, a bill for an act to amend section fifty-eight hundred twenty-nine-a twelve (5829-a12) of the code, 1927, relating to the approval of plats so as to require the recommendations of the city plan commission with reference to proposals to vacate any street, alley or public ground, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson
Baird
Beatty
Benson
Bissell
Blackford
Booth
Carden
Christophel
Clark of Marion

Clearman
Cochrane
Cole
Cooney
Coykendall
Gunderson
Hager
Hicklin
Kent

Kimberly
Klemme
Knudson
Langfitt
Leonard
Lowe
McLeland
Moen
Myers

Quirk
Rigby
Stanley
Stevens
Stoddard
Tabor
Wenner
White
Wilson

Nays, none.

Absent or not voting, 13.

Bennett
Carroll
Clark of
Cerro Gordo

Clark of Linn
Doran
Frailey
Hill

Ickis
Irwin
MacDonald

Patterson
Ritchie
Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 369, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith, an appropriations committee bill, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Linn	Hill	Quirk
Baird	Clark of Marion	Kimberly	Rigby
Beatty	Clearman	Klemme	Ritchie
Benson	Cochrane	Knudson	Stanley
Bissell	Cole	Langfitt	Stevens
Blackford	Cooney	Leonard	Stoddard
Booth	Coykendall	Low	Tabor
Carden	Doran	MacDonald	Wenner
Christophel	Gunderson	McLeland	White
Clark of	Hager	Myers	Wilson
Cerro Gordo	Hicklin	Patterson	

Nays, none.

Absent or not voting, 8.

Bennett	Frailey	Irwin	Moen
Carroll	Ickis	Kent	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Beatty House File No. 454, a bill for an act to amend section twelve thousand eight hundred twenty-three (12823), Code, 1927, relating to appeals to the supreme

court, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Beatty moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clearman	Klemme	Quirk
Beatty	Cochrane	Knudson	Rigby
Benson	Cole	Langfitt	Ritchie
Bissell	Cooney	Leonard	Stanley
Blackford	Coykendall	Lowe	Stevens
Booth	Doran	MacDonald	Stoddard
Christophel	Gunderson	McLeland	Tabor
Clark of	Hager	Moen	Wenner
Cerro Gordo	Hicklin	Myers	White
Clark of Linn	Hill	Patterson	Wilson
Clark of Marion	Kent		

Nays, none.

Absent or not voting, 9.

Baird	Carroll	Ickis	Kimberly
Bennett	Frailey	Irwin	Topping
Carden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Clark of Cerro Gordo House File No. 67, a bill for an act to readjust the terms of office of certain of the members of the Board of Supervisors of Hancock County, Iowa, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Bissell	Christophel	Cole
Baird	Blackford	Clark of	Coykendall
Beatty	Booth	Cerro Gordo	Doran
Benson	Carden	Cochrane	Gunderson

Hicklin	Knudson	Patterson	Tabor
Hill	Langfitt	Quirk	Topping
Ickis	Leonard	Ritchie	Wenner
Kent	Lowe	Stanley	White
Kimberly	Moen	Stevens	Wilson
Klemme	Myers	Stoddard	

Nays, 1.

Clark of Marion

Absent or not voting, 11.

Bennett	Clearman	Hager	McLeland
Carroll	Cooney	Irwin	Rigby
Clark of Linn	Frailey	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Cerro Gordo moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson House File No. 334, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1927, relating to the refunding of the tax on gasoline, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Kent	Quirk
Baird	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cooney	Knudson	Stevens
Blackford	Coykendall	Langfitt	Stoddard
Booth	Doran	Leonard	Tabor
Carden	Gunderson	Lowe	Topping
Christophel	Hager	McLeland	Wenner
Clark of Cerro Gordo	Hicklin	Moen	White
Clark of Linn	Hill	Myers	Wilson
	Ickis	Patterson	

Nays, none.

Absent or not voting, 8.

Beatty	Carroll	Frailey	MacDonald
Bennett	Cole	Irwin	Rigby

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Benson Senate File No. 418, a bill for an act to amend chapter twenty (20) of the Laws of the Forty-third General Assembly relating to the improvement of secondary roads, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Marion	Kent	Quirk
Baird	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stanley
Bissell	Cole	Knudson	Stevens
Blackford	Doran	Langfitt	Stoddard
Booth	Gunderson	Leonard	Tabor
Carden	Hager	Lowe	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of	Hill	Myers	White
Cerro Gordo	Ickis	Patterson	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Clark of Linn	Frailey	Moen
Bennett	Cooney	Irwin	Rigby
Carroll	Coykendall	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 260, a bill for an act to amend section thirty-eight hundred (3800), Code, 1927, relating to suspensions, by the court, of sentence in criminal cases, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Cochrane	Kent	Myers
Baird	Cole	Kimberly	Quirk
Beatty	Cooney	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Doran	Langfitt	Stevens
Blackford	Gunderson	Leonard	Stoddard
Booth	Hager	Lowe	Topping
Carden	Hicklin	MacDonald	Wenner
Christophel	Hill	McLeland	White
Clark of Linn	Ickis	Moen	Wilson
Clearman			

Nays, none.

Absent or not voting, 9.

Bennett	Clark of	Clark of Marion	Patterson
Carroll	Cerro Gordo	Frailey	Rigby
		Irwin	Tabor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hill Senate File No. 280, a bill for an act to amend Section fifty-two hundred forty-one (5241) Chapter two hundred sixty-two (262), of the Code, 1927, to authorize the giving of either a bond or a liability policy by deputies, was taken up and considered, action having been deferred April 7th.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Rule 8 was invoked.

By unanimous consent of the Senate, Senator Clark of Cerro Gordo was excused from voting.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Coykendall	Klemme	Rigby
Baird	Doran	Knudson	Ritchie
Benson	Gunderson	Langfitt	Stevens
Blackford	Hager	Leonard	Stoddard
Booth	Hicklin	MacDonald	Tabor
Carden	Hill	Moen	Topping
Christophel	Ickis	Myers	Wenner
Clark of Linn	Kent	Patterson	White
Clearman	Kimberly	Quirk	Wilson
Cochrane			

Nays, 6.

Beatty	Clark of Marion	Lowe	Stanley
Bissell	Cooney		

Absent or not voting, 7.

Bennett	Clark of	Cole	Irwin
Carroll	Cerro Gordo	Frailey	McLeland

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Linn Senate File No. 404, a bill for an act to amend the law as the same appears in Section fourteen hundred forty-four (1444) of the Code, 1927, relating to the taking of depositions in Workmen's Compensation cases, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Linn	Ickis	Rigby
Baird	Clark of Marion	Kent	Ritchie
Beatty	Clearman	Kimberly	Stanley
Benson	Cochrane	Klemme	Stevens
Bissell	Cooney	Langfitt	Stoddard
Blackford	Coykendall	Leonard	Tabor
Booth	Doran	Lowe	Topping
Carden	Gunderson	Moen	Wenner
Christophel	Hager	Myers	White
Clark of	Hicklin	Patterson	Wilson
Cerro Gordo	Hill	Quirk	

Nays, none.

Absent or not voting, 8.

Bennett
Carroll

Cole
Frailey

Irwin
Knudson

MacDonald
McLeland

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson House File No. 377, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act, returned by the sifting committee, was taken up and considered.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by striking from paragraph one (1) section one (1) the words "as motor vehicle fuel" where same follows the word "used" in the last sentence and substitute in lieu thereof the words "to propel a motor vehicle".

The amendment was adopted.

The following amendment proposed by the committee on commerce and trade was considered:

Amend by striking all of section 10 and substituting in lieu thereof the following:

Sec. 10. Pipe lines. No wholesale dealer, retail dealer or other person shall, within this state, use the same pipe line, for transferring motor vehicle fuel from one container to another, as that used for transferring kerosene or other inflammable product used for open flame illuminating or heating purposes.

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clark of Linn	Ickis	Patterson
Baird	Clark of Marion	Kent	Quirk
Beatty	Clearman	Kimberly	Rigby
Benson	Cochrane	Klemme	Ritchie
Bissell	Cole	Knudson	Stanley
Blackford	Cooney	Langfitt	Stevens
Booth	Doran	Leonard	Stoddard
Carden	Gunderson	Lowe	Tabor
Christophel	Hager	MacDonald	Wenner
Clark of	Hicklin	Moen	White
Cerro Gordo	Hill	Myers	Wilson

Nays, none.

Absent or not voting, 7.

Bennett	Coykendall	Irwin	Topping
Carroll	Frailey	McLeland	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 117 MADE SPECIAL ORDER

By unanimous consent on request of Senator Knudson Senate File No. 117, relative to exemptions from taxation, was made a special order for Thursday at 10:00 a. m.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 319, a bill for an act to authorize and to require the repayment to counties from the primary road fund of the amount paid by said counties by direct taxation in order to retire bonds issued for the hard surfacing of primary roads in said counties, said payments by direct taxation being made necessary by the fact that the county's allotment of the primary road fund and the assessments on benefited property were insufficient to pay the principal and interest of said bonds as they matured, returned by the sifting committee, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend sec. 1 by striking from line 11 the word and figure "five (5)" and inserting in lieu thereof the word and figure "ten (10)".

The amendment was adopted.

Senator Iekis moved the previous question, which motion prevailed.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 16.

Baird	Coykendall	MacDonald	Stanley
Clark of	Hill	Moen	Stoddard
Cerro Gordo	Kimberly	Quirk	Wenner
Clark of Linn	Klemme	Rigby	Wilson
Cooney			

Nays, 28.

Anderson	Clark of Marion	Iekis	Myers
Beatty	Clearman	Kent	Patterson
Benson	Cochrane	Knudson	Ritchie
Blackford	Cole	Langfitt	Stevens
Booth	Doran	Leonard	Tabor
Carden	Gunderson	Lowe	Topping
Christophel	Hager	McLeland	White

Absent or not voting, 6.

Bennett	Carroll	Hicklin	Irwin
Bissell	Frailey		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Benson moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: Having voted in the affirmative on Senate File No. 280 adopted April 8, 1931, after having changed my negative vote to an affirmative one for the purpose of filing a motion for re-consideration, I now move a re-consideration of the vote by which the bill passed the Senate.

EDW. J. WENNER.

On motion of Senator Knudson the Senate adjourned until 2:00 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Pro Tem Wm. E. McLeland presiding.

On motion of Senator Wenner Senate File No. 332, a bill for an act to amend Section five hundred forty-seven (547) of the Code of 1927, relating to the filing of nomination papers by candidates for office in any subdivision of a county, including the office of party committeeman, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Kent	Patterson
Baird	Clearman	Kimberly	Quirk
Beatty	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Ritchie
Bissell	Cooney	Langfitt	Stoddard
Blackford	Doran	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carden	Hager	MacDonald	Wenner
Clark of Cerro Gordo	Hicklin	McLeland	White
Clark of Linn	Hill	Moen	Wilson
	Ickis	Myers	

Nays, 2.

Coykendall Stevens

Absent or not voting, 6.

Bennett	Christophel	Irwin	Stanley
Carroll	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 333, a bill for an

act to amend Section five thousand eight hundred eighteen (5818) of the Code of 1927, and Section five thousand eight hundred twenty-two (5822) of the Code of 1927, relating to River Front Improvement Commission, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clark of Marion	Kimberly	Quirk
Baird	Clearman	Klemme	Rigby
Beatty	Cochrane	Knudson	Ritchie
Benson	Cole	Langfitt	Stevens
Bissell	Cooney	Leonard	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Gunderson	McLeland	Topping
Carden	Hicklin	Moen	Wenner
Clark of	Hill	Myers	White
Cerro Gordo	Ickis	Patterson	Wilson
Clark of Linn	Kent		

Nays, none.

Absent or not voting, 9.

Bennett	Coykendall	Hager	MacDonald
Carroll	Frailey	Irwin	Stanley
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clearman House File No. 203, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township funds, returned by the sifting committee, was taken up and considered.

The following amendment proposed by the committee on county and township affairs, was considered:

Amend by inserting after the word "districts" and before the quotation mark, in paragraph two (2) of section one (1) the words "pro rata".

The amendment was adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clark of Marion	Kent	Quirk
Baird	Clearman	Kimberly	Rigby
Beatty	Cochrane	Knudson	Ritchie
Benson	Cole	Langfitt	Stevens
Bissell	Cooney	Leonard	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Doran	McLeland	Topping
Carden	Hager	Moen	Wenner
Clark of	Hicklin	Myers	White
Cerro Gordo	Hill	Patterson	Wilson
Clark of Linn	Ickis		

Nays, none.

Absent or not voting, 9.

Bennett	Frailey	Irwin	MacDonald
Carroll	Gunderson	Klemme	Stanley
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hill Senate File No. 323, a bill for an act to amend the law as it appears in section forty-nine hundred twenty (4920) of the code, 1927, relating to license fees for motor vehicle trailers, returned by the sifting committee, was taken up and considered.

The following amendment proposed by the committee on motor vehicles was considered:

Strike out all after the fourth line and insert the following in lieu thereof: "Or trailers attached to or drawn by a passenger vehicle and with a load of not more than fifteen hundred pounds and when used by the owner only, in transporting his own property."

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend sec. 1 by striking from line 4 the word and figure "three (3)" and inserting in lieu thereof the word and figure "four (4)".

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. That the law as it appears in section forty-nine hundred twenty (4920) of the code, 1927, be and the same is hereby amended by striking the words "or with a loading capacity of less than one thousand pounds" and insert in lieu thereof the following:

"or trailers attached to or drawn by a passenger vehicle and with a load of not more than fifteen hundred pounds and when used by the owner only, in transporting his own property."

The amendment was adopted.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Cooney	Klemme	Quirk
Beatty	Coykendall	Knudson	Rigby
Benson	Doran	Langfitt	Ritchie
Bissell	Gunderson	Leonard	Stevens
Blackford	Hager	Lowe	Stoddard
Carden	Hicklin	MacDonald	Tabor
Clark of Linn	Hill	McLeland	Topping
Clearman	Ickis	Moen	Wenner
Cochrane	Kent	Myers	White
Cole	Kimberly	Patterson	

Nays, none.

Absent or not voting, 11.

Anderson	Carroll	Clark of Marion	Stanley
Bennett	Christophel	Frailey	Wilson
Booth	Clark of	Irwin	
	Cerro Gordo		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 235, a bill for an act to amend section two hundred thirty-nine (239), Code, 1927, relating to the free distribution of the reports of the supreme court, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Cochrane	Klemme	Quirk
Baird	Cole	Knudson	Rigby
Beatty	Doran	Langfitt	Ritchie
Benson	Gunderson	Lowe	Stevens
Bissell	Hager	MacDonald	Stoddard
Blackford	Hicklin	McLeland	Tabor
Booth	Ickis	Moen	Wenner
Carden	Kent	Myers	White
Clark of Marion	Kimberly	Patterson	Wilson

Nays, none.

Absent or not voting, 14.

Bennett	Clark of	Cooney	Irwin
Carroll	Cerro Gordo	Coykendall	Leonard
Christophel	Clark of Linn	Frailey	Stanley
	Clearman	Hill	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator MacDonald House File No. 337, a bill for an act to amend chapter five hundred nine (509) of the code of 1927 relating to the accounting of executors and administrators and to the compensation and expenses allowed executors, admin-

istrators, guardians, trustees, receivers and their attorneys, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Kent	Myers
Baird	Clearman	Kimberly	Patterson
Benson	Cochrane	Klemme	Quirk
Bissell	Cole	Knudson	Rigby
Blackford	Cooney	Langfitt	Ritchie
Booth	Coykendall	Leonard	Stoddard
Carden	Doran	Lowe	Wenner
Clark of	Hager	MacDonald	White
Cerro Gordo	Hicklin	McLeland	Wilson
Clark of Linn	Ickis		

Nays, none.

Absent or not voting, 13.

Beatty	Frailey	Irwin	Stevens
Bennett	Gunderson	Moen	Tabor
Carroll	Hill	Stanley	Topping
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Anderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

RECONSIDERATION OF SENATE FILE NO. 280

Senator Hill moved to take from the table the motion to reconsider the vote by which Senate File No. 280 passed the Senate.

The motion prevailed.

Senator Hill moved to reconsider the vote by which the bill passed the Senate.

On the question "Shall the motion to reconsider prevail?" the vote was:

Ayes, 40.

Anderson	Clark of Linn	Hill	Myers
Baird	Clark of Marion	Kent	Patterson
Beatty	Clearman	Klemme	Rigby
Benson	Cochrane	Knudson	Ritchie
Bissell	Cole	Langfitt	Stevens
Blackford	Cooney	Leonard	Stoddard
Booth	Coykendall	Lowe	Tabor
Carden	Doran	MacDonald	Topping
Christophel	Gunderson	McLeland	Wenner
Clark of Cerro Gordo	Hager	Moen	Wilson

Nays, none.

Absent or not voting, 10.

Bennett	Hicklin	Kimberly	Stanley
Carroll	Ickis	Quirk	White
Frailey	Irwin		

The motion prevailed.

Senator Hill moved to reconsider the vote by which the bill passed to its third reading, which motion prevailed.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking Section one (1) and inserting in lieu thereof the following:

Section 1. That section fifty-two hundred forty-one (5241) of the Code of 1927 be amended by adding thereto the following: "Provided that the bond of sheriffs' deputies shall be either a bond or liability policy as may be required by the sheriff with the approval of the board of supervisors."

The amendment was adopted.

Senator Hill moved that the reading had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Christophel	Cooney	Kimberly
Baird	Clark of	Coykendall	Knudson
Beatty	Cerro Gordo	Doran	Langfitt
Benson	Clark of Linn	Gunderson	Leonard
Bissell	Clark of Marion	Hager	Lowe
Blackford	Clearman	Hill	MacDonald
Booth	Cochrane	Ickis	McLeland
Carden	Cole	Kent	Moen

Myers
Patterson
Quirk

Rigby
Ritchie
Stevens

Stoddard
Tabor

Topping
Wenner

Nays, none.

Absent or not voting, 9.

Bennett
Carroll
Frailey

Hicklin
Irwin

Klemme
Stanley

White
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Ickis Senate File No. 394, a bill for an act to amend Section seventeen hundred sixty-seven (1767), Chapter eighty-six (86), Code of 1927, relative to the closed season on game birds, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Ickis moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson
Baird
Beatty
Benson
Bissell
Blackford
Booth
Carden
Christopher
Clark of
Cerro Gordo

Clark of Linn
Clark of Marion
Clearman
Cochrane
Cole
Cooney
Coykendall
Hager
Hicklin
Hill
Ickis

Kent
Kimberly
Klemme
Knudson
Langfitt
Leonard
Lowe
MacDonald
McLeland
Moen

Myers
Patterson
Quirk
Rigby
Ritchie
Stevens
Stoddard
Tabor
Topping
Wenner

Nays, none.

Absent or not voting, 9.

Bennett
Carroll
Doran

Frailey
Gunderson

Irwin
Stanley

White
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ickis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 12, by committee on reduction of expenditures, A Joint Resolution, to Establish a Committee Composed of Three Members of the Senate and Three from the House of Representatives and Three from the State at large to make a Thorough Study and Investigation of State, County, Township, City and Town Governments for the Reduction of the Expenditure of Public Funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an Appropriation to Defray the Expenses of such Committee.

Read first and second times and referred to committee on appropriations.

REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks for damages resulting from an injury due to the negligent maintenance of a highway, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 320, a bill for an act to make an appropriation to Mrs. K. E. Anderson, for services rendered to the state by her deceased husband, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts,

begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and Etta S. Minert and Phyllis S. Davenport, as executrices under the will of Adeline C. Schreiner, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 415, a bill for an act to make an appropriation to Ethel F. Katz, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned members of the Senate, respectfully request a call of the Senate for the consideration of Senate File No. 117.

I. H. KNUDSON	L. T. QUIRK
O. E. GUNDERSON	W. E. MCLELAND
GEO. W. CHRISTOPHEL	C. E. ANDERSON
E. W. CLARK	GEO. A. WILSON
C. F. CLARK	E. R. HICKLIN
G. W. PATTERSON	ARTHUR LEONARD
T. E. MOEN	L. H. DORAN
ROY E. STEVENS	W. R. RITCHIE

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. 168, By Myers, relating to the reference and examination of accounts of executors.

S. F. 282, By Rigby, applying the provisions of the workmen's compensation law to employes of state-owned farms.

S. F. 341, By Baird, referring to payment of delinquent taxes by tax purchases.

S. F. 424, By Senate Sifting Committee, relating to the auditing of accounts of the state highway commission.

S. F. 425, By Senate Sifting Committee, legalizing the proceedings of the sherrils Mound Mutual Fire Insurance Company.

S. F. 426, By Senate Sifting Committee, relating to fraternal beneficiary societies.

H. F. 38, By Allen, relating to suspension, cancellation, or remission of taxes.

H. F. 302, By Committee on Cities and Towns, creating a park board in cities having a population of 125,000 or more.

H. F. 309, By Allen and Hanson of Winnebago, regulating the buying for the market, or transportation for hire of certain livestock.

H. F. 344, By Short and Forsling, providing for construction, purchase and maintenance of interstate bridges.

H. F. 392, By Kern, relating to partition procedure.

W. S. BAIRD, *Chairman*

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 368 by adding to Section 1 the following:

This section shall not apply to a school district in which the tax payable in 1931 for the general school fund was at least five per cent less than the amount which might have been legally levied.

WM. E. MCLELAND.

MR. PRESIDENT: I wish to amend House File No. 368 by striking all after the enacting clause and substituting in lieu thereof the following:

The taxing bodies in all taxing districts in the state, including townships, school districts, cities, towns, counties and special charter cities, except taxing districts in which the gross expenditures for operation and maintenance for the year beginning in 1930 did not exceed the average annual expenditures for the same purposes during the four years prior to 1930, and in rural independent school districts, school townships and other school districts which maintain only a one-teacher school, where the per teacher cost for operating and maintaining the schools, not including payments for tuition to high schools as provided for in section 4277, code of Iowa, for the year 1931, does not exceed the average annual per teacher cost for the four years prior to 1930-31, and in all other school districts where the average annual per pupil cost for operating and maintaining the schools in the year 1930-31 does not exceed the average annual per

pupil cost for the four years prior to 1930-31, shall after computing said tax rates as provided in sections 7162 to 7170 of the code of 1927, reduce all of said rates and levies so that the total funds to be raised by taxation in school districts in 1931-32 and 1932-33 and in other taxing districts in 1932 and 1933 shall not exceed in school districts the average per pupil cost for said purposes during the four years prior to 1930-31 and in other taxing districts shall not exceed the average annual amount thus raised for said purposes during the four years prior to 1931.

C. L. RIGBY.

MR. PRESIDENT: I wish to amend Senate File No. 423 by striking the word, "Keokuk" from line 26 and inserting in lieu thereof the word, "Iowa".

2. In line 30 after the word, "county" insert the words, "Keokuk county".

3. By striking from line 48 thereof the words, "Cedar county,".

4. By striking the words, "Iowa county" from line 50 and inserting in lieu thereof the words, "Cedar county".

C. L. RIGBY.

MR. PRESIDENT: Amend Senate File 115 by adding after the comma at the end of line 7 of Section 1 the following words, "ski tournament".

G. W. PATTERSON.

MR. PRESIDENT: I move to amend Senate File No. 417 by striking out of line four (4) of Section thirteen (13) the words "surfaced with paving" and insert in lieu thereof "hard surface".

Also in line five (5) strike out the word "pavement" and insert the words "hard surfacing".

H. C. WHITE.

MR. PRESIDENT: I move to amend Senate File No. 117 by striking out the period after the word "companies" in line 8 of Section 1 and adding the following:

"providing that no tax shall be assessed or collected against any corporation enumerated in Section 1 which is organized or shall be organized hereafter under the laws of the State of Iowa."

E. W. CLARK.

MR. PRESIDENT: I move to amend House File No. 368 by striking out of Section 1 all after the comma (,) in line 13 and inserting in lieu thereof the following:

"Provided, however, that the provisions of this act shall not affect mandatory levies or payments, the amounts of which are fixed by statute,

or taxes levied for the purpose of paying interest and/or maturing principal on bonds issued prior to the passage of this act."

C. F. CLARK.

The Journal of April 7th was corrected and approved.

On motion of Senator Baird the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 9, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Earnest B. Mounsey, rector of the Christ Episcopal Church of Waterloo.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Langfitt for the day, on request of Senator Benson; Senator Irwin for the day, on request of Senator Lowe.

By unanimous consent of the Senate, Senators Doran, Carroll and Baird were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Booth, from residents of Cass county, opposing an additional tax on cigarettes. Tax revision.

By Senator Clark of Cerro Gordo, from citizens of Hancock county, opposing an additional tax on cigarettes. Tax revision.

By Senator Doran, from residents of Boone county, opposing an additional tax on cigarettes. Tax revision.

By Senator Bissell, from residents of Dallas county, opposing an additional tax on cigarettes. Tax revision.

By Senator Myers, from residents of Jasper county, opposing an additional tax on cigarettes. Tax revision.

By Senator Clark of Marion, from residents of Marion county, favoring restriction of motor busses. Motor vehicles.

By Senator Benson, from residents of Elkader, opposing a reduction in the present vocational education program. Appropriations.

By Senator Hill, from residents of Floyd county, opposing an additional tax on cigarettes. Tax revision.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the governor stating that on April 8, 1931, he had approved the following bills:

Senate File No. 108, relating to intra-state shipments.

Senate File No. 142, relating to schools and school districts.

Senate File No. 279, relating to school funds.

Senate File No. 344, relating to insurance other than life.

Senate File No. 67, relating to physicians' reports of injured persons.

CONFERENCE APPOINTMENT ON SENATE FILE NO. 133

On account of the illness of Senator Irwin, the President appointed Senator Hicklin as a member of the conference committee on Senate File No. 133.

On motion of Senator McLeland the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

HOUSE CONCURRENT RESOLUTION NO. 14

By unanimous consent on request of Senator Anderson House Concurrent Resolution No. 14 was substituted for Senate Concurrent Resolution No. 13 and was taken up and considered.

Action was deferred.

INTRODUCTION OF BILLS

Senate File No. 424, by sifting committee, a bill for an act

to amend, revise and codify section forty-seven hundred fifty-five-b twenty (4755-b 20), Code, 1927, relating to the auditing of accounts of the state highway commission.

Read first and second times and placed on the calendar.

Senate File No. 425, by sifting committee, a bill for an act to legalize the proceedings of the Sherrills Mound Mutual Fire Insurance Company of Sherrill, Iowa.

Read first and second times and placed on the calendar.

Senate File No. 426, by sifting committee, a bill for an act to amend chapter four hundred two (402) of the Code of Iowa, 1927, relating to fraternal beneficiary societies, orders or associations.

Read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 527, 147, 129, 328, 415, 290, 131, House Joint Resolution No. 6, and Senate File No. 177.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 527, 147, 129, 328, 415, 290, 131, House Joint Resolution No. 6, and Senate File No. 177.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 9th day of April, 1931, sent to the governor for his approval, Senate File No. 177.

E. R. HICKLIN, *Chairman*.

Report adopted.

THIRD READING OF BILLS

On motion of Senator Bennett, House File No. 227, a bill for an act to amend section nineteen hundred sixty-four (1964), code, 1927; to repeal section nineteen hundred sixty-five (1965), code, 1927, and to enact a substitute therefor, relating to second and subsequent convictions of violations of laws relating to intoxicating liquors; to broaden the present provisions of law relative to such convictions; and to prescribe the duties of county attorneys and of the courts with reference to said subject matter, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clark of Marion	Knudson	Stanley
Bennett	Clearman	Leonard	Stevens
Benson	Cochrane	Lowe	Stoddard
Bissell	Cole	McLeiland	Tabor
Blackford	Coykendall	Moen	Wenner
Booth	Gunderson	Myers	White
Christophel	Hill	Patterson	Wilson
Clark of	Ickis	Ritchie	
Cerro Gordo			

Nays, 3.

Cooney	Klemme	Topping
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Absent or not voting, 16.

Baird	Clark of Linn	Hicklin	Langfitt
Beatty	Doran	Irwin	MacDonald
Carden	Frailey	Kent	Quirk
Carroll	Hager	Kimberly	Rigby

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

There being a call of the Senate on Senate File No. 117, the roll call revealed the presence of all Senators except those previously excused.

On motion of Senator Knudson Senate File No. 117, a bill for an act to amend the law as it appears in section sixty-nine hundred forty-four (6944) of the code of 1927 relative to exemptions from taxation of the shares of capital stock of telegraph and telephone companies, freight line and equipment companies, transmission line companies as defined in section 7089, and express companies, returned by the sifting committee, was taken up and considered.

The following amendments proposed by the committee on tax revision were considered:

Amend by inserting after Sec. 2 the following:

"Sec. 3. Section seventy hundred thirty-four (7034) of the code, 1927, is amended by striking all after the word "business" in line twenty-three (23), and changing the semicolon (;) to a period (.).

"Sec. 4. Section seventy-one hundred (7100) of the code, 1927, is amended by adding after the word "chapter" in line seven (7), the following:

"Provided this section shall not affect the taxation of the capital stock of any company owning any such transmission line".

Further amend said Senate File No. 117 by renumbering the remaining section.

Also amend the title by inserting after the figures "(6944)" the following:

", section seventy hundred thirty-four (7034) and section seventy-one hundred (7100)".

The amendments were adopted.

Senator Clark of Cerro Gordo offered the following amendment and moved its adoption:

Amend by striking out the period after the word "companies" in line 8 of Section 1 and adding the following:

"providing that no tax shall be assessed or collected against any corporation enumerated in Section 1 which is organized or shall be organized hereafter under the laws of the State of Iowa."

Senator Anderson moved the previous question, which motion prevailed.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Hill	Quirk
Beatty	Clearman	Ickis	Rigby
Bennett	Cochrane	Kent	Stanley
Benson	Cole	Kimberly	Stevens
Blackford	Cooney	Klemme	Stoddard
Booth	Coykendall	Lowe	Tabor
Carden	Frailey	McLeland	Topping
Christophel	Gunderson	Moen	Wenner
Clark of Cerro Gordo	Hager Hicklin	Patterson	Wilson

Nays, 5.

Bissell	Leonard	Myers	Ritchie
Knudson			

Absent or not voting, 8.

Baird	Clark of Linn	Irwin	MacDonald
Carroll	Doran	Langfitt	White

The amendment was adopted.

Senator Anderson moved the previous question on the bill, which motion prevailed.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 23.

Anderson	Clark of Linn	Kent	Myers
Beatty	Coykendall	Knudson	Patterson
Bissell	Doran	Leonard	Quirk
Christophel	Gunderson	Lowe	Ritchie
Clark of Cerro Gordo	Hager Hill	McLeland Moen	Wenner White

Nays, 24.

Baird	Clark of Marion	Hicklin	Stanley
Bennett	Clearman	Ickis	Stevens
Benson	Cochrane	Kimberly	Stoddard
Blackford	Cole	Klemme	Tabor
Booth	Cooney	MacDonald	Topping
Carden	Frailey	Rigby	Wilson

Absent or not voting, 3.

Carroll	Irwin	Langfitt
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Hicklin moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird Senate File No. 421, a bill for an act relating to the sale of cigarettes, the licensing of dealers, the imposition and collection of a tax on the sale thereof; to amend sections fifteen hundred fifty-seven (1557), fifteen hundred sixty-one (1561), fifteen hundred sixty-three (1563), fifteen hundred seventy (1570), fifteen hundred seventy b-one (1570-b1), fifteen hundred seventy b-two (1570-b2), fifteen hundred seventy-one b-one (1571-b1), fifteen hundred seventy-two (1572), of the code of Iowa 1927; to provide for the imposition, levy, and collection of a tax on the sale of cigarettes, cigars, snuff and tobacco in all forms used for smoking or chewing; to provide for the licensing of dealers in such commodities and defining the duties and powers of the treasurer of state, and to provide penalties for violations of the provisions of chapter seventy-eight (78) of the code of Iowa 1927, and of this act, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 9.

Christophel	Gunderson	Moen	Rigby
Clark of Linn	Lowe	Myers	Stanley
Clearman			

Nays, 33.

Anderson	Clark of Marion	Ickis	Ritchie
Beatty	Cochrane	Kent	Stevens
Bennett	Cole	Kimberly	Stoddard
Benson	Cooney	Klemme	Tabor
Bissell	Coykendall	Knudson	Topping
Blackford	Frailey	McLeland	Wenner
Booth	Hager	Patterson	White
Clark of Cerro Gordo	Hicklin Hill	Quirk	Wilson

Absent or not voting, 8.

Baird	Carroll	Irwin	Leonard
Carden	Doran	Langfitt	MacDonald

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Topping moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

THIRD READING OF BILLS

On motion of Senator Bennett Senate File No. 256, a bill for an act to amend Section 11024 of the Code of 1927 relating to the recovery of real estate or to establish an interest therein, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Booth	Clark of Linn	Cooney
Beatty	Carden	Clark of Marion	Coykendall
Bennett	Christophel	Clearman	Frailey
Benson	Clark of Cerro Gordo	Cochrane	Hager
Blackford		Cole	Hicklin

Hill	Klemme	Moen	Tabor
Ickis	Leonard	Ritchie	Topping
Kent	Lowe	Stevens	Wenner
Kimberly	McLeland	Stoddard	White

Nays, none.

Absent or not voting, 15.

Baird	Gunderson	MacDonald	Rigby
Bissell	Irwin	Myers	Stanley
Carroll	Knudson	Patterson	Wilson
Doran	Langfitt	Quirk	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Frailey Senate File No. 267, a bill for an act to amend Chapter 259 of the Acts of the 43rd General Assembly relating to the investment of funds by executors, administrators, trustees and guardians and to prohibit the purchase of investments by such persons from themselves; and, if a corporation, from its officers, directors, employees, or from an affiliated corporation, and to provide a penalty for violations, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clark of Linn	Hill	Ritchie
Beatty	Clark of Marion	Ickis	Stanley
Bennett	Clearman	Kent	Stevens
Benson	Cochrane	Kimberly	Stoddard
Blackford	Cole	Klemme	Tabor
Booth	Cooney	Langfitt	Topping
Carden	Coykendall	Lowe	Wenner
Christophel	Frailey	McLeland	White
Clark of	Hager	Patterson	Wilson
Cerro Gordo	Hicklin	Quirk	

Nays, none.

Absent or not voting, 12.

Baird	Doran	Knudson	Moen
Bissell	Gunderson	Leonard	Myers
Carroll	Irwin	MacDonald	Rigby

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Frailey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 335, a bill for an act to repeal chapter one hundred sixty-two (162), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to the election and appointment of city and town officers, and to amend section fifty-six hundred thirty-nine (5639), Code, 1927, relating to the power of a mayor to hold police court, returned by the sifting committee, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking section 2 and renumbering sections 3 and 4 as sections 2 and 3.

The amendment was adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clark of	Ickis	Quirk
Beatty	Cerro Gordo	Kent	Ritchie
Bennett	Clark of Marion	Kimberly	Stanley
Benson	Clearman	Klemme	Stevens
Bissell	Cochrane	Langfitt	Stoddard
Blackford	Cole	Leonard	Tabor
Booth	Coykendall	Lowe	Topping
Carden	Frailey	McLeland	Wenner
Christophel	Hager	Moen	White
	Hicklin	Patterson	Wilson

Nays, none.

Absent or not voting, 12.

Baird	Cooney	Hill	MacDonald
Carroll	Doran	Irwin	Myers
Clark of Linn	Gunderson	Knudson	Rigby

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Frailey House File No. 364, a bill for an act to amend section seven (7), chapter one hundred ninety-two (192), acts of the forty-third (43) general assembly, relating to the management of public utilities in cities acting under special charters, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clark of Marion	Kent	Patterson
Beatty	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Ritchie
Benson	Cole	Knudson	Stanley
Blackford	Cooney	Langfitt	Stevens
Booth	Coykendall	Leonard	Stoddard
Carden	Frailey	Lowe	Tabor
Christophel	Gunderson	MacDonald	Topping
Clark of Cerro Gordo	Hager	McLeland	Wenner
Clark of Linn	Hicklin	Moen	White
	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 7.

Baird	Carroll	Hill	Rigby
Bissell	Doran	Irwin	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Clark of Linn House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special

charter, shall be reduced by five per cent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years, returned by the sifting committee, was taken up and considered.

Senator McLeland offered the following as a substitute for his amendment as found on page 1265 of Senate Journal of April 8th, and moved its adoption:

Amend by adding to Section 1 the following:

"In any school district in which the tax levied in 1930 for the general school fund was five per cent (5%) less than the amount which might have been legally levied, the general school fund tax levied in 1931 and 1932 may equal, but shall not exceed, the same percentage of the amount which might legally be levied during each of said years."

Senator Cooney offered the following as a substitute for the amendment and moved its adoption:

Amend by adding to section one the following:

"This section shall not apply to school districts."

Senator Clark of Linn raised the point of order that this substitute applied to the bill but was not germane as an amendment to the amendment now pending.

The President held the point not well taken.

Senator Blackford raised the point of order that the substitute amendment was not in proper form as it left parts of what was proposed to be stricken in the bill.

The President held the point well taken.

Senator Cooney offered the following as a substitute to the pending amendment and moved its adoption:

Amend by striking the words "school districts" wherever they appear in the bill.

Roll call was demanded on the substitute.

On the question "Shall the substitution be made?" the vote was:

Ayes, 21.

Baird	Carden	Clearman	Cooney
Benson	Christophel	Cochrane	Doran
Blackford	Clark of Marion	Cole	Frailey

Hager	Klemme	Patterson	Topping
Hicklin	MacDonald	Stanley	Wilson
Ickis			

Nays, 25.

Anderson	Gunderson	Lowe	Ritchie
Beatty	Kent	McLeland	Stevens
Bennett	Kimberly	Moen	Stoddard
Bissell	Knudson	Myers	Tabor
Booth	Langfitt	Quirk	Wenner
Clark of Linn	Leonard	Rigby	White
Coykendall			

Absent or not voting, 4.

Carroll	Clark of Cerro Gordo	Hill	Irwin
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The substitution was lost.

Senator McLeland offered the following amendment to the amendment and moved its adoption :

Amend by inserting before the words "five per cent" the words "at least".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

By unanimous consent on request of Senator Rigby, his amendment as found on page 1265 of the Senate Journal of April 8th, was withdrawn.

Senator Clark of Linn offered the following amendment and moved its adoption :

Amend by striking out of Section 1 all after the second comma (,) in line 13 and inserting in lieu thereof the following :

"Provided, however, that the provisions of this act shall not affect mandatory levies or payments, the amounts of which are fixed by statute, or taxes levied for the purpose of paying interest and/or maturing principal on bonds issued prior to the passage of this act."

Senator Topping offered the following amendment to the amendment and moved its adoption :

Amend by striking from the next to the last line the word "maturing".

The amendment to the amendment was adopted.

Senator Wenner offered the following amendment to the amendment and moved its adoption :

Amend by inserting after the word "bonds" in the last line the words "or creating a sinking fund for the retiring of bonds".

The amendment to the amendment was adopted.

Senator Clark of Linn offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "affect" in the first line the words "or include".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend sec. 2 by adding after the word "emergency" in line 2 the words "or good cause".

The amendment was adopted.

Senator Clark of Linn moved that the title be amended as follows:

Amend by striking from line 1 the figures "1932 and 1933" and inserting "1931 and 1932".

The amendment was adopted.

Senator Wilson moved to defer action until 10:00 a. m. tomorrow and that the bill as amended be printed in the Journal.

The motion prevailed.

LONGWORTH MEMORIAL COMMITTEE

Senator Wilson moved that the President of the Senate appoint a committee of three to prepare suitable resolutions respecting the life, character and ability of the late Nicholas Longworth.

The motion prevailed and the President appointed Senators Wilson, Hicklin and Knudson.

The Journal of April 8th was corrected and approved.

REPORT OF COMMITTEE

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 414, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, Dr. F. L. Buck, Dr. J. M. Lichty, Dr. March Green, Dr. C. J. Scott, Dr. J. F. McCabe, Dr. John W. Haxby, Dr. J. E. Frank, Dr. G. A. Evans, Dr. F. C. Roach, Dr. Chas. Murray, Dr. G. C. Bevan, Dr. J. E. Robertson, Dr. C. E. Baxter, Dr. Edd Scantlebury, and Will Kuhlman, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

HOUSE FILE NO. 368 AS AMENDED BY THE SENATE

An Act to provide that in the years 1931 and 1932 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five percent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. In the years 1931 and 1932 the taxing bodies in all taxing districts in the state, including townships, school districts, cities, towns, counties and special charter cities shall, after computing said tax rates as provided in sections seventy-one hundred sixty-two (7162) to seventy-one hundred seventy (7170) of the code, 1927, reduce all of said rates so that the total funds raised by taxation shall be five per cent (5%) less than that raised by the 1930 levy. The provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall be suspended and shall not be applied during said years, except in taxing districts where such excess levy was made for the year 1930, and then only to the same extent. Provided, however, that the provisions of this act shall not affect or include mandatory levies or payments, the amounts of which are fixed by statute, or taxes levied for the purpose of paying interest and/or principal on bonds or creating a sinking fund for the retiring of bonds issued prior to the passage of this act. In any school district in which the tax levied in 1930 for the general school fund was at least five per cent (5%) less than the amount which might have been legally levied, the general school fund tax levied in 1931 and 1932 may equal, but shall not exceed, the same percentage of the amount which might legally be levied during each of said years.

Sec. 2. Any taxing district may on showing of emergency or good cause made to the budget director and securing his approval be exempt from the provisions of this act, provided, however, such exemption shall apply only to the year for which such exemption is requested.

AMENDMENTS FILED

MR. PRESIDENT: I amend Senate File No. 168 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section twelve thousand forty-one (12041) of the Code of Iowa, 1927, be amended as follows:

"But this section shall not apply to counties under thirty-five thousand (35,000) population."

Sec. 2. That paragraph two (2) of section eleven thousand eight hundred and thirty-two (11832) of the Code of Iowa, 1927, be amended by adding thereto the following:

"And the clerk in counties under thirty-five thousand (35,000) population, as a part of his duty, shall also examine and check over the final reports of executors, administrators, guardians and trustees, after the manner of a referee, and report the condition of such final reports to the district court."

O. P. MYERS.

MR. PRESIDENT: I move to amend House File No. 372 as follows:

First, by striking therefrom sections eleven (11) and twelve (12).

Second, by striking the period (.) at the end of line five (5) of section fourteen (14) and adding after the word "action" in said line the following: ", providing that in the judgment of the trial court said action was commenced maliciously or without probable cause."

Third, by renumbering sections thirteen (13) and fourteen (14).

Fourth, by striking section fifteen (15).

ROY E. STEVENS.

MR. PRESIDENT: We move to amend the House Concurrent Resolution fixing the date of adjournment as follows:

By striking out the words and figures "Wednesday, April 15th, 1931", and inserting in lieu thereof the words and figures "Saturday, April 18th, 1931".

C. F. CLARK.

E. W. CLARK.

O. E. GUNDERSON.

MR. PRESIDENT: I move to amend House File No. 28 as follows:

Strike out all after the enacting clause and substitute the following:

Section 1. The Board of Education and the Board of Control shall annually have their books audited by an expert firm of accountants and a certified copy of the report of said expert accountants shall be filed with the State Board of Audit.

Also strike out the title and substitute the following:

An Act to provide for an annual examination of the books of the State Board of Education and Board of Control and the filing of a copy of the report of same with the State Board of Audit.

A. V. BLACKFORD.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. 303, By Wilson, prohibiting the offering or giving of any inducement in the soliciting of insurance.

S. F. 307, By Knudson, amending the law relating to the practice of civil engineering.

S. F. 398, By Committee on Judiciary No. 1, relating to revocation and suspension of licenses of attorneys to practice law.

S. F. 417, By Committee on Highways, providing for the improvement of the primary roads.

S. F. 422, By Committee on Aeronautics, relating to airports.

H. F. 352, By Hush, providing for the valuation and assessment of pipe line properties.

H. F. 345, By Langland, relating to publication of notice of school election.

H. F. 380, By Forsling, relating to distribution of codes and session laws.

H. F. 502, By Committee on Land Titles, requiring certain entries by the county treasurer and clerk of the district court.

H. F. 361, By Berry, relative to Workmen's Compensation.

W. S. BAIRD, *Chairman.*

On motion of Senator Baird the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. W. C. Porter, pastor of the United Presbyterian Church of Winterset.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Irwin for the morning, on request of Senator Lowe.

By unanimous consent of the Senate, Senators Carroll, Baird and Doran were excused to act on the special investigating committee.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Clearman, from city officials of Iowa City, opposing a compulsory reduction in all taxing bodies. Tax revision.

By Senator Stevens, from residents of Ottumwa, favoring restriction of motor vehicles. Motor vehicles.

By Senator Clark of Marion, from citizens of Marion county, opposing compulsory testing of cattle. Agriculture.

By Senator Kent, from residents of Lucas and Oakley, favoring restriction of motor vehicles. Motor vehicles.

By Senator Irwin, from Clinton chamber of commerce, opposing the levy of a special tax on pipe lines; and from residents of Clinton, opposing the levy of a tax on tobacco. Tax revision.

By Senator Wenner, from residents of Black Hawk county, opposing the levy of a tax on tobacco. Tax revision.

HOUSE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Senator Anderson called up for consideration the following resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the Forty-fourth General Assembly adjourn, sine die, at 12 o'clock noon, Wednesday, April 15th, 1931.

Senators Clark of Linn, Clark of Cerro Gordo and Gunderson offered the following amendment and moved its adoption:

Amend by striking out the words and figures "Wednesday, April 15th, 1931", and inserting in lieu thereof the words and figures "Saturday, April 18th, 1931".

Senator Moen moved to defer action.

Roll call was demanded.

On the question "Shall the motion to defer action prevail?" the vote was:

Ayes, 26.

Beatty	Clearman	Knudson	Myers
Bissell	Frailey	Langfitt	Patterson
Christophel	Gunderson	Leonard	Ritchie
Clark of Cerro Gordo	Hill	Lowe	Stevens
Clark of Linn	Kent	MacDonald	Wenner
Clark of Marion	Kimberly	McLeland	White
	Klemme	Moen	

Nays, 17.

Anderson	Cochrane	Ickis	Stoddard
Bennett	Cole	Quirk	Tabor
Benson	Cooney	Rigby	Topping
Blackford	Coykendall	Stanley	Wilson
Carden			

Absent or not voting, 7.

Baird	Carroll	Hager	Irwin
Booth	Doran	Hicklin	

The motion to defer action prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 251, a bill for an act to make an appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 410, a bill for an act to make an appropriation to certain counties for drainage and secondary road assessments.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 543, a bill for an act to make an appropriation to George Brown.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 319, a bill for an act to make an appropriation to Emmet L. Morris, A. L. Wood, and Albert L. Sharp.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the provisions of House File No. 106.

Also: 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 make an appropriation to W. F. Dollen & Sons.

Also: 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 to make an appropriation to Thomas Logan, William Ross, Fink Bros., P. A. Clemmer, The Union Prairie Church, E. R. Bartz, Mrs. James Shada, and Dale Taylor.

Also: 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 make an appropriation to C. A. Knutson.

Also: 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 to make an appropriation to Brown & Cook, and Harry Yoss.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 542, a bill for an act making an appropriation to Earl E. Hunt.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 544, a bill for an act to make an appropriation to H. A. Stearns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 545, a bill for an act to make appropriations to Tama County, Iowa, Greene County, Iowa, and Story County, Iowa, for payment of taxes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 551, a bill for an act making an appropriation to Gilbert Merritt.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 310, a bill for an act pertaining to the selection of official newspapers in the respective counties.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 463, a bill for an act regulating the number of hours that drivers of commercial motor vehicles shall be on duty in each twenty-four hours.

Also: That the House refuses to concur in Senate Amendments to House File No. 288, a bill for an act relating to state aid to short courses in counties where no county or district fairs are held.

Also: That the House has concurred in Senate amendments to House File No. 170, a bill for an act relating to the labeling of commercial feeds and stock tonics.

Also: That the House has concurred in Senate amendments to House File No. 377, a bill for an act relating to specifications for motor vehicle fuel.

Also: That the House has concurred in Senate amendments to House File No. 203, a bill for an act relating to transfer of township funds.

Also: That the House has concurred in Senate amendment to House File No. 200, a bill for an act relating to the sale by game wardens of undesirable fish.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 146, a bill for an act relating to the state sinking fund for public deposits and to the duties of the township clerk.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 146

Amend Senate File No. 146, section six (6), by striking from the last line thereof the words "March" and "September".

THIRD READING OF BILLS

On motion of Senator Clark of Linn House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five per cent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years, was taken up and considered, action having been deferred April 9th.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking from line sixteen (16) of section one (1), the words

"at least five per cent (5%)" ; by striking lines nineteen (19) and twenty (20) of said section one (1) and inserting in lieu thereof the following:

"the amount which might legally be levied, here-under, if the amount levied for 1930 had equaled the maximum legal amount permissible under the law. Provided, however, that the application and enforcement of this act in such school districts shall be on a per pupil basis and the amount of the tax which may legally be levied, here-under, shall be not more than five per cent (5%) less than the average amount per pupil which might legally be levied under the present statute, and the provisions in this act with reference to the total funds that may be raised, here-under, shall not apply to school districts."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 11.

Benson	Cooney	Langfitt	Topping
Blackford	Ickis	Leonard	Wilson
Clearman	Kent	Rigby	

Nays, 26.

Bennett	Coykendall	McLeland	Stanley
Bissell	Gunderson	Moen	Stevens
Booth	Hill	Myers	Stoddard
Carden	Kimberly	Patterson	Tabor
Clark of Linn	Klemme	Quirk	Wenner
Cochrane	Lowe	Ritchie	White
Cole	MacDonald		

Absent or not voting, 13.

Anderson	Christophel	Doran	Hicklin
Baird	Clark of	Frailey	Irwin
Beatty	Cerro Gordo	Hager	Knudson
Carroll	Clark of Marion		

The amendment was lost.

Senator Frailey moved the previous question which motion prevailed.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Cole	Langfitt	Rigby
Beatty	Gunderson	Leonard	Ritchie
Bennett	Hicklin	Lowe	Stevens
Bissell	Hill	MacDonad	Stoddard
Booth	Kimberly	McLeland	Tabor
Christophel	Klemme	Moen	Wenner
Clark of Linn	Knudson	Myers	White
Clark of Marion			

Nays, 18.

Benson	Clearman	Frailey	Quirk
Blackford	Cochrane	Hager	Stanley
Carden	Cooney	Ickis	Topping
Clark of	Coykendall	Kent	Wilson
Cerro Gordo	Doran	Patterson	

Absent or not voting, 3.

Baird	Carroll	Irwin
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley the Penn College choir was invited into the Senate to sing.

Senator Blackford moved that all bills on the calendar introduced by the sifting committee be sent back to the sifting committee with instructions to hold them there.

Senator Benson raised the point of order that the sifting committee is a standing committee, and has the right to introduce bills.

The President held the point of order of Senator Benson well taken, that the sifting committee is a standing committee and has all the rights and privileges of other committees until the Senate adjourns.

Senator Patterson raised the point of order that this motion is equivalent to a motion to indefinitely postpone.

Senator Wenner moved to amend the original motion by striking the words "to hold them there".

The amendment to the motion was adopted.

Senator Hicklin raised the point of order that the motion was out of order as it applied to a group of bills.

The President held the point of order not well taken.

Senator Clark of Linn raised the point of order that the rules provide for a division if any member should ask for one.

The President held the point well taken if a division of the question is asked for, the bills may be voted on separately.

Senator Blackford moved to amend the original motion as follows, "and re-refer to the standing committee who should be in charge of that bill."

Senator Knudson moved to table the motion by Senator Blackford.

Roll call was demanded.

On the question "Shall the motion be tabled?" the vote was:

Ayes, 26.

Anderson	Clark of	Langfitt	Patterson
Baird	Cerro Gordo	Leonard	Quirk
Bennett	Clark of Linn	Lowe	Ritchie
Benson	Clark of Marion	MacDonald	Stevens
Bissell	Coykendall	McLeland	Stoddard
Christophel	Gunderson	Moen	Tabor
	Knudson	Myers	White

Nays, 11.

Blackford	Cochrane	Ickis	Wenner
Booth	Frailey	Kimberly	Wilson
Clearman	Hager	Topping	

Absent or not voting, 13.

Beatty	Cooney	Hill	Klemme
Carden	Doran	Irwin	Rigby
Carroll	Hicklin	Kent	Stanley
Cole			

The motion to table prevailed.

RETURN OF SENATE FILE NO. 359 REQUESTED

Senator Wilson moved that the Senate request the House to return Senate File No. 359.

The motion prevailed.

SENATE FILE NO. 115 MADE SPECIAL ORDER

By unanimous consent on request of Senator Doran, Senate File No. 115, relating to tax on admission fees, was made a special order for Monday, April 13th, at 2 p. m.

On motion of Senator Stoddard the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. Harry M. Neas of Sigourney, Keokuk County, and Hon. Joseph H. Anderson of Thompson, Winnebago County, as members of the State Board of Education, for the term of six years beginning July 1, 1931, and ending June 30, 1937.

The Senate arose from executive session and resumed regular session.

On motion of Senator Leonard the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Carden for the afternoon, on request of Senator Rigby.

INTRODUCTION OF BILLS

Senate File No. 427, by committee on claims, a bill for an act to make an appropriation to Elmer Ruisch.

Read first and second times and referred to committee on appropriations.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that on April 9, 1931, he had approved the following bills:

Senate File No. 177, relating to the transportation of intoxicating liquor.

Senate File No. 345, relating to combinations of insurance companies.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 265, 267, 468, 442.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 265, 267, 468, 442.

HOUSE MESSAGES CONSIDERED

House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits.

Read first and second times and referred to committee on appropriations.

House File No. 410, a bill for an act to make an appropriation to Winnebago County, Iowa, Emmet County, Iowa, Louisa County, Iowa, Muscatine County, Iowa, and Hancock County, Iowa, for drainage and secondary road assessments.

Read first and second times and referred to committee on appropriations.

House File No. 543, a bill for an act to make an appropriation to George Brown, Indianola, Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 319, a bill for an act to make an appropriation to Emmet L. Morris, Marquette, Iowa, A. L. Wood, Hampton, Iowa, and Albert L. Sharp, Arnolds Park, Iowa, for services rendered to the state of Iowa, for which former appropriation has not been made.

Read first and second times and referred to committee on appropriations.

House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the provisions of a certain act known and designated in the legislative proceedings of the Forty-Fourth (44th) General Assembly as House File No. 106 and entitled "An Act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture."

Read first and second times and referred to committee on appropriations.

House File No. 323, a bill for an act to make an appropriation to W. F. Dollen and Sons of Neola, Iowa, for damages incurred by the failure of the Iowa State Highway Commission to have a bridge completed in time for the performance of a contract by the claimant.

Read first and second times and referred to committee on appropriations.

House File No. 351, a bill for an act to make appropriation to Thomas Logan, William Ross, Fink Brothers, P. A. Clemmer, the Union Prairie Church, E. R. Bartz, Mrs. James Shada, and Dale Taylor, for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission.

Read first and second times and referred to committee on appropriations.

House File No. 408, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertel-

sen for damages resulting from the operation of an automobile by the department of agriculture.

Read first and second times and referred to committee on appropriations.

House File No. 409, a bill for an act to make an appropriation to Brown & Cook, Ottumwa, Iowa, and Harry Yoss, Scranton, Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier for damages resulting from a collision with a car owned and driven by the Iowa state board of education.

Read first and second times and referred to committee on appropriations.

House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the state of Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff for Iowa soldier's bonus.

Read first and second times and referred to committee on appropriations.

House File No. 544, a bill for an act to make an appropriation to H. A. Stearns.

Read first and second times and referred to committee on appropriations.

House File No. 545, a bill for an act to make appropriations to Tama County, Iowa, Greene County, Iowa, and Story County, Iowa, for payment of taxes.

Read first and second times and referred to committee on appropriations.

House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt.

Read first and second times and referred to committee on appropriations.

House File No. 542, a bill for an act to make an appropriation to Earl E. Hunt.

Read first and second times and referred to committee on appropriations.

House File No. 310, a bill for an act to amend section fifty-three hundred ninety-eight (5398) of the code, 1927, pertaining to the selection of official newspapers in the respective counties.

Read first and second times and referred to sifting committee.

House File No. 463, a bill for an act to regulate the number of hours that drivers of commercial motor vehicles for hire shall be on duty in each twenty-four (24) hours, and to prescribe penalties for violation thereof.

Read first and second times and referred to committee on appropriations.

THIRD READING OF BILLS

On motion of Senator Wilson House File No. 372, a bill for an act to regulate the use and operation of motor vehicles in this state on the public highways thereof by nonresidents of this state; to fix and declare the legal effect of such use and operation; and to prescribe the procedure for serving original notices of suit on nonresidents for damages arising out of the use and operation in this state of such vehicles by nonresidents, returned by the sifting committee, was taken up and considered.

Senator Wilson offered the following amendments and moved their adoption:

Amend by striking Sec. 12 and also by renumbering sections 13, 14 and 15 as sections 12, 13 and 14.

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking the period at the end of line five of section 13 and adding after the word action in said line the following: " provided that in the judgment of the trial court said action was commenced maliciously or without probable cause."

The amendment was adopted.

By unanimous consent on request of Senator Stevens his amendment as found on page 1282 of the Senate Journal of April 9th, was withdrawn from further consideration.

Senator Wilson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Kent	Rigby
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Knudson	Stevens
Bissell	Coykendall	Langfitt	Stoddard
Blackford	Frailey	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Christophel	Hicklin	MacDonald	Wenner
Clark of	Hill	McLeland	White
Cerro Gordo	Ickis	Moen	Wilson
Clark of Linn	Irwin	Myers	

Nays, 1.

Cooney

Absent or not voting, 7.

Baird	Carroll	Hager	Quirk
Carden	Doran	Patterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 453, a bill for an act to amend section five hundred six (506), Code, 1927, relating to proclamations for elections, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Clearman	Irwin	Myers
Beatty	Cochrane	Kent	Patterson
Bennett	Cole	Kimberly	Quirk
Benson	Cooney	Klemme	Rigby
Bissell	Coykendall	Knudson	Stanley
Blackford	Frailey	Langfitt	Stoddard
Booth	Gunderson	Leonard	Tabor
Christophel	Hager	Lowe	Topping
Clark of	Hicklin	MacDonald	Wenner
Cerro Gordo	Hill	McLeland	White
Clark of Linn	Ickis	Moen	Wilson
Clark of Marion			

Nays, none.

Absent or not voting, 6.

Baird	Carroll	Ritchie	Stevens
Carden	Doran		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wenner House File No. 476, a bill for an act to amend chapter six hundred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645) of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions, returned by the sifting committee, was taken up and considered.

Senator Cooney moved the previous question, which motion prevailed.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 22.

Anderson	Blackford	Clearman	Frailey
Bennett	Booth	Cochrane	Gunderson
Bissell	Clark of Linn	Coykendall	Kent

Leonard MacDonald Moen	Myers Patterson Rigby	Stevens Stoddard	Tabor Wenner
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Nays, 22.

Beatty Benson Christophel Clark of Cerro Gordo Clark of Marion	Cole Cooney Hager Hicklin Hill Ickis	Irwin Kimberly Klemme Knudson Langfitt Lowe	McLeland Quirk Ritchie Topping Wilson
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Absent or not voting, 6.

Baird Carden	Carroll Doran	Stanley	White
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Beatty moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Rule 8 was invoked.

On the question "Shall the motion to lay on the table prevail?" the vote was:

Ayes, 24.

Beatty Benson Bissell Christophel Clark of Cerro Gordo Clark of Marion	Cole Cooney Frailey Hager Hicklin Hill	Ickis Irwin Kimberly Klemme Langfitt Leonard	Lowe McLeland Quirk Ritchie Topping Wilson
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Nays, 20.

Anderson Bennett Blackford Booth Clark of Linn	Clearman Cochrane Coykendall Gunderson Kent	Knudson MacDonald Moen Myers Patterson	Rigby Stevens Stoddard Tabor Wenner
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Absent or not voting, 6.

Baird Carden	Carroll Doran	Stanley	White
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The motion prevailed.

On motion of Senator Frailey House File No. 477, a bill for an act to amend section five thousand twenty-six-b one (5026-b1), code, 1927, so as to limit the civil liability of owners and operators

of automobiles, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Action was deferred.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

MR. PRESIDENT: We, the undersigned members of the conference committee to which has been referred House File No. 2, beg leave to report that after due consideration we find ourselves unable to agree.

C. F. CLARK,
A. V. BLACKFORD,
ROY E. STEVENS,
I. H. KNUDSON,
E. R. HICKLIN,

On the part of the Senate.

J. H. JOHNSON,
O. J. DITTO,
ANTHONY TEPASKE,
W. H. STRACHAN,
LEWIS GREASER,

On the part of the House.

The report was adopted.

Senator Clark of Linn moved that the report be received, the committee discharged, and that the Senate request another conference committee, the membership of which shall be five from each House.

Senator Clark of Marion moved to amend by changing the comma to a period after the word committee and striking the words "the membership of which shall be five from each House."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Baird	Clearman	Hicklin	Stoddard
Beatty	Cochrane	Hill	Tabor
Benson	Cole	Ickis	Topping
Blackford	Cooney	Irwin	Wenner
Booth	Frailey	Klemme	Wilson
Clark of Marion	Hager		

Nays, 24.

Anderson	Clark of Linn	Lowe	Quirk
Bennett	Coykendall	MacDonald	Rigby
Bissell	Gunderson	McLeland	Ritchie
Carroll	Kent	Moen	Stanley
Christophel	Knudson	Myers	White
Clark of Cerro Gordo	Langfitt	Patterson	
	Leonard		

Absent or not voting, 4.

Carden Doran Kimberly Stevens

The amendment was lost.

The motion prevailed.

THIRD CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

The President appointed as third conference committee on House File No. 2, Senators Topping, Clark of Marion, Ickis, McLeland and Wenner.

Senator Moen moved that action be deferred until Monday on Senate File No. 423, the senatorial redistricting bill.

The motion was lost.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, respectfully request a call of the Senate for consideration of Senate File No. 423.

G. W. PATTERSON

C. E. ANDERSON

J. R. FRAILEY

ROY E. STEVENS

L. T. QUIRK

CHAS. D. BOOTH

E. W. CLARK

O. E. GUNDERSON

GEO. W. CHRISTOPHEL

W. E. MCLELAND

I. H. KNUDSON

W. A. CLARK

W. R. RITCHIE

J. W. KENT

The roll call revealed the presence of all Senators except those previously excused and Senator White.

Senator White appeared in the Senate Chamber and the call was declared complete.

On motion of Senator Moen Senate File No. 423, a bill for an act to amend section five hundred twenty-six a-two (526-a2) of the Code, 1927, relating to state senatorial districts, a sifting committee bill, was taken up, considered, and the report of the committee adopted.

Senator Rigby offered the following amendments and moved their adoption:

1. Amend by striking the word, "Keokuk" from line 26 and inserting in lieu thereof the word, "Iowa".

2. In line 30 after the word, "county" insert the words, "Keokuk county".

3. By striking from line 48 thereof the words, "Cedar county,".

4. By striking the words, "Iowa county" from line 50 and inserting in lieu thereof the words, "Cedar county".

The amendment was adopted.

Senator Topping moved the previous question, which motion prevailed.

Senator Hicklin raised the point of order that Senator Patterson could not speak as Senator Moen had the right to close the debate.

The President held the point of order well taken.

Senator Benson moved that Senator Patterson be allowed five minutes to speak.

The motion was lost.

Senator Moen wished to give the balance of his time to Senator Patterson.

Senator Cooney raised the point of order that Senator Moen as author of the bill had closed.

The President held the point well taken.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 12.

Anderson	Gunderson	MacDonald	Patterson
Bissell	Knudson	Mcen	Quirk
Clark of Cerro Gordo	Leonard	Myers	Ritchie

Nays, 34.

Baird	Booth	Clearman	Coykendall
Beatty	Carroll	Cochrane	Doran
Benson	Clark of Linn	Cole	Frailey
Blackford	Clark of Marion	Cooney	Hager

Hicklin	Kimberly	Rigby	Topping
Hill	Klemme	Stanley	Wenner
Ickis	Langfitt	Stevens	White
Irwin	Lowe	Tabor	Wilson
Kent	McLeland		

Absent or not voting, 4.

Bennett	Carden	Christophel	Stoddard
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Hager moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Langfitt Senator Benson was excused for the balance of the day.

By unanimous consent on request of Senator Clark of Linn, Senate File No. 426, a bill for an act to amend chapter four hundred two (402) of the Code of Iowa, 1927, relating to fraternal beneficiary societies, orders or associations, returned by the sifting committee, was taken up and considered.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by adding as Section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Walker News, a newspaper published at Walker, Iowa, and The Sabula Gazette, a newspaper published at Sabula, Iowa, without expense to the state."

The amendment was adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Linn	Gunderson	Klemme
Bissell	Clearman	Hicklin	Knudson
Blackford	Cochrane	Hill	Langfitt
Booth	Cole	Ickis	Leonard
Christophel	Cooney	Irwin	Lowe
Clark of	Coykendall	Kent	MacDonald
Cerro Gordo	Frailey	Kimberly	McLeland

Myers
Rigby
Ritchie

Stanley
Stevens
Tabor

Topping
Wenner

White
Wilson

Nays, none.

Absent or not voting, 13.

Baird
Beatty
Bennett
Benson

Carden
Carroll
Clark of Marion

Doran
Hager
Moen

Patterson
Quirk
Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Irwin Senate File No. 247, a bill for an act to amend sections ten thousand four hundred seventy-four (10474), and ten thousand four hundred seventy-five (10475), Code, 1927, relating to the grounds for divorce and to the proofs thereof, returned by the sifting committee, was taken up and considered.

The following amendment proposed by the committee on judiciary No. 2 was considered.

Amend by striking out section 2.

The amendment was adopted.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson
Bissell
Blackford
Booth
Christophel
Cochrane
Cole
Cooney

Coykendall
Frailey
Hicklin
Hill
Ickis
Irwin
Kent

Kimberly
Klemme
Knudson
Langfitt
Leonard
Lowe
McLeland

Myers
Rigby
Stanley
Stevens
Tabor
White
Wilson

Nays, 2.

MacDonald

Wenner

Absent or not voting, 19.

Baird	Carroll	Clearman	Patterson
Beatty	Clark of	Doran	Quirk
Bennett	Cerro Gordo	Gunderson	Ritchie
Benson	Clark of Linn	Hager	Stoddard
Carden	Clark of Marion	Moen	Topping

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Irwin moved to amend the title by striking from line one after the word "amend" the words and figures "sections ten thousand four hundred seventy-four (10474), and" and inserting in lieu thereof the word "section".

The amendment was adopted and the title as amended was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Journal of April 9th was corrected and approved.

REPORT OF COMMITTEE

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate Joint Resolution No. 12, a Joint Resolution to establish a committee composed of three members of the Senate and three from the House of Representatives and three from the state at large to make a thorough study and investigation of state, county, township, city and town governments for the reduction of the expenditure of public funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an appropriation to defray the expenses of such committee, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

In lines 2 and 3 of section 6 strike out the words and figures "twenty thousand dollars (\$20,000.00)" and insert in lieu thereof the words and figures "five thousand dollars (\$5,000)".

B. M. STODDARD, Chairman.

Ordered passed on file.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

H. F. 17, By Reimers, relating to jurisdiction of district judges.

H. F. 54, By Pattison and Reed, exempting from taxation the real estate owned by any educational institution.

H. F. 132, By Rutledge, relating to maintenance of extensions of primary roads.

H. F. 155, By McCaulley and Johnson of Marion, relating to exemptions.

H. F. 233, By Johnson of Marion, relating to licensing of veterinarians.

H. F. 296, By Rutledge, relating to actions against public utilities.

H. F. 316, By Garrett, relating to buying and selling of the skins or hides of fur-bearing animals.

H. F. 333, By Ellsworth, relating to meetings of township trustees.

H. F. 419, By Greene, providing for the payment of publications.

H. F. 552, By Committee on Cities and Towns, relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns.

H. F. 304, By Avery, relating to publication of notice in civil actions.

W. S. BAIRD, *Chairman.*

On motion of Senator Wilson the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 11, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Thomas Carson, of Hampton, Des Moines Conference of Methodist Episcopal Church.

LEAVE OF ABSENCE

By unanimous consent of the Senate, Senators Carroll, Baird and Doran were excused to act on the special investigating committee.

BILL APPROVED BY THE GOVERNOR

A communication was received from the governor stating that on April 10, 1931, he had approved the following bill:

Senate File No. 289, relating to real estate of banks.

THIRD READING OF BILLS

On motion of Senator Wilson House File No. 302, a bill for an act creating a park board in cities having a population of one hundred twenty-five thousand (125,000) or more and providing the powers and duties of such board, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Bissell	Cochrane	Kimberly	Quirk
Blackford	Cole	Klemme	Rigby
Christophel	Coykendall	Leonard	Ritchie
Clark of	Frailey	Lowe	Stevens
Cerro Gordo	Gunderson	McLeland	Stoddard
Clark of Linn	Hill	Moen	Wenner
Clark of Marion	Ickis	Myers	Wilson
Clearman		Patterson	

Nays, 1.

Cooney

Absent or not voting, 20.

Anderson	Booth	Hicklin	MacDonald
Baird	Carden	Irwin	Stanley
Beatty	Carroll	Kent	Tabor
Bennett	Doran	Knudson	Topping
Benson	Hager	Langfitt	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION FILED

Senators Doran and Clark of Cerro Gordo submitted the following motion and moved its adoption:

MR. PRESIDENT: We move that the Conference Committee on House File No. 2 be instructed to report on or before 1:30 p. m., Monday, April 13th, presenting a report that will permit the Senate and House to vote on the income tax without the assessor amendment and that if such report be not filed at that time that the Committee be then discharged.

L. H. DORAN.
E. W. CLARK.

Objection was raised to consideration of the motion.

The President held that the order of business was bills on their passage and it would take a two-thirds majority of the Senate to depart from this order of business—that after the bills were finished, the motion could be then taken up.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, hereby request a call of the Senate on the motion of Senator Clark of Cerro Gordo.

CLYDE H. TOPPING
GEO. A. WILSON
C. A. BENSON
WM. COCHRANE
ROY E. STEVENS
GEO. CLEARMAN
F. D. ICKIS

B. M. STODDARD
WM. CARDEN
M. D. COONEY
A. V. BLACKFORD
W. A. CLARK
E. R. HICKLIN
D. W. KIMBERLY

On motion of Senator Cooney Senate File No. 425, a bill for an act to legalize the proceedings of the Sherrills Mound Mutual Fire Insurance Company of Sherrill, Iowa, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Bissell	Cole	Irwin	Myers
Christophel	Cooney	Kent	Quirk
Clark of	Coykendall	Kimberly	Rigby
Cerro Gordo	Doran	Klemme	Ritchie
Clark of Linn	Frailey	Krudson	Stevens
Clark of Marion	Gunderson	Leonard	Stoddard
Clearman	Hill	Lowe	Wilson
Cochrane	Ickis	McLeland	

Nays, none.

Absent or not voting, 20.

Anderson	Blackford	Hicklin	Stanley
Baird	Booth	Langfitt	Tabor
Beatty	Carden	MacDonald	Topping
Bennett	Carroll	Moen	Wenner
Benson	Hager	Patterson	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Lowe asked unanimous consent of the Senate that Senator Benson be excused for the day.

Senator Wilson objected as there was a call of the Senate on file.

On motion of Senator Cooney House File No. 249, a bill for an act to amend section seventeen hundred forty-seven (1747) of the code, 1927, relating to bonds required for commercial fishermen, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Bissell	Cole	Kent	Myers
Blackford	Cooney	Kimberly	Quirk
Christophel	Coykendall	Klemme	Rigby
Clark of	Frailey	Knudson	Ritchie
Cerro Gordo	Gunderson	Leonard	Stevens
Clark of Linn	Hill	Lowe	Wenner
Clearman	Ickis	McLeland	Wilson
Cochrane	Irwin	Moer	

Nays, none.

Absent or not voting, 20.

Anderson	Booth	Hager	Stanley
Baird	Carden	Hicklin	Stoddard
Beatty	Carroll	Langfitt	Tabor
Bennett	Clark of Marion	MacDonald	Topping
Benson	Doran	Patterson	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 325, a bill for an act to amend Section six thousand six hundred sixty-nine (6669) of the Code of 1927, relating to the duties of city manager, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Coykendall	Kimberly	Quirk
Bissell	Frailey	Klemme	Rigby
Blackford	Gunderson	Knudson	Ritchie
Christophel	Hill	Leonard	Stevens
Clearman	Ickis	Lowe	Stoddard
Cochrane	Irwin	McLeland	Wenner
Cole	Kent	Moen	Wilson
Cooney		Myers	

Nays, none.

Absent or not voting, 20.

Baird	Carroll	Doran	Patterson
Beatty	Clark of	Hager	Stanley
Bennett	Cerro Gordo	Hicklin	Tabor
Benson	Clark of Linn	Langfitt	Topping
Booth	Clark of Marion	MacDonald	White
Carden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Doran asked the chair if an absent Senator could sign a call on a motion filed after he was gone.

The President stated that there was no rule as to when a Senator can sign a call.

Senator Clark of Linn stated that those Senators who were not here never signed the call on this question, as this question never was up before this time.

Senator Doran objected to the call as it covered no special subject matter and was of indefinite meaning.

The President held that there was only one motion before the Senate by the Senator from Cerro Gordo, and this call covered the motion by Senator Clark of Cerro Gordo.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, demand a call of the Senate on the motion of the Senator from Cerro Gordo.

GEO. A. WILSON
F. D. ICKIS
GEO. CLEARMAN
C. G. COLE
H. L. IRWIN
D. W. KIMBERLY
B. M. STODDARD

M. D. COONEY
WM. H. KLEMME
WM. COCHRANE
ROY E. STEVENS
C. L. RIGBY
J. R. FRAILEY

On motion of Senator Gunderson House File No. 345, a bill for an act to amend section forty-three hundred fifty-six (4356), code, 1927, relating to publication of notice of school election, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Cochrane	Kent	Quirk
Bissell	Cole	Klemme	Rigby
Blackford	Cooney	Knudson	Ritchie
Christophel	Coykendall	Leonard	Stevens
Clark of	Frailey	Lowe	Stoddard
Cerro Gordo	Gunderson	McLeland	Wenner
Clark of Linn	Hill	Moen	White
Clark of Marion	Ickis	Myers	Wilson
Clearman	Irwin	Patterson	

Nays, none.

Absent or not voting, 16.

Baird	Booth	Hager	MacDonald
Beatty	Carden	Hicklin	Stanley
Bennett	Carroll	Kimberly	Taber
Benson	Doran	Langfitt	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Patterson moved that the absent Senators be excused from the call of the Senate on the motion of Senator Clark of Cerro Gordo.

Senator Anderson moved the previous question.

Roll call was demanded on the main question.

The President announced that it took a two-thirds majority vote to excuse members of the Senate under the call.

Senator Doran raised the point of order that it did not take a two-thirds majority.

The President held the point of order not well taken.

CALL OF THE SENATE

MR. PRESIDENT: The undersigned request a call of the Senate on any subject matter concerning House File No. 2.

B. M. STODDARD
M. D. COONEY
A. V. BLACKFORD
C. G. COLE
C. L. RIGBY
WM. COCHRANE
ROY E. STEVENS

J. R. FRAILEY
D. W. KIMBERLY
H. L. IRWIN
GEO. A. WILSON
GEO. CLEARMAN
F. D. ICKIS

Senator Doran asked an appeal from the decision of the chair.

On the question "Shall the chair be sustained?" Senator Patterson raised the point of order that the motion made by Senator Anderson was for the previous question and that Senator Doran's point of order and the ruling of the President were out of order.

The President held the point well taken.

The previous question lost.

The question being on the call, the roll call revealed the presence of all Senators except Senators Beatty, Benson, Carden, Langfitt, MacDonald, Quirk, Stanley, Tabor and Topping.

The question now was "Shall the chair be sustained?"

Senator Stoddard raised the point of order that there was

a call on file on all matters pertaining to House File No. 2 which would include the excusing of absent members.

Senator Clark of Linn called attention of the Senate that the President heretofore had ruled that it took only a majority of votes to excuse absent members.

The President announced that he had always held that it took a two-thirds vote of the Senate to excuse absent members under a call of the Senate.

The President held the point of order by Senator Stoddard not well taken as he had always entertained a motion to excuse members of the Senate.

Senator Patterson raised the point of order that the ruling of the chair relative to the two-thirds vote and the appeal by Senator Doran were out of order as they were made after Senator Anderson had moved the previous question.

The President held the point of order not well taken.

On the question "Shall the chair be sustained?" the vote was:

Ayes, 24.

Baird	Clearman	Hicklin	Lowe
Bennett	Cochrane	Ickis	Rigby
Blackford	Cole	Irwin	Stevens
Booth	Cooney	Kent	Stoddard
Christophel	Frailey	Kimberly	Wenner
Clark of Marion	Hager	Klemme	Wilson

Nays, 17.

Anderson	Clark of Linn	Hill	Myers
Bissell	Coykendall	Knudson	Patterson
Carroll	Doran	Leonard	Ritchie
Clark of Cerro Gordo	Gunderson	McLeland	White
		Moens	

Absent or not voting, 9.

Beatty	Langfitt	Quirk	Tabor
Benson	MacDonald	Stanley	Topping
Carden			

The chair was sustained.

Senator Clark of Linn moved to amend the Senate rules by adding as Rule 51 the following:

"Rule 51. In case of a call of the Senate, any members of the Senate

outside of the city of Des Moines, or sick, may be excused on a majority vote."

Senator Blackford moved to table the motion by Senator Clark of Linn.

Senator Patterson raised the point of order that the motion to amend the rules must, under the rules, lay over one day.

The President held the point of order well taken.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as a third conference committee on House File No. 2, on the part of the House, the following: Representatives Hopkins, Berry, Van Wert, Bonnstetter, Roe.

Also: That Senate File No. 359, a bill for an act relating to school taxes for the general fund has been withdrawn from the House Sifting Committee and returned to the Senate as requested.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 297, a bill for an act relating to the expenses of public officers or employee.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 250, a bill for an act establishing a minimum weight for ice cream.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 448, a bill for an act relating to driving a motor vehicle while intoxicated, and prescribing punishments therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 492, a bill for an act so as to provide for the impounding and disposal of dogs running at large.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 10

Amend Section Two (2) as follows:

1. By striking from lines three (3) and four (4), the words and figures: "the sum of Two hundred twenty-two thousand five hundred seventy-five dollars (\$222,575.00)" and inserting in lieu thereof the following: "the sum of Two hundred twenty-one thousand three hundred twenty-five dollars (\$221,325.00)".

2. By striking the figures "9,750.00" in line forty-three (43) and inserting in lieu thereof the figures "9,000.00".

3. By striking the figures "1,000.00" in line forty-six (46) and inserting in lieu thereof the figures "500.00".

4. By striking the figures "\$192,495.00" in line forty-eight (48) and inserting in lieu thereof the figures "\$191,245.00".

5. By striking the figures "\$221,135.00" in line fifty (50) and inserting in lieu thereof the figures "\$219,885.00".

6. By striking the figures "\$222,575.00" in line fifty-eight (58) and inserting in lieu thereof the figures "\$221,325.00".

Amend Section Three (3) as follows:

1. By striking from lines three (3) and four (4), the words and figures: "the sum of Four hundred eighty-three thousand six hundred fifty dollars (\$483,650.00)" and inserting in lieu thereof the following: "the sum of Four hundred seventy-seven thousand one hundred fifty dollars (\$477,150.00)".

2. By striking the figures "\$6,250.00" in line forty-one (41) and inserting in lieu thereof the figures "\$5,000.00".

3. By striking the figures "\$4,250.00" in line forty-three (43) and inserting in lieu thereof the figures "\$3,250.00".

4. By striking the figures "\$6,250.00" in line forty-five (45) and inserting in lieu thereof the figures "\$5,250.00".

5. By striking the figures "\$4,000.00" in line forty-nine (49) and inserting in lieu thereof the figures "\$3,000.00".

6. By striking the figures "\$6,250.00" in line fifty-one (51) and inserting in lieu thereof the figures "\$5,250.00".

7. By striking the figures "\$6,250.00" in line fifty-seven (57) and inserting in lieu thereof the figures "\$5,000.00".

8. By striking the figures "\$483,650.00" in line eighty-one (81) and inserting in lieu thereof the figures "\$477,150.00".

Amend Section Four (4) as follows:

1. By striking from lines three (3) and four (4) the words and fig-

ures: "the sum of Ninety thousand two hundred twenty dollars (\$90,220.00)" and inserting in lieu thereof the following: "the sum of Eighty-four thousand three hundred twenty dollars (\$84,320.00)".

2. By striking the figures "2,400.00" in line eleven (11) and inserting in lieu thereof the figures "1,800.00".

3. By striking the figures "1,500.00" in line fifteen (15) and inserting in lieu thereof the figures "1,200.00".

4. By striking the figures "\$46,720.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$45,820.00".

5. By striking the figures "25,000.00" in line twenty-five-a (25a) and inserting in lieu thereof the figures "\$20,000.00".

6. By striking the figures "\$43,500.00" in line twenty-nine (29) and inserting in lieu thereof the figures "\$38,500.00".

7. By striking the figures "\$90,220.00" in line thirty-two (32) and inserting in lieu thereof the figures "\$84,320.00".

Amend Section Six (6) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Thirty thousand two hundred dollars (\$30,200.00)" and inserting in lieu thereof the following: "the sum of Twenty-seven thousand three hundred dollars (\$27,300.00)".

2. By striking all of line nine-a (9a).

3. By striking the figures "\$26,700.00" in line nineteen (19) and inserting in lieu thereof the figures "\$24,300.00".

4. By striking the figures "\$2,500.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$2,000.00".

5. By striking the figures "\$3,500.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$3,000.00".

6. By striking the figures "\$30,200.00" in line twenty-seven (27) and inserting in lieu thereof the figures "\$27,300.00".

Amend Section Nine (9) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of One Hundred thirty thousand dollars (\$130,000.00)" and inserting in lieu thereof the following: "the sum of One hundred ten thousand dollars (\$110,000.00)".

2. By striking the figures "\$100,000.00" in line eight (8) and inserting in lieu thereof the figures "\$80,000.00".

3. By striking the figures "\$130,000.00" in line twelve (12) and inserting in lieu thereof the figures "\$110,000.00".

Amend Section Eleven (11) as follows:

1. By striking from lines three (3) and four (4), the words and figures: "the sum of Sixty thousand six hundred eighty dollars (\$60,680)" and inserting in lieu thereof the following: "the sum of Sixty thousand three hundred thirty dollars (\$60,330.00)".

2. By striking the figures "\$500.00" in line twenty-nine (29) and inserting in lieu thereof the figures "\$400.00".

3. By striking the figures "1,750.00" in line thirty (30) and inserting in lieu thereof the figures "1,500.00".

4. By striking the figures "\$2,250.00" in line thirty-two (32) and inserting in lieu thereof the figures "\$1,900.00".

5. By striking the figures "\$60,680.00" in line thirty-five (35) and inserting in lieu thereof the figures "\$60,330.00".

Amend Section Twelve (12) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Three hundred seventy-four thousand dollars (\$374,000.00)" and inserting in lieu thereof the following: "The sum of Three hundred sixty-four thousand dollars (\$364,000.00)".

2. By striking the figures "\$30,000.00" in line ten (10) and inserting in lieu thereof the figures "\$20,000.00".

3. By striking the figures "\$374,000.00" in line fourteen (14) and inserting in lieu thereof the figures "\$364,000.00".

Amend Section Fourteen (14) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Two hundred forty-eight thousand nine hundred dollars (\$248,900.00)" and inserting in lieu thereof the following: "the sum of Two hundred forty-one thousand six hundred thirty dollars (\$241,630.00)".

2. By striking the figures "1,320.00" in line ten (10) and inserting in lieu thereof the figures "1,200.00".

3. By striking the figures "2,550.00" in line sixteen (16) and inserting in lieu thereof the figures "2,400.00".

4. By striking the figures "\$20,150.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$19,880.00".

5. By striking the figures "5,000.00" in line twenty-five (25) and inserting in lieu thereof the figures "4,000.00".

6. By striking the figures "3,000.00" in line twenty-seven (27) and inserting in lieu thereof the figures "2,000.00".

7. By striking all of line thirty-two (32).

8. By striking the figures "\$228,750.00" in line thirty-four (34) and inserting in lieu thereof the figures "\$221,750.00".

9. By striking the figures "\$248,900.00" in line thirty-seven (37) and inserting in lieu thereof the figures "\$241,630.00".

Amend Section Seventeen (17) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Seventeen thousand five hundred fifty dollars (\$17,550.00)" and inserting in lieu thereof the following: "the sum of Seventeen thousand three hundred fifty dollars (\$17,350.00)".

2. By striking the figures "3,750.00" in line seventeen (17) and inserting in lieu thereof the figures "3,550.00".

3. By striking the figures "\$7,450.00" in line twenty (20) and inserting in lieu thereof the figures "\$7,250.00".

4. By striking the figures "\$17,550.00" in line twenty-three (23) and inserting in lieu thereof the figures "\$17,350.00".

Amend Section Nineteen (19) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Twenty thousand seven hundred dollars (\$20,700.00)" and inserting in lieu thereof the following: "the sum of Nineteen thousand seven hundred dollars (\$19,700.00)".

2. By striking the figures "\$1,350.00" in line sixteen (16) and inserting in lieu thereof the figures "\$900.00".

3. By striking the figures "250.00" in line seventeen (17) and inserting in lieu thereof the figures "200.00".

4. By striking the figures "1,000.00" in line nineteen (19) and inserting in lieu thereof the figures "500.00".

5. By striking the figures "\$4,100.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$3,100.00".

6. By striking the figures "\$20,700.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$19,700.00".

Amend Section Twenty-five (25) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Fifty-eight thousand three hundred twenty-five dollars (\$58,325.00)" and inserting in lieu thereof the following: "the sum of Fifty-six thousand eight hundred twenty-five dollars (\$56,825.00)".

2. By striking the figures "\$5,000.00" in line seven (7) and inserting in lieu thereof the figures "\$4,000.00".

3. By striking the figures "3,600.00" in line eight (8) and inserting in lieu thereof the figures "3,400.00".

4. By striking the figures "3,000.00" in line nine (9) and inserting in lieu thereof the figures "2,700.00".

5. By striking the figures "\$47,700.00" in line twenty-five (25) and inserting in lieu thereof the figures "\$46,200.00".

6. By striking the figures "\$58,325.00" in line thirty-four (34) and inserting in lieu thereof the figures "\$56,825.00".

Amend Section Twenty-six (26) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Ninety-nine thousand nine hundred fifty dollars (\$99,950.00)" and inserting in lieu thereof the following: "the sum of One hundred nine thousand nine hundred fifty dollars (\$109,950.00)".

2. By striking the figures "\$50,000.00" in line nineteen (19) and inserting in lieu thereof the figures "\$60,000.00".

3. By striking the figures "66,250.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$76,250.00".

4. By striking the figures "\$99,950.00" in line twenty-six (26) and inserting in lieu thereof the figures "\$109,950.00".

Amend Section Thirty-six (36) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Seventeen thousand one hundred fifty dollars (\$17,150.00)" and inserting in lieu thereof the following: "the sum of Sixteen thousand five hundred dollars (\$16,500.00)".

2. By striking the figures "\$600.00" in line eighteen (18) and inserting in lieu thereof the figures "\$400.00".

3. By striking all of lines nineteen (19) and twenty (20).

4. By striking the figures "\$3,550.00" in line twenty-six (26) and inserting in lieu thereof the figures "\$2,900.00".

5. By striking the figures "\$17,150.00" in line twenty-nine (29) and inserting in lieu thereof the figures "\$16,500.00".

Amend Section Thirty-eight (38) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Forty-one thousand one hundred twenty dollars (\$41,120.00)" and inserting in lieu thereof the following: "the sum of Thirty-one thousand two hundred twenty dollars (\$31,220.00)".

2. By striking the figures "\$5,000.00" in line eight (8) and inserting in lieu thereof the figures "\$4,000.00".

3. By striking the figures "10,800.00" in line ten (10) and inserting in lieu thereof the figures "9,600.00".

4. By striking all of lines thirteen (13) and fourteen (14).

5. By striking the figures "\$32,120.00" in line sixteen (16) and inserting in lieu thereof the figures "\$22,720.00".

6. By striking the figures "4,000.00" in line nineteen (19) and inserting in lieu thereof the figures "3,500.00".

7. By striking the figures "\$9,000.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$8,500.00".

8. By striking the figures "\$41,120.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$31,220.00".

Amend Section Forty-two (42) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Forty-six thousand eight hundred dollars (\$46,800.00)" and inserting in lieu thereof the following: "the sum of Sixty-four thousand eight hundred dollars (\$64,800.00)".

2. By striking all of line thirty-five-a (35a) and inserting in lieu thereof the following:

"36

REAL ESTATE BOARD

(See page 76 Budget Report)

37	For Salaries: (e)	
38	Secretary	\$ 3,000.00
39	Chief Investigator	2,400.00
40	Chief Clerk	1,500.00
41	Stenographer	1,200.00
42	Investigator	2,400.00
43		<hr/>
44		\$10,500.00
45	For Miscellaneous Purposes: (f)	
46	Traveling Expenses	\$ 1,500.00
47	Additional Help and Other Expenses	6,000.00
48		<hr/>
49		\$ 7,500.00
52		<hr/>
53	Total Real Estate Board	\$18,000.00"

3. By striking the figures "\$46,000.00" in line sixty-three (63) and inserting in lieu thereof the figures "\$64,800.00".

Amend Section Forty-six (46) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Ninety-nine thousand four hundred forty-five dollars (\$99,445.00)" and inserting in lieu thereof the following: "the sum of Ninety-eight thousand two hundred forty-five dollars (\$98,245.00)".

2. By striking all of line fifty-seven (57) and inserting in lieu thereof the following:

"57. Assistant Order Clerks (2—not to exceed)..... 2,400.00".

3. By striking the figures "\$30,900.00" in line fifty-nine (59) and inserting in lieu thereof the figures "\$29,700.00".

4. By striking the figures "\$51,400.00" in line sixty-seven (67) and inserting in lieu thereof the figures "\$50,200.00".

5. By striking the figures "\$99,445.00" in line seventy (70) and inserting in lieu thereof the figures "\$98,245.00".

Amend Section Forty-seven (47) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Seven hundred fifty dollars (\$750.00)" and inserting in lieu thereof the following: "the sum of Five hundred dollars (\$500.00)".

2. By striking the figures "\$750.00" in line seven (7) and inserting in lieu thereof the figures "\$500.00".

3. By striking the figures "\$750.00" in line ten (10) and inserting in lieu thereof the figures "\$500.00".

Amend Section Forty-eight (48) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Forty thousand four hundred eighty-six dollars and forty-five cents (\$40,486.45)" and inserting in lieu thereof the following: "the sum of Fifty-one thousand seven hundred eighty-six dollars and forty-five cents (\$51,786.45)".

2. By striking all of line thirteen (13).

3. By striking the figures "\$10,410.00" in line seventeen (17) and inserting in lieu thereof the figures: "\$9,510.00".

4. By striking the figures "\$5,800.00" in line nineteen (19) and inserting in lieu thereof the figures "\$5,500.00".

5. By inserting in line twenty (20): "Vocational training 12,500.00".

6. By striking the figures "\$5,800.00" in line twenty-two (22) and inserting in lieu thereof the figures "\$18,000.00".

7. By striking the figures "\$16,210.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$27,510.00".

8. By striking the figures "\$40,486.45" in line forty (40) and inserting in lieu thereof the figures "\$51,786.45".

Amend Section Forty-nine (49) as follows:

1. By striking from lines twenty (20), twenty-one (21) and twenty-two (22) the words and figures: "the sum of Eight million nine hundred twenty-nine thousand six hundred seventy-eight dollars (\$8,929,678.00)" and inserting in lieu thereof the following: "the sum of Eight million nine hundred fifty thousand one hundred seventy-eight dollars (\$8,950,178.00)".

2. By striking from lines thirty (30) and thirty-one (31) the words and figures: "the sum of Seven hundred forty-seven thousand seven hundred sixty dollars (\$747,760.00)" and inserting in lieu thereof the following: "the sum of Seven hundred forty-five thousand seven hundred sixty dollars (\$745,760.00)".

3. By striking all of line thirty-nine (39).

4. By striking the figures "\$156,000.00" in line forty-one (41) and inserting in lieu thereof the figures "\$154,000.00".

5. By striking the figures "\$747,760.00" in line forty-three (43) and inserting in lieu thereof the figures "\$745,760.00".

6. By striking from lines forty-seven (47) and forty-eight (48) the words and figures: "the sum of Seven Hundred sixty-three thousand two hundred seventy-eight dollars (\$763,278.00)" and inserting in lieu thereof the following: "the sum of Eight Hundred twenty-three thousand two hundred seventy-eight dollars (\$823,278.00)".

7. By inserting the following:

"51 For Special Purposes:

52	Cottage for boys of school division	60,000.00
53		<hr/>
54		\$823,278.00"

8. By striking from lines seventy-three (73) and seventy-four (74) the words and figures: "the sum of Seven hundred eighty-one thousand eight hundred ninety dollars (\$781,890.00)" and inserting in lieu thereof the following: "the sum of Seven hundred seventy-eight thousand eight hundred ninety dollars (\$778,890.00)".

9. By striking the figures "6,000.00" in line eight-one (81) and inserting in lieu thereof the figures "3,000.00".

10. By striking the figures "\$61,000.00" in line eighty-three (83) and inserting in lieu thereof the figures "\$58,000.00".

11. By striking the figures "\$781,890.00" in line eighty-five (85) and inserting in lieu thereof the figures "\$778,890.00".

12. By striking from lines eighty-nine (89) and ninety (90) the words and figures: "the sum of Seven hundred sixty-four thousand eight hundred sixty dollars (\$764,860.00)" and inserting in lieu thereof the following: "the sum of Seven hundred forty-four thousand eight hundred sixty dollars (\$744,860.00)".

13. By striking all of line ninety-four (94).

14. By striking the figures "\$764,860.00" in line ninety-six (96) and inserting in lieu thereof the figures "\$744,860.00".

15. By striking from lines one hundred (100) and one hundred one (101) the words and figures: "the sum of Eight hundred sixty-six thou-

and one hundred sixty-four dollars (\$866,164.00)" and inserting in lieu thereof the following: "the sum of Eight hundred forty-one thousand one hundred sixty-four dollars (\$841,164.00)".

16. By striking all of line one hundred six (106).

17. By striking the figures "\$150,000.00" in line one hundred eight (108) and inserting in lieu thereof the figures "\$125,000.00".

18. By striking the figures "\$866,164.00" in line one hundred ten (110) and inserting in lieu thereof the figures "\$841,164.00".

19. By striking from lines one hundred forty-six (146) and one hundred forty-seven (147) the words and figures: "the sum of eight hundred fifty-two thousand eight hundred twenty dollars (\$852,820.00)" and inserting in lieu thereof the following: "the sum of Eight hundred twenty-seven thousand eight hundred twenty dollars (\$827,820.00)".

20. By striking the figures "55,000.00" in line one hundred fifty-two (152) and inserting in lieu thereof the figures "30,000.00".

21. By striking the figures "\$85,000.00" in line one hundred fifty-four (154) and inserting in lieu thereof the figures "\$60,000.00".

22. By striking the figures "\$852,820.00" in line one hundred fifty-six (156) and inserting in lieu thereof the figures "\$827,820.00".

23. By striking from lines one hundred seventy-seven (177) and one hundred seventy-eight (178) the words and figures: "the sum of Five hundred twenty-eight thousand six hundred sixty dollars (\$528,660.00)" and inserting in lieu thereof the following: "the sum of Five hundred seventy-three thousand, six hundred sixty dollars (\$573,660.00)".

24. By inserting in line one hundred eighty-two (182):

"Nurses' Home\$50,000.00

25. By striking the figures "10,000.00" in line one hundred eighty-three (183) and inserting in lieu thereof the figures "5,000.00".

26. By striking the figures "\$13,000.00" in line one hundred eighty-six (186) and inserting in lieu thereof the figures "\$8,000.00".

27. By striking the figures "\$528,660.00" in line one hundred eighty-eight (188) and inserting in lieu thereof the figures "\$573,660.00".

28. By striking from lines one hundred ninety-nine (199) and two hundred (200) the words and figures: "the sum of Three hundred eighty-one thousand eight hundred twenty dollars (\$381,820.00)" and inserting in lieu thereof the following: "the sum of Three hundred seventy-nine thousand three hundred twenty dollars (\$379,320.00)".

29. By striking the figures "3,000.00" in line two hundred five (205) and inserting in lieu thereof the figures "2,000.00".

30. By striking all of line two hundred seven (207).

31. By striking the figures "\$14,500.00" in line two hundred eleven (211) and inserting in lieu thereof the figures "\$12,000.00".

32. By striking the figures "\$381,820.00" in line two hundred thirteen (213) and inserting in lieu thereof the figures "\$379,320.00".

33. By striking from lines two hundred thirty-one (231) and two hundred thirty-two (232) the words and figures: "the sum of One hundred ninety-eight thousand six hundred sixteen dollars (\$198,616.00)" and inserting in lieu thereof the following: "the sum of One hundred ninety-one thousand six hundred sixteen dollars (\$191,616.00)".

34. By striking the figures "12,000.00" in line two hundred thirty-six (236) and inserting the figures "5,000.00".

35. By striking the figures "\$198,616.00" in line two hundred thirty-eight (238) and inserting in lieu thereof the figures "\$191,616.00".

36. By striking the figures "\$9,148,178.00" in line two hundred forty-one (241) and inserting in lieu thereof the figures "\$8,950,178.00".

Amend Section Fifty (50) as follows:

1. By striking from lines nine (9), ten (10) and eleven (11) the words and figures: "the sum of Fourteen million seven hundred sixty-six thousand nine hundred ten dollars (\$14,766,910.00)" and inserting in lieu thereof the following: "the sum of Thirteen million, eight hundred eleven thousand, three hundred fifty-seven dollars and twenty cents (\$13,811,357.20)".

2. By striking from lines seventeen (17) and eighteen (18) the words and figures: "the sum of Five million two hundred fifty thousand dollars (\$5,250,000.00)" and inserting in lieu thereof the following: "the sum of Four million, seven hundred forty-three thousand three dollars and twenty cents (\$4,743,003.20)".

3. By striking the figures "\$200,000.00" in line twenty (20) and inserting in lieu thereof the figures "\$180,000.00".

4. By striking the figures "1,010,076.00" in line twenty-one (21) and inserting in lieu thereof the figures "910,076.00".

5. By striking the figures "3,533,400.00" in line twenty-two (22) and inserting in lieu thereof the figures "3,144,500.00".

6. By striking the figures "127,500.00" in line twenty-three (23) and inserting in lieu thereof the figures "100,000.00".

7. By striking the figures "500,000.00" in line thirty (30) and inserting in lieu thereof the figures "150,000.00".

8. By striking the figures "\$5,629,403.20" in line thirty-two (32) and inserting in lieu thereof the figures "\$4,743,003.20".

9. By striking from lines thirty-five (35) and thirty-six (36) the words and figures: "Five million dollars (\$5,000,000.00)", and inserting

in lieu thereof the following: "the sum of Four million eight hundred twenty-five thousand eight hundred dollars (\$4,825,800.00)".

10. By striking lines thirty-eight (38) to fifty-five (55) inclusive; by striking from line thirty-seven (37) the following: "as follows:", and inserting in lieu thereof the following: "for:

Administration and General Expenses
 Library Operation
 Physical Plant Operation
 Educational Purposes
 Agricultural and Home Economics Extension
 Co-operative Marketing
 Apiary Inspection
 Engineering Extension
 Agricultural Experiment
 Engineering Experiment Station
 Veterinary Investigation
 Industrial Research
 For Special Purposes:
 New Wing, Chemistry Engineering Building
 General Improvements
 Equipment for all Departments"

11. By striking from lines fifty-eight (58) and fifty-nine (59) the words and figures: "the sum of One million five hundred thousand dollars (\$1,500,000.00)" and inserting in lieu thereof the following: "the sum of One million, two hundred fifty-five thousand six hundred forty-four dollars (\$1,255,644.00)".

12. By striking lines sixty-one (61) to seventy-one (71) inclusive; by striking from line sixty (60) the following: "as follows:" and inserting in lieu thereof the following: "for:

Administration and General Expenses
 Physical Plant Operation
 Educational Purposes
 Extension Work
 Summer School Extension
 General Improvements".

13. By striking from lines seventy-four (74) and seventy-five (75) the words and figures: "the sum of Four hundred ninety-seven thousand three hundred dollars (\$497,300.00)" and inserting in lieu thereof the following: "the sum of Four hundred sixty-seven thousand three hundred dollars (\$467,300.00)".

14. By inserting in line seventy-nine (79) after the word "Equipment" the following: ", Roadways, Walks and Landscaping".

15. By striking all of line eighty (80).

16. By striking the figures "\$497,300.00" in line eight-two (82) and inserting in lieu thereof the figures "\$467,300.00".

17. By striking the figures "\$14,766,910.00" in line one hundred thirty-seven (137) and inserting in lieu thereof the figures "\$13,811,357.20".

Amend Section Fifty-two (52) as follows:

1. By striking from line four (4) the figures "\$17.50" and inserting in lieu thereof the figures "\$15.00".

2. By striking from line five (5) the figures "\$15.00" and inserting in lieu thereof the figures "\$12.50".

Amend Section Fifty-four (54) as follows:

1. By striking all of said Section Fifty-four (54).

Amend by inserting the following as Section Fifty-five (55):

"TREASURER OF STATE—GAS TAX DIVISION

(See page 104 Budget Report)

1 Sec. 55. On and after July 1, 1931, and until June 30,
 2 1933, the compensation of employees in the Gasoline License
 3 Fee Division of the office of Treasurer of State shall not
 4 exceed the following amounts:
 5 For Salaries:
 6 Superintendent\$ 2,400.00
 7 Chief Clerk and Secretary 2,000.00
 8 Auditors (each) 2,100.00
 9 Refund Investigators (each) 1,800.00
 10 Refund Auditor 1,500.00
 11 Assistant Refund Auditor 1,200.00
 12 Warrant Clerk 1,320.00
 13 Provided that no part of said compensation or expenses of such
 14 employees, or postage, equipment, supplies, and printing shall be paid
 15 from the general fund of the state but shall be paid from that portion
 16 of gasoline taxes allocated to the Gasoline Tax Division of the office
 17 of the Treasurer of State."

Amend Section Fifty-six (56) as follows:

1. By striking all of line fifteen (15) and inserting in lieu thereof the following:

"15 Examiners (10) \$1,800.00 to \$3,800.00.....36,000.00"

Amend by inserting the following as Section Fifty-eight (58):

**"RAILROAD COMMISSION—MOTOR TRANSPORTATION
DEPARTMENT**

(See pages 100-101 Budget Report)

1 Sec. 58. On and after July 1, 1931, and until June 30, 1933,
2 the employees in the motor transportation division of the Rail-
3 road Commission shall be compensated for their services in the
4 following amounts:

5 For Salaries:

6	Superintendent	\$ 2,700.00
7	Assistant Superintendents (2-not to exceed)	4,800.00
8	Special Investigator	2,400.00
9	Tax Auditor	2,100.00
10	Assistant Tax Auditor	1,200.00
11	Examiners (each)	1,800.00
12	Chief Inspector	2,100.00
13	File Clerk	1,500.00
14	Clerks (each)	1,500.00
15	Permit Clerk	1,500.00
16	Inspectors (each)	1,800.00
17	Stenographers (each)	1,200.00

18 Provided that one-half of the above salaries are to be paid from
19 the fees collected from Motor Vehicle Carriers and one-half from fees
20 for regulation of Motor Trucks.

Amend by striking all of Section Fifty-nine (59) after line twenty-five (25) thereof, and inserting in lieu thereof the following:

"MOTOR VEHICLE DEPARTMENT

(See page 102 Budget Report)

1 Sec. 60. On and after July 1, 1931, and until June 30, 1933,
2 the number of employees in the Motor Vehicle Department in the
3 office of the Secretary of State and their compensation shall
4 not exceed the following specified number and amounts:

5 For Salaries:

6	Superintendent	\$ 3,600.00
7	Chief Clerk, Accounting Department.....	1,800.00
8	Chief Bookkeeper	1,560.00
9	Auditor	1,440.00
10	Cashier	1,500.00
11	Assistant Cashier and Bookkeeper.....	1,440.00
12	Secretary to Superintendent.....	1,500.00

13	Assistant Bookkeepers (not to exceed 7) each.....	1,320.00
14	Refund Clerk	1,440.00
15	Transfer Clerk	1,320.00
16	Assistant Transfer Clerk.....	1,200.00
17	Receiving Clerk	1,320.00
18	Superintendent of Index.....	1,800.00
19	Stenographer	1,200.00
20	Receipt Clerks (not to exceed 7) each.....	1,200.00
21	Chief Examiner	1,440.00
22	Examiners (not to exceed 4).....	4,800.00
23	Transfer Index Clerk (not to exceed 2).....	2,520.00
24	Chief Index Clerk.....	1,320.00
25	Index Clerk (9 @ \$1,200.00 each).....	10,800.00
26	Shipping Clerk and Janitor.....	1,500.00
27	Inspectors (not to exceed 20) each.....	1,920.00

28 Provided that no part of such compensation, nor the expenses of
 29 such employees which have been provided for by law shall be paid
 30 from the general fund of the State, but shall be paid from that
 31 part of the Motor Licenses allocated to the Motor Vehicle De-
 32 partment as provided for in section 4999 of the code.

33 Other expenditures of the department are to be paid in a like
 34 manner and said amount including salaries and expenses shall
 35 not exceed the amount allocated in section 4999 of the code.

Amend Section Seventy-two (72) as follows:

1. By striking all of said Section Seventy-two (72).

The Journal of April 10th was corrected and approved.

AMENDMENT FILED

MR. PRESIDENT: I move to amend the rules by adding thereto as Rule
 51 the following:

“In case of a call of the House any absent Senator who is out of the
 city of Des Moines, or sick, may be excused by a majority vote of those
 present.”

Also amend said rules by adding to Senate Rule No. 2 the following:

“The Senate shall choose all committees of conference on House File
 No. 2 by written ballot. Each Senator shall write the names of five
 members of the Senate on a piece of paper, and the name of no Senator

shall appear more than once on any ballot. The five Senators receiving the largest number of votes shall constitute the committee of conference."

O. P. MYERS.

C. F. CLARK.

O. E. GUNDERSON.

W. R. RITCHIE.

WESLEY C. LOWE.

E. W. CLARK.

HOUSE AMENDMENTS TO SENATE FILE NO. 297

1. By striking after the word "employee" in line one (1) of section six (6), the following:

“, except sheriffs or their deputies”

2. By inserting as Section two (2) thereof the following:

Sec. 2. That section fifty-one hundred ninety-one (5191), code, 1927, be amended by striking from line two (2) of subsection ten (10) thereof, the word "ten" and by substituting therefor, the word "seven".

3. By renumbering the sections thereof, in accordance with the above amendment.

Senator Clark of Marion moved to adjourn until 10:00 a. m. Monday.

Roll call was demanded.

On the question "Shall the Senate adjourn?" the vote was:

Ayes, 22.

Anderson	Clearman	Hicklin	Klemme
Baird	Cochrane	Ickis	Stevens
Bennett	Cole	Irwin	Stoddard
Blackford	Cooney	Kent	Wenner
Booth	Frailey	Kimberly	Wilson
Clark of Marion	Hager		

Nays, 18.

Bissell	Coykendall	Leonard	Patterson
Christophel	Doran	Lowe	Rigby
Clark of	Gunderson	McLeland	Ritchie
Cerro Gordo	Hill	Moen	White
Clark of Linn	Knudson	Myers	

Absent or not voting, 10.

Beatty	Carroll	MacDonald	Tabor
Benson	Langfitt	Quirk	Topping
Carden		Stanley	

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 13, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. Loren R. Gans, pastor of the Church of Christ of Jefferson.

BRUCE MEMORIAL RESOLUTION

Senator Booth offered the following resolution:

Whereas, The Honorable James E. Bruce of Anita, Iowa, who was a member of the Senate in the Twenty-ninth, Thirtieth, Thirty-first and Thirty-second General Assemblies, died at his home in Anita, Iowa, on the second day of April, 1931;

Therefore, Be It Resolved by the Senate of the Forty-fourth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

By unanimous consent, on request of Senator Booth, the resolution was taken up and considered.

The resolution was adopted and the President appointed as such committee, Senators Booth, Baird and Langfitt.

FRUDDEN MEMORIAL RESOLUTION

Senator Cooney asked unanimous consent to consider the following resolution and moved its adoption:

Whereas, The Honorable A. F. Frudden, who was a member of the Senate in the Thirty-second, Thirty-second Extra and Thirty-third General Assemblies, from the Thirty-fifth District composed of Dubuque County, died at his home in Beverly Hills, California, on the eighth of April, 1931, therefore

Be It Resolved by the Senate of the Forty-fourth General Assembly,

That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

The resolution was adopted and the President appointed on the committee, Senators Cooney, Benson and Klemme.

The morning session was devoted to the memorial services in honor of former members of the Senate who had passed away since the close of the Forty-third General Assembly.

The memorial resolutions appear in the back of the bound Journal and will also be printed in a separate pamphlet.

Out of respect to the memory of the former members of the Senate just commemorated, on motion of Senator Wilson, the Senate recessed until 1 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

PETITIONS AND MEMORIALS

The following petition was received and referred to the designated committee:

By Senator Doran, from the Farmers Union of Boone county, opposing the passage of the so-called lawyers' bills. Judiciary No. 1.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 251 and 250.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 251 and 250.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 13th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 251 and 250.

E. R. HICKLIN, *Chairman.*

Report adopted.

By unanimous consent on request of Senator Clark of Linn his amendment as filed on page 1315 of the Senate Journal of April 11th was withdrawn.

On motion of Senator Wilson the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of the following as members of the State Fish and Game Commission: Hon. J. F. Walter of McGregor, Clayton county, and Hon. Arthur E. Rapp of Council Bluffs, Pottawattamie county, for the term of two years, from the date of appointment and until May 1, 1933, and Hon. Dennis H. Goeders of Algona, Kosuth county, Hon. J. N. Darling of Des Moines, Polk county, and Hon. W. C. Boone of Ottumwa, Wapello county, for the term of four years, from the date of appointment and until May 1, 1935.

The Senate arose from executive session and resumed regular session.

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 relating to district poultry shows.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 461, a bill for an act to regulate the handling and dispensing of gasoline where the same is sold to the public.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 285, a bill for an act relating to the computation of the annual license fee on motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 578, a bill for an act relating to the sterilization of certain inmates in state institutions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 355, a bill for an act providing that all counties adopt a budget conforming to this chapter.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 577, a bill for an act relating to attorneys' fees in injunction and nuisance cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 309, a bill for an act relating to school elections.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 236, a bill for an act relating to teachers' certificates.

Also: That the House has concurred in the Senate amendments to House File No. 368, a bill for an act relative to a five per cent tax reduction.

Also: That the House has concurred in the Senate amendments to **House File No. 372**, a bill for an act relating to operation of motor vehicles on public highways in this state by nonresidents of this state.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 374, a bill for an act relating to the assignment of bonds issued by the government of the United States.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 374

Amend Senate File No. 374 as follows:

By inserting after the word "and" as it appears first in line five (5) of Section one (1), the words "heretofore", and by striking the word "such" in line nine (9) preceding the word "assignments" and by inserting after the word "assignments" in line nine (9) the words "of such bonds so heretofore owned".

THIRD READING OF BILLS

The time having arrived for its consideration, on motion of Senator Wenner, Senate File No. 115, a bill for an act imposing a tax and penalties upon admission fees to public amusements conducted for pecuniary profit; providing means, methods, and regulations for the collection thereof and the accounting therefor, and providing for the apportionment of the taxes so collected among the school districts of the state, and providing penalties for violation of the terms thereof, returned by the sifting committee, was taken up and considered.

The following amendments proposed by the committee on tax revision were considered:

1. Amend Section one (1) by striking the words "league or professional baseball" from lines six and seven.
2. Amend Section two (2) by striking from line 3 thereof the word "twenty" and substituting in lieu thereof the word "thirty-five".
3. Amend Section five (5) by inserting immediately after the word "card" in line 1 the words "for a sum in excess of thirty-five cents".
4. Amend Section six (6) by striking in line 3 the words "a monthly" and substituting in lieu thereof "at the end of each month a".
5. Amend by striking all of Section nine (9) and substituting in lieu thereof the following:

Sec. 9. On or before the first Monday of March of each year the superintendent of public instruction shall certify to the auditor of state the amounts due the several school corporations of the state in the proportion that the total number of teacher units allotted to each school corporation in a manner hereinafter provided bears to the total number of teacher units so allotted to all the school corporations of the state. Whereupon the auditor of state shall apportion the amount on hand to the several school corporations and shall draw a warrant on the treasurer of state payable to each school corporation in the amount to which it is entitled, and forward same to the secretary of said school corporations.

Upon receipt of such funds the secretary of the school corporation shall cause same to be deposited to the general fund of said school corporation.

6. Amend by striking Section ten (10) and substituting the following:

Sec. 10. Method of Allocation. The number of elementary teacher units which shall be allotted to each school corporation in the state shall be determined by the superintendent of public instruction in the following manner:

A school employing but one teacher for grades one to eight inclusive shall be considered as a teacher unit, regardless of its average daily attendance. In a district having an average daily attendance in grades one to eight inclusive, of forty or less, not to exceed two teachers shall be counted. In a district having an average daily attendance in grades one to eight inclusive, of more than forty, two teachers shall be counted for the first forty of such pupils in average daily attendance, and one teacher for each additional twenty-eight pupils.

The number of high school teacher units which shall be allotted to each school corporation in the state shall be determined by the superintendent of public instruction in the following manner:

In a district having an average daily attendance of less than twenty-five in grades nine to twelve, inclusive, the superintendent of public instruction may use the actual number of teachers employed by such district, not to exceed two. In such a district having an average daily attendance for forty or less in grades nine to twelve inclusive, two teachers shall be counted for the first twenty-five of such pupils in average daily attendance and one teacher for an additional fifteen. In such a district having an average daily attendance of more than forty, three teachers shall be counted for the first forty and one teacher for each additional twenty-three pupils.

Provided that if in any school corporation, the number of teachers actually employed is less than the number of teacher units allotted to that school, the superintendent of public instruction shall use the number actually employed in determining the number of teacher units to be allotted to that school.

7. Amend by striking Section eleven (11) and substituting the following:

"Sec. 11. Replacement Tax. No school districts shall be eligible for an allotment as herein provided in which the levy for the general fund together with the amount apportioned and received under this act exceeds the amount of such levy and allotment of the previous year; excepting, however, in cases of emergency where for good cause shown upon application to a board composed of the Director of the Budget, the Superintendent of Public Instruction, and the chairman of the Board of Review, such increase may be approved by such board. This act is designed as a replacement tax measure, and the tax hereby imposed is for the purpose of providing revenues in aid of the common schools of the state in such

manner as to relieve the burden of taxation heretofore imposed upon the taxable real estate and tangible personal property of the state.

Senator Frailey moved the previous question on all pending amendments and the main bill, which motion prevailed.

Amendment No. 1 was lost.

Amendments Nos. 2, 3, 4, 5, 6 and 7 were adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend by adding after the comma at the end of line 7 of section 1 the following: "ski tournament".

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend section 6 by striking from line 12 the following: "or by the county assessor under the direction of said board".

Senator Benson raised the point of order that the motion for previous question had been adopted.

The President held the point well taken.

By unanimous consent of the Senate Senator Doran was allowed to offer his amendment.

The amendment was adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 21

Anderson	Clark of Linn	Hill	Moen
Beatty	Clearman	Kent	Myers
Bissell	Cochrane	Langfitt	Rigby
Carden	Doran	Leonard	Ritchie
Carroll	Gunderson	MacDonald	Wenner
Christophel			

Nays, 28.

Baird	Cole	Irwin	Quirk
Bennett	Cooney	Kimberly	Stevens
Benson	Coykendall	Klemme	Stoddard
Blackford	Frailey	Knudson	Tabor
Booth	Hager	Lowe	Topping
Clark of	Hicklin	McLeland	White
Cerro Gordo	Ickis	Patterson	Wilson
Clark of Marion			

Absent or not voting, 1.

Stanley

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Frailey moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 321, 200, 170, 203, 337, 276, 227, 364, 235, 334, 67, 133, 377, 80, 453, 454.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 321, 200, 170, 203, 337, 276, 227, 364, 235, 334, 67, 133, 377, 80, 453, 454.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 10, amended by the House, and moved that the Senate concur

in the amendments as found on page 1317, et seq., of the Senate Journal of April 11th.

Rule 8 was invoked.

On the question "Shall the Senate concur?" the vote was:

Ayes, 9.

Gunderson	Leonard	Moen	Patterson
Hill	McLeland	Myers	Ritchie
Knudson			

Nays, 38.

Anderson	Clark of	Frailey	Quirk
Baird	Cerro Gordo	Hager	Rigby
Beatty	Clark of Linn	Hicklin	Stevens
Bennett	Clark of Marion	Ickis	Stoddard
Benson	Clearman	Irwin	Tabor
Bissell	Cochrane	Kent	Topping
Blackford	Cole	Kimberly	Wenner
Booth	Cooney	Klemme	White
Carden	Coykendall	Langftt	Wisou
Christophel	Doran	Lowe	

Absent or not voting, 3.

Carroll	MacDonald	Stanley
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The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

There being a call of the Senate on consideration of House File No. 2, the roll call revealed the presence of all Senators except Senator Stanley.

Senators Clark of Cerro Gordo and Doran called up for consideration the following motion and moved its adoption:

MR. PRESIDENT: We move that the Conference Committee on House File No. 2 be instructed to report on or before 1:30 p. m., Monday, April 13th, presenting a report that will permit the Senate and House to vote on the income tax without the assessor amendment and that if such report be not filed at that time that the Committee be then discharged.

By unanimous consent on request of Senator Clark of Cerro Gordo the motion was withdrawn at 3:21 p. m. today.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 14

Senator Frailey called up for consideration the following resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the Forty-fourth General Assembly adjourn, sine die, at 12 o'clock noon, April 15th, 1931.

Senators Clark of Linn, Clark of Cerro Gordo and Gunderson offered the following amendment and moved its adoption:

Amend by striking out the words and figures "Wednesday, April 15th, 1931", and inserting in lieu thereof the words and figures "Saturday, April 18th, 1931".

Senator Patterson made the statement that if adjournment is had on the 15th instead of the 18th and the conference committee on the appropriations bill is unable to come to an agreement on the 15th it was very likely that the General Assembly would be dissolved before they could report.

Senator Frailey raised the point of order that the question before the Senate was the amendment as to whether or not adjournment was to be had on the 18th, and that the Senator from Kossuth was out of order.

The President held the point of order not well taken as the offering of the amendment did not close debate on the main resolution.

Senator Doran moved to defer action until 10:00 a. m. Thursday.

Senator Wilson raised the point of order that the motion was out of order in that the original motion called for adjournment at a time prior to Thursday.

The President held the point well taken.

Senator Doran moved that action be deferred until 11:59 a. m. Wednesday.

Roll call was demanded.

On the question "Shall the motion to defer action prevail?" the vote was:

Ayes, 17.

Bissell	Coykendall	Leonard	Patterson
Carroll	Doran	MacDonald	Ritchie
Clark of	Gunderson	Moen	Wenner
Cerro Gordo	Knudson	Myers	White
Clark of Linn	Langfitt		

Nays, 31.

Anderson	Clark of Marion	Hill	Quirk
Baird	Clearman	Ickis	Rigby
Beatty	Cochrane	Irwin	Stevens
Bennett	Cole	Kent	Stoddard
Benson	Cooney	Kimberly	Tabor
Blackford	Frailey	Klemme	Topping
Booth	Hager	Lowe	Wilson
Carden	Hicklin	McLeland	

Absent or not voting, 2.

Christophel Stanley

The motion was lost.

Senator Anderson moved the previous question on the amendment.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Anderson	Clark of	Hill	McLeland
Beatty	Cerro Gordo	Knudson	Moen
Bennett	Clark of Linn	Langfitt	Myers
Bissell	Coykendall	Leonard	Patterson
Carroll	Doran	Lowe	Ritchie
	Gunderson	MacDonald	White

Nays, 27.

Baird	Clearman	Ickis	Stevens
Benson	Cochrane	Irwin	Stoddard
Blackford	Cole	Kent	Tabor
Booth	Cooney	Kimberly	Topping
Carden	Frailey	Klemme	Wenner
Christophel	Hager	Quirk	Wilson
Clark of Marion	Hicklin	Rigby	

Absent or not voting, 1.

Stanley

The amendment was lost.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking out the words and figures "Wednesday, April 15, 1931", and inserting in lieu thereof the words and figures "Thursday, April 16, 1931".

Senator Hicklin raised the point of order that the previous question had been moved.

The President held the point of order not well taken as the previous question had only been moved on the pending amendment.

Senator Cooney moved the previous question on the pending amendment and the resolution, which motion prevailed.

Senator Anderson addressed the chair.

Senator Benson raised the point of order that the previous question had been put.

The President held the point of order well taken.

Roll call was demanded on the amendment.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Bennett	Clark of Linn	Leonard	Patterson
Bissell	Doran	Lowe	Quirk
Carroll	Gunderson	MacDonald	Ritchie
Christophel	Hill	McLeland	Wenner
Clark of	Knudson	Moen	White
Cerro Gordo	Langfitt	Myers	

Nays, 27.

Anderson	Clark of Marion	Hager	Rigby
Baird	Clearman	Hicklin	Stevens
Beatty	Cochrane	Ickis	Stoddard
Benson	Cole	Irwin	Tabor
Blackford	Cooney	Kent	Topping
Booth	Coykendall	Kimberly	Wilson
Carden	Frailey	Klemme	

Absent or not voting, 1.

Stanley

The amendment was lost.

Roll call was demanded on the main question:

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 30.

Anderson	Blackford	Clark of Marion	Cooney
Baird	Booth	Clearman	Frailey
Bennett	Carden	Cochrane	Hager
Benson	Carroll	Cole	

Hicklin	Kimberly	Rigby	Topping
Ickis	Klemme	Stevens	Wenner
Irwin	McLeland	Stoddard	Wilson
Kent	Quirk	Tabor	

Nays, 17.

Bissell	Coykendall	Langfitt	Myers
Christophel	Doran	Leonard	Patterson
Clark of Cerro Gordo	Gunderson	Lowe	Ritchie
Clark of Linn	Knudson	MacDonald	White
		Moen	

Absent or not voting, 3.

Beatty	Hill	Stanley
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The resolution was adopted.

Senator Stoddard moved that the vote by which the resolution was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Gunderson called up for consideration Senate File No. 297, amended by the House, and moved that the Senate concur in the following amendments:

1. By striking after the word "employee" in line one (1) of section six (6), the following:

" , except sheriffs or their deputies".

2. By inserting as Section Two (2) thereof the following:

Sec. 2. That section fifty-one hundred ninety-one (5191), code, 1927, be amended by striking from line two (2) of subsection ten (10) thereof, the word "ten" and by substituting therefor, the word "seven".

3. By renumbering the sections thereof, in accordance with the above amendment.

Senator Knudson moved the previous question, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the Senate concur?" the vote was:

Ayes, 21.

Anderson	Coykendall	Langfitt	Patterson
Bissell	Gunderson	Lowe	Quirk
Carroll	Hill	MacDonald	Ritchie
Christophel	Irwin	McLeland	Tabor
Clark of Cerro Gordo	Knudson	Moen	White
		Myers	

Nays, 27.

Baird	Clark of Marion	Hager	Rigby
Beatty	Clearman	Hicklin	Stevens
Bennett	Cochrane	Ickis	Stoddard
Benson	Cole	Kent	Topping
Blackford	Cooney	Kimberly	Wenner
Booth	Doran	Klemme	Wilson
Carden	Frailey	Leonard	

Absent or not voting, 2.

Clark of Linn Stanley

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

Senator Wilson moved that the vote by which the House amendments failed to be adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Wenner called up for consideration Senate File No. 146, amended by the House, and moved that the Senate concur in the following amendments:

Amend section six (6) by striking from the last line thereof the words "March" and "September".

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Ickis	MacDonald
Baird	Cochrane	Irwin	McLeland
Bennett	Cole	Kent	Moen
Benson	Cooney	Kimberly	Myers
Bissell	Coykendall	Klemme	Quirk
Blackford	Frailey	Knudson	Rigby
Carden	Gunderson	Langfitt	Ritchie
Christophel	Hager	Leonard	Topping
Clark of	Hill	Lowe	Wenner
Cerro Gordo			Wilson

Nays, 1.

White

Absent or not voting, 12.

Beatty	Clark of Linn	Hicklin	Stevens
Booth	Clearman	Patterson	Stoddard
Carroll	Doran	Stanley	Tabor

The House amendment having received a constitutional ma-

majority was declared to have been adopted and concurred in by the Senate.

Senator Kimberly called up for consideration Senate File No. 374, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting after the word "and" as it appears first in line five (5) of Section one (1), the words "heretofore", and by striking the word "such" in line nine (9) preceding the word "assignments" and by inserting after the word "assignments" in line nine (9) the words "of such bonds so heretofore owned".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Anderson	Clark of Marion	Ickis	Myers
Bennett	Clearman	Irwin	Patterson
Benson	Cochrane	Kent	Quirk
Bissell	Cole	Kimberly	Rigby
Blackford	Cooney	Klemme	Ritchie
Booth	Coykendall	Knudson	Stevens
Carden	Frailey	Langfitt	Topping
Christophel	Gunderson	Leonard	Wenner
Clark of Cerro Gordo	Hager	McLeland	White

Nays, none.

Absent or not voting, 14.

Baird	Doran	Lowe	Stoddard
Beatty	Hicklin	MacDonald	Tabor
Carroll	Hill	Moen	Wilson
Clark of Linn		Stanley	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, ending June 30, 1933, and requests a Conference Committee of five, and the Speaker appoints as such committee on the part of the House the following representatives: Van Buren, Hush, Ellsworth, Roe and Rutledge.

SAM C. RAGAN, *Chief Clerk.*

CONFERENCE COMMITTEE ON SENATE FILE NO. 10

The President appointed as conference committee on the part of the Senate on Senate File No. 10, Senators Stoddard, Anderson, Doran, Booth and Irwin.

REPORTS OF COMMITTEES

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 351, a bill for an act to make an appropriation to Thomas Logan, William Ross, Fink Brothers, P. A. Clemmer, the Union Prairie Church, E. R. Bartz, Mrs. James Shada and Dale Taylor, for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 410, a bill for an act to make an appropriation to Winnebago County, Iowa, Emmet County, Iowa, Louisa County, Iowa, Muscatine County, Iowa, and Hancock County, Iowa, for drainage and secondary road assessments, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 319, a bill for an act to make an appropriation to Emmet L. Morris, Marquette, Ia., A. L. Wood, Hampton, Ia., and Albert L. Sharp, Arnolds Park, Ia., for services rendered to the state of Ia., for which former appropriation has not been made, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 409, a bill for an act to make an appropriation to Brown & Cook, Ottumwa, Ia., and Harry Yoss, Scranton, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 323, a bill for an act to make an appropriation to W. F. Dollan & Sons, of Neola, Iowa, for damages incurred by the failure of the Iowa State Highway Comm. to have a bridge completed for the performance of a contract by the claimant, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 542, a bill for an act to make an appropriation to Earl E. Hunt, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the state of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

HOUSE MESSAGES CONSIDERED

House File No. 436, a bill for an act to amend chapter one hundred forty-two (142), code, 1927, changing the date for notification of intentions of holding local poultry shows, and providing that counties which do not hold a local show may hold a district show and may consolidate their state aid in holding such district shows.

Read first and second times and referred to sifting committee.

House File No. 461, a bill for an act to regulate the handling and dispensing of motor vehicle fuel or other inflammable liquids where the same are sold or offered for sale to the public, to regulate the delivery of motor vehicle fuel or other inflammable liquids at places where the same are sold to the public, and to regulate the servicing of motor vehicles.

Read first and second times and referred to sifting committee.

House File No. 285, a bill for an act to amend sections forty-nine hundred eight (4908), and forty-nine hundred ten (4910), Code, 1927, relating to the computation of the annual license fee on motor vehicles.

Read first and second times and referred to sifting committee.

House File No. 578, a bill for an act to provide for the sexual sterilization of certain persons, and fixing the procedure for the requirement or ordering thereof, and providing for appeals from such orders and repealing chapter sixty-six (66), acts of the 43rd general assembly.

Read first and second times and referred to sifting committee.

House File No. 355, a bill for an act to amend chapter one hundred forty-six (146), acts of the forty-third (43rd) general assembly.

bly, providing that all counties adopt a budget conforming to this chapter.

Read first and second times and referred to sifting committee.

House File No. 577, a bill for an act to amend sections twenty hundred twenty-three (2023) and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code, 1927, and to enact a substitute therefor, relating to attorneys' fees in injunction and nuisance cases.

Read first and second times and referred to sifting committee.

INTRODUCTION OF BILL

Senate File No. 428, by committee on appropriations, a bill for an act to authorize the executive council to purchase certain property adjacent to the capitol extension grounds and to make an appropriation therefor.

Read first and second times and placed on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 408

Amend by striking all of Section One (1) after the word "of" in line eleven (11) and inserting the words "the Primary Road Fund".

HOUSE AMENDMENTS CONSIDERED

Senator Clark of Cerro Gordo called up for consideration Senate File No. 408, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking all of Section one (1) after the word "of" in line eleven (11) and inserting the words "the Primary Road Fund".

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Anderson	Clearman	Irwin	Moen
Bennett	Cochrane	Kent	Myers
Benson	Cole	Klemme	Rigby
Blackford	Coykendall	Knudson	Stevens
Booth	Gunderson	Langftt	Tabor
Christophel	Hager	Leonard	Topping
Clark of	Hicklin	Lowe	Wenner
Cerro Gordo	Hill	MacDonald	White
Clark of Marion	Ickis	McLeland	Wilson

Nays, none.

Absent or not voting, 15.

Baird	Carroll	Frailey	Ritchie
Beatty	Clark of Linn	Kimberly	Stanley
Bissell	Cooney	Patterson	Stoddard
Carden	Doran	Quirk	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

The Journal of April 11th was corrected and approved.

REPORT OF CONFERENCE COMMITTEE SENATE FILE NO. 133

MR. PRESIDENT AND MR. SPEAKER: We, the members of your Conference Committee, appointed on April 6, 1931, to confer relative to Senate File No. 133, report that we have agreed as follows:

1. That Section four (4) of said Senate File No. 133, as the same passed the House, be amended by inserting after the word "vehicle" at the end of line one (1) and preceding the word "which" at the beginning of line two (2), the following: ", except fire fighting apparatus,".

2. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking from lines three (3) and four (4) thereof, the word and figures "forty (40)" and substituting in lieu thereof the words and figures "forty-five (45)".

3. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking from line ten (10) thereof the word "primary" and by striking from line eleven (11) thereof the word "only".

4. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking all of line thirteen (13) to eighteen (18) inclusive, and inserting in lieu thereof the following: "Construction equipment or material which exceeds the limits of size or weight specified in this act may be moved over the highways,

after first securing the approval of the board or body in control of such highways, or its authorized representative."

5. That Section eight (8) of said Senate File No. 133, as the same passed the House, be amended by striking therefrom lines five (5) to thirty-three (33) inclusive, and substituting in lieu thereof the following: "By striking all of said section five thousand sixty-five (5065) following the word "weight" in line five (5) thereof and substituting in lieu thereof the following: "of any vehicle or combination of vehicles and load shall not in any event exceed twelve (12) tons plus four hundred fifty (450) pounds for each foot, or fraction thereof, of distance between the front and rear axels of the vehicle or first and last axels of a combination of vehicles. Two or more wheels on the same end of a given axel shall be considered as one wheel."

6. That Section nine (9) of said Senate File No. 133, as the same passed the House, be amended by adding to said section the following: "Provided that permits issued under this section for the operation of combinations, which include a trailer or semi-trailer more than thirty (30) feet in length, shall terminate on December thirty-first (31), Nineteen Hundred Thirty-one (1931)."

7. That Section ten (10) of said Senate File No. 133, as the same passed the House, be amended by striking from line five (5) the word and figure "eight (8)" and substituting in lieu thereof the word and figure "four (4)".

8. That Section ten (10) of said Senate File No. 133, as the same passed the House, be further amended by striking all of said section following the word "the" in line seven (7) thereof and substituting the following: "board or body in control of said highways, or its authorized representative,".

9. That said Senate File No. 133, as the same passed the House, be further amended by striking therefrom all of Section eleven (11) and substituting the following in lieu thereof:

"Sec. 11. That Section two (2) of Chapter one hundred twenty-eight (128) of the Acts of the Forty-third (43rd) General Assembly, be amended by striking therefrom all of line twelve (12) to twenty (20) inclusive, and substituting the following in lieu thereof: "a. Thirty-five (35) miles per hour for any freight carrying vehicle which is equipped with pneumatic tires.

b. Twenty (20) miles per hour for any freight carrying vehicle equipped with solid rubber tires, if the weight of the vehicle and load is less than six (6) tons, and twelve (12) miles per hour for any freight carrying vehicle equipped with solid rubber tires, if the weight of the vehicle and load is more than six (6) tons."

10. That Senate File No. 133, as the same passed the House, be further amended by adding thereto the following:

"Sec. 12. That Section five thousand one hundred five A34 (5105-A34) of the Code of 1927 be amended by striking from lines three (3) and four (4) thereof the words "thirty-five" and substituting in lieu thereof the words "forty-five".

And that said section be further amended by substituting a period (.) for a comma (,) following the word "hour" in line four (4) thereof and striking all of the remainder of said section.

11. That the title to said Senate File No. 133, as the same passed the House, be amended by striking the period (.) at the end thereof and adding thereto the following: "and to amend Section five thousand one hundred five A-34 (5105-A34) of the Code of 1927, relating to the speed of motor vehicle carriers."

12. That in all other respects, said Senate File No. 133 be approved as same passed the House.

CHAS. D. BOOTH, *Chairman,*

E. R. HICKLIN,

O. P. BENNETT,

J. H. HAGER,

On Part of the Senate.

J. PARK BAIR, *Chairman,*

E. O. HELGASON,

FRED B. WITT,

E. H. FABRITZ,

On Part of the House.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 309 by inserting in section one (1) after the word "market" the following: "or for slaughter".

O. E. GUNDERSON.

MR. PRESIDENT: I move to amend Senate File No. 307, by striking all of the title and inserting the following in lieu thereof:

A bill for an act to repeal sections eighteen hundred fifty-four (1854), eighteen hundred fifty-five (1855), eighteen hundred sixty-four (1864), eighteen hundred sixty-nine b one (1869 b 1); to amend sections eighteen hundred fifty-six (1856), eighteen hundred sixty-five (1865), eighteen hundred seventy-two (1872) and to enact substitutes for said repealed sections: all of said sections relating to the license and registration of professional engineers and land surveyors, and all of said sections being of the Code, 1927.

Also amend Senate File No. 307, by striking all after the enacting clause and inserting in lieu thereof, the following:

Section 1. Section eighteen hundred fifty-four (1854), Code, 1927, is hereby repealed and the following is enacted in lieu thereof:

Registered Engineers and Surveyors. No person shall practice or offer to practice as a professional engineer or land surveyor in this state or

use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer or a land surveyor unless he shall first be registered as a professional engineer or a registered land surveyor.

Sec. 2. Section eighteen hundred fifty-five (1855), Code, 1927, is hereby repealed and the following enacted in lieu thereof:

Terms Defined. The term "professional engineer" as used in this act, shall mean and include a person who practices any branch of professional engineering other than military engineering, or who represents himself to be such a professional engineer, either through the use of the term "engineer" with or without qualifying adjectives, or through the use of some other title implying that he is such a professional engineer.

The term "land surveyor", as used in this act, shall mean any person who makes surveys for the determination of area or the establishment of land boundaries, or the subdivisions and platting of land.

The term, "Board", as used in this Act, shall mean the State Registration Board for Professional Engineers and Land Surveyors.

Sec. 3. Section eighteen hundred fifty-six (1856), Code, 1927, is amended by striking the words "Board of Engineering Examiners" where they occur in the title and in line three and substituting in lieu thereof the words, "Engineers Registration Board".

Sec. 4. Section eighteen hundred sixty-four (1864), Code, 1927, is hereby repealed and the following substituted in lieu thereof:

Records and Reports. The Secretary shall keep a record of the Board's proceedings and register of all applications for registration, which register shall show (a) the name, age, and resident of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the Board; and (i) such other information as may be deemed necessary by the Board.

The records of the Board shall be prima facie evidence of the proceedings of the Board set forth therein, and a transcript thereof, duly certified by the Secretary of the Board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

Sec. 5. Section eighteen hundred sixty-five (1865), Code, 1927, is hereby amended by striking the words "Engineering Examiners" from the title and substituting in lieu thereof the words "Engineering Registration Board" and the section is further amended by striking the words "Board of Engineering Examiners" where they occur in lines six, nine and ten and substituting in lieu thereof the words, "Engineering Registration Board".

Sec. 6. Section eighteen hundred sixty-nine b one (1869b1), Code, 1927, is hereby repealed and the following enacted in lieu thereof:

Expirations and Renewals. Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed.

It shall be the duty of the Secretary of the Board to notify every person registered under this Act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of the fee of two dollars (\$2.00). The failure on the part of the registrant to renew his certificate annually as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the last day of December shall be increased two dollars per year for each year or fraction thereof that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed ten dollars (\$10.00).

Sec. 7. Section eighteen hundred seventy-two (1872) Code, 1927, is hereby amended by adding the following to the end of the section:

The Board may re-issue a certificate of registration to any person whose certificate has been revoked, lost, destroyed or mutilated upon a vote of three or more members of the Board and a charge of three dollars (\$3.00) shall be made for such issuance.

IRVING H. KNUDSON.

MR. PRESIDENT: I amend House File No. 352 by striking out all after the enacting clause thereof, and substituting in lieu therefor the following:

Section 1. Every person, co-partnership, association, corporation or syndicate engaged in the business of transporting or transmitting gas, gasoline, oils, or motor fuels by means of pipe lines, whether such pipe lines be owned or leased, shall be taxed as herein provided.

Sec. 2. The words "pipe line company" as used in this act shall be deemed and construed to mean any person, co-partnership, association, corporation or syndicate that may own or operate or be engaged in operating or utilizing pipe lines for the purposes described in section one (1) hereof.

The word "board" wherever it appears in this act shall mean the state board of assessment and review.

Sec. 3. Every pipe line company having lines in the state of Iowa shall annually, on or before the first day of April in each year, make out and deliver to the state board of assessment and review a statement,

verified by the oath of an officer or agent of such pipe line company making such statement, showing in detail for the year ended December 31 next preceding:

1. The name of the company.
2. The nature of the company, whether a person or persons, an association, co-partnership, corporation or syndicate, and under the laws of what state organized.
3. The location of its principal office or place of business.
4. The name and post office address of the president, secretary, auditor, treasurer and superintendent or general manager.
5. The name and post office address of the chief officer or managing agent of the company in Iowa.
6. The whole number of miles of pipe line owned, operated or leased within the state, including a classification of the size, kind and weight thereof, separated, so as to show the mileage in each county, and each lesser taxing district.
7. A full and complete statement of the cost and actual present value of all buildings of every description owned by said pipe line company within the state and each lesser taxing district, not otherwise assessed.
8. The number, location, size and cost of each pressure pump or station.
9. Any and all other property owned by said pipe line company within the state which property must be classified and scheduled in such a manner as the board may by rule require.
10. The gross earnings of the entire company, and the gross earnings on business done within this state.
11. The operating expenses of the entire company and the operating expenses within this state.
12. The net earnings of the entire company and the net earnings within this state.

Sec. 4. Every pipe line company required by law to report to the state board of assessment and review under the provisions of this act shall, on or before the first day of April, 1932, make to the state board of assessment and review a detailed statement showing the amount of real estate owned or used by it on December 31, 1931, for pipe line purposes, the county in which said real estate is situated, including the rights of way, pumping or station grounds, buildings, storage or tank yards, equipment grounds for any and all purposes, with the estimated actual value thereof, in such manner as may be required by the board.

Only one such detailed statement by any pipe line company shall be necessary, and when received by the board, it shall become the record of the pipe line lands of such company, and be deemed as annually thereafter reported for valuation and assessment by the board.

On or before the first day of April of each subsequent year, such company shall, in like manner, report all real estate acquired for any of the pipe line purposes above named during the preceding calendar year; and also, a list of any real estate, previously reported, disposed of during the same period, which disposition shall be noted by the board in an appropriate column opposite to the description of said tract in the original report of the same in the record of pipe line land.

The board shall, by some convenient method of binding, arrange the statements required to be made by this section, so as to form a consolidated list of all real estate reported to it as being owned or used for pipe line purposes within the state of Iowa.

Sec. 5. For the purpose of making reports to the state board of assessment and review, the gross earnings of a pipe line company, owning or operating a line or lines within this state, shall be computed and reported by said company upon such basis as the board may by rule require.

Sec. 6. The state board of assessment and review shall have power to prescribe such rules and regulations with respect to the keeping of accounts by the pipe line companies doing business or having property in this state as will insure the accurate division of the accounts and the information to be reported, and uniformity in reporting the same to said board.

Sec. 7. The rules, regulations, method and requirements herein provided to be made by the state board of assessment and review, shall be made and communicated in writing or printing to the said several pipe line companies, and shall be and become binding upon said pipe line companies from the time they are so communicated; provided, however, that the said board shall have the power to prescribe supplemental or additional rules, regulations and requirements at any time, and communicate them to the several pipe line companies in the manner aforesaid, and with respect to such additional supplemental rules, regulations and requirements, they shall be and become binding upon the said pipe line companies within thirty (30) days from the time they are so communicated.

Sec. 8. If any pipe line company shall fail or refuse to obey and conform to the rules, regulations, method and requirements so made and prescribed by the state board of assessment and review under the provisions of this act, or to make the reports herein provided, the board shall proceed to assess the property of such pipe line company so failing or refusing, according to the best information obtainable, and shall then add to its valuation of such pipe line company twenty-five per cent (25%) thereof, which valuation and penalty shall be separately shown, and together shall constitute the assessment for that year.

Sec. 9. The board may demand, in writing, detailed, explanatory and amended statements of any of the items mentioned in section three (3) of this act, or any other item deemed to be important, to be furnished it by such pipe line company within thirty (30) days from such demand in such form 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 board, in writing, shall require.

Sec. 10. The said property shall be valued at its actual value, and the assessments shall be made upon the taxable value of the entire pipe line property within the state, except as otherwise provided; and shall include the rights of way, easements, the pipe lines, stations, grounds, shops, buildings, pumps and all other property, real and personal exclusively used in the operation of such pipe line. In assessing said pipe line company and its equipment, said board shall take into consideration the gross earnings and the net earnings for the entire property, and per mile, for the year ending December 31 preceding, and any and all other matters necessary to enable said board to make a just and equitable assessment of said pipe line property.

Sec. 11. The state board of assessment and review shall on or before the third Monday in August of each year determine the value of pipe line property located in each taxing district of the state, and in fixing said value shall take into consideration the structures, equipment, pumping stations, etc., located in said taxing district, and shall transmit to the county auditor of each such county through and into which any pipe line may extend, a statement showing the assessed value of said property in each of the taxing districts of said county. The said property shall then be taxed in said county and lesser taxing districts, based upon the valuation so certified, in the same manner as in other property.

Sec. 12. At the first meeting of the board of supervisors held after said statement is received by the county auditor, it shall cause the same to be entered on its minute book, and make and enter therein an order describing and stating the assessed value of each pipe line lying in each city, town, township or lesser taxing district in its county, through or into which said pipe line extends, as fixed by the board of assessment and review, which shall constitute the assessed value of said property for taxing purposes; and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the council of the city or town, or the trustees of the township, as the case may be.

All such pipe line property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purpose as the property of individuals within such counties, cities, towns, townships, and lesser taxing districts.

If said tax is not paid, the county treasurer shall collect the same by whatever method may seem proper. If said tax is not paid within the calendar year in which the same is due, the company shall not be per-

mitted thereafter to use the public or private property of the state of Iowa, or to operate in Iowa for any purpose.

Sec. 13. The provisions of this act shall not apply to a gas distributing plant or company located entirely within any city or town and not a part of a pipe line transportation company. Such local municipal plant shall be taxed in the municipality where located.

O. P. MYERS.

HOUSE MESSAGES CONSIDERED

House File No. 492, a bill for an act to amend Section fifty-four hundred forty-eight (5448), code, 1927, so as to provide for the impounding and disposal of dogs running at large, between sunset and sunrise, and not under the immediate control of some person.

Read first and second times and referred to sifting committee.

House File No. 448, a bill for an act to repeal the law as it appears in section fifty hundred twenty-seven (5027) of the code, 1927, and to enact a substitute therefor relating to driving a motor vehicle while intoxicated, and prescribing punishments therefor.

Read first and second times and referred to sifting committee.

On motion of Senator Gunderson the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 14, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. R. Stanley Brown, pastor of the Presbyterian Church of Winfield.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 236 and 309.

E. R. HICKLIN,
Chairman Senate Committee.
G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 236 and 309.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 14th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 236 and 309.

E. R. HICKLIN, *Chairman.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Irwin Senate File No. 248, a bill for an act to amend section ten thousand four hundred eighty-one (10481), Code, 1927, relating to final orders in divorce proceedings relative to the maintenance of parties and children, returned by the sifting committee, was taken up and considered.

Senator MacDonald moved the previous question, which motion prevailed.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Baird	Cochrane	Irwin	Moen
Benson	Cole	Kent	Stanley
Bissell	Cooney	Kimberly	Stevens
Blackford	Coykendall	Klemme	Tabor
Carden	Hager	Knudson	Topping
Clark of Marion	Hicklin	Lowe	White
Clearman	Ickis	McLeland	Wilson

Nays, 12.

Bennett	Hill	Myers	Ritchie
Doran	Leonard	Patterson	Stoddard
Gunderson	MacDonald	Quirk	Wenner

Absent or not voting, 10.

Anderson	Carroll	Clark of	Frailey
Beatty	Christophel	Cerro Gordo	Langfitt
Booth		Clark of Linn	Rigy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin House File No. 477, a bill for an act to amend section five thousand twenty-six-b one (5026-b1), code, 1927, so as to limit the civil liability of owners and operators of automobiles, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 19.

Baird	Clark of Marion	Ickis	Topping
Benson	Clearman	Irwin	Wenner
Blackford	Cochrane	Kimberly	White
Carden	Frailey	Rigby	Wilson
Clark of	Hicklin	Stoddard	
Cerro Gordo			

Nays, 28.

Anderson	Cole	Knudson	Myers
Beatty	Cooney	Langfitt	Patterson
Bennett	Coykendall	Leonard	Quirk
Bissell	Doran	Lowe	Ritchie
Booth	Hager	MacDonald	Stanley
Christophel	Kent	McLeland	Stevens
Clark of Linn	Klemme	Moen	Tabor

Absent or not voting, 3.

Carroll	Gunderson	Hill
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Doran moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Roll call was demanded on the tabling motion.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 28.

Anderson	Doran	Knudson	Myers
Beatty	Gunderson	Langfitt	Patterson
Bissell	Hager	Leonard	Quirk
Booth	Hill	Lowe	Ritchie
Christophel	Ickis	MacDonald	Stanley
Clark of Linn	Kent	McLeland	Stevens
Cole	Klemme	Moen	Tabor

Nays, 19.

Baird	Clark of Marion	Frailey	Topping
Bennett	Clearman	Hicklin	Wenner
Blackford	Cochrane	Irwin	White
Carden	Cooney	Rigby	Wilson
Clark of Cerro Gordo	Coykendall	Stoddard	

Absent or not voting, 3.

Benson	Carroll	Kimberly
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The motion prevailed.

On motion of Senator Clark of Linn Senate File No. 308, a bill for an act to amend section eleven thousand six hundred twenty-nine (11629), Code, 1927, relating to taxation of jury fees as costs, returned by the sifting committee, was taken up and considered.

Senator Myers offered the following amendment and moved its adoption:

Amend by striking from line five (5) the word "twenty-five" and inserting in lieu thereof the word "fifteen". Also by inserting before the word "That" in line 1 the word and figure "Section 1."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 35.

Anderson	Clark of Marion	Hicklin	Myers
Baird	Cochrane	Hill	Patterson
Beatty	Cole	Irwin	Rigby
Bennett	Cooney	Klemme	Ritchie
Blackford	Coykendall	Knudson	Stevens
Booth	Doran	Leonard	Tabor
Carden	Frailey	MacDonald	Topping
Christophel	Gunderson	McLeland	White
Clark of Cerro Gordo	Hager	Moen	

Nays, 7.

Clearman	Langfitt	Stanley	Wilson
Kent	Lowe	Wenner	

Absent or not voting, 8.

Benson	Carroll	Ickis	Quirk
Bissell	Clark of Linn	Kimberly	Stoddard

The amendment was adopted.

Senator Cooney moved the previous question, which motion prevailed.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clark of Linn	Hager	Patterson
Baird	Clark of Marion	Hicklin	Quirk
Bennett	Clearman	Irwin	Rigby
Bissell	Cochrane	Klemme	Ritchie
Blackford	Cooney	Lowe	Stevens
Booth	Coykendall	McLeland	White
Carden	Doran	Moey	Wilson
Christophel	Gunderson	Myers	

Nays, 16.

Beatty	Hill	Knudson	Stoddard
Clark of	Ickis	Langfitt	Tabor
Cerro Gordo	Kent	Leonard	Topping
Cole	Kimberly	Stanley	Wenner
Frailey			

Absent or not voting, 3.

Benson	Carroll	MacDonald
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONFERENCE REPORT ON SENATE FILE NO. 133 CONSIDERED

MR. PRESIDENT AND MR. SPEAKER: We, the members of your Conference Committee, appointed on April 6, 1931, to confer relative to Senate File No. 133, report that we have agreed as follows:

1. That Section four (4) of said Senate File No. 133, as the same passed the House, be amended by inserting after the word "vehicle" at the end of line one (1) and preceding the word "which" at the beginning of line two (2), the following: ", except fire fighting apparatus,".

2. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking from lines three (3)

and four (4) thereof, the word and figures "forty (40)" and substituting in lieu thereof the words and figures "forty-five (45)".

3. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking from line ten (10) thereof the word "primary" and by striking from line eleven (11) thereof the word "only".

4. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking all of lines thirteen (13) to eighteen (18) inclusive, and inserting in lieu thereof the following: "Construction equipment or material which exceeds the limits of size or weight specified in this act may be moved over the highways, after first securing the approval of the board or body in control of such highways, or its authorized representative."

5. That Section eight (8) of said Senate File No. 133, as the same passed the House, be amended by striking therefrom lines five (5) to thirty-three (33) inclusive, and substituting in lieu thereof the following: "By striking all of said section five thousand sixty-five (5065) following the word "weight" in line five (5) thereof and substituting in lieu thereof the following: "of any vehicle or combination of vehicles and load shall not in any event exceed twelve (12) tons plus four hundred fifty (450) pounds for each foot, or fraction thereof, of distance between the front and rear axels of the vehicle or first and last axels of a combination of vehicles. Two or more wheels on the same end of a given axel shall be considered as one wheel."

6. That Section nine (9) of said Senate File No. 133, as the same passed the House, be amended by adding to said section the following: "Provided that permits issued under this section for the operation of combinations, which include a trailer or semi-trailer more than thirty (30) feet in length, shall terminate on December thirty-first (31), Nineteen Hundred Thirty-one (1931)."

7. That Section ten (10) of said Senate File No. 133, as the same passed the House, be amended by striking from line five (5) the word and figure "eight (8)" and substituting in lieu thereof the word and figure "four (4)".

8. That Section ten (10) of said Senate File No. 133, as the same passed the House, be further amended by striking all of said section following the word "the" in line seven (7) thereof and substituting the following: "board or body in control of said highways, or its authorized representative,".

9. That said Senate File No. 133, as the same passed the House, be further amended by striking therefrom all of Section eleven (11) and substituting the following in lieu thereof:

"Sec. 11. That Section two (2) of Chapter one hundred twenty-eight (128) of the Acts of the Forty-third (43rd) General Assembly, be

amended by striking therefrom all of lines twelve (12) to twenty (20) inclusive, and substituting the following in lieu thereof: "a. Thirty-five (35) miles per hour for any freight carrying vehicle which is equipped with pneumatic tires.

b. Twenty (20) miles per hour for any freight carrying vehicle equipped with solid rubber tires, if the weight of the vehicle and load is less than six (6) tons, and twelve (12) miles per hour for any freight carrying vehicle equipped with solid rubber tires, if the weight of the vehicle and load is more than six (6) tons."

10. That Senate File No. 133, as the same passed the House, be further amended by adding thereto the following:

"Sec. 12. That Section five thousand one hundred five A34 (5105-A34) of the Code of 1927 be amended by striking from lines three (3) and four (4) thereof the words "thirty-five" and substituting in lieu thereof the words "forty-five".

And that said section be further amended by substituting a period (.) for a comma (,) following the word "hour" in line four (4) thereof and striking all of the remainder of said section.

11. That the title to said Senate File No. 133, as the same passed the House, be amended by striking the period (.) at the end thereof and adding thereto the following: "and to amend Section five thousand one hundred five A-34 (5105-A34) of the Code of 1927, relating to the speed of motor vehicle carriers."

12. That in all other respects, said Senate File No. 133 be approved as same passed the House.

SUPPLEMENTAL REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 133

MR. PRESIDENT AND MR. SPEAKER: We, the members of your conference committee appointed on April 6, 1931 to confer relative to Senate File No. 133 move that section 6 of the report filed on April 13 and appearing on pages 1351, 1352 and 1353 of the Journal, be amended as follows:

By striking paragraph 6 as therein incorporated and inserting in lieu thereof the following:

That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by adding to said section the following: "Provided that permits issued under section nine (9) hereof for the operation of combinations, which include a trailer or semi-trailer more

than thirty (30) feet in length, shall terminate on December thirty-first (31), Nineteen Hundred Thirty-one (1931)."

CHAS. D. BOOTH, *Chairman*,
O. P. BENNETT,
J. H. HAGER,
E. R. HICKLIN,
On the Part of the Senate.

J. PARK BAIR, *Chairman*,
E. O. HELGASON,
FRED B. WITT,
ERNEST H. FABRITZ,
On the Part of the House.

Senator Benson raised the point of order that amendment No. 6 was not in controversy between the two houses and that the conference committee had no right to even consider it.

The President held the point not well taken.

On the question "Shall the supplemental report be adopted?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Hill	Myers
Baird	Clearman	Irwin	Patterson
Beatty	Cochrane	Kent	Quirk
Bennett	Cole	Kimberly	Ritchie
Bissell	Cooney	Klemme	Stanley
Blackford	Coykendall	Knudson	Stevens
Booth	Doran	Langfitt	Tabor
Carden	Frailey	Lowe	Topping
Christophel	Gunderson	MacDonald	Wenner
Clark of	Hager	McLeland	White
Cerro Gordo	Hicklin	Moen	

Nays, 1.

Ickis

Absent or not voting, 7.

Benson	Clark of Linn	Rigby	Wilson
Carroll	Leonard	Stoddard	

The supplemental report was adopted.

On the question "Shall the report of the conference committee as amended by adoption of the supplemental report be adopted?" the vote was:

Ayes, 45.

Anderson	Blackford	Clark of	Cochrane
Baird	Booth	Cerro Gordo	Cole
Bennett	Carden	Clark of Marion	Cooney
Bissell	Christophel	Clearman	Coykendall

Doran	Kent	McLeland	Stevens
Frailey	Kimberly	Moen	Stoddard
Gunderson	Klemme	Myers	Tabor
Hager	Knudson	Patterson	Topping
Hicklin	Langfitt	Quirk	Wenner
Hill	Leonard	Rigby	White
Ickis	Lowe	Ritchie	
Irwin	MacDonald	Stanley	

Nays, none.

Absent or not voting, 5.

Beatty	Carroll	Clark of Linn	Wilson
Benson			

The conference report was adopted.

Senator Booth moved that the vote by which the conference report was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 249, 302, 345, 368 and 372.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 249, 302, 345, 368, 372.

THIRD READING OF BILLS

On motion of Senator Stevens House File No. 197, a bill for an act to amend chapter two hundred sixty-four (264) of the code, 1927, relating to general duties of county officers, deputies and clerks, returned by the sifting committee, was taken up and considered.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 1 by striking lines 3, 4, 5 and 6 and inserting in lieu thereof the following:

"That all county offices where one or more full time deputies or assistants are employed shall remain open continuously from eight a. m. until five p. m. of each secular day."

The amendment was lost.

The bill was read for information.

Senator Stevens moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 15.

Blackford	Hager	Langfitt	Stoddard
Booth	Irwin	Myers	Tabor
Carden	Kimberly	Ritchie	White
Christophel	Knudson	Stevens	

Nays, 30.

Anderson	Clearman	Ickis	Patterson
Baird	Cochrane	Kent	Quirk
Beatty	Cole	Klemme	Rigby
Bennett	Cooney	Leonard	Stanley
Bissell	Coykendall	Lowe	Topping
Clark of	Frailey	MacDonald	Wenner
Cerro Gordo	Hicklin	McLeland	Wilson
Clark of Marion	Hill	Moen	

Absent or not voting, 5.

Benson	Clark of Linn	Doran	Gunderson
Carroll			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Moen House File No. 198, a bill for an act to amend section twenty-nine hundred five (2905) code, 1927, relating to county aid for county agricultural societies and the use of such funds, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Anderson	Clearman	Kent	Quirk
Baird	Cochrane	Kimberly	Rigby
Beatty	Cole	Klemme	Ritchie
Bennett	Cooney	Knudson	Stanley
Bissell	Coykendall	Langfitt	Stevens
Blackford	Frailey	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Ickis	Myers	Wilson
Clark of Marion	Irwin	Patterson	

Nays, none.

Absent or not voting, 4.

Benson	Carroll	Clark of Linn	Doran
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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. 541, a bill for an act making an appropriation to H. D. Coe.

Also: 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 relating to mutual hail insurance associations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 538, a bill for an act providing additional grounds for the revocation or suspension of licenses to practice law.

Also: 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 relating to jurisdiction of Board of Railroad Commissioners over telephone companies.

Also: That the House has concurred in the Senate amendments to House File No. 335, a bill for an act relating to the election and appointment of city and town officers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 251, a bill for an act relating to the bringing of actions in quo warranto against certain insurance associations.

Also: That the House has concurred in the following Senate Concurrent Resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 14, relative to the American Legislators' Association and the Interstate Legislative Reference Bureau.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 578, a bill for an act providing for the taxation of corporations organized under the provisions of section sixty-nine hundred ninety-four (6994), code of 1927.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 450, a bill for an act pertaining to the requirements necessary for training schools for nurses.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 571, a bill for an act repealing section seven thousand twelve (7012) of the code of 1927.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 570, a bill for an act providing for the assessment of grain, ice and coal dealers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 574, a bill for an act relating to the taxation of real and personal property.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 575, a bill for an act providing for the deduction of indebtedness in the assessment of moneys and credits.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 259, a bill for an act relating to the licensing of dentists.

Also: That the House withdraws its request for the return of Senate File No. 41.

Also: That the House recedes from its amendments to Senate File No. 297.

Also: That the House has concurred in the Senate Amendments to the House Amendments to Senate File No. 107, a bill for an act defining the words "motor vehicle fuel".

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 358, a bill for an act relating to permits to sell cigarettes or cigarette papers and to the tax relating thereto, and to provide for refunds of tax in certain cases.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 358

Amend Senate File No. 358 by inserting after the word "municipality" in lines six (6), seventeen (17) and twenty-five (25), the words "or county".

THIRD READING OF BILLS

On motion of Senator Hicklin Senate File No. 353, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation therefor, returned by the sifting committee, was taken up and considered.

The following amendment proposed by the committee on appropriations was considered:

Amend as follows:

In lines three and four of section two, strike out the words and figures "one hundred twenty-five thousand dollars (\$125,000.00)" and insert in lieu thereof the words and figures "fifty thousand dollars (\$50,000.00)".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

By unanimous consent on request of Senator Wenner the word "Commission" was inserted after the word "Exposition" in line 5 of section 1.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Clearman	Irwin	Quirk
Bennett	Cochrane	Kent	Rigby
Benson	Cooney	Kimberly	Stanley
Bissell	Doran	Klemme	Stevens
Booth	Frailey	Lowe	Stoddard
Carden	Hager	MacDonald	Topping
Clark of	Hicklin	McLeland	Wenner
Cerro Gordo	Hill	Myers	White
Clark of Marion	Ickis	Patterson	Wilson

Nays, 3.

Anderson	Moen	Ritchie
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Absent or not voting, 12.

Beatty	Christophel	Coykendall	Langfitt
Blackford	Clark of Linn	Gunderson	Leonard
Carroll	Cole	Knudson	Tabor

The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Hicklin the title was corrected by striking the word "therefor" from the last line thereof and inserting in lieu thereof the words "and to create a commission therefor", and the title as amended was agreed to.

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Klemme the Senate adjourned until 1:30 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Arch W. McFarlane presiding.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: We hereby move to reconsider the vote by which the motion to reconsider the vote by which House File No. 477 failed to pass the Senate was laid on the table.

E. R. HICKLIN
I. H. KNUDSON
W. S. BAIRD
O. P. BENNETT

C. H. TOPPING
GEO. A. WILSON
M. D. COONEY

CALL OF THE SENATE

We, the undersigned, desire a call of the Senate on House File No. 28.

O. E. GUNDERSON
M. D. COONEY
ARTHUR LEONARD
W. S. BAIRD
G. W. PATTERSON
O. P. MYERS
IRVING H. KNUDSON

LAFE HILL
CHAS. D. BOOTH
FRANK BISSELL
H. C. WHITE
J. N. LANGFITT
T. E. MOEN
EDW. J. WENNER

COMMITTEE UNDER HOUSE JOINT RESOLUTION NO. 6

In accordance with the provisions of House Joint Resolution No. 6, relating to a corporation committee, the President appointed Senators Bennett and Cooney.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks for damages resulting from an injury due to the negligent maintenance of a highway, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

Senator Irwin moved that the Senators in conference committee be called in and recorded as voting, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clark of Marion	Irwin	Patterson
Baird	Clearman	Kimberly	Quirk
Bennett	Cochrane	Knudson	Rigby
Bissell	Cooney	Langfitt	Ritchie
Carden	Coykendall	Leonard	Stanley
Carroll	Doran	Lowe	Topping
Christophel	Frailey	MacDonald	Wenner
Clark of	Gunderson	McLeland	White
Cerro Gordo	Hicklin	Moen	Wilson
Clark of Linn	Hill	Myers	

Nays, 11.

Benson	Cole	Kent	Stoddard
Blackford	Hager	Klemme	Tabor
Booth	Ickis	Stevens	

Absent or not voting, 1.

Beatty

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 320, a bill for an act to make an appropriation to Mrs. K. E. Anderson, for services rendered to the state by her deceased husband, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ickis moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Anderson	Clearman	Kent	Quirk
Baird	Cochrane	Kimberly	Rigby
Beatty	Cole	Klemme	Ritchie
Bennett	Cooney	Knudson	Stanley
Bissell	Coykendall	Langfitt	Stevens
Booth	Doran	Leonard	Stoddard
Carden	Gunderson	Lowe	Tabor
Carroll	Hager	MacDonald	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of Cerro Gordo	Hill	Moen	White
Clark of Marion	Ickis	Myers	Wilson
	Irwin	Patterson	

Nays, 1.

Blackford

Absent or not voting, 3.

Benson Clark of Linn Frailey

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ickis moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 49.

Anderson	Bissell	Carroll	Clark of Linn
Baird	Blackford	Christophel	Clark of Marion
Beatty	Booth	Clark of	Clearman
Bennett	Carden	Cerro Gordo	Cochrane

Cole	Ickis	MacDonald	Stevens
Cooney	Irwin	McLeland	Stoddard
Coykendall	Kent	Moen	Tabor
Doran	Kimberly	Myers	Topping
Frailey	Klemme	Patterson	Wenner
Gunderson	Knudson	Quirk	White
Hager	Langfitt	Rigby	Wilson
Hicklin	Leonard	Ritchie	
Hill	Lowe	Stanley	

Nays, none.

Absent or not voting, 1.

Benson

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and to Etta S. Minert and Phyllis S. Davenport as executrices under the will of Adeline C. Schreiner, Deceased, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Klemme moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Anderson	Clark of Linn	Irwin	Quirk
Baird	Clark of Marion	Kent	Rigby
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cooney	Knudson	Stevens
Bissell	Doran	Langfitt	Stoddard
Blackford	Frailey	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carroll	Hager	MacDonald	Wenner
Christophel	Hicklin	McLeland	White
Clark of	Hill	Moen	Wilson
Cerro Gordo	Ickis	Myers	

Nays, none.

Absent or not voting, 4.

Carden	Cole	Coykendall	Patterson
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The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 415, a bill for an act to make an appropriation to Ethel F. Katz, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 45.

Anderson	Clark of	Hill	Myers
Baird	Cerro Gordo	Ickis	Quirk
Beatty	Clark of Marion	Irwin	Ritchie
Bennett	Clearman	Kent	Stanley
Benson	Cochrane	Kimberly	Stevens
Bissell	Cole	Klemme	Stoddard
Blackford	Cooney	Langfitt	Tabor
Booth	Coykendall	Leonard	Topping
Carden	Doran	Lowe	Wenner
Carroll	Frailey	MacDonald	White
Christophel	Hager	McLeland	Wilson
	Hicklin	Moen	

Nays, 1.

Knudson

Absent or not voting, 4.

Clark of Linn	Gunderson	Patterson	Rigby
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The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 414, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, Dr. F. L. Buck, Dr. J. M. Lichty, Dr. March Green, Dr. C. J. Scott, Dr. J. F. McCabe, Dr. John W. Haxby, Dr. J. E. Frank, Dr. G. A. Evans, Dr. F. C. Roach, Dr. Chas. Murray, Dr. G. C. Bevan, Dr. J. E. Robertson, Dr. C. E. Baxter, Dr. Edd Scantlebury, and Will Kuhlman, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 45.

Anderson	Clearman	Kent	Quirk
Baird	Cochrane	Kimberly	Rigby
Bennett	Cooney	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Bissell	Doran	Langfitt	Stevens
Blackford	Frailey	Leonard	Stoddard
Carden	Gunderson	Lowe	Tabor
Carroll	Hager	MacDonald	Topping
Christophel	Hicklin	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Ickis	Myers	Wilson
Clark of Marion	Irwin		

Nays, none.

Absent or not voting, 5.

Beatty	Clark of Linn	Cole	Patterson
Booth			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 409, a bill for an act to make an appropriation to Brown & Cook, Ottumwa, Iowa, and Harry Yoss, Scranton, Iowa, with report of appropria-

tions committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Clark of Marion	Kent	Patterson
Baird	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Ritchie
Bissell	Cooney	Langfitt	Stanley
Blackford	Coykendall	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Carroll	Hill	McLeland	Wenner
Christophel	Ickis	Moen	White
Clark of Cerro Gordo	Irwin	Myers	Wilson

Nays, none.

Absent or not voting, 6.

Beatty	Doran	Hicklin	Stevens
Clark of Linn	Frailey		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of	Irwin	Myers
Baird	Cerro Gordo	Kent	Patterson
Bennett	Clark of Marion	Kimberly	Rigby
Benson	Clearman	Klemme	Ritchie
Bissell	Cochrane	Knudson	Stevens
Blackford	Cole	Langfitt	Stoddard
Booth	Cooney	Leonard	Tabor
Carden	Coykendall	Lowe	Topping
Carroll	Frailey	MacDonald	Wenner
Christophel	Gunderson	McLeland	White
	Ickis	Moen	Wilson

Nays, none.

Absent or not voting, 8.

Beatty	Doran	Hicklin	Quirk
Clark of Linn	Hager	Hill	Stanley

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 410, a bill for an act to make an appropriation to Winnebago County, Iowa, Emmet County, Iowa, Louisa County, Iowa, Muscatine County, Iowa, and Hancock County, Iowa, for drainage and secondary road assessments, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Baird	Clark of	Kent	Quirk
Beatty	Cerro Gordo	Kimberly	Rigby
Bennett	Clearman	Klemme	Ritchie
Benson	Cochrane	Knudson	Stanley
Bissell	Cooney	Langfitt	Stevens
Blackford	Coykendall	Leonard	Stoddard
Booth	Frailey	Lowe	Tabor
Carden	Hicklin	MacDonald	Topping
Carroll	Hill	Moen	Wenner
Christophel	Ickis	Myers	White
	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 8.

Anderson	Clark of Marion	Doran	Hager
Clark of Linn	Cole	Gunderson	McLeland

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 351, a bill for an act to make appropriation to Thomas Logan, William Ross, Fink Brothers, P. A. Clemmer, the Union Prairie Church, E. R. Bartz, Mrs. James Shada, and Dale Taylor, for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Marion moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Irwin	Quirk
Baird	Clearman	Kimberly	Rigby
Beatty	Cochrane	Klemme	Ritchie
Bennett	Cooney	Knudson	Stevens
Benson	Coykendall	Leonard	Stoddard
Bissell	Doran	Lowe	Tabor
Blackford	Frailey	McLeland	Topping
Booth	Gunderson	Moen	Wenner
Carroll	Hicklin	Myers	White
Christophel	Hill	Patterson	Wilson
Clark of Cerro Gordo	Ickis		

Nays, none.

Absent or not voting, 8.

Carden	Cole	Kent	MacDonald
Clark of Linn	Hager	Langfitt	Stanley

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Frailey House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking section 3, the publication clause.

The amendment was adopted.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clark of	Kimberly	Quirk
Baird	Cerro Gordo	Klemme	Rigby
Beatty	Clearman	Knudson	Ritchie
Bennett	Cochrane	Langfitt	Stanley
Benson	Cooney	Leonard	Stevens
Bissell	Coykendall	Lowe	Stoddard
Blackford	Frailey	MacDonald	Topping
Booth	Gunderson	McLeland	Wenner
Carden	Hicklin	Moen	White
Carroll	Hill	Patterson	Wilson
Christophel	Irwin		

Nays, none.

Absent or not voting, 9.

Clark of Linn	Doran	Ickis	Myers
Clark of Marion	Hager	Kent	Tabor
Cole			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 323, a bill for an act to make an appropriation to W. F. Dollen and Sons of

Neola, Iowa, for damages incurred by the failure of the Iowa State Highway Commission to have a bridge completed in time for the performance of a contract by the claimant, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Leonard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clark of	Kent	Quirk
Baird	Cerro Gordo	Klemme	Rigby
Beatty	Clearman	Knudson	Ritchie
Bennett	Coykendall	Langfitt	Stevens
Benson	Frailey	Leonard	Stoddard
Bissell	Gunderson	Lowe	Tabor
Blackford	Hager	MacDonald	Topping
Booth	Hicklin	Moen	Wenner
Carden	Hill	Myers	White
Carroll	Ickis	Patterson	Wilson
Christophel	Irwin		

Nays, none.

Absent or not voting, 9.

Clark of Linn	Cole	Doran	McLeland
Clark of Marion	Cooney	Kimberly	Stanley
Cochrane			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the state of Iowa, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Carroll moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Clark of	Kent	Patterson
Baird	Cerro Gordo	Kimberly	Quirk
Beatty	Clark of Linn	Klemme	Rigby
Bennett	Clearman	Knudson	Ritchie
Benson	Cooney	Langfitt	Stevens
Bissell	Coykendall	Leonard	Stoddard
Blackford	Frailey	Lowe	Tabor
Booth	Gunderson	MacDonald	Topping
Carden	Hicklin	McLeland	Wenner
Carroll	Hill	Moen	White
Christophel	Ickis	Myers	Wilson
	Irwin		

Nays, none.

Absent or not voting, 6.

Clark of Marion	Cole	Hager	Stanley
Cochrane	Doran		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 542, a bill for an act to make an appropriation to Earl E. Hunt, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Carden	Cooney	Ickis
Baird	Carroll	Coykendall	Irwin
Bennett	Christophel	Doran	Kent
Benson	Clark of	Frailey	Kimberly
Bissell	Cerro Gordo	Hager	Klemme
Blackford	Clark of Linn	Hicklin	Knudson
Booth	Clearman	Hill	Langfitt

Leonard	Myers	Ritchie	Tabor
Lowe	Patterson	Stanley	Topping
McLeland	Quirk	Stevens	Wenner
Moen	Rigby	Stoddard	Wilson

Nays, none.

Absent or not voting, 7.

Beatty	Cochrane	Gunderson	White
Clark of Marion	Cole	MacDonald	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 319, a bill for an act to make an appropriation to Emmet L. Morris, Marquette, Iowa, A. L. Wood, Hampton, Iowa, and Albert L. Sharp, Arnolds Park, Iowa, for services rendered to the state of Iowa, for which former appropriation has not been made, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Baird	Clearman	Kimberly	Quirk
Beatty	Cochrane	Klemme	Ritchie
Bennett	Cooney	Knudson	Stanley
Benson	Coykendall	Langfitt	Stevens
Bissell	Doran	Leonard	Stoddard
Blackford	Gunderson	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Carden	Hicklin	McLeland	Wenner
Christophel	Ickis	Moen	White
Clark of Cerro Gordo	Irwin	Myers	Wilson
		Patterson	

Nays, none.

Absent or not voting, 9.

Anderson	Clark of Marion	Frailey	Kent
Carroll	Cole	Hill	Rigby
Clark of Linn			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cochrane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of	Iekis	Patterson
Baird	Cerro Gordo	Irwin	Quirk
Beatty	Clearman	Kent	Rigby
Bennett	Cochrane	Kimberly	Ritchie
Benson	Cooney	Klemme	Stanley
Bissell	Doran	Knudson	Tabor
Blackford	Frailey	Langfitt	Topping
Booth	Gunderson	Leonard	Wenner
Carden	Hager	MacDonald	White
Carroll	Hicklin	McLeland	Wilson
Christophel	Hill	Myers	

Nays, none.

Absent or not voting, 8.

Clark of Linn	Cole	Lowe	Stevens
Clark of Marion	Coykendall	Moen	Stoddard

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

There being a call of the Senate on House File No. 28, the roll call revealed the presence of all Senators except Senators Carroll, Cole and Leonard.

Senators Carroll and Leonard appeared in the Senate Chamber.

On motion of Senator Myers House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof, was taken up and considered, action having been deferred April 2nd.

An amendment offered by Senator Myers was adopted April 2nd, page 1126.

Senator Blackford offered the following amendment and moved its adoption:

Amend as follows:

Strike out all after the enacting clause and substitute the following:

Section 1. The Board of Education and the Board of Control shall annually have their books audited by an expert firm of accountants and a certified copy of the report of said expert accountants shall be filed with the State Board of Audit.

Also strike out the title and substitute the following:

An Act to provide for an annual examination of the books of the State Board of Education and Board of Control and the filing of a copy of the report of same with the State Board of Audit.

Senator Beatty offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "books" and before the word "audited" in line 2 of Sec. 1, the following:

"and all receipts and expenditures".

and also by inserting after the word "accountants" and before the word "and" in line 2 of Sec. 1, the following:

"selected by the Executive Council,".

The amendment to the amendment was adopted.

By unanimous consent on request of Senator Blackford his amendment was made to read: "Strike out sections 1 and 2".

The amendment as amended was adopted.

Senator Cole appeared in the Senate Chamber and the call was declared complete.

Senator Myers offered the following amendment and moved its adoption:

Amend by striking section 3 and substituting in lieu thereof as sec. 2 the following:

"Sec. 2. There is hereby annually appropriated from any funds in the state treasury, not otherwise appropriated, a sum sufficient to defray the compensation of such certified public accountant."

Senator Wilson offered the following amendment and moved its adoption:

Amend the amendment by striking the word "certified" and insert in lieu thereof the word "expert".

Senator Benson moved the previous question, which motion prevailed.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill was read for information.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clark of	Gunderson	Moen
Beatty	Cerro Gordo	Hill	Myers
Bennett	Clark of Linn	Kent	Patterson
Bissell	Clearman	Knudson	Quirk
Blackford	Cochrane	Langfitt	Rigby
Booth	Cole	Leonard	Ritchie
Carden	Coykendall	Lowe	Stanley
Carroll	Doran	MacDonald	Stevens
Christophel	Frailey	McLeland	White
			Wilson

Nays, 13.

Baird	Hager	Irwin	Stoddard
Benson	Hicklin	Kimberly	Topping
Clark of Marion	Ickis	Klemme	Wenner
Cooney			

Absent or not voting, 1.

Tabor

The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Myers the title was corrected by changing the period at the end thereof and adding the following: "and to make an appropriation therefor.". The title was amended as agreed to.

Senator Myers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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 Conference Committee, as amended by the supplemental report filed by the same committee, on Senate File No. 133, relating to motor vehicles and traffic on highways.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 65, a bill for an act relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 576, a bill for an act relating to state highway bonds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 519, a bill for an act to provide for the improvement of primary roads.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 581, a bill for an act to make an appropriation to J. O. Gilchrist.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 580, a bill for an act to make an appropriation to Laura E. Sellers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore.

SAM C. RAGAN, *Chief Clerk.*

On motion of Senator Cooney, the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. L. T. Quirk of Wall Lake, Sac county, for the position of State Highway Commissioner for the unexpired portion of the term of H. E. Dean, deceased, ending June 30, 1933.

The Senate confirmed the appointment of Hon. E. C. Carlson of Des Moines, Polk county, as a member of the State Board of Education for the unexpired portion of the term of Willard C. Stuckslager, deceased, ending June 30, 1935.

The Senate arose from executive session and resumed regular session.

INTRODUCTION OF BILLS

Senate File No. 429, by committee on appropriations, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses that are payable from the general fund of the state.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File No. 573, a bill for an act to amend section sixty-nine hundred ninety-six (6996), Code of 1927, providing for the taxa-

tion of corporations organized under the provisions of section sixty-nine hundred ninety-four (6994), Code of 1927.

Read first and second times and referred to sifting committee.

House File No. 450, a bill for an act to amend section twenty-five hundred sixty-four (2564) of the code, 1927, pertaining to the requirements necessary for training schools for nurses.

Read first and second times and referred to sifting committee.

House File No. 571, a bill for an act to repeal section seven thousand twelve (7012) of the Code of 1927.

Read first and second times and referred to sifting committee.

House File No. 570, a bill for an act to amend Section sixty-nine hundred sixty-five (6965) Code of 1927, providing for the assessment of Grain, Ice and Coal Dealers.

Read first and second times and referred to sifting committee.

House File No. 574, a bill for an act to amend Section sixty-nine hundred fifty-three (6953), Code of 1927, relating to the taxation of real and personal property.

Read first and second times and referred to sifting committee.

House File No. 575, a bill for an act to amend section sixty-nine hundred eighty-eight (6988), Code of 1927, providing for the deduction of indebtedness in the assessment of moneys and credits.

Read first and second times and referred to sifting committee.

House File No. 259, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, 1927, relating to the licensing of dentists.

Read first and second times and referred to sifting committee.

House File No. 251, a bill for an act to amend section nine thousand fifty-two (9052) and nine thousand fifty-three (9053) of the code, 1927, relating to the bringing of actions in quo warranto against mutual assessment insurance associations and prescribing the procedure in such actions, and to limiting the amount of assessments which may be levied upon members thereof.

Read first and second times and referred to sifting committee.

House File No. 9, a bill for an act conferring jurisdiction and control upon the Board of railroad commissioners over the location, construction, maintenance and operation, service and rates of telephone companies.

Read first and second times and referred to sifting committee.

House File No. 538, a bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for the revocation or suspension of licenses to practice law.

Read first and second times and referred to sifting committee.

House File No. 252, a bill for an act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927.

Read first and second times and referred to sifting committee.

House File No. 541, a bill for an act to make an appropriation to H. D. Coe.

Read first and second times and referred to committee on appropriations.

House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system.

Read first and second times and substituted on the calendar for Senate File No. 417.

House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore.

Read first and second times and referred to committee on appropriations.

House File No. 580, a bill for an act to make an appropriation to Laura E. Sellers.

Read first and second times and referred to committee on appropriations.

House File No. 581, a bill for an act to make an appropriation to J. O. Gilchrist.

Read first and second times and referred to committee on appropriations.

House File No. 519, a bill for an act to provide for the improvement of primary roads; to designate certain primary roads to be improved by paving; to provide for the payment of county primary road bonds and bonds issued to refund county primary road bonds; to limit additions to the primary road system; and

to prevent the voting of county primary road bonds after July 4, 1931.

Read first and second times and referred to the sifting committee.

The Journal of April 13th was corrected and approved.

REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 545, a bill for an act to make appropriations to Tama County, Iowa, Greene County, Iowa, and Story County, Iowa, for payment of taxes, begs leave to report it has had the same under consideration and returns the bill without recommendation.

B. M. STODDARD, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 544, a bill for an act to make an appropriation to H. A. Stearns, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier for damages resulting from a collision with a car owned and driven by the Iowa state board of education, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 408, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertelsen for damages resulting from the operation of an automobile by the department of agriculture, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, Chairman.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the provisions of a certain act known and designated in the legislative proceedings of the Forty-fourth (44th) General Assembly as House File No. 106 and entitled "An Act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, Chairman.

Ordered passed on file.

SENATE FILE NO. 429

A bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses that are payable from the general fund of the state.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the following sums, or so much thereof as may be necessary, to pay the claims and expenses indicated.

Sec. 2. To the several typewriter agencies for rental of machines for the general assembly a sum equal to ten dollars (\$10.00) for each machine of standard size and twelve dollars (\$12.00) for each machine larger than standard size for the period of the session.

Sec. 3. To the several ministers of the state for their services as chaplains of the senate and house of representatives of the forty-fourth general assembly, the sum of five dollars (\$5.00) for each such service.

Sec. 4. To the Des Moines Rubber Stamp Works, Des Moines, Iowa, for badges for the general assembly, for brass cloak room number plates, for rubber stamps and daters, the sum of one hundred forty-eight dollars and ten cents (\$148.10).

Sec. 5. To the Sibley Greenhouses, Sibley, Iowa, for floral pillow purchased for the funeral of Ex-Senator H. E. Dean, the sum of twenty dollars (\$20.00).

Sec. 6. To Oley Nelson, sergeant-at-arms of the house, for coats for senate and house pages, the sum of one hundred and five dollars (\$105.00).

Sec. 7. To A. C. Gustafson for preliminary expenses, including extra stenographic assistance prior to the convening of the general assembly, and postage, the sum of one hundred and twenty dollars (\$120.00).

Sec. 8. To Iowa Industrial Commissioner, the sum of four thousand dollars (\$4000.00), for the payment of workmen's compensation.

Sec. 9. To Hotel Savery, for use of rooms for committees and for telephone service, the sum of two hundred forty-five dollars and forty-six cents (\$245.46).

Sec. 10. To the State Printing Board, to cover the expense of the printing and distribution of four thousand (4000) copies of the digest of the survey of the agricultural, industrial and natural resources of the state, as authorized by Chapter two hundred seventy-three (273), Acts of the Forty-third General Assembly, the sum of three thousand dollars (\$3000), said digest to be distributed by the director of the engineering experiment station of the Iowa state college of agriculture and mechanic arts without cost to interested persons.

Sec. 11. To the Royal Typewriter Company, for rent of two typewriters used in the state law library, the sum of eighteen dollars (\$18.00).

Sec. 12. For the payment of towel supply for the forty-fourth general assembly the sum of three hundred dollars (\$300.00), and as a legislative emergency fund the sum of four thousand dollars (\$4000.00), all to be expended under the direction of the executive council.

Sec. 13. To the compiler of the journal index and to the general assembly bill indexer, the sum of two hundred and twenty-five dollars (\$225.00) each.

Sec. 14. To Sam C. Ragan, chief clerk of the house, for supplies, postage, telephone and telegrams, the sum of fifteen dollars (\$15.00).

Sec. 15. To Walter H. Beam, secretary of the senate, postage for session, the sum of five dollars (\$5.00).

Sec. 16. To Senator George M. Clearman, for expenses incurred in visiting institutions under State Board of Education, the sum of eight dollars and seventy-four cents (\$8.74).

Sec. 17. To Senator H. C. White, for expenses incurred in visiting institutions under State Board of Education, the sum of eight dollars and seventy-four cents (\$8.74).

Sec. 18. To Representative E. O. Helgason, for expenses incurred in visiting institutions under State Board of Education, the sum of eight dollars and seventy-four cents (\$8.74).

Sec. 19. To Representative H. S. Berry, for expenses incurred in visiting institutions under State Board of Education, the sum of eight dollars and seventy-four cents (\$8.74).

Sec. 20. As additional compensation for the following employees of the general assembly:

Gertrude Taggart, judiciary clerk of the house; Laura Schulz, appropriation clerk of the senate; Ruth Coxe, appropriation clerk of the house; Vera Meyer, clerk of the claims committee of the house; Gladys Lewis, enrolled bills committee clerk of the senate, the sum of one hundred dollars (\$100.00) each.

Bernice Maine, clerk of the senate sifting committee, the sum of seventy-five dollars (\$75.00).

Sec. 21. There is also appropriated a sum sufficient to pay the per diem compensation made necessary by senate concurrent resolution No. 18, and a sum sufficient to pay the per diem compensation of the additional employees of the forty-fourth general assembly, authorized by senate joint resolution No. 4, for services required of them after the fifteenth day of April, 1931, to be paid upon the certificate of the presiding officers of the senate and house, the secretary of the senate and chief clerk of the house.

Sec. 22. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the O'Brien County Bell, a newspaper published at Primghar, Iowa, and the Winterset Madisonian, a newspaper published at Winterset, Iowa.

SENATE CONCURRENT RESOLUTION NO. 18

Be It Resolved by the Senate, the House concurring, That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Forty-fourth General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices, and also for packing the supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the journals of the House and Senate, respectively, for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the auditor of state upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

O. P. BENNETT.

SENATE CONCURRENT RESOLUTION NO. 19

Whereas, Members of the Forty-fourth General Assembly may desire to purchase the chairs occupied by them during this session; therefore;

Be It Resolved by the Senate, the House concurring, That such members be permitted to purchase such chairs from the secretary of the executive council at the price of twenty-five dollars (\$25.00), and that the custodian of the state house be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchasers.

Be It Further Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House, the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate and the Assistant Sergeant-at-Arms of the House be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, addressed to the persons mentioned herein.

C. L. RIGBY.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 316 by striking paragraphs one (1) and three (3) and by striking from line ten (10) the words and figures five dollars (\$5.00) and inserting in lieu thereof the words and figures ten dollars (\$10.00) and renumbering paragraph two (2) as paragraph one (1).

F. D. ICKIS.

MR. PRESIDENT: We move to amend Senate File No. 179 by striking all after the enacting clause and substituting in lieu thereof the following:

“Section 1. That Paragraph one (1) of section one (1), Chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly be amended by inserting after the comma (,) following the word “vehicle” in line three (3) thereof, the following: “including any trailer, semi-trailer or other device used in connection therewith,”

Sec. 2. That line four (4) of said paragraph one (1) of said section one (1) be amended by striking therefrom the words “but principally”.

Sec. 3. That line two (2) of section eighteen (18) of said chapter one hundred twenty-nine (129) be amended by striking therefrom the words “more than six (6) inches beyond the running board” and inserting in lieu thereof the following: “beyond either right or left side of the body”.

Sec. 4. That section twenty-six (26) of said chapter one hundred twenty-nine (129) be amended by striking from line eleven thereof the word “thousand” and inserting in lieu thereof the word “hundred” and by striking all of said section after the word “jail” in line twelve (12) of said section and inserting in lieu thereof the following: “for a period of not to exceed thirty (30) days”.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in two newspapers of this state, as provided by law."

L. T. QUIRK
C. A. BENSON
CHAS. D. BOOTH
O. P. BENNETT
A. V. BLACKFORD
L. H. DORAN

On motion of Senator Wilson, the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 15, 1931.

The Senate met in regular session, President Arch W. McFarlane presiding.

Prayer was offered by Rev. William E. Guy, pastor of the St. Paul's A. M. E. Church of Des Moines.

Senator Carroll moved that the conference committee on House File No. 2 be discharged and that another committee of five members from each House be requested and that the same committee be requested to report back an income tax bill without the county assessor bill attached for the consideration of the House and Senate.

There being a call of the Senate on all matters pertaining to House File No. 2, the roll call revealed the presence of all Senators except Senators Frailey and Rigby.

By unanimous consent on request of Senator Moen Senate amendments to House File No. 288 were considered at this time until the call is complete.

HOUSE AMENDMENTS CONSIDERED

Senator Moen called up for consideration House File No. 288, amended by the House, and moved that the Senate recede from the following amendments:

Amend in line two of sub-section 1-b of section 2, by striking out after the word "first" the words "of each" and inserting in lieu thereof the words "of the preceding".

Also to amend in line four of Section 3 by striking out the word "eighty" and inserting in lieu thereof the word "sixty", and at the end of line five, by striking out the word "six" and inserting in lieu thereof the word "four".

On the question "Shall the Senate recede?" the vote was:

Ayes, 46.

Anderson	Clark of	Hicklin	Moen
Baird	Cerro Gordo	Hill	Myers
Beatty	Clark of Linn	Ickis	Patterson
Bennett	Clark of Marion	Irwin	Ritchie
Benson	Clearman	Kent	Stanley
Bissell	Cochrane	Kimberly	Stevens
Blackford	Cole	Klemme	Stoddard
Booth	Cooney	Knudson	Tabor
Carden	Coykendall	Leonard	Topping
Carroll	Doran	Lowe	Wenner
Christophel	Gunderson	MacDonald	White
	Hager	McLeland	Wilson

Nays, none.

Absent or not voting, 4.

Frailey	Langfitt	Quirk	Rigby
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The Senate receded from its amendments.

THIRD READING OF BILLS

By unanimous consent on request of Senator Patterson House File No. 268, a bill for an act to amend chapter three hundred forty-six (346) of the code, 1927, relieving the county treasurer from listing delinquent special assessments upon the tax list, as required in section seventy-one hundred ninety-three (7193) of the code, 1927, and to require the county auditor to list the respective special assessments within the respective counties in books known as special assessment tax lists, and to require the treasurer to refer thereto on the respective tax lists each year, returned by the sifting committee, was taken up and considered until the call of the Senate on House File No. 2 was completed.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Bissell	Christophel	Clearman
Baird	Blackford	Clark of	Cochrane
Beatty	Booth	Cerro Gordo	Cole
Bennett	Carden	Clark of Linn	Coykendall
Benson	Carroll	Clark of Marion	Gunderson

Hager	Klemme	Moen	Tabor
Hicklin	Knudson	Myers	Topping
Hill	Leonard	Patterson	Wenner
Ickis	Lowe	Ritchie	White
Kent	MacDonald	Stanley	Wilson
Kimberly	McLeland	Stevens	

Nays, none.

Absent or not voting, 8.

Cooney	Frailey	Langfitt	Rigby
Doran	Irwin	Quirk	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Rigby appeared in the Senate Chamber.

HOUSE AMENDMENT CONSIDERED

By unanimous consent on request of Senator Wenner, Senate File No. 358, amended by the House, was called up for consideration and Senator Wenner moved that the Senate concur in the following amendments:

Amend by inserting after the word "municipality" in lines six (6), seventeen (17) and twenty-five (25), the words "or county".

On the question "Shall the Senate concur?" the vote was:

Ayes, 47.

Anderson	Clark of Linn	Irwin	Patterson
Baird	Clark of Marion	Kent	Rigby
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Knudson	Stevens
Bissell	Cooney	Langfitt	Stoddard
Blackford	Coykendall	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Carden	Hager	MacDonald	Wenner
Carroll	Hicklin	McLeland	White
Christophel	Hill	Moen	Wilson
Clark of Cerro Gordo	Ickis	Myers	

Nays, none.

Absent or not voting, 3.

Doran	Frailey	Quirk
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The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

By unanimous consent on request of Senator Patterson, House File No. 38, a bill for an act to amend section sixty-nine hundred fifty (6950), code, 1927, relating to the suspension, cancellation, or remission of taxes, returned by the sifting committee, was taken up and considered.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952), inclusive, Code, 1927, are amended by adding immediately after said section sixty-nine hundred fifty-two (6952) the following, to-wit:

'6952-d1. Suspended tax list. The county auditor shall keep and maintain in his office a book which shall be known as the "Suspended Tax List" and in which he shall enter the following data relative to all taxes, and polls, the collection of which have been suspended by order of the board of supervisors, to-wit:

1. A governmental or platted description of the land on which the said tax has been levied or on which it is a lien.
2. The name of the owner of said land.
3. The amount, and current year, of said tax.
4. The date of the order suspending collection of said tax.

Said book shall be so prepared, ruled, and headed that all entries of taxes and polls against the land in a given section or in a given city or town plat, addition, or auditor's plat shall be separate from the entry of taxes against the land in any other section, or city or town plat, addition, or auditor's plat.

The county auditor shall, prior to January 1, 1932, enter in said book the aforesaid data as to all unpaid, uncanceled and unremitted taxes, and polls, the collection of which have been ordered suspended by the board of supervisors since July 4, 1921. The data relative to all other suspended taxes and polls shall be entered immediately following the entry of such suspension.

If a tax or poll on said book be paid, or be subsequently legally can-

celled and remitted, the auditor shall enter in said book and over his official signature a satisfaction thereof.'

Sec. 2. This act being deemed of immediate importance shall become effective upon publication in the Emmetsburg Democrat, a newspaper published at Emmetsburg, Iowa, and The Sabula Gazette, a newspaper published at Le Mars, Iowa."

The amendment was adopted.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

The amendment was adopted.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 45.

Anderson	Clark of Marion	Kent	Patterson
Baird	Clearman	Kimberly	Rigby
Bennett	Cochrane	Klemme	Ritchie
Benson	Cole	Knudson	Stanley
Bissell	Cooney	Langfitt	Stevens
Blackford	Coykendall	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	Topping
Carroll	Hicklin	McLeland	Wenner
Clark of	Hill	Moen	White
Cerro Gordo	Ickis	Myers	Wilson
Clark of Linn	Irwin		

Nays, none.

Absent or not voting, 5.

Beatty	Doran	Frailey	Quirk
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Clark of Linn, the title was corrected by striking from the first line thereof the words and figures "section sixty-nine hundred fifty (6950)" and inserting in lieu thereof the words and figures "sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952) inclusive". The title as amended was agreed to.

Senator Frailey appeared in the Senate Chamber and the call was declared complete.

By unanimous consent on request of Senator Benson, House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system, having been substituted for Senate File No. 417, which was returned by the sifting committee, was taken up and considered.

Senator Benson offered the following amendment and moved its adoption:

Amend as follows:

After Section 12 add as Section 13 the following:

"Sec. 13. In addition to the primary roads designated for paving in Article XIII of the Constitution of Iowa, interstate primary roads, primary roads now connecting county seats of adjoining counties, and at least ninety per cent (90%) of those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by Article XIII of the Constitution, or as the same may have been relocated since that date, shall be surfaced with paving. Payment of the costs of such additional paving shall be made from the current primary road funds."

Re-number the remaining sections.

Further amend House File No. 576 by adding at the end of Section 14 as it now appears in the bill the following:

"Until ninety per cent (90%) of the road construction program as

provided for and outlined in this act shall have been completed, at least sixty-five per cent (65%) of the primary road fund available for construction purposes in any year shall be used for paving in accordance with the provisions, hereof."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Baird	Clark of Marion	Ickis	Stevens
Beatty	Clearman	Irwin	Stoddard
Bennett	Cochrane	Kent	Tabor
Blackford	Cooney	Kimberly	Topping
Booth	Coykendall	Klemme	Wenner
Carden	Frailey	Langfitt	Wilson
Christophel	Hager	Quirk	

Nays, 14.

Anderson	Knudson	Moen	Ritchie
Bissell	Leonard	Myers	Stanley
Clark of Linn	Lowe	Patterson	White
Hill	McLeland		

Absent or not voting, 9.

Benson	Clark of	Doran	MacDonald
Carroll	Cerro Gordo	Gunderson	Rigby
	Cole	Hicklin	

The amendment was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend the bill as passed by the House as follows:

At the end of line 7 of Sec. 13, insert the following:

"interstate primary roads, primary roads now connecting county seats of adjoining counties, and".

The amendment was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend the bill as passed by the House as follows:

After the word "upon" and before the word "those" in line 4 of Sec. 14, insert the following:

"interstate primary roads, primary roads now connecting county seats of adjoining counties, and".

The amendment was adopted.

Senators Blackford, Booth, Clearman, Ickis, Carden and Hager offered the following amendment and moved its adoption:

Amend by striking out all of Section 11, and substituting the following in lieu thereof:

Sec. 11. The state highway commission shall on or before January 1st, 1932, add to the primary road system such roads as will provide the most practicable connection from a primary road to each town or village in the state having a population of one hundred fifty (150) or more as shown by the latest available state census. Except as provided in this section additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system has all been graded, bridged and surfaced.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Beatty	Clark of Marion	Ickis	Stanley
Bennett	Clearman	Irwin	Stevens
Blackford	Cooney	Kent	Tabor
Booth	Hager	Lowe	Topping
Carden	Hill	McLeland	Wenner
Carroll		Rigby	

Nays, 26.

Anderson	Clark of Linn	Kimberly	Myers
Baird	Cochrane	Klemme	Patterson
Benson	Cole	Knudson	Quirk
Bissell	Coykendall	Langfitt	Ritchie
Christophel	Frailey	Leonard	Stoddard
Clark of Cerro Gordo	Gunderson	MacDonald	White
	Hicklin	Moen	

Absent or not voting, 2.

Doran Wilson

The amendment was lost.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Baird	Clark of Linn	Hill	Myers
Beatty	Clark of Marion	Ickis	Quirk
Bennett	Clearman	Irwin	Rigby
Benson	Cochrane	Kent	Stanley
Bissell	Cole	Kimberly	Stevens
Blackford	Cooney	Klemme	Stoddard
Booth	Coykendall	Knudson	Tabor
Carden	Doran	Langfitt	Topping
Carroll	Frailey	Lowe	Wenner
Christophel	Gunderson	MacDonald	White
Clark of	Hager	McLeland	Wilson
Cerro Gordo	Hicklin	Moen	

Nays, 4.

Anderson	Leonard	Patterson	Ritchie
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Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF MOTION ON HOUSE FILE NO. 2

Senator Hill moved the previous question, which motion prevailed.

Senator Wilson raised the point of order that the questions propounded by Senator Patterson to Senator Topping were not in order as the previous question was in force and only the Senator from Davis had the closing argument.

Senator Patterson continued.

Senator Frailey raised the point of order that he insisted on the point of order made by Senator Wilson.

The President held the point of order by Senator Wilson well taken.

Senator Clark of Linn spoke on right of personal privilege.

Senator Wilson raised the point of order that the reading of the matters pertaining to the House members was not a question of personal privilege and therefore out of order.

The President ordered Senator Clark of Linn to proceed.

Senator Frailey raised the point of order that the only way Senator Patterson could get the floor was by rising to a point of personal privilege; that he did not address the Senate on that point but accused the Senator from Clayton.

The President ordered Senator Patterson to proceed.

Senator Benson raised the point of order that this had nothing to do with the right of personal privilege.

The President held the point of order well taken, that what Senator Patterson was talking on was not in the motion before the Senate or a question of personal privilege.

Senator Patterson proceeded.

Senator Irwin raised the point of order that the chair had already ruled.

Senator Patterson proceeded.

Senator Frailey raised the point of order that the Chair had ruled on a point of order and that Senator Patterson also violated Rule 6, which reads as follows:

When a member is about to speak, in debate, or deliver any matter to the Senate, he shall rise from his seat and respectfully address himself to "Mr. President," and shall confine himself to the question under debate, avoid personalities and the imputation of improper motives.

The President ruled to let the Senator from Kossuth proceed.

The question now was on the motion by Senator Carroll.

Roll call was demanded.

On the question "Shall the motion prevail?" the vote was:

Ayes, 22.

Anderson	Clark of Linn	Langfitt	Patterson
Bissell	Coykendall	Leonard	Quirk
Carroll	Doran	Lowe	Ritchie
Christophel	Gunderson	MacDonald	Stanley
Clark of	Hill	Mcen	White
Cerro Gordo	Knudson	Myers	

Nays, 28.

Baird	Blackford	Clearman	Frailey
Beatty	Booth	Cochrane	Hager
Bennett	Carden	Cole	Hicklin
Benson	Clark of Marion	Cooney	Ickis

Irwin	Klemme	Stevens	Topping
Kent	McLeland	Stoddard	Wenner
Kimberly	Rigby	Tabor	Wilson

Absent or not voting, none.

The motion lost.

Senator Wilson moved that the vote by which the motion failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Journal of April 14 was corrected and approved.

The President announced the Senate at recess until the sound of the gavel.

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

SENATE FILE NO. 417 WITHDRAWN

By unanimous consent on request of Senator Benson, Senate File No. 417, relating to improvements of primary roads, a companion bill to House File No. 238, as passed by the Senate, was withdrawn from further consideration.

THIRD READING OF BILLS

By unanimous consent on request of Senator Bennett Senate File No. 179, a bill for an act to amend section (1) of chapter one hundred twenty-nine (129), laws of the 43rd General Assembly, and making said chapter applicable to carriers of freight under contract for compensation for hire, returned by the sifting committee, was taken up and considered.

Senators Bennett, Benson, Booth, Quirk, Blackford and Doran offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That Paragraph one (1) of section one (1) Chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly be amended by inserting after the comma (,) following the word "vehicle" in line three (3) thereof, the following: "including any trailer, semi-trailer or other device used in connection therewith,"

Sec. 2. That line four (4) of said paragraph one (1) of said section one (1) be amended by striking therefrom the words "but principally".

Sec. 3. That line two (2) of section eighteen (18) of said chapter one hundred twenty-nine (129) be amended by striking therefrom the words "more than six (6) inches beyond the running board" and inserting in lieu thereof the following: "beyond either right or left side of the body".

Sec. 4. That section twenty-six (26) of said chapter one hundred twenty-nine (129) be amended by striking from line eleven thereof the word "thousand" and inserting in lieu thereof the word "hundred" and by striking all of said section after the word "jail" in line twelve (12) of said section and inserting in lieu thereof the following: "for a period of not to exceed thirty (30) days".

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in two newspapers of this state, as provided by law."

The amendment was adopted.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clark of	Hill	Myers
Baird	Cerro Gordo	Irwin	Patterson
Beatty	Clark of Linn	Kent	Quirk
Bennett	Clearman	Kimberly	Rigby
Benson	Cochrane	Klemme	Ritchie
Bissell	Cooney	Knudson	Stanley
Blackford	Coykendall	Langfitt	Stevens
Booth	Doran	Leonard	Stoddard
Carden	Gunderson	Lowe	Tabor
Christophel	Hager	Moen	White
	Hicklin		Wilson

Nays, none.

Absent or not voting, 9.

Carroll	Frailey	MacDonald	Topping
Clark of Marion	Ickis	McLeland	Wenner
Cole			

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Bennett moved to amend the title to read as follows:

An Act to amend chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly by amending the definition of a "motor truck" in section one (1) thereof; to change the penalty for the violation of said chapter in section twenty-six (26) thereof; to amend

section eighteen (18) thereof relative to the manner in which the load shall be carried.

The amendment was adopted.

The title as amended was agreed to.

Senator Bennett moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 545, a bill for an act to make appropriations to Tama County, Iowa, Greene County, Iowa, and Story County, Iowa, for payment of taxes, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Doran moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clark of Linn	Hill	Patterson
Baird	Clearman	Irwin	Quirk
Beatty	Cochrane	Kent	Rigby
Bennett	Cooney	Klemme	Ritchie
Benson	Coykendall	Knudson	Stanley
Blackford	Doran	Langfitt	Stoddard
Booth	Gunderson	Leonard	Tabor
Carden	Hager	Lowe	White
Christophel	Hicklin	Moen	Wilson
Clark of Cerro Gordo		Myers	

Nays, none.

Absent or not voting, 12.

Bissell	Cole	Kimberly	Stevens
Carroll	Frailey	MacDonald	Topping
Clark of Marion	Ickis	McLeland	Wenner

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 544, a bill for

an act to make an appropriation to H. A. Stearns, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Linn	Kent	Quirk
Baird	Clearman	Kimberly	Rigby
Beatty	Cochrane	Klemme	Ritchie
Bennett	Cole	Knudson	Stanley
Bissell	Coykendall	Langftt	Stevens
Blackford	Doran	Leonard	Stoddard
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	White
Christophel	Hicklin	Myers	Wilson
Clark of Cerro Gordo	Irwin	Patterson	

Nays, none.

Absent or not voting, 11.

Benson	Cooney	Ickis	Topping
Carroll	Frailey	McLeland	Wenner
Clark of Marion	Hill	Moen	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier for damages resulting from a collision with a car owned and driven by the Iowa state board of education, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark of Cerro Gordo moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Cochrane	Kent	Myers
Baird	Cole	Kimberly	Patterson
Bennett	Cooney	Klemme	Rigby
Blackford	Coykendall	Knudson	Ritchie
Booth	Doran	Langfitt	Stanley
Carden	Gunderson	Leonard	Stevens
Christophel	Hager	Lowe	Stoddard
Clark of	Hicklin	MacDonald	Tabor
Cerro Gordo	Irwin	Moen	Wilson
Clearman			

Nays, none.

Absent or not voting, 14.

Beatty	Clark of Linn	Hill	Topping
Benson	Clark of Marion	Ickis	Wenner
Bissell	Frailey	McLeland	White
Carroll		Quirk	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 408, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertelsen for damages resulting from the operation of an automobile by the department of agriculture, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of	Hicklin	Patterson
Baird	Cerro Gordo	Kent	Rigby
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Knudson	Stevens
Bissell	Cooney	Leonard	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Doran	MacDonald	White
Carden	Gunderson	Moen	Wilson
Christophel	Hager		

Nays, none.

Absent or not voting, 13.

Carroll	Hill	Langfitt	Quirk
Clark of Linn	Ickis	McLeland	Topping
Clark of Marion	Irwin	Myers	Wenner
Frailey			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the provisions of a certain act known and designated in the legislative proceedings of the Forty-Fourth (44th) General Assembly as House File No. 106 and entitled "An Act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clearman	Irwin	Myers
Baird	Cochrane	Kent	Patterson
Bennett	Cole	Kimberly	Rigby
Benson	Cooney	Klemme	Ritchie
Bissell	Coykendall	Knudson	Stanley
Blackford	Doran	Leonard	Stevens
Booth	Gunderson	Lowe	Tabor
Carden	Hager	MacDonald	White
Christophel	Hicklin	Moen	Wilson

Nays, none.

Absent or not voting, 14.

Beatty	Clark of Linn	Ickis	Stoddard
Carroll	Clark of Marion	Langfitt	Topping
Clark of	Frailey	McLeland	Wenner
Cerro Gordo	Hill	Quirk	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 429, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses that are payable from the general fund of the state, an appropriations committee bill, was taken up and considered.

The following committee amendment was considered:

Amend as follows:

Strike section 13 and renumber the following sections.

In lines 4 and 5 of section 20, strike out the words "Ruth Coxe, appropriation clerk of the house".

In lines 6 and 7 of section 20, strike out the words "Gladys Lewis, enrolled bills committee clerk of the senate".

Senator Wilson was called to the chair.

The committee amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Clark of	Hicklin	Myers
Baird	Cerro Gordo	Ickis	Patterson
Beatty	Clark of Linn	Irwin	Quirk
Bennett	Clark of Marion	Kent	Rigby
Benson	Clearman	Kimberly	Ritchie
Bissell	Cochrane	Klemme	Stanley
Blackford	Cole	Knudson	Stoddard
Booth	Cooney	Langfitt	Tabor
Carden	Coykendall	Leonard	Topping
Carroll	Doran	Lowe	Wenner
Christophel	Gunderson	MacDonald	White
			Wilson

Nays, none.

Absent or not voting, 6.

Frailey	Hill	Moen	Stevens
Hager	McLeland		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 18 CONSIDERED

Senator Bennett called up for consideration the following resolution and moved its adoption:

Be It Resolved by the Senate, the House concurring, That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Forty-fourth General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices, and also for packing the supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the journals of the House and Senate, respectively, for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the auditor of state upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

The resolution was adopted.

REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff for Iowa Soldier's bonus, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 581, a bill for an act to make an appropriation to

J. O. Gilchrist, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 543, a bill for an act to make an appropriation to George Brown, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 580, a bill for an act to make an appropriation to Laura E. Sellers, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File No. 541, a bill for an act to make an appropriation to H. D. Coe, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

By unanimous consent on request of Senator Stoddard House File No. 541, a bill for an act to make an appropriation to H. D. Coe, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Leonard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Clark of Linn	Kimberly	Patterson
Baird	Clearman	Klemme	Quirk
Beatty	Cochrane	Knudson	Stanley
Bennett	Cooney	Langfitt	Stevens
Benson	Coykendall	Leonard	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Hill	MacDonald	Topping
Carden	Ickis	McLeland	Wenner
Christophel	Irwin	Moen	White
Clark of Cerro Gordo	Kent	Myers	Wilson

Nays, none.

Absent or not voting, 10.

Bissell	Cole	Gunderson	Rigby
Carroll	Frailey	Hager	Ritchie
Clark of Marion		Hicklin	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff for Iowa soldiers' bonus, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

The President returned to the chair.

Senator Irwin moved the previous question, which motion prevailed.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clark of	Hill	Myers
Baird	Cerro Gordo	Irwin	Patterson
Beatty	Clearman	Kimberly	Quirk
Bennett	Cochrane	Langfitt	Ritchie
Benson	Cole	Leonard	Stanley
Bissell	Cooney	Lowe	Stevens
Blackford	Coykendall	MacDonald	Stoddard
Booth	Doran	McLeland	White
Carden	Gunderson	Moen	Wilson
Christophel			

Nays, 9.

Clark of Linn	Kent	Knudson	Tabor
Hicklin	Klemme	Rigby	Topping
Ickis			

Absent or not voting, 5.

Carroll	Frailey	Hager	Wenner
Clark of Marion			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 198, 335, 518, 323, 542, 517, 409, 320, 351, 410, 319, and Senate Files Nos. 107, 41, 297, 408, 374 and 146.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 198, 335, 518, 323, 542, 517, 409, 320, 351, 410, 319, and Senate Files Nos. 107, 41, 297, 408, 374, and 146.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 107, 41, 297, 408, 374, 146.

E. R. HICKLIN, *Chairman.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Stoddard House File No. 581, a bill for an act to make an appropriation to J. O. Gilchrist, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Clark of	Ickis	Myers
Baird	Cerro Gordo	Irwin	Patterson
Beatty	Clark of Linn	Kimberly	Quirk
Bennett	Clearman	Klemme	Rigby
Benson	Cochrane	Knudson	Ritchie
Bissell	Cole	Langfitt	Stevens
Blackford	Cooney	Leonard	Stoddard
Booth	Doran	MacDonald	Tabor
Carden	Gunderson	McLeland	Topping
Christophel	Hicklin	Moen	White
	Hill		

Nays, none.

Absent or not voting, 10.

Carroll	Frailey	Lowe	Wenner
Clark of Marion	Hager	Stanley	Wilson
Coykendall	Kent		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Leonard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Cochrane	Kimberly	Quirk
Baird	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Langfitt	Stanley
Bissell	Doran	Leonard	Stevens
Blackford	Gunderson	Lowe	Stoddard
Booth	Hager	MacDonald	Tabor
Carden	Hicklin	McLeland	Topping
Christophel	Hill	Moen	Wenner
Clark of Cerro Gordo	Ickis	Myers	White
Clearman	Irwin	Patterson	Wilson

Nays, none.

Absent or not voting, 6.

Beatty	Clark of Linn	Frailey	Kent
Carroll	Clark of Marion		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 543, a bill for an act to make an appropriation to George Brown, Indianola, Iowa, with report of appropriations committee recommending

passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Cochrane	Kent	Patterson
Baird	Cole	Kimberly	Quirk
Bennett	Cooney	Klemme	Rigby
Bissell	Coykendall	Knudson	Ritchie
Blackford	Doran	Langfitt	Stanley
Booth	Gunderson	Leonard	Stevens
Carden	Hager	Lowe	Stoddard
Clark of	Hicklin	MacDonald	Topping
Cerro Gordo	Hill	McLeland	Wenner
Clark of Linn	Ickis	Moen	White
Clearman	Irwin	Myers	

Nays, none.

Absent or not voting, 8.

Beatty	Carroll	Clark of Marion	Tabor
Benson	Christophel	Frailey	Wilson

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 580, a bill for an act to make an appropriation to Laura E. Sellers, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Bennett	Booth	Clark of
Baird	Bissell	Carden	Cerro Gordo
Beatty	Blackford	Christophel	Clark of Linn

Clark of Marion	Hill	Langfitt	Rigby
Clearman	Ickis	Leonard	Stanley
Cole	Irwin	Lowe	Stoddard
Cooney	Kent	Moen	Topping
Coykendall	Kimberly	Myers	Wenner
Gunderson	Klemme	Patterson	White
Hager	Knudson	Quirk	Wilson
Hicklin			

Nays, 3.

Doran	Ritchie	Tabor
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Absent or not voting, 7.

Benson	Cochrane	MacDonald	Stevens
Carroll	Frailey	McLeland	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa, returned by the appropriations committee without recommendation, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 15.

Beatty	Cochrane	Kimberly	Quirk
Bennett	Cole	Langfitt	White
Benson	Hager	Myers	Wilson
Clearman	Irwin	Patterson	

Nays, 21.

Bissell	Hill	McLeland	Stevens
Blackford	Klemme	Moen	Stoddard
Carden	Leonard	Rigby	Tabor
Christophel	Lowe	Ritchie	Topping
Coykendall	MacDonald	Stanley	Wenner
Gunderson			

Absent or not voting, 14.

Anderson	Clark of	Cooney	Ickis
Baird	Cerro Gordo	Doran	Kent
Booth	Clark of Linn	Frailey	Knudson
Carroll	Clark of Marion	Hicklin	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Stoddard Senate File No. 428, a bill for an act to authorize the executive council to purchase certain property adjacent to the capitol extension grounds and to make an appropriation therefor, an appropriations committee bill, was taken up and considered.

The following committee amendment was considered.

Amend by inserting as section 3 the following:

"Sec. 3. There is hereby appropriated to the executive council from the general funds of the state not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be necessary, to make such improvements on the premises described in section one (1) as said executive council may consider necessary, in case said property is purchased by the executive council as herein provided."

Renumber section 3. as section 4.

The committee amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Clearman	Kent	Myers
Baird	Cochrane	Kimberly	Quirk
Beatty	Cole	Klemme	Rigby
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Langfitt	Stanley
Bissell	Doran	Leonard	Stevens
Blackford	Hicklin	Lowe	Stoddard
Booth	Hill	MacDonald	Tabor
Carden	Ickis	McLeland	Wenner
Christophel	Irwin	Moen	Wilson
Clark of Marion			

Nays, 2.

Clark of	Hager
Cerro Gordo	

Absent or not voting, 7.

Carroll	Frailey	Patterson	White
Clark of Linn	Gunderson	Topping	

The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Stoddard the title was amended by adding after the word "purchase" in the first line thereof the words "and improvement".

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 19 CONSIDERED

Senator Stoddard called up for consideration the following concurrent resolution and moved its adoption:

Whereas, Members of the Forty-fourth General Assembly may desire to purchase chairs occupied by them during this session; therefore;

Be It Resolved by the Senate, the House concurring, That such members be permitted to purchase such chairs from the secretary of the executive council at the price of twenty-five dollars (\$25.00), and that the custodian of the state house be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchasers.

Be It Further Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House, the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate and the Assistant Sergeant-at-Arms of the House be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, addressed to the persons mentioned herein.

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Myers House File No. 352, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies

to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies, returned by the sifting committee, was taken up and considered.

Senator Myers offered the following amendment and moved its adoption :

Amend by striking out all after the enacting clause thereof, and substituting in lieu therefor the following:

Section 1. Every person, co-partnership, association, corporation or syndicate engaged in the business of transporting or transmitting gas, gasoline, oils, or motor fuels by means of pipe lines, whether such pipe lines be owned or leased, shall be taxed as herein provided.

Sec. 2. The words "pipe line company" as used in this act shall be deemed and construed to mean any person, co-partnership, association, corporation or syndicate that may own or operate or be engaged in operating or utilizing pipe lines for the purposes described in section one (1) hereof.

The word "board" wherever it appears in this act shall mean the state board of assessment and review.

Sec. 3. Every pipe line company having lines in the state of Iowa shall annually, on or before the first day of April in each year, make out and deliver to the state board of assessment and review a statement, verified by the oath of an officer or agent of such pipe line company making such statement, showing in detail for the year ended December 31 next preceding:

1. The name of the company.
2. The nature of the company, whether a person or persons, an association, co-partnership, corporation or syndicate, and under the laws of what state organized.
3. The location of its principal office or place of business.
4. The name and postoffice address of the president, secretary, auditor, treasurer and superintendent or general manager.
5. The name and post office address of the chief officer or managing agent of the company in Iowa.
6. The whole number of miles of pipe line owned, operated or leased within the state, including a classification of the size, kind and weight thereof, separated, so as to show the mileage in each county, and each lesser taxing district.
7. A full and complete statement of the cost and actual present value

of all buildings of every description owned by said pipe line company within the state and each lesser taxing district, not otherwise assessed.

8. The number, location, size and cost of each pressure pump or station.

9. Any and all other property owned by said pipe line company within the state which property must be classified and scheduled in such a manner as the board may by rule require.

10. The gross earnings of the entire company, and the gross earnings on business done within this state.

11. The operating expenses of the entire company and the operating expenses within this state.

12. The net earnings of the entire company and the net earnings within this state.

Sec. 4. Every pipe line company required by law to report to the state board of assessment and review under the provisions of this act shall, on or before the first day of April, 1932, make to the state board of assessment and review a detailed statement showing the amount of real estate owned or used by it on December 31, 1931, for pipe line purposes, the county in which said real estate is situated, including the rights of way, pumping or station grounds, buildings, storage or tank yards, equipment grounds for any and all purposes, with the estimated actual value thereof, in such manner as may be required by the board.

Only one such detailed statement by any pipe line company shall be necessary, and when received by the board, it shall become the record of the pipe line lands of such company, and be deemed as annually thereafter reported for valuation and assessment by the board.

On or before the first day of April of each subsequent year, such company shall, in like manner, report all real estate acquired for any of the pipe line purposes above named during the preceding calendar year; and also, a list of any real estate, previously reported, disposed of during the same period, which disposition shall be noted by the board in an appropriate column opposite to the description of said tract in the original report of the same in the record of pipe line land.

The board shall, by some convenient method of binding, arrange the statements required to be made by this section, so as to form a consolidated list of all real estate reported to it as being owned or used for pipe line purposes within the state of Iowa.

Sec. 5. For the purposes of making reports to the state board of assessment and review, the gross earnings of a pipe line company, owning or operating a line or lines within this state, shall be computed and reported by said company upon such basis as the board may by rule require.

Sec. 6. The state board of assessment and review shall have power to prescribe such rules and regulations with respect to the keeping of

accounts by the pipe line companies doing business or having property in this state as will insure the accurate division of the accounts and the information to be reported, and uniformity in reporting the same to said board.

Sec. 7. The rules, regulations, method and requirements herein provided to be made by the state board of assessment and review, shall be made and communicated in writing or printing to the said several pipe line companies, and shall be and become binding upon said pipe line companies from the time they are so communicated; provided, however, that the said board shall have the power to prescribe supplemental or additional rules, regulations and requirements at any time, and communicate them to the several pipe line companies in the manner aforesaid, and with respect to such additional supplemental rules, regulations and requirements, they shall be and become binding upon the said pipe line companies within thirty (30) days from the time they are so communicated.

Sec. 8. If any pipe line company shall fail or refuse to obey and conform to the rules, regulations, method and requirements so made and prescribed by the state board of assessment and review under the provisions of this act, or to make the reports herein provided, the board shall proceed to assess the property of such pipe line company so failing or refusing, according to the best information obtainable, and shall then add to its valuation of such pipe line company twenty-five per cent (25%) thereof, which valuation and penalty shall be separately shown, and together shall constitute the assessment for that year.

Sec. 9. The board may demand, in writing, detailed, explanatory and amended statements of any of the items mentioned in section three (3) of this act, or any other item deemed to be important, to be furnished it by such pipe line company within thirty (30) days from such demand in such form 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 board, in writing, shall require.

Sec. 10. The said property shall be valued at its actual value, and the assessments shall be made upon the taxable value of the entire pipe line property within the state, except as otherwise provided; and shall include the rights of way, easements, the pipe lines, stations, grounds, shops, buildings, pumps and all other property, real and personal exclusively used in the operation of such pipe line. In assessing said pipe line company and its equipment, said board shall take into consideration the gross earnings and the net earnings for the entire property, and per mile, for the year ending December 31 preceding, and any and all other matters necessary to enable said board to make a just and equitable assessment of said pipe line property.

Sec. 11. The state board of assessment and review shall on or before the third Monday in August of each year determine the value of pipe line property located in each taxing district of the state, and in fixing said

value shall take into consideration the structures, equipment, pumping stations, etc., located in said taxing district, and shall transmit to the county auditor of each such county through and into which any pipe line may extend, a statement showing the assessed value of said property in each of the taxing districts of said county. The said property shall then be taxed in said county and lesser taxing districts, based upon the valuation so certified, in the same manner as in other property.

Sec. 12. At the first meeting of the board of supervisors held after said statement is received by the county auditor, it shall cause the same to be entered on its minute book, and make and enter therein an order describing and stating the assessed value of each pipe line lying in each city, town, township or lesser taxing district in its county, through or into which said pipe line extends, as fixed by the board of assessment and review, which shall constitute the assessed value of said property for taxing purposes; and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the council of the city or town, or the trustees of the township, as the case may be.

All such pipe line property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purpose as the property of individuals within such counties, cities, towns, townships, and lesser taxing districts.

If said tax is not paid, the county treasurer shall collect the same by whatever method may seem proper. If said tax is not paid within the calendar year in which the same is due, the company shall not be permitted thereafter to use the public or private property of the state of Iowa, or to operate in Iowa for any purpose.

Sec. 13. The provisions of this act shall not apply to a gas distributing plant or company located entirely within any city or town and not a part of a pipe line transportation company. Such local municipal plant shall be taxed in the municipality where located.

The amendment was adopted.

The bill was read for information.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Anderson	Blackford	Clark of Linn	Doran
Baird	Booth	Clark of Marion	Gunderson
Beatty	Carden	Cochrane	Hager
Bennett	Christophel	Cole	Hicklin
Benson	Clark of	Cooney	Hill
Bissell	Cerro Gordo	Coykendall	Ickis

Irwin	Lowe	Quirk	Tabor
Kent	MacDonald	Rigby	Topping
Klemme	McLeland	Ritchie	Wenner
Knudson	Moen	Stanley	White
Langfitt	Myers	Stevens	Wilson
Leonard	Patterson	Stoddard	

Nays, none.

Absent or not voting, 4.

Carroll	Clearman	Frailey	Kimberly
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Myers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Myers, Senate File No. 296, a companion bill, was withdrawn from further consideration.

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. 549, a bill for an act relating to child labor and the regulation thereof.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 548, a bill for an act relating to employment agencies, and the fee to be charged for services rendered thereby.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 533, a bill for an act relating to the purchase of supplies by cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 494, a bill for an act relating to the removal of obstructions in highway.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 199, a bill for an act relating to said hospitals.

Also: That the House has passed the following bill in which the concurrency of the Senate is asked:

House File No. 464, a bill for an act relating to deposit of securities with the commissioner of insurance.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 144, a bill for an act relating to the election and term of office of judges of the supreme court.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 143, a bill for an act relating to the contents of an original notice of suit.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 141, a bill for an act relating to the use as evidence of certain records or certified copies thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 139, a bill for an act relating to the establishing and maintenance of highways.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 426, a bill for an act relating to fraternal beneficiary societies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 333, a bill for an act relating to River Front Improvement Commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 325, a bill for an act relating to the duties of city manager.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 239, a bill for an act relating to the fixing of rates for private consumers in cases of municipally owned waterworks.

Also: 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 relating to the investigations, findings, and orders of the state board of eugenics.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 136, a bill for an act relative to the legislative recommendations of the code editor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 135, a bill for an act relating to the perfecting of an appeal to the Supreme Court.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 125, a bill for an act relating to general exemptions of motor vehicles.

Also: 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 relating to fines and forfeitures and the dispositions thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 69, a bill for an act relating to the release of inmates of the institution for feeble minded at Glenwood.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 68, a bill for an act relating to the commitment and discharge of neglected, dependent and delinquent children.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 567, a bill for an act to make an appropriation to Martin McCarthy.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 179, a bill for an act amending the definition of "motor truck" as it appears in Section One (1) chapter one hundred twenty-nine (129) of the acts of the Forty-third general assembly.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 266, a bill for an act to provide for the holding of annual schools of instruction for certain peace officers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 382, a bill for an act making an appropriation to the Iowa Bridge Company and the Olson Construction Company.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 382

Amend Sec. Three (3), by inserting after the comma (,) in line three (3) the words "out of the primary road fund".

HOUSE AMENDMENTS TO SENATE FILE NO. 266

Amend Senate File No. 266 by striking all of section two (2).

Amend the title to Senate File No. 266 by striking from lines four (4) and five (5) thereof the following:

“, and authorizing the payment of expenses of all officers attending”.

THIRD READING OF BILLS

On motion of Senator Stoddard House File No. 380, a bill for an act to repeal chapter three (3) acts of the forty-third (43rd) general assembly, and to amend section two hundred thirty-five (235) code, 1927, relating to the free distribution of codes and session laws, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Carden	Cochrane	Hicklin
Baird	Christophel	Cole	Irwin
Benson	Clark of	Cooney	Kent
Bissell	Cerro Gordo	Coykendall	Kimberly
Blackford	Clark of Linn	Gunderson	Klemme
Booth	Clearman	Hager	Knudson

Langfitt	Myers	Stanley	Topping
Leonard	Patterson	Stevens	Wenner
Lowe	Quirk	Stoddard	White
McLeland	Rigby	Tabor	Wilson
Moen	Ritchie		

Nays, none.

Absent or not voting, 9.

Beatty	Clark of Marion	Frailey	Ickis
Bennett	Doran	Hill	MacDonald
Carroll			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson House File No. 392, a bill for an act to amend chapter five hundred twenty-two (522) of the code, 1927, relating to partition procedure, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Cole	Kimberly	Quirk
Baird	Cooney	Klemme	Rigby
Bennett	Coykendall	Knudson	Ritchie
Benson	Doran	Langfitt	Stanley
Bissell	Gunderson	Leonard	Stevens
Blackford	Hager	Lowe	Stoddard
Booth	Hicklin	McLeland	Topping
Carden	Hill	Moen	Wenner
Clark of Linn	Ickis	Myers	White
Clearman	Irwin	Patterson	Wilson
Cochrane	Kent		

Nays, none.

Absent or not voting, 8.

Beatty	Clark of	Clark of Marion	MacDonald
Carroll	Cerro Gordo	Frailey	Tabor
Christophel			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

PAMMEL RESOLUTION

Senator Doran submitted the following resolution:

Whereas, Divine Providence has called home the spirit of the beloved Dr. L. H. Pammel of Ames, Iowa; and

Whereas, Dr. Pammel has been professor of botany at the Iowa State College at Ames, Iowa for over forty-one years past; and

Whereas, The life and work of Dr. Pammel have always been devoted to the interests of conservation in the State of Iowa; and

Whereas, Said Dr. Pammel was from the time of the creation of the State Board of Conservation in 1918, Chairman of said board until 1927; and

Whereas, During the time said Dr. L. H. Pammel was Chairman of the Board of Conservation, the State acquired thirty-eight state parks, which parks are now frequented by thousands each year from all parts of the United States; and

Whereas, In recognition of the great service rendered by the said Dr. L. H. Pammel as a professor of botany and because of his interests in conservation, the State Board of Conservation did in 1930 change the name of the park known as Devil's Backbone Park at Winterset, to Pammel State Park; and

Whereas, The said Dr. L. H. Pammel has contributed many books in the interests of botany and conservation of the resources of the State, chief of which are his, "Weed Flora of Iowa", "Grasses of Iowa", and did just prior to his death complete the proof reading of his last work, "Honey Plants of Iowa", which last publication was made for the purpose of increasing the interest in and development of the production of honey in the State of Iowa; and

Whereas, The life of said Dr. L. H. Pammel has been one of real service to the community, state and nation;

Therefore, Be It Resolved by the Senate of the Forty-fourth General Assembly of the State of Iowa, That in the passing of Dr. L. H. Pammel the State has lost a most valuable and honored citizen, a man of strong character and sterling worth and the Senate of Iowa does by this Resolution render its sympathy to the widow and children who survive.

Be It Further Resolved, That a copy of these Resolutions be spread upon the journal of the Senate as an expression of the life and worth of the

deceased, and an engrossed copy hereof be transmitted to the widow at Ames, Iowa.

By unanimous consent of the Senate the resolution was considered at this time.

The resolution was unanimously adopted by a rising vote.

THIRD READING OF BILLS

On motion of Senator Stevens House File No. 552, a bill for an act to amend sections sixty-one hundred fifty-one-b one (6151-b1) and sixty-one hundred fifty-one-b two (6151-b2) code, 1927, as amended by chapter one hundred eighty-three (183), acts of the forty-third (43rd) general assembly, relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns, including cities and towns under special charter, so as to authorize the use of surplus funds for municipal improvements, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stevens moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Cochrane	Kimberly	Quirk
Baird	Cole	Klemme	Rigby
Beatty	Cooney	Knudson	Ritchie
Bennett	Coykendall	Langfitt	Stanley
Benson	Gunderson	Leonard	Stevens
Bissell	Hager	Lowe	Stoddard
Blackford	Hicklin	McLeland	Tabor
Carden	Hill	Moen	Topping
Christophel	Ickis	Myers	Wenner
Clearman	Kent	Patterson	Wilson

Nays, none.

Absent or not voting, 10.

Booth	Clark of	Clark of Marion	Irwin
Carroll	Cerro Gordo	Doran	MacDonald
	Clark of Linn	Frailey	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moen House File No. 17, a bill for an act to amend the law relating to the signing of orders by judges of the district court in vacation, returned by the sifting committee, was taken up and considered.

The bill was read for informaion.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Clearman	Kent	Myers
Baird	Cochrane	Kimberly	Patterson
Beatty	Cole	Klemme	Quirk
Bennett	Cooney	Knudson	Ritchie
Benson	Coykendall	Langfitt	Stanley
Bissell	Gunderson	Leonard	Stevens
Blackford	Hager	Lowe	Stoddard
Carden	Hicklin	MacDonald	Tabor
Christophel	Hill	McLeland	White
Clark of	Ickis	Moen	Wilson
Cerro Gordo			

Nays, none.

Absent or not voting, 10.

Booth	Clark of Marion	Irwin	Topping
Carroll	Doran	Rigby	Wenner
Clark of Linn	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson Senate File No. 422, a bill for an act to amend the law as it appears in chapter one hundred thirty-eight (138) of the code, 1927, relating to airports so as to extend the provisions thereof to counties and to cities and towns when enacting jointly with each other, and to extend the provisions thereof relative to condemnation, returned by the sifting committee, was taken up and considered.

President Pro Tem McLeland was called to the chair.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Marion	Kimberly	Quirk
Baird	Clearman	Klemme	Rigby
Bennett	Cochrane	Knudson	Ritchie
Benson	Cole	Langfitt	Stanley
Bissell	Cooney	Leonard	Stevens
Blackford	Gunderson	Lowe	Stoddard
Booth	Hager	McLeland	Topping
Carden	Ickis	Moen	White
Christophel	Irwin	Myers	Wilson
Clark of Cerro Gordo	Kent	Patterson	

Nays, none.

Absent or not voting, 11.

Beatty	Coykendall	Hicklin	Tabor
Carroll	Doran	Hill	Wenner
Clark of Linn	Frailey	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Marion moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File No. 494, a bill for an act to amend section forty-eight hundred thirty-five (4835), code, 1927, relating to the removal of obstructions in highway.

Read first and second times and referred to the sifting committee.

House File No. 464, a bill for an act to amend section eighty-eight hundred thirty (8830) of the code, 1927, relating to deposit of securities with the commissioner of insurance.

Read first and second times and referred to the sifting committee.

House File No. 199, a bill for an act to specify the purposes for which any accumulation or surplus in the county public hospital fund may be used by the trustees of such hospitals; to provide the time during which said trustees shall make their reports; to authorize said trustees to waive, reduce or cancel certain accounts; to specify the legal services which the county attorney shall perform for said trustees; and to provide for the payment of services rendered in said hospitals to private patients, and to this end, to amend section fifty-three hundred fifty-three (5353), fifty-three hundred fifty-nine (5359), fifty-three hundred sixty-three (5363) and fifty-three hundred sixty-four (5364), code, 1927, relating to said hospitals.

Read first and second times and referred to the sifting committee.

House File No. 549, a bill for an act to amend sections fifteen hundred twenty-six (1526) and fifteen hundred thirty (1530) of the code, 1927, relating to child labor and the regulation thereof.

Read first and second times and referred to the sifting committee.

House File No. 548, a bill for an act to repeal section fifteen hundred forty-six-a one (1546-a1) of the code, 1927, as amended, and to enact a substitute therefor, relating to employment agencies, and the fee to be charged for services rendered thereby.

Read first and second times and referred to the sifting committee.

House File No. 533, a bill for an act to amend paragraph fifteen (15) of section fifty-six hundred sixty-three (5663) of the code, 1927, relating to the purchase of supplies by cities and towns.

Read first and second times and referred to the sifting committee.

House File No. 567, a bill for an act to make an appropriation to Martin McCarthy.

Read first and second times and referred to committee on appropriations.

The Journal of April 14th was corrected and approved.

EXCHANGE OF SEATS

MR. PRESIDENT: This is to advise that the undersigned senators have agreed to an exchange of seats.

Senator Wenner of Black Hawk has exchanged seat No. 23 with Senator E. W. Clark of Cerro Gordo for seat No. 25.

We ask that this exchange be made a matter of record by the Secretary of the Senate.

E. W. CLARK.

EDW. J. WENNER.

On motion of Senator Wilson the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Thomas W. Keenan of Shenandoah, Page county, as a member of the State Board of Education for a term of six years, ending June 30, 1937.

The Senate arose from executive session and resumed regular session.

AMENDMENT FILED

MR. PRESIDENT: We move to amend Senate Joint Resolution No. 12, as follows:

Insert after Section 2, the following:

Section 3. Since education is a matter of state concern, and the state has both a moral and financial responsibility to see that in every community the standards and requirements of education are met, and that the burden of same should be more evenly distributed:

It shall be the further duty of the committee to investigate the possibilities of raising the great bulk of our public school funds by a state sales tax, and apportion the same to the local school district.

Further amend the resolution by renumbering the following sections as 4, 5, 6 and 7.

A. V. BLACKFORD.

C. L. RIGBY.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

H. F. 424, By Mayne, relating to the sub-division of independent school districts.

H. F. 252, By Rylander, relating to mutual hail insurance associations.

H. F. 37, By Allen, relating to interest and penalty on special assessments for street improvements.

H. F. 448, By McCreery, relating to driving a motor vehicle while intoxicated.

H. F. 355, By Craven, providing that all counties adopt a budget.

H. F. 102, By Millhone, relating to the fees received for fishing and hunting licenses.

H. F. 519, By Shields, Reimers, Torgeson, Hush, providing for the improvement of primary roads.

H. F. 570, By Committee on Tax Revision, providing for the assessment of Grain, Ice and Coal dealers.

H. F. 571, By Committee on Tax Revision, repealing section 7012 of the Code.

H. F. 574, By Committee on Tax Revision, relating to taxation of real and personal property.

H. F. 575, By Committee on Tax Revision, providing for the deduction of indebtedness in the assessment of moneys and credits.

W. S. BAIRD, *Chairman.*

The Senate recessed until the call of the gavel.

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

THIRD READING OF BILLS

On motion of Senator Patterson House File No. 304, a bill for an act to amend section (11081) of the code, 1927, relating to publication of notice in civil actions, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Baird	Gunderson	MacDonald	Ritchie
Bennett	Hager	McLeland	Stanley
Benson	Ickis	Moen	Stevens
Blackford	Kent	Myers	Tabor
Christophel	Klemme	Patterson	Topping
Clearman	Langfitt	Quirk	Wenner
Cochrane	Leonard	Rigby	White
Cooney	Lowe		

Nays, none.

Absent or not voting, 20.

Anderson	Clark of	Coykendall	Irwin
Beatty	Cerro Gordo	Doran	Kimberly
Bissell	Clark of Linn	Frailey	Knudson
Booth	Clark of Marion	Hicklin	Stoddard
Carden	Cole	Hill	Wilson
Carroll			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird House File No. 424, a bill for an act to amend the law as it appears in section forty-one hundred fifty-two (4152), code of 1927, relating to the subdivision of independent school districts, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Baird	Cochrane	Langfitt	Ritchie
Bennett	Cole	Leonard	Stanley
Benson	Coykendall	Lowe	Stevens
Blackford	Gunderson	McLeland	Tabor
Christophel	Hager	Moen	Topping
Clark of Linn	Ickis	Myers	Wenner
Clark of Marion	Kent	Patterson	White
Clearman	Kimberly	Quirk	Wilson
	Klemme	Rigby	

Nays, none.

Absent or not voting, 16.

Anderson	Carroll	Doran	Irwin
Beatty	Clark of	Frailey	Knudson
Bissell	Cerro Gordo	Hicklin	MacDonald
Booth	Cooney	Hill	Stoddard
Carden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Myers House File No. 355, a bill for an act to amend Chapter one hundred forty-six (146), acts of the forty-third (43rd) general assembly, providing that all counties adopt a budget conforming to this chapter, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Myers moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Clark of Marion	Kimberly	Patterson
Bennett	Cochrane	Klemme	Quirk
Benson	Cole	Langfitt	Rigby
Bissell	Coykendall	Leonard	Ritchie
Blackford	Gunderson	Lowe	Stevens
Christophel	Hager	MacDonald	Tabor
Clark of	Hicklin	McLeland	Topping
Cerro Gordo	Iekis	Moen	Wenner
Clark of Linn	Kent	Myers	White

Nays, none.

Absent or not voting, 15.

Anderson	Carroll	Frailey	Stanley
Beatty	Clearman	Hill	Stoddard
Booth	Cooney	Irwin	Wilson
Carden	Doran	Knudson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Myers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Linn House File No. 448, a bill for an act to repeal the law as it appears in section fifty hundred twenty-seven (5027) of the code, 1927, and to enact a substitute therefor relating to driving a motor vehicle while intoxicated, and prescribing punishment therefor, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cole	Langftt	Ritchie
Bissell	Coykendall	Leonard	Stanley
Blackford	Gunderson	Lowe	Stevens
Carden	Hager	McLeland	Topping
Christophel	Hicklin	Moen	Wenner
Clark of	Hill	Myers	White
Cerro Gordo	Kent	Patterson	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 14.

Anderson	Clark of Marion	Ickis	MacDonald
Beatty	Cooney	Irwin	Stoddard
Booth	Doran	Knudson	Tabor
Carroll	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby Senate File No. 282, a bill for an act to apply the provisions of the workmen's compensation law to employes of state-owned farms, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 85

Baird	Clark of Linn	Kimberly	Rigby
Beatty	Clark of Marion	Klemme	Ritchie
Bennett	Cochrane	Lowe	Stanley
Benson	Cole	MacDonald	Stevens
Bissell	Coykendall	McLeland	Topping
Blackford	Hager	Moen	Wenner
Carden	Hicklin	Myers	White
Christophel	Hill	Patterson	Wilson
Clark of Cerro Gordo	Kent	Quirk	

Nays, 3.

Clearman	Gunderson	Langfitt
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Absent or not voting, 12.

Anderson	Cooney	Ickis	Leonard
Booth	Doran	Irwin	Stoddard
Carroll	Frailey	Knudson	Tabor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Myers Senate File No. 168, a bill for an act to repeal the law as it appears in section twelve thousand forty-one (12041) and to amend the law as it appears in section ten thousand eight hundred twenty-five (10825), of the Code of Iowa, 1927, relating to the reference and examination of the accounts of executors, administrators and guardians, and the duties of the Clerk of the District Court therein, returned by the sifting committee, was taken up and considered.

Senator Myers offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section twelve thousand forty-one (12041) of the Code of Iowa, 1927, be amended as follows:

"But this section shall not apply to counties under thirty-five thousand (35,000) population."

Sec. 2. That paragraph two (2) of section eleven thousand eight hundred and thirty-two (11832) of the Code of Iowa, 1927, be amended by adding thereto the following:

"And the clerk in counties under thirty-five thousand (35,000) population, as a part of his duty, shall also examine and check over the final reports of executors, administrators, guardians and trustees, after the manner of a referee, and report the condition of such final reports to the district court."

The amendment was lost.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

The amendment was adopted.

On motion of Senator Gunderson House File No. 309, a bill for an act to require buyers of livestock to keep certain records, providing for inspection of such records by peace officers, and fixing a penalty for violations thereof, returned by the sifting committee, was taken up and considered.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by inserting in section one (1) after the word "market" the following: "or for slaughter".

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Cochrane	Kimberly	Quirk
Baird	Coykendall	Klemme	Ritchie
Bennett	Frailey	Leonard	Stanley
Benson	Gunderson	Lowe	Stevens
Blackford	Hager	MacDonald	Tabor
Booth	Hicklin	McLeland	Wenner
Christophel	Hill	Moen	White
Clearman	Ickis	Myers	

Nays, 9.

Bissell	Clark of Marion	Irwin	Rigby
Clark of	Cole	Patterson	Topping
Cerro Gordo	Cooney		

Absent or not voting, 10.

Beatty
Carden
Carroll

Clark of Linn
Doran
Kent

Knudson
Langfitt

Stoddard
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson House File No. 316, a bill for an act to amend chapter fifty-eight (58), acts of the forty-third (43rd) general assembly, relating to the buying and selling of the skins or hides of fur-bearing animals, returned by the sifting committee, was taken up and considered.

Senator Ickis offered the following amendment and moved its adoption:

Amend by striking paragraphs one (1) and three (3) and by striking from line ten (10) the words and figures "five dollars (\$5.00)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)" and renumbering paragraph two (2) as paragraph one (1).

The amendment was adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend by adding the following as sec. 2.

Sec. 2. Amend section 4 line 19 by adding after the word "bond" the words "or cash"; also by striking from line 20 the words and figures "two thousand dollars (\$2,000.00)" and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)".

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson
Baird
Bennett

Bissell
Blackford
Booth

Carden
Christophel

Clark of
Cerro Gordo
Clark of Linn

Clark of Marion	Hill	Lowe	Stanley
Clearman	Ickis	McLeland	Stevens
Cochrane	Irwin	Moen	Stoddard
Cole	Kent	Myers	Tabor
Coykendall	Kimberly	Patterson	Topping
Doran	Klemme	Quirk	Wenner
Gunderson	Knudson	Rigby	White
Hager	Langfitt	Ritchie	Wilson
Hicklin	Leonard		

Nays, 1.

Cooney

Absent or not voting, 5.

Beatty	Carroll	Frailey	MacDonald
Benson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 361, a bill for an act to amend section fourteen hundred three (1403) of the code, 1927, relating to workmen's compensation, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clearman	Kimberly	Rigby
Baird	Cochrane	Klemme	Ritchie
Bennett	Cole	Knudson	Stanley
Bissell	Cooney	Leonard	Stevens
Blackford	Coykendall	Lowe	Stoddard
Booth	Frailey	MacDonald	Tabor
Carden	Hager	McLeland	Topping
Christophel	Hicklin	Myers	Wenner
Clark of Linn	Ickis	Patterson	White
Clark of Marion	Kent	Quirk	

Nays, none.

Absent or not voting, 11.

Beatty	Clark of	Gunderson	Langfitt
Benson	Cerro Gordo	Hill	Moen
Carroll	Doran	Irwin	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moen House File No. 252, a bill for an act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927, returned by the sifting committee, was taken up and considered.

Senator Wilson moved that action be deferred temporarily.

On the question "Shall action be deferred?" the vote was:

Ayes, 25.

Baird	Cochrane	Ickis	Rigby
Beatty	Cole	Irwin	Stoddard
Bissell	Cooney	Kimberly	Topping
Blackford	Doran	Klemme	Wenner
Booth	Hager	Knudson	White
Carden	Hicklin	Langftt	Wilson
Clearman			

Nays, 14.

Anderson	Coykendall	Myers	Ritchie
Bennett	Frailley	Patterson	Stevens
Christophel	Lowe	Quirk	Tabor
Clark of Linn	Moen		

Absent or not voting, 11.

Benson	Clark of Marion	Kent	McLeland
Carroll	Gunderson	Leonard	Stanley
Clark of Cerro Gordo	Hill	MacDonald	

Action was deferred temporarily.

On motion of Senator Stoddard House File No. 344, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; to provide the funds for the construction, purchase and maintenance of such bridges; to provide the method of letting the contracts for the construction of such bridges; to authorize any county, township or city in the state to aid in the construction or purchase of such bridges and issue bonds for such purpose and providing for the submission of the same to the electors of such county, township or city; and providing for the operation of such a bridge as a toll bridge for a limited period after which such bridge shall forever be free, returned by the sifting committee, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by inserting in line 2 of sec. 2 after the word "state", the words "not to exceed".

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by adding to the end of section 1 the following: "Not more than one-half of the cost of any of the purchase or construction of any interstate bridge shall be paid for by the State Highway Commission, under the provisions of this bill."

Senator Cooney moved the previous question on the amendment and bill which motion prevailed.

The amendment was lost.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 8.

Baird
Bennett

Cooney
Coykendall

Hager
Patterson

Rigby
Stoddard

Nays, 37.

Anderson	Clearman	Kimberly	Myers
Beatty	Cochrane	Klemme	Quirk
Benson	Cole	Knudson	Ritchie
Blackford	Doran	Langfitt	Stanley
Booth	Frailey	Leonard	Stevens
Christophel	Gunderson	Lowe	Tabor
Clark of	Hicklin	MacDonald	Topping
Cerro Gordo	Ickis	McLeland	Wenner
Clark of Linn	Irwin	Moen	White
Clark of Marion	Kent		

Absent or not voting, 5.

Bissell	Carroll	Hill	Wilson
Carden			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Stoddard moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate recessed until the call of the gavel.

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

INTRODUCTION OF BILL

Senate File No. 430, by committee on appropriations, a bill for an act making an appropriation to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof.

Read first and second times and placed on the calendar.

SENATE FILE NO. 430

A bill for an act making an appropriation to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of twenty thousand one hundred dollars (\$20,100.00), or so much thereof as may be necessary for the payment of expense of repairing the state capitol and buildings and grounds under the supervision and direction of the executive council, such money to be expended as follows to-wit:

Pulverized fuel burner and resetting of boilers.....	\$10,000.00
Maintenance of heating and plumbing.....	3,000.00
Repairs on skylights, down spouts and roof.....	300.00
Fertilizer for grounds.....	500.00
Repairs and renewals on lawn mower and equipment.....	2,000.00
Repairs on tractors and trucks.....	500.00
Replacement of garden hose.....	100.00
Chandeliers in Senate Chamber.....	2,000.00
Rebuilding electric circuit in sub-basement.....	500.00
Electric fixtures in Bryant school building.....	200.00
Repairs and fixtures to outside lights.....	1,000.00

HOUSE AMENDMENTS CONSIDERED

Senator Clearman called up for consideration Senate File No. 382, amended by the House, and moved that the Senate concur in the following amendment:

Amend by inserting in line three (3) of Section three (3) after the word "same" the following: "out of the primary road fund."

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Anderson	Clearman	Kent	Patterson
Baird	Cochrane	Kimberly	Quirk
Bennett	Cole	Klemme	Rigby
Bissell	Coykendall	Langfitt	Ritchie
Blackford	Doran	Leonard	Stanley
Booth	Gunderson	Lowe	Stevens
Carden	Hager	MacDonald	Stoddard
Clark of	Hicklin	Moen	Tabor
Cerro Gordo	Hill	Myers	Wilson
Clark of Linn	Irwin		

Nays, none.

Absent or not voting, 13.

Beatty	Clark of Marion	Ickis	Topping
Benson	Cooney	Knudson	Wenner
Carroll	Frailey	McLeland	White
Christophel			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Clearman moved that the vote by which the House amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hill called up for consideration Senate File No. 266, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking all of Section two (2).

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Anderson	Clearman	Kimberly	Quirk
Baird	Cochrane	Klemme	Rigby
Bennett	Cole	Knudson	Ritchie
Bissell	Coykendall	Leonard	Stanley
Blackford	Gunderson	Lowe	Stevens
Booth	Hager	MacDonald	Stoddard
Carden	Hicklin	Moen	Tabor
Christophel	Hill	Myers	White
Clark of	Irwin	Patterson	Wilson
Cerro Gordo	Kent		

Nays, none.

Absent or not voting, 13.

Beatty	Clark of Marion	Frailey	McLeland
Benson	Cooney	Ickis	Topping
Carroll	Doran	Langfitt	Wenner
Clark of Linn			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Hill moved that the vote by which the House amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 548 by inserting after the word 'employment' in line eleven (11) the following: "by any chamber of commerce, young men's christian association, young women's christian association, fraternal, religious, or benevolent organization, employers' association, farmers' organization, or other civic or semi-civic organization, foundation of community trust, or".

GEO. A. WILSON.

MR. PRESIDENT: I move to amend Senate File No. 303 by inserting after the figures "four hundred four (404)" in line 3 of section one "four hundred six (406)".

Amend by striking out the word "fire" in line 27, section one, and by inserting between the word "company" and the word "from" in line 28 section one the following: "reciprocal or inter-insurance exchange or other participating carrier".

C. H. TOPPING.

MR. PRESIDENT: I move to amend Senate Joint Resolution No. 12 by striking out Section 1 and inserting in lieu thereof, the following:

"Section 1. That there is hereby established a committee, which shall be known as a Committee on Reduction of Expenditures, to be composed of nine members, three from the Senate appointed by the President of the Senate, three from the House appointed by the Speaker of the House and three appointed by the Governor of Iowa."

G. W. PATTERSON.

MR. PRESIDENT: I wish to amend House File No. 54 by striking Sec. 2 therefrom and inserting in lieu thereof the following:

Sec. 2. That the law as it appears in section sixty-nine hundred eighty-four (6984) of the code, 1927, be and the same is hereby amended by adding to the end thereof the following:

"Provided that the foregoing shall not apply to nor include any annuity contract with an educational institution, the basis of which is real estate which has been transferred to said institution by the annuitant".

C. L. RIGBY.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee reports out the following bills:

S. F. 348, By Irwin, relating to medical and surgical treatment in the hospital of the college of medicine of the state university.

S. F. 363, By Committee on Agriculture, relating to dogs.

H. F. 114, By Drake of Keokuk, providing for the distribution of the tax realized on money and credits.

H. F. 259, By Johnson of Marion, relating to licensing of dentists.

H. F. 305, By McCaulley, relating to the costs and expenses incident to disbarment proceedings.

H. F. 436, By Hollis of Black Hawk, providing for district shows.

H. F. 548, By Labor Committee, relating to employment agencies.

H. F. 553, By Judiciary Committee, legalizing the action of the board of supervisors of Appanoose County.

H. F. 586, By House Sifting Committee, amending an act known as H. F. 527.

W. S. BAIRD, *Chairman.*

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. 38, a bill for an act relating to the suspension, cancellation, or remission of taxes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 586, a bill for an act to amend House File five hundred twenty-seven (527), relating to county teachers institutes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 568, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill and to Laura E. Hill.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 566, a bill for an act to make an appropriation to Paul J. Tissler.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 564, a bill for an act to make an appropriation to Delpha Nelson.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 562, a bill for an act to make an appropriation to M. L. Haley.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 561, a bill for an act to make an appropriation to Joseph Roy Collins.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 410, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman and D. F. Brownlee.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger and A. E. McGlothlen.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy state game wardens.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

House File No. 299, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 252, a bill for an act to make an appropriation to the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Show and the Johnson County Poultry show.

SAM C. RAGAN, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Moen House File No. 252, a bill for an

act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927, was taken up and considered, action having been deferred this morning.

The bill was read for information.

Senator Moen moved that the reading just had be considered the third reading, which motion prevailed.

Senator Frailey invoked Rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 19.

Anderson	Doran	Lowe	Ritchie
Bennett	Gunderson	MacDonald	Stanley
Christophel	Hill	Moen	Stevens
Clark of Linn	Langfitt	Myers	White
Coykendall	Leonard	Patterson	

Nays, 21.

Baird	Cochrane	Hicklin	Quirk
Beatty	Cole	Ickis	Rigby
Bissell	Cooney	Irwin	Stoddard
Blackford	Frailey	Kimberly	Tabor
Carden	Hager	Klemme	Wilson
Clearman			

Absent or not voting, 10.

Benson	Clark of	Kent	Topping
Booth	Cerro Gordo	Knudson	Wenner
Carroll	Clark of Marion	McLeland	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Wilson moved that the vote by which the bill failed

to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Linn, House File No. 37, a bill for an act to amend section six thousand thirty-three (6033), code, 1927, as amended by chapter one hundred eighty-one (181) of the laws of the Forty-third General Assembly relating to interest and penalty on special assessments for street improvements, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Cole	Kimberly	Quirk
Baird	Cooney	Klemme	Rigby
Bennett	Coykendall	Knudson	Ritchie
Bissell	Frailey	Langfitt	Stanley
Blackford	Gunderson	Leonard	Stevens
Carden	Hager	Lowe	Stoddard
Christophel	Hicklin	MacDonald	Tabor
Clark of Linn	Hill	Moen	White
Clearman	Ickis	Myers	Wilson
Cochrane	Irwin	Patterson	

Nays, none.

Absent or not voting, 11.

Beatty	Carroll	Clark of Marion	McLeland
Benson	Clark of	Doran	Topping
Booth	Cerro Gordo	Kent	Wenner

The bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent on request of Senator Clark of Linn the title was corrected by striking from the last line thereof the words "for street improvements".

The title as amended was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin House File No. 102, a bill for

an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the fees received for fishing and hunting licenses, returned by the sifting committee, was taken up and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by adding at the end the following:

“Provided that no County Recorder shall retain more than five hundred (\$500) dollars per year from such fees.”

Senator Hicklin offered the following amendment to the amendment and moved its adoption:

Amend by striking the word “Recorder”.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by striking from lines 6 and 7 the words and figures “ten (10)” and inserting in lieu thereof the words and figures “five (5)”.

The amendment was adopted.

President Pro Tem McLeland was called to the chair.

President McFarlane returned to the chair.

Senator Quirk moved the previous question, which motion prevailed.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 27.

Baird	Clark of Linn	Hicklin	Patterson
Beatty	Clark of Marion	Irwin	Ritchie
Bennett	Cole	Langfitt	Stanley
Benson	Cooney	Leonard	Stoddard
Bissell	Coykendall	Lowe	Wenner
Christophel	Doran	McLeland	White
Clark of Cerro Gordo	Gunderson	Myers	

Nays, 20.

Anderson	Cochrane	Kent	Quirk
Blackford	Frailey	Kimberly	Rigby
Booth	Hager	Klemme	Stevens
Carden	Hill	Knudson	Tabor
Clearman	Ickis	Moen	Topping

Absent or not voting, 3.

Carroll	MacDonald	Wilson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER

Senator Bissell moved to reconsider the vote by which House File No. 390 failed to pass the Senate.

On the question "Shall the Senate reconsider?" the vote was:

Ayes, 36.

Anderson	Clark of	Hicklin	Lowe
Baird	Cerro Gordo	Hill	McLeland
Beatty	Clark of Marion	Ickis	Myers
Bennett	Clearman	Irwin	Rigby
Benson	Cochrane	Kent	Ritchie
Bissell	Cole	Kimberly	Stanley
Blackford	Coykendall	Klemme	Stevens
Booth	Gunderson	Knudson	Tabor
Carden	Hager	Langfitt	White
		Leonard	

Nays, 2.

Frailey	Stoddard
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Absent or not voting, 12.

Carroll	Cooney	Moen	Topping
Christophel	Doran	Patterson	Wenner
Clark of Linn	MacDonald	Quirk	Wilson

The motion to reconsider was adopted.

Senator Bissell moved that the Senate request the House to return House File No. 390, which failed to pass.

The motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 65, 358, 389, 68, 69, 70, 125, 135, 136, 138, 140, 141, 143, 144, 239, 325, 333, 426.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 65, 358, 389, 68, 69, 70, 125, 135, 136, 138, 140, 141, 143, 144, 239, 325, 333, 426.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 65, 358, 389, 68, 69, 70, 125, 135, 136, 138, 140, 141, 143, 144, 239, 325, 333, 426.

E. R. HICKLIN, *Chairman.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Clark of Marion House File No. 233, a bill for an act to amend section twenty-seven hundred eighty-one (2781), and twenty-eight hundred five (2805), and to repeal sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred (2800), twenty-eight hundred and one (2801) and twenty-eight hundred and two (2802) of the code, 1927, and to enact a substitute in lieu thereof, relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Marion moved that the reading just had be considered the third reading, which motion prevailed.

Senator Clark of Marion invoked Rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Baird	Clearman	Kent	Rigby
Bennett	Cochrane	Kimberly	Stevens
Benson	Cole	Knudson	Stoddard
Booth	Doran	Langfitt	Tabor
Carden	Hicklin	Myers	Topping
Clark of	Hill	Patterson	White
Cerro Gordo	Ickis	Quirk	Wilson
Clark of Marion			

Nays, 18.

Anderson	Clark of Linn	Irwin	McLeland
Beatty	Coykendall	Klemme	Moen
Bissell	Frailey	Leonard	Ritchie
Blackford	Gunderson	Lowe	Stanley
Christophel			Wenner

Absent or not voting, 4.

Carroll	Cooney	Hager	MacDonald
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Marion moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hill House File No. 502, a bill for an act to require certain entries by the county treasurer, and by the clerk of the district court, to show the exact time of the making of such entries, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Christophel	Doran	Myers
Baird	Clark of	Gunderson	Rigby
Beatty	Cerro Gordo	Hager	Ritchie
Bennett	Clark of Linn	Hill	Stevens
Benson	Clearman	Klemme	Stoddard
Blackford	Cochrane	Knudson	Wenner
Booth	Cooney	Leonard	White
Carden	Coykendall	Low	Wilson

Nays, 3.

Bissell	Frailey	Topping
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Absent or not voting, 16.

Carroll	Ickis	Langfitt	Patterson
Clark of Marion	Irwin	MacDonald	Quirk
Cole	Kent	McLeland	Stanley
Hicklin	Kimberly	Moen	Tabor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson Senate File No. 307, a bill for an act to amend, revise and recodify the law as it appears in chapter eighty-nine (89) of the code, 1927, relating to the practice of civil engineering and the examination and licensing of civil engineers, returned by the sifting committee, was taken up and considered.

Senator Knudson offered the following amendments and moved their adoption:

Amend by striking all of the title and inserting the following in lieu thereof:

A bill for an act to repeal sections eighteen hundred fifty-four (1854), eighteen hundred fifty-five (1855), eighteen hundred sixty-four (1864), eighteen hundred sixty-nine b one (1869 b 1); to amend sections eighteen hundred fifty-six (1856), eighteen hundred sixty-five (1865), eighteen hundred seventy-two (1872) and to enact substitutes for said repealed sections: all of said sections relating to the license and registration of professional engineers and land surveyors, and all of said sections being of the Code, 1927.

Also amend by striking all after the enacting clause and inserting in lieu thereof, the following:

Section 1. Section eighteen hundred fifty-four (1854), Code, 1927, is hereby repealed and the following is enacted in lieu thereof:

Registered Engineers and Surveyors. No person shall practice or offer to practice as a professional engineer or land surveyor in this state or use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer or a land surveyor unless he shall first be registered as a professional engineer or a registered land surveyor.

Sec. 2. Section eighteen hundred fifty-five (1855), Code, 1927, is hereby repealed and the following enacted in lieu thereof:

Terms Defined. The term "professional engineer" as used in this act, shall mean and include a person who practices any branch of professional engineering other than military engineering, or who represents himself to be such a professional engineer, either through the use of the term "engineer" with or without qualifying adjectives, or through the use of some other title implying that he is such a professional engineer.

The term "land surveyor", as used in this act, shall mean any person who makes surveys for the determination of area or the establishment of land boundaries, or the subdivisions and platting of land.

The term, "Board", as used in this Act, shall mean the State Registration Board for Professional Engineers and Land Surveyors.

Sec. 3. Section eighteen hundred fifty-six (1856), Code, 1927, is amended by striking the words "Board of Engineering Examiners" where they occur in the title and in line three and substituting in lieu thereof the words, "Engineers Registration Board".

Sec. 4. Section eighteen hundred sixty-four (1864), Code, 1927, is hereby repealed and the following substituted in lieu thereof:

Records and Reports. The Secretary shall keep a record of the Board's proceedings and register of all applications for registration, which register shall show (a) the name, age, and resident of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the Board; and (i) such other information as may be deemed necessary by the Board.

The records of the Board shall be prima facie evidence of the proceedings of the Board set forth therein, and a transcript thereof, duly certified by the Secretary of the Board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

Sec. 5. Section eighteen hundred sixty-five (1865), Code, 1927, is hereby amended by striking the words "Engineering Examiners" from the title and substituting in lieu thereof the words "Engineering Regis-

tration Board" and the section is further amended by striking the words "Board of Engineering Examiners" where they occur in lines six, nine and ten and substituting in lieu thereof the words, "Engineering Registration Board".

Sec. 6. Section eighteen hundred sixty-nine b one (1869b1), Code, 1927, is hereby repealed and the following enacted in lieu thereof:

Expirations and Renewals. Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed.

It shall be the duty of the Secretary of the Board to notify every person registered under this Act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of the fee of two dollars (\$2.00). The failure on the part of the registrant to renew his certificate annually as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the last day of December shall be increased two dollars per year for each year or fraction thereof that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed ten dollars (\$10.00).

Sec. 7. Section eighteen hundred seventy-two (1872) Code, 1927, is hereby amended by adding the following to the end of the section:

The Board may re-issue a certificate of registration to any person whose certificate has been revoked, lost, destroyed or mutilated upon a vote of three or more members of the Board and a charge of three dollars (\$3.00) shall be made for such issuance.

The amendments were adopted.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Baird	Clark of	Hager	Lowe
Bennett	Cerro Gordo	Hicklin	MacDonald
Benson	Clark of Marion	Hill	McLeland
Bissell	Cochrane	Ickis	Myers
Blackford	Cole	Irwin	Rigby
Booth	Coykendall	Kent	Stevens
Carden	Doran	Klemme	White
Christophel	Frailey	Knudson	Wilson
	Gunderson	Leonard	

Nays, none.

Absent or not voting, 17.

Anderson	Cooney	Patterson	Stoddard
Beatty	Kimberly	Quirk	Tabor
Carroll	Langfitt	Ritchie	Topping
Clark of Linn	Moen	Stanley	Wenner
Clearman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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 returns herewith, as requested, House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson.

Also: That the House has concurred in the Senate amendments to House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt.

Also: That the House has concurred in the Senate amendments to House File No. 28, a bill for an act relating to the audit of claims against the state and certain agencies thereof.

Also: That the House has concurred in the Senate amendments to House File No. 576, a bill for an act relating to state highway bonds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 587, a bill for an act to authorize the secretary of agriculture to incur expenses and employ assistance in carrying out the provisions of House File No. 377 of the Acts of the 44th General Assembly, and to make an appropriation therefor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and Etta S. Minert and Phyllis S. Davenport.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 388, a bill for an act to make an appropriation to Hamiel & Mather and Edwin B. Wilson.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 414, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, et al.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 111, a bill for an act to provide for licensing of operators of motor vehicles.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 353, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 353

Amend as follows:

By striking all after the enacting clause thereof, and substituting in lieu thereof the following:

Section 1. The executive council of the state of Iowa is hereby constituted, in addition to its other duties, as the "Century Progress Exposition Commission". It shall appoint such officers and employ such persons as in its judgment are necessary for the carrying out of the purpose of this act. The treasurer of state shall be the treasurer of the commission, and shall be the custodian of the monies herein appropriated. The members of the executive council, acting as such commission, shall receive no compensation for their services, but they shall be paid out of the appropriation herein made all of their necessary expenses incurred while engaged in the work of the commission. The commission may require any of its officers to furnish a bond with sureties subject to the approval of the commission.

Sec. 2. There is hereby appropriated out of any funds in the state

treasury not otherwise appropriated, the sum of Twenty-five Thousand Dollars (\$25,000.00) or so much thereof as may be necessary for the use of the commission in paying the costs and expenses incident to the making of an exhibit and representation by the state of Iowa as provided in section one (1) hereof. Said fund shall be expended on warrants therefor issued on the order of the governor by the auditor of state on the treasurer of state from time to time. No such warrants shall issue until said commission, through its duly chosen officers, shall certify to the auditor of state that the same is actually necessary for disbursement. All payments of money must be made upon vouchers duly executed under conditions as fixed by said commission, and no claims shall be paid by such commission except such as have been duly presented to the commission and audited and allowed. At the close of its services the commission shall make a statement of all of its doings, which statement shall include a showing of all exhibits made by the state of Iowa, or the citizens thereof, and the awards made on such exhibits, and such other matter as the said commission may deem valuable to the people of the state of Iowa, together with a list of all receipts and disbursements, with complete vouchers therefor. The accounts of said commission shall be kept in such manner as shall be prescribed by the executive council.

Sec. 3. Provided, however, that the purpose of this legislature is that the appropriation provided herein shall only be used in the event that the exposition is of such proportion as to warrant the state of Iowa in participating therein and for the purpose of insuring that no portion of the appropriation herein provided shall be used under any other circumstances or conditions. It is provided that no action shall be taken under the provisions of this act and no money paid from the appropriation provided herein until the executive council shall by proper resolution entered of record direct and authorize the same.

HOUSE AMENDMENTS TO SENATE FILE NO. 111

Amend Senate File No. 111 as follows:

(Section 1)

1. Strike the period (.) at the end of line three (3) of section one (1) and insert in lieu thereof a comma (,); strike the capital "E" in the word "Except" in line four (4) of section one (1) and insert in lieu thereof a small "e".

Add to section one (1) as subdivision three (3), the following:

"3. 'Person'. Every natural person."

(Section 2)

2. Strike from lines six (6) and seven (7) of section two (2), the following: "The word 'person' as used in this section shall be construed as meaning an individual."

(Sections 4 and 5)

3. Strike the word and figure "sixteen (16)" wherever they appear in sections four (4) and five (5), and insert in lieu thereof the word and figure "fifteen (15)".

(Section 5)

4. Insert, after the word "years" in line three (3), of section five (5), the following: "except that upon a written request of a parent or guardian a minor's license may be issued to any person between the ages of fourteen (14) and sixteen (16) years, to be valid only in going to and from school".

(Section 6)

5. Strike from line four (4) of section six (6) the word and figures "eighteen (18)" and insert in lieu thereof the word and figure "sixteen (16)".

(Section 7)

6. Strike all of section seven (7) and insert in lieu thereof the following:

"Sec. 7. Instruction.

Nothing in this act shall be construed to prevent the operation of motor vehicles by persons under fifteen (15) years of age in the manner provided for in section five thousand twenty-five (5025), code, 1927."

(Section 10)

7. Strike the word "section" at the end of line twenty (20) of section ten (10), and insert in lieu thereof the word "act".

(Section 11)

8. Strike the word "sheriff" in line two (2) of section eleven (11) and insert in lieu thereof the word "sheriffs".

(Section 13)

9. Change the comma (,) in line seventeen (17) of section thirteen (13) to a period (.) and strike the remaining portion of line seventeen (17) and all of line eighteen (18).

Strike all of subdivision five (5) of section thirteen (13) and insert in lieu thereof the following:

"5. The sheriff, chief of police, town marshal or other person designated by the department to examine applicants for operators' and chauffeurs' licenses under the provisions of section eleven (11) of this act, shall, when directed by the department, act for the department in receiving applications for operators' and chauffeurs' licenses and issue the licenses thereon, but such persons shall have no authority to issue licenses to any person except a resident of his county or to a non-resident of the state. For each operator's license issued for which a license fee is paid,

the person issuing the same shall be entitled to retain the sum of fifteen cents (15c) and for each chauffeur's license, the sum of fifty cents (50c) which shall, where the license is issued by the sheriff, be credited to the county general fund and where issued by a chief of police or town marshal, shall be credited to the city or town general fund. The balance of such license fees shall be forwarded to the Treasurer of State as provided for herein."

Strike from lines one (1) and two (2) of subdivision six (6) of section thirteen (13), the words and figures "fifty cents (50c)" and insert in lieu thereof the words and figures "twenty-five cents (25c)".

(Section 14)

10. Strike from line seven (7) of section fourteen (14) the word "law" and insert in lieu thereof the words "the law".

(Section 15)

11. Strike from lines six (6) and seven (7) of section fifteen (15), the words: "the photograph on".

Strike from lines twelve (12) and thirteen (13) of section fifteen (15), the following: "of a peace officer or a field deputy or inspector of the department".

Strike from line fifteen (15) of section fifteen (15), the words "in court" and insert in lieu thereof the following: ", within reasonable time,".

(Section 16)

12. Strike subdivision one (1) of section sixteen (16) and insert in lieu thereof the following:

"1. Every operator's license shall expire on December thirty-first of each odd numbered calendar year and shall be renewed upon its expiration upon application and payment of the license specified herein, provided that the department in its discretion may waive the examination of any applicant previously licensed under this act."

(Section 20)

13. Insert a period (.) after the word "equity" in line twelve (12) of section twenty (20) and strike the remainder of said section.

(Section 22)

14. Strike all of section twenty-two (22).

(Section 29)

15. Strike section twenty-nine (29) and insert in lieu thereof the following:

"Sec. 29. Penalties—misdemeanor. It shall be a misdemeanor for any person to violate any of the provisions of this act unless such violation is

by this act or other law of this state, declared to be a felony, or indictable misdemeanor, and shall be punishable as provided in section five thousand eighty-nine (5089), code, 1927."

(Section 30)

16. Strike all of section thirty (30) and insert in lieu thereof the following:

"Sec. 30. The department shall, within a reasonable time promulgate rules and regulations providing for the administration and enforcement of the provisions of this act and which such rules and regulations, together with application blanks and licenses, shall be available so that all persons shall have ample opportunity to procure operators' and chauffeurs' licenses required by this act, prior to January 1, 1932."

(Section 31)

17. Strike all of section thirty-one (31).

18. Renumber all sections following section twenty-one (21).

HOUSE MESSAGES CONSIDERED

House File No. 562, a bill for an act to make an appropriation to M. L. Haley.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill was placed on the calendar.

House File No. 566, a bill for an act to make an appropriation to Paul J. Tissler.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill was placed on the calendar.

House File No. 564, a bill for an act to make an appropriation to Delpha Nelson.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill was placed on the calendar.

House File No. 586, a bill for an act to amend an act known in the legislative proceedings of the forty-fourth (44th) general assembly of the state of Iowa as House File five hundred twenty-seven (527) entitled "an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools," said amendment being to effect the repeal of

sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927.

Read first and second times and referred to sifting committee.

House File No. 568, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill, and to Laura E. Hill, minor.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill was placed on the calendar.

House File No. 561, a bill for an act to make an appropriation to Joseph Roy Collins.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill was placed on the calendar.

House File No. 587, a bill for an act to authorize the secretary of agriculture to incur expenses and employ assistance in carrying out the provisions of house file number 377 of the acts of the forty-fourth general assembly and to make an appropriation therefor.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill was placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 408, 411, 539, 540, 541, 543, 544, 545, 569, 580, 581, 268, 288, and Senate Files Nos. 133 and 139.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House

Files Nos. 408, 411, 539, 540, 541, 543, 544, 545, 569, 580, 581, 268, 288, and Senate Files Nos. 133 and 139.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 133 and 139.

E. R. HICKLIN, *Chairman.*

Report adopted.

EXCHANGE OF SEATS

MR. PRESIDENT: Senator E. W. Clark, of Cerro Gordo, who now of record holds seat No. 23, changes with Senator J. H. Hager, of Allamakee, who now of record holds seat No. 1, and we ask that this exchange be made a matter of record.

E. W. CLARK

J. H. HAGER

MR. PRESIDENT: We desire to exchange seats Nos. 6 and 49.

M. D. COONEY

C. A. BENSON

MR. PRESIDENT: We desire to exchange seats Nos. 10 and 47.

GEO. W. TABOR

JOHN N. LANGFITT

On motion of Senator Carden the Senate recessed.

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Doran called up for consideration Senate File No. 111, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 111 as follows:

(Section 1)

1. Strike the period (.) at the end of line three (3) of section one (1) and insert in lieu thereof a comma (,); strike the capital "E" in the word "Except" in line four (4) of section one (1) and insert in lieu thereof a small "e".

Add to section one (1) as subdivision three (3), the following:

"3. 'Person'. Every natural person."

(Section 2)

2. Strike from lines six (6) and seven (7) of section two (2), the following: "The word 'person' as used in this section shall be construed as meaning an individual."

(Sections 4 and 5)

3. Strike the word and figure "sixteen (16)" wherever they appear in sections four (4) and five (5), and insert in lieu thereof the word and figure "fifteen (15)".

(Section 5)

4. Insert, after the word "years" in line three (3), of section five (5), the following: ", except that upon a written request of a parent or guardian a minor's license may be issued to any person between the ages of fourteen (14) and sixteen (16) years, to be valid only in going to and from school".

(Section 6)

5. Strike from line four (4) of section six (6) the word and figure "eighteen (18)" and insert in lieu thereof the word and figure "sixteen (16)".

(Section 7)

6. Strike all of section seven (7) and insert in lieu thereof the following:

"Sec. 7. Instruction.

Nothing in this act shall be construed to prevent the operation of motor vehicles by persons under fifteen (15) years of age in the manner provided for in section five thousand twenty-five (5025), code, 1927."

(Section 10)

7. Strike the word "section" at the end of line twenty (20) of section ten (10), and insert in lieu thereof the word "act".

(Section 11)

8. Strike the word "sheriff" in line two (2) of section eleven (11) and insert in lieu thereof the word "sheriffs".

(Section 13)

9. Change the comma (,) in line seventeen (17) of section thirteen (13) to a period (.) and strike the remaining portion of line seventeen (17) and all of line eighteen (18).

Strike all of subdivision five (5) of section thirteen (13) and insert in lieu thereof the following:

"5. The sheriff, chief of police, town marshal or other person designated by the department to examine applicants for operators' and chauffeurs' licenses under the provisions of section eleven (11) of this act, shall, when directed by the department, act for the department in receiving applications for operators' and chauffeurs' licenses and issue the licenses thereon, but such persons shall have no authority to issue licenses to any person except a resident of his county or to a non-resident of the state. For each operator's license issued for which a license fee is paid, the person issuing the same shall be entitled to retain the sum of fifteen cents (15c) and for each chauffeur's license, the sum of fifty cents (50c) which shall, where the license is issued by the sheriff, be credited to the county general fund and where issued by a chief of police or town marshal, shall be credited to the city or town general fund. The balance of such license fees shall be forwarded to the Treasurer of State as provided for herein."

Strike from lines one (1) and two (2) of subdivision six (6) of section thirteen (13), the words and figures "fifty cents (50c)" and insert in lieu thereof the words and figures "twenty-five cents (25c)".

(Section 14)

10. Strike from line seven (7) of section fourteen (14) the word "law" and insert in lieu thereof the words "the law".

(Section 15)

11. Strike from lines six (6) and seven (7) of section fifteen (15), the words: "the photograph on".

Strike from lines twelve (12) and thirteen (13) of section fifteen (15), the following: "of a peace officer or a field deputy or inspector of the department".

Strike from line fifteen (15) of section fifteen (15), the words "in court" and insert in lieu thereof the following: "within reasonable time."

(Section 16)

12. Strike subdivision one (1) of section sixteen (16) and insert in lieu thereof the following:

"1. Every operator's license shall expire on December thirty-first of each odd numbered calendar year and shall be renewed upon its expiration upon application and payment of the license specified herein, pro-

vided that the department in its discretion may waive the examination of any applicant previously licensed under this act."

(Section 20)

13. Insert a period (.) after the word "equity" in line twelve (12) of section twenty (20) and strike the remainder of said section.

(Section 22)

14. Strike all of section twenty-two (22).

(Section 29)

15. Strike section twenty-nine (29) and insert in lieu thereof the following:

"Sec. 29. Penalties—misdemeanor. It shall be a misdemeanor for any person to violate any of the provisions of this act unless such violation is by this act or other law of this state, declared to be a felony, or indictable misdemeanor, and shall be punishable as provided in section five thousand eighty-nine (5089), code, 1927."

(Section 30)

16. Strike all of section thirty (30) and insert in lieu thereof the following:

"Sec. 30. The department shall, within a reasonable time promulgate rules and regulations providing for the administration and enforcement of the provisions of this act and which such rules and regulations, together with application blanks and licenses, shall be available so that all persons shall have ample opportunity to procure operators' and chauffeurs' licenses required by this act, prior to January 1, 1932."

(Section 31)

17. Strike all of section thirty-one (31).

(On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Baird	Cochrane	Klemme	Rigby
Bissell	Coykendall	Knudson	Ritchie
Blackford	Doran	Lowe	Stanley
Booth	Gunderson	MacDonald	Stevens
Carden	Hager	McLeland	Tabor
Christophel	Hicklin	Moen	Topping
Clark of	Ickis	Myers	Wenner
Cerro Gordo	Irwin	Patterson	White
Clark of Marion	Kent	Quirk	Wilson
Clearman	Kimberly		

Nays, none.

Absent or not voting, 13.

Anderson	Carroll	Cooney	Langfitt
Beatty	Clark of Linn	Frailey	Leonard
Bennett	Cole	Hill	Stoddard
Benson			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Doran moved that the vote by which the House amendments were adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hicklin called up for consideration Senate File No. 353, amended by the House, and moved that the Senate concur in the following amendments:

Amend as follows:

By striking all after the enacting clause thereof, and substituting in lieu thereof the following:

Section 1. The executive council of the state of Iowa is hereby constituted, in addition to its other duties, as the "Century Progress Exposition Commission". It shall appoint such officers and employ such persons as in its judgment are necessary for the carrying out of the purpose of this act. The treasurer of state shall be the treasurer of the commission, and shall be the custodian of the monies herein appropriated. The members of the executive council, acting as such commission, shall receive no compensation for their services, but they shall be paid out of the appropriation herein made all of their necessary expenses incurred while engaged in the work of the commission. The commission may require any of its officers to furnish a bond with sureties subject to the approval of the commission.

Sec. 2. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of Twenty-five Thousand Dollars (\$25,000.00) or so much thereof as may be necessary for the use of the commission in paying the costs and expenses incident to the making of an exhibit and representation by the state of Iowa as provided in section one (1) hereof. Said fund shall be expended on warrants therefor issued on the order of the governor by the auditor of state on the treasurer of state from time to time. No such warrants shall issue until said commission, through its duly chosen officers, shall certify to the auditor of state that the same is actually necessary for disbursement. All payments of money must be made upon vouchers duly executed under conditions as fixed by said commission, and no claims shall be paid by such commission except such as have been duly presented to the commis-

sion and audited and allowed. At the close of its services the commission shall make a statement of all of its doings, which statement shall include a showing of all exhibits made by the state of Iowa, or the citizens thereof, and the awards made on such exhibits, and such other matter as the said commission may deem valuable to the people of the state of Iowa, together with a list of all receipts and disbursements, with complete vouchers therefor. The accounts of said commission shall be kept in such manner as shall be prescribed by the executive council.

Sec. 3. Provided, however, that the purpose of this legislature is that the appropriation provided herein shall only be used in the event that the exposition is of such proportion as to warrant the state of Iowa in participating therein and for the purpose of insuring that no portion of the appropriation herein provided shall be used under any other circumstances or conditions. It is provided that no action shall be taken under the provisions of this act and no money paid from the appropriation provided herein until the executive council shall by proper resolution entered of record direct and authorize the same.

(On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Anderson	Clark of	Irwin	Patterson
Baird	Cerro Gordo	Kent	Quirk
Beatty	Clark of Marion	Kimberly	Rigby
Bennett	Clearman	Klemme	Stanley
Benson	Cochrane	Knudson	Stevens
Bissel	Cooney	Langfitt	Stoddard
Blackford	Coykendall	Lowe	Tabor
Booth	Doran	MacDonald	Topping
Carden	Hager	McLeland	Wenner
Christophel	Hicklin	Moen	White
	Ickis	Myers	Wilson

Nays, 1.

Ritchie

Absent or not voting, 7.

Carroll	Cole	Gunderson	Leonard
Clark of Linn	Frailey	Hill	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Hicklin moved that the vote by which the House amendments were adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

AMENDMENT FILED

MR. PRESIDENT: We move to amend House File No. 242 by striking all after the enacting clause, also by striking all pending amendments and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of twenty-two thousand nine hundred ninety-six and one-one-hundredth dollars (\$22,996.01) to be paid to the following named persons, the amount set opposite each name:

Byron G. Allen.....	121.96
W. S. Baird.....	66.90
Frank C. Byers.....	44.64
H. B. Carroll.....	49.96
L. H. Doran.....	53.66
George Miller.....	105.71
W. F. Hathaway.....	35.00
Helen Dennery.....	31.72
W. H. Wisdom.....	83.52
Dennis Kelleher.....	5,499.90
Emmet Tinley.....	4,791.73
Henry G. Walker.....	744.93
Gordon L. Elliott.....	7,267.38
Muehle, Ream & McClain.....	1,590.35
A. R. Lapitz.....	507.11
Security Abstract Company.....	117.00
Bureau of Investigation.....	130.49
Ross-Richards Reporting Agency.....	522.00
Robert G. Paramore.....	61.23
Hotel Sherman Company.....	5.00
Verne Marshall.....	33.00
N. J. Alexander.....	14.10
O. L. Rees.....	14.10
Leo Budreau.....	14.10
E. J. Folda.....	14.10
Wm. L. Zager.....	14.10
C. O. Paine.....	16.20
LeRoy Amish.....	16.10
Lewis Maske.....	30.00
A. H. Platzter.....	16.10
A. L. Hamilton.....	16.72
H. A. Morse.....	18.10
A. J. Parcel.....	16.10

Geo. Chadeka	16.10
John H. F. Miller.....	16.10
John Shalla	16.10
Roy Anderson	8.00
Ralph Crawford	17.50
J. H. Coster.....	2.10
Otis L. Leefers.....	16.30
Harry F. Lambertsen.....	16.30
C. R. Humphrey.....	72.00
Clark Souers	4.20
W. A. Fitzgerald.....	32.00
J. W. Darragh.....	16.30
David L. Williams.....	34.60
Willis W. Mercer.....	14.10
Dr. Paul E. Belting.....	17.00
Irvin Nelson	14.10
Mike Farroh	14.10
Oran H. Pape.....	24.70
Wm. L. Hassett.....	2.10
Dr. Arthur W. Erskine.....	16.30
Dr. A. V. Hennessy.....	16.50
Dr. B. L. Eiker.....	9.20
Orville Simmons	14.10
R. A. Bates.....	20.50
Lucille O'Hagan	2.10
W. A. Chapman.....	16.20
Charles Schmidt	2.10
Roy L. Murry.....	13.50
David C. Page.....	8.20
J. J. McNamara.....	2.10
Allen Wallen	16.10
Louis Pelzer	14.10
Dr. R. A. Fenton.....	28.20
C. C. Williams.....	16.10
R. A. Kuever.....	14.10
Dr. Howard L. Beyc.....	14.10
W. H. Gemmill.....	18.10
W. H. Cobb.....	8.10
W. H. Bates.....	22.20
John H. Blair.....	37.80
Thomas Farrell	2.10

Milo Dimity	2.10
W. R. Boyd.....	18.30
Robert E. Neff.....	14.10
Dr. Henry Houghton.....	16.10
Dr. G. W. Stewart.....	14.10
Dr. Walter A. Jessup.....	16.10
W. J. McChesney.....	4.10
J. M. Fisk.....	10.10
Roy McGinnis	2.10
Frank E. Humeston.....	4.10
Charles Brown	2.10
Dillard W. Bray.....	2.10
Ray Slezak	2.10
E. H. Lauer.....	14.10
George T. Baker.....	19.50
J. W. Bowdish.....	2.10
Mrs. Pauline L. Devitt.....	8.40
Anna B. Lawther.....	22.60
Ray Blakesley	14.10
Henry Shull	23.20
E. F. Brown.....	2.10
Harry D. Breene.....	14.10
John F. Dee.....	14.10
Reed Hedges	2.10
John C. Warner.....	2.10
John W. Wicklund.....	2.10
Fred Porter	2.10
Lloyd Tenny	2.10
Waldo B. Fimmen.....	15.20

Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Sloan Star, a newspaper published in Sloan, Iowa, and the LeMars Semi-Weekly Sentinel, a newspaper published in LeMars, Iowa.

LEW MACDONALD, *Chairman Sub-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 failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 406, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service.

Also: 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 relating to the turning to right or left into highways.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 290, a bill for an act relating to stopping payment on checks and drafts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 293, a bill for an act relating to actions for damages on account of personal injuries or death to women.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 361, a bill for an act relating to the registration of graves of soldiers and sailors of the United States Army and Navy.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 369, a bill for an act to make appropriation for the prevention, control and eradication of the European corn borer.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 411, a bill for an act relating to the regulation of motor trucks, and providing a date when unexpended balances of the fees on motor trucks shall be credited to the general fund of the state.

Also: 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 relating to false statements for credit.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 478, a bill for an act to reimburse Johnson County, Iowa, for money expended in the care of a state patient at the state sanatorium at Oakdale, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 546, a bill for an act relating to the teaching of elementary agriculture, domestic science and manual training.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 588, a bill for an act to make an appropriation to Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke and A. L. Wise.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 585, a bill for an act to legalize the incorporation and the corporate acts and proceedings relating to the incorporation of Rucker's Incorporation of Ottumwa, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 418, a bill for an act relating to the improvement of secondary roads.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 418

Amend as follows:

By adding the following as Section two (2) and renumbering the remaining sections accordingly:

Sec. 2. That section thirty-five (35) of Chapter twenty (20) of the laws of the Forty-third General Assembly, is amended by adding preceding the period (.) in line five (5) of said section, the following:

"except as it applies to the sixty-five (65) per cent of the secondary road construction fund to be expended under the direction of the board of supervisors."

THIRD READING OF BILLS

On motion of Senator Rigby Senate Joint Resolution No. 12, A Joint Resolution, to Establish a Committee Composed of Three Members of the Senate and Three from the House of Representatives and Three from the State at large to make a Thorough Study and Investigation of State, County, Township, City and Town Governments for the Reduction of the Expenditure of Public Funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an Appropriation to Defray the Expenses of such Committee, a sifting committee bill, was taken up and considered.

The following amendment proposed by the committee on reduction of expenditures was considered:

In lines 2 and 3 of section 6 strike out the words and figures "twenty thousand dollars (\$20,000.00)" and insert in lieu thereof the words and figures "five thousand dollars (\$5,000)".

The amendment was lost.

Senator Patterson offered the following amendment and moved its adoption:

Amend by striking out Section 1 and inserting in lieu thereof, the following:

"Section 1. That there is hereby established a committee, which shall be known as a Committee on Reduction of Expenditures, to be composed of nine members, three from the Senate appointed by the President of the Senate, three from the House appointed by the Speaker of the House and three appointed by the Governor of Iowa."

The amendment was adopted.

Senators Blackford and Rigby offered the following amendments and moved their adoption:

Amend as follows:

Insert after Section 2, the following:

Section 3. Since education is a matter of state concern, and the state has both a moral and financial responsibility to see that in every community the standards and requirements of education are met, and that the burden of same should be more evenly distributed:

It shall be the further duty of the committee to investigate the possibilities of raising the great bulk of our public school funds by a state sales tax, and apportion the same to the local school district.

Further amend the resolution by renumbering the following sections as 4, 5, 6 and 7.

Senator Booth offered the following amendment to the amendment and moved its adoption:

Amend by adding after the word "possibilities" the words "and practicability".

The amendment to the amendment was adopted.

Senator Clark of Linn offered the following amendment to the amendment and moved its adoption:

Amend by striking paragraph 2 of Sec. 3.

Roll call was demanded.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 20.

Anderson	Gunderson	Lowe	Ritchie
Bennett	Hicklin	MacDonald	Stanley
Christophel	Knudson	Moen	Stoddard
Clark of Linn	Langfitt	Myers	Wenner
Coykendall	Leonard	Patterson	White

Nays, 23.

Baird	Carden	Doran	Klemme
Beatty	Clark of	Hager	Rigby
Benson	Cerro Gordo	Ickis	Stevens
Bissell	Clark of Marion	Irwin	Tabor
Blackford	Cochrane	Kent	Topping
Booth	Cole	Kimberly	Wilson

Absent or not voting, 7.

Carroll	Cooney	Hill	Quirk
Clearman	Frailey	McLeland	

The amendment to the amendment was lost.

Roll call was demanded on the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Baird	Christophel	Ickis	Stevens
Beatty	Cochrane	Irwin	Stoddard
Benson	Cole	Kent	Tabor
Blackford	Cooney	Kimberly	Topping
Booth	Doran	McLeland	Wilson
Carden	Hager	Rigby	

Nays, 22.

Anderson	Clark of Marion	Langfitt	Patterson
Bennett	Coykendall	Leonard	Ritchie
Bissell	Gunderson	Lowe	Stanley
Clark of	Hicklin	MacDonald	Wenner
Cerro Gordo	Klemme	Moen	White
Clark of Linn	Knudson	Myers	

Absent or not voting, 5.

Carroll	Frailey	Hill	Quirk
Clearman			

The amendment as amended was adopted.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Clark of	Ickis	Patterson
Beatty	Cerro Gordo	Irwin	Quirk
Bennett	Cole	Kent	Rigby
Benson	Cooney	Klemme	Ritchie
Bissell	Coykendall	Knudson	Stanley
Blackford	Doran	Leonard	Stevens
Booth	Gunderson	MacDonald	Wenner
Carroll	Hager	Moen	White
	Hicklin		Wilson

Nays, 14.

Baird	Clark of Marion	Langfitt	Stoddard
Carden	Cochrane	Lowe	Tabor
Christophel	Kimberly	McLeland	Topping
Clark of Linn		Myers	

Absent or not voting, 3.

Clearman	Frailey	Hill
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF THIRD CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

MR. PRESIDENT: Your Conference Committee on House File No. 2, find that they are unable to agree with House Conference Committee, and we ask that we be discharged.

C. H. TOPPING,
W. A. CLARK,
EDW. J. WENNER,
W. E. MCLELAND,
F. D. ICKIS,

For the Senate.

GEO. M. HOPKINS,
H. S. BAIR,
G. E. VAN WERT,
A. H. BONNSTETTER,
ORE T. ROE

For the House.

The report was adopted.

Senator Patterson moved that on the fourth conference committee the President appoint five members from the Senate.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Clark of Linn House File No. 570, a bill for an act to amend Section sixty-nine hundred sixty-five (6965) Code of 1927, providing for the assessment of Grain, Ice and Coal Dealers, returned by the sifting committee, was taken up and considered.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend line 7 of section 1 by striking the comma after the word "next".

The amendment was adopted.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Clark of	Kent	Quirk
Beatty	Cerro Gordo	Kimberly	Rigby
Bennett	Clark of Linn	Klemme	Ritchie
Benson	Clark of Marion	Knudson	Stanley
Bissell	Clearman	Langfitt	Stoddard
Blackford	Cochrane	Leonard	Tabor
Booth	Coykendall	Lowe	Topping
Carden	Hager	MacDonald	Wenner
Christophel	Hicklin	Myers	White

Nays, none.

Absent or not voting, 15.

Baird	Doran	Ickis	Patterson
Carroll	Frailey	Irwin	Stevens
Cole	Gunderson	McLeland	Wilson
Cooney	Hill	Moen	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill

passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 17, 304, 355, 380, 392, 424, 448, 552, 38, 576.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 17, 304, 355, 380, 392, 424, 448, 552, 38, 576.

THIRD READING OF BILLS

On motion of Senator Rigby House File No. 571, a bill for an act to repeal section seven thousand twelve (7012) of the Code of 1927, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Carden	Cole	Klemme
Baird	Christophel	Coykendall	Knudson
Beatty	Clark of	Hager	Langfitt
Bennett	Cerro Gordo	Hicklin	Leonard
Benson	Clark of Linn	Ickis	Lowe
Bissel	Clark of Marion	Irwin	McLeland
Blackford	Clearman	Kent	Moen
Booth	Cochrane	Kimberly	Myers

Patterson	Ritchie	Tabor	White
Quirk	Stanley	Topping	Wilson
Rigby	Stevens	Wenner	

Nays, none.

Absent or not voting, 8.

Carroll	Doran	Gunderson	MacDonald
Cooney	Frailey	Hill	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Linn House File No. 574, a bill for an act to amend Section sixty-nine hundred fifty-three (6953), Code of 1927, relating to the taxation of real and personal property, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clark of	Hicklin	Patterson
Baird	Cerro Gordo	Kimberly	Quirk
Bennett	Clark of Linn	Klemme	Rigby
Benson	Clark of Marion	Knudson	Ritchie
Bissell	Cochrane	Langfitt	Stanley
Blackford	Cole	Leonard	Stevens
Booth	Cooney	Low	Stoddard
Carden	Coykendall	McLeland	Tabor
Christophel	Gunderson	Myers	Wenner
	Hager		

Nays, 4.

Clearman	Irwin	Topping	Wilson
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Absent or not voting, 10.

Beatty	Frailey	Kent	Moen
Carroll	Hill	MacDonald	White
Doran	Ickis		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Linn, House File No. 575, a bill for an act to amend section sixty-nine hundred eighty-eight (6988), Code of 1927, providing for the deduction of indebtedness in the assessment of moneys and credits, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed..

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Christophel	Gunderson	Quirk
Baird	Clark of	Hager	Rigby
Beatty	Cerro Gordo	Klemme	Ritchie
Bennett	Clark of Linn	Leonard	Stanley
Benson	Clearman	Lowe	Stevens
Bissell	Cochrane	McLeland	Stoddard
Blackford	Cole	Moen	Tabor
Booth	Cooney	Myers	Wenner
Carden	Coykendall	Patterson	White

Nays, 1.

Topping

Absent or not voting, 9.

Carroll	Doran	Kent	Langfitt
Clark of Marion	Frailey	Kimberly	MacDonald
	Hill		

Present, 5.

Hicklin	Irwin	Knudson	Wilson
Ickis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER CONSIDERED

Senator Knudson called up for consideration the following motion:

MR. PRESIDENT: We hereby move to reconsider the vote by which the motion to reconsider the vote by which House File No. 477 failed to pass the Senate was laid on the table.

E. R. HICKLIN
I. H. KNUDSON
W. S. BAIRD
O. P. BENNETT

C. H. TOPPING
GEO. A. WILSON
M. D. COONEY

The motion was lost.

RECONSIDERATION OF HOUSE FILE NO. 390

Senator Bissell moved to reconsider the vote by which House File No. 390 passed to its third reading, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Bissell House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa, was taken up and considered.

Senator Clark of Cerro Gordo moved the previous question, which motion prevailed.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 25.

Anderson	Clark of	Gunderson	Leonard
Baird	Cerro Gordo	Hicklin	Lowe
Beatty	Clearman	Ickis	Myers
Bennett	Cochrane	Irwin	Stanley
Benson	Cole	Kimberly	White
Bissel	Cooney	Langfitt	Wilson
Christophel	Coykendall		

Nays, 17.

Blackford	Hill	MacDonald	Stevens
Booth	Kent	McLeland	Tabor
Clark of Marion	Klemme	Moen	Topping
Doran	Knudson	Quirk	Wenner
Hager			

Absent or not voting, 8.

Carden
Carroll

Clark of Linn
Frailey

Patterson
Rigby

Ritchie
Stoddard

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Doran moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Wilson moved to recess until 1.30 p. m. today.

Senator Clark of Marion raised the point of order that the motion was out of order as there was a resolution to adjourn before the Senate.

Senator Wilson moved to recess until the call of the gavel.

Senator Doran raised the point of order that the motion to recess did not take precedence over the motion to reconsider and lay on the table.

The President held that a motion to recess was always in order.

The Senate recessed until the call of the gavel.

The Senate reconvened at the sound of the gavel, President Arch W. McFarlane presiding.

Senator Clearman moved that a committee of three be appointed to draft a resolution relative to the death of Judge Martin Wade, late of Iowa City.

The motion prevailed and the President appointed Senators Clearman, Ickis and Irwin.

The President appointed as a committee of three to confer with the Board of Audit relative to the proper manner of filing expense accounts of members of the Senate, Senators Knudson, Ickis and Bissell.

AMENDMENTS FILED

MR. PRESIDENT: We move to amend House File No. 114 by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. That section seventy-one hundred sixty-four (7164), Code 1927, be amended by striking from lines 6, 7, and 8, the following:

"(without including moneys and credits and other moneyed capital taxed at a flat rate as provided in section 6985),"

Sec. 2. That section seventy-one hundred sixty-four (7164) of the code, 1927, be amended by adding thereto the following:

"Provided that the county auditor shall, in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district all of the tax to be derived from the moneys and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided have been made."

C. F. CLARK.

O. P. MYERS

C. L. RIGBY.

MR. PRESIDENT: I move to amend House File 114 as follows: By striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section seventy-one hundred sixty-four (7164) of the Code, 1927, be amended by adding thereto the following:

Provided that the county auditor shall in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district eighty (80) per cent of the tax collected and distributed to such district for the preceding year from the monies and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the Code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided for have been made.

Also to amend the title as follows:

An Act to amend section seventy-one hundred sixty-four (7164) of the Code, 1927, so as to provide for the replacement of the general property tax by the amount estimated for the monies and credits tax share of each taxing subdivision.

GEO. A. WILSON.

MR. PRESIDENT: I move to amend amendment to House File No. 519 by inserting the following after Section 2.:

"Sec. 3. Nothing in this act shall be construed to prevent the relocation, modification, or change of any part of the primary road system."

And by renumbering the sections following.

C. A. BENSON.

MR. PRESIDENT: I move to amend House File No. 519 as follows:

Strike the title and substitute in lieu thereof the following:

"A Bill for an act to provide for the improvement of the primary road system of the state, and for the payment of the principal and interest of county primary road bonds."

Strike all after the enacting clause and substitute the following:

"Section 1. Interstate primary roads, primary roads now connecting county seats of adjoining counties, and those primary roads which were a part of the primary road system as of April 11, 1929, or as the same may have been relocated since that date, shall be surfaced with pavement.

Provided, however, that nothing in this act shall prevent the temporary surfacing of any such primary roads with gravel or other similar low cost surfacing to carry the traffic until such time as funds are available for the paving of such roads.

Sec. 2. Until ninety per cent (90%) of the road construction program as provided for in this act shall have been completed, at least sixty-five per cent (65%) of the primary road fund available for construction purposes in any year shall be used for paving in accordance with the provisions hereof.

Sec. 3. The amount of primary road funds expended for maintenance and construction work in any county in any year shall not exceed the amount which said county would have received from the primary road fund had said fund been allotted among the counties of the state on the area basis, plus an amount equal to twenty-five per cent (25%) of the total amount of county primary road bonds issued by such county.

Sec. 4. If in any county the primary road funds available in any year under the provisions of Section forty-seven hundred fifty-five b thirty-two (4755-b32), Code 1927, for the payment of interest and principal of county primary road bonds and bonds issued to refund county primary road bonds, outstanding on April 15, 1931, are not sufficient to pay all of the interest accruing and principal maturing on such bonds in said year, then the deficiency shall be paid from the primary road fund.

Sec. 5. Additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system as of July 4, 1931, has all been graded, bridged, and surfaced.

Sec. 6. Should the proposed amendment to the Constitution of the State of Iowa, to be known as Article XIII, as set forth in House Joint Resolution No. 6 of the Forty-third General Assembly and Senate Joint Resolution No. 1 of the Forty-fourth General Assembly, become effective, this act shall be of no effect from and after the time said amendment becomes effective."

C. A. BENSON.

THIRD READING OF BILLS

On motion of Senator Clark of Marion House File No. 155, a bill for an act to repeal section eleven thousand seven hundred sixty (11760) of the code, 1927, as amended by the Forty-third (43rd) General Assembly, chapter two hundred fifty-six (256), and to enact a substitute therefor relating to exemptions from execution, returned by the sifting committee, was taken up and considered.

Senator Clark of Marion offered the following amendments and moved their adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eleven thousand seven hundred sixty (11760) of the code, 1927, be amended as follows:

"By inserting in line two (2) of paragraph seventeen (17) after the word 'surveyor', the words 'professional engineer, architect,'.

Also further amend by inserting in line three (3) of paragraph seventeen (17), after the word 'physician', the word 'dentist,'.

Also further amend by striking out the title and inserting in lieu thereof the following:

'An act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions.'

The amendments were adopted.

The bill was read for information.

Senator Clark of Marion moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of	Ickis	Rigby
Baird	Cerro Gordo	Irwin	Stanley
Beatty	Clark of Marion	Kent	Stevens
Bennett	Clearman	Kimberly	Stoddard
Benson	Cochrane	Klemme	Tabor
Bissell	Cooney	Langfitt	Topping
Blackford	Coykendall	Lowe	Wenner
Booth	Doran	McLeland	White
Carden	Hager	Myers	Wilson
Christophel	Hill		

Nays, none.

Absent or not voting, 13.

Carroll	Gunderson	Leonard	Patterson
Clark of Linn	Hicklin	MacDonald	Quirk
Cole	Knudson	Moen	Ritchie
Frailey			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Marion moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson Senate File No. 303, a bill for an act to prohibit the offering or giving of any inducement in the soliciting of insurance, returned by the sifting committee, was taken up and considered.

Senator Topping offered the following amendments and moved their adoption:

Amend by inserting after the figures "four hundred four (404)" in line 3 of section one "four hundred six (406)".

Amend by striking out the word "fire" in line 27, section one, and by inserting between the word "company" and the word "from" in line 28 section one the following: "reciprocal or inter-insurance exchange or other participating carrier".

The amendments were lost.

By unanimous consent on request of Senator Wilson the words "Publication clause" at the end were stricken.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 12.

Anderson	Blackford	Cooney	Rigby
Benson	Carden	McLeland	Stanley
Bissel	Cochrane	Myers	Wilson

Nays, 25.

Baird	Christophel	Coykendall	Irwin
Beatty	Clearman	Hicklin	Kent
Booth	Cole	Hill	Kimberly

Klemme	Patterson	Stevens	Topping
Leonard	Quirk	Stoddard	Wenner
Lowe	Ritchie	Tabor	White
Moen			

Absent or not voting, 13.

Bennett	Clark of Linn	Gunderson	Knudson
Carroll	Clark of Marion	Hager	Langfitt
Clark of Cerro Gordo	Doran	Ickis	MacDonald
	Frailey		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Hicklin moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Anderson House File No. 132, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the code, 1927, relating to the maintenance of extensions of primary roads through cities and towns, and the payment of the cost thereof, returned by the sifting committee, was taken up and considered.

Senator Anderson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Anderson	Clark of Linn	Irwin	Quirk
Baird	Clark of Marion	Kent	Rigby
Beatty	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Langfitt	Stevens
Blackford	Cooney	Leonard	Stoddard
Booth	Coykendall	Lowe	Tabor
Carden	Doran	MacDonald	Topping
Carroll	Gunderson	McLeland	Wenner
Christophel	Hager	Moen	White
Clark of Cerro Gordo	Hicklin	Myers	Wilson
	Hill	Patterson	

Nays, none.

Absent or not voting, 4.

Bissell	Frailey	Ickis	Knudson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Anderson moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments in which the concurrence of the House was asked:

House File No. 316, a bill for an act relating to the buying and selling of the skins or hides of fur-bearing animals.

Also: That the House has concurred in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 37, a bill for an act relating to interest and penalty on special assessments for street improvements.

Also: That the House has concurred in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 102, a bill for an act relating to the fees received for fishing and hunting licenses.

Also: That the House has concurred in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 352, a bill for an act to provide for the valuation and assessment of pipe line properties.

Also: That the House has concurred in the Senate amendments to House File No. 309, a bill for an act to regulate the buying for the market of certain livestock by requiring the making and preservation of record tickets thereof.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 582, a bill for an act to amend Section one of Chapter 122 of the laws of the Forty-third General Assembly, relating to and defining motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 183, a bill for an act relating to the number of names required on nominations by petition.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 535, a bill for an act relating to river front improvement commissions in certain cities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 509, a bill for an act to provide for a petition of one-third ($\frac{1}{3}$) of the land owners in the territory proposed as a consolidated school district.

Also: 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 relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 214, a bill for an act providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after removal thereof by the state.

Also: 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 permit the board of conservation to establish boundary lines between state owned and privately owned property.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 219, a bill for an act to provide for payment of landscape architect, engineer or gardener that may be employed by the Board of Conservation of Iowa.

Also: 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 permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters.

Also: 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 by revealing the provision relative to collecting a fee for permits issued for erection upon or over any state owned land or water.

Also: That the House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 2, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 428, a bill for an act to authorize the executive council to purchase certain property adjacent to the capitol extension grounds.

Also: 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 to provide for the licensing of pipe line companies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 245, a bill for an act relating to plumbing.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 280, a bill for an act to authorize the giving of either a bond or a liability policy by deputies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 425, a bill for an act to legalize the proceedings of the Sherrills Mound Mutual Fire Insurance Company of Sherrill, Iowa.

SAM C. RAGAN, *Chief Clerk.*

REPORT OF INVESTIGATING COMMITTEE

Senators Carroll, Baird and Doran submitted the following motion:

MR. PRESIDENT: We move that the Report, including the Majority report with supplement, and the Minority report, of the Joint Committee under the provisions of House Concurrent Resolution No. 8 be accepted, placed on file, and the committee discharged.

Senator Wilson moved to amend the motion by striking the word "accepted" and inserting in lieu thereof the word "received".

The amendment to the motion was adopted.

The motion as amended prevailed.

Senator Carroll moved that two thousand copies of the Report, including the majority report with supplement, and the minority report, which have been filed under the provisions of House Concurrent Resolution No. 8 be printed in pamphlet form corre-

sponding to the size of the Senate Journal, and that the printed copies be distributed on the desks of the members of the Senate.

The motion prevailed.

The full text of the report appears as an appendix at the back of this volume.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 430, a bill for an act making an appropriation to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof, an appropriations committee bill, was taken up and considered.

Senator Myers offered the following amendment and moved its adoption:

Amend line 14 of section 1 by striking the figures "2,000.00" and inserting in lieu thereof the figures "1,000.00".

The amendment was adopted.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Clark of Marion moved that the reading just had been considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Marion	Kimberly	Rigby
Baird	Clearman	Klemme	Ritchie
Benson	Cochrane	Langfitt	Stanley
Blackford	Cole	Leonard	Stevens
Booth	Cooney	Lowe	Stoddard
Carden	Coykendall	MacDonald	Tabor
Christophel	Doran	McLeland	Topping
Clark of	Gunderson	Moen	Wenner
Cerro Gordo	Hager	Myers	White
Clark of Linn	Hicklin	Patterson	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Carroll	Ickis	Knudson
Bennett	Frailey	Irwin	Quirk
Bissell	Hill	Kent	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 586, a bill for an act to amend an act known in the legislative proceedings of the forty-fourth (44th) general assembly of the state of Iowa as House File five hundred twenty-seven (527) entitled "an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools," said amendment being to effect the repeal of sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

* Ayes, 43.

Anderson	Clark of Linn	Irwin	Quirk
Baird	Clark of Marion	Kent	Rigby
Bennett	Cochrane	Kimberly	Ritchie
Benson	Cole	Klemme	Stanley
Bissell	Cooney	Knudson	Stevens
Blackford	Coykendall	Langfitt	Stoddard
Booth	Doran	Leonard	Tabor
Carden	Gunderson	Lowe	Topping
Christophel	Hager	McLeland	Wenner
Clark of	Hicklin	Moen	White
Cerro Gordo	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 7.

Beatty	Clearman	Hill	Patterson
Carroll	Frailey	MacDonald	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 567, a bill for

an act to make an appropriation to Martin McCarthy, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clearman	Irwin	Patterson
Baird	Cochrane	Kent	Quirk
Bennett	Cole	Kimberly	Rigby
Benson	Cooney	Klemme	Ritchie
Bissell	Coykendall	Knudson	Stevens
Blackford	Doran	Langfitt	Stoddard
Booth	Gunderson	Leonard	Tabor
Carden	Hager	Lowe	Topping
Clark of	Hicklin	McLeland	Wenner
Cerro Gordo	Hill	Moen	White
Clark of Linn	Ickis	Myers	

Nays, none.

Absent or not voting, 8.

Beatty	Christophel	Frailey	Stanley
Carroll	Clark of Marion	MacDonald	Wilson

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 568, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill, and to Laura E. Hill, minor, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed .

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Baird	Bissell	Carroll	Clark of Linn
Beatty	Blackford	Christophel	Clark of Marion
Bennett	Booth	Clark of	Clearman
Benson	Carden	Cerro Gordo	Cochrane

Cole	Kent	MacDonald	Stanley
Cooney	Kimberly	McLeland	Stevens
Coykendall	Klemme	Myers	Stoddard
Gunderson	Knudson	Patterson	Tabor
Hager	Langfitt	Quirk	Topping
Hill	Leonard	Rigby	Wenner
Ickis	Lowe	Ritchie	White
Irwin			

Nays, none.

Absent or not voting, 6.

Anderson	Frailey	Moen	Wilson
Doran	Hicklin		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Leonard House File No. 561, a bill for an act to make an appropriation to Joseph Roy Collins, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Leonard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of	Hill	Moen
Baird	Cerro Gordo	Ickis	Myers
Beatty	Clark of Linn	Irwin	Patterson
Bennett	Clark of Marion	Kimberly	Quirk
Benson	Clearman	Klemme	Ritchie
Bissel	Cochrane	Knudson	Stanley
Blackford	Cole	Langfitt	Stevens
Booth	Cooney	Leonard	Tabor
Carden	Coykendall	Lowe	Topping
Christophel	Doran	MacDonald	Wenner
	Gunderson	McLeland	Wilson

Nays, none.

Absent or not voting, 8.

Carroll	Hager	Kent	Stoddard
Frailey	Hicklin	Rigby	White

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Leonard House File No. 562, a bill for an act to make an appropriation to M. L. Haley, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Leonard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clark of	Hicklin	Quirk
Baird	Cerro Gordo	Hill	Rigby
Beatty	Clark of Linn	Ickis	Ritchie
Bennett	Clark of Marion	Kimberly	Stanley
Benson	Clearman	Knudson	Stevens
Bissell	Cochrane	Langfitt	Stoddard
Blackford	Cole	Leonard	Topping
Booth	Coykendall	Lowe	White
Carden	Doran	McLeland	Wilson
Christophel	Gunderson	Myers	

Nays, 5.

Cooney	MacDonald	Tabor	Wenner
Klemme			

Absent or not voting, 7.

Carroll	Hager	Kent	Patterson
Frailey	Irwin	Moan	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Leonard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bissell, House File No. 564, a bill for an act to make an appropriation to Delpha Nelson, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator Bissell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clark of Linn	Irwin	Quirk
Baird	Clark of Marion	Kimberly	Rigby
Beatty	Clearman	Klemme	Ritchie
Bennett	Cochrane	Knudson	Stanley
Benson	Cole	Langfitt	Stevens
Bissell	Cooney	Leonard	Stoddard
Blackford	Coykendall	Low	Topping
Booth	Doran	MacDonald	Wenner
Carden	Gunderson	McLeland	White
Christophel	Hill	Myers	Wilson
Clark of Cerro Gordo	Ickis	Patterson	

Nays, none.

Absent or not voting, 7.

Carroll	Hager	Kent	Tabor
Frailey	Hicklin	Moen	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Bissell moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator MacDonald House File No. 566, a bill for an act to make an appropriation to Paul J. Tissler, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Clark of Linn	Hill	Rigby
Beatty	Clark of Marion	Ickis	Ritchie
Bennett	Clearman	Kimberly	Stanley
Benson	Cochrane	Klemme	Stevens
Bissel	Cole	Knudson	Stoddard
Booth	Cooney	Langfitt	Topping
Carden	Coykendall	Low	Wenner
Christophel	Gunderson	MacDonald	White
Clark of Cerro Gordo	Hager	McLeland	Wilson
	Hicklin	Myers	

Nays, none.

Absent or not voting, 12.

Anderson	Doran	Kent	Patterson
Blackford	Frailey	Leonard	Quirk
Carroll	Irwin	Moen	Tabor

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator MacDonald moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Benson called up for consideration Senate File No. 418, amended by the House, and moved that the Senate concur in the following amendments:

Amend as follows:

By adding the following as Section two (2) and renumbering the remaining sections accordingly:

Sec. 2. That section thirty-five (35) of Chapter twenty (20) of the laws of the Forty-third General Assembly, is amended by adding preceding the period (.) in line five (5) of said section, the following:

"except as it applies to the sixty-five (65) per cent of the secondary road construction fund to be expended under the direction of the board of supervisors."

On the question "Shall the Senate concur in and adopt the House amendments?" the vote was:

Ayes, 34.

Anderson	Clark of	Hill	Myers
Baird	Cerro Gordo	Kimberly	Rigby
Beatty	Clearman	Klemme	Ritchie
Benson	Cochrane	Knudson	Stanley
Bissell	Cole	Langfitt	Tabor
Blackford	Cooney	Leonard	Topping
Carden	Coykendall	Lowe	Wenner
Christophel	Gunderson	MacDonald	White
	Hager	McLeland	Wilson

Nays, none.

Absent or not voting, 16.

Bennett	Clark of Marion	Ickis	Patterson
Booth	Doran	Irwin	Quirk
Carroll	Frailey	Kent	Stevens
Clark of Linn	Hicklin	Moen	Stoddard

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Myers House File No. 54, a bill for an act to amend section sixty-nine hundred forty-four (6944), code, 1927, so as to provide for the taxation of annuity contracts, returned by the sifting committee, was taken up and considered.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking Sec. 2 therefrom and inserting in lieu thereof the following:

Sec. 2. That the law as it appears in section sixty-nine hundred eighty-four (6984) of the code, 1927, be and the same is hereby amended by adding to the end thereof the following:

“Provided that the foregoing shall not apply to nor include any annuity contract with an educational institution, the basis of which is real estate which has been transferred to said institution by the annuitant”.

Senator Cooney offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

Roll call was demanded.

Rule 8 was invoked.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 22.

Baird	Christophel	Doran	Rigby
Bennett	Clark of Linn	Hager	Stoddard
Blackford	Clark of Marion	Hicklin	Tabor
Booth	Clearman	Ickis	Topping
Carden	Cochrane	Lowe	Wilson
Carroll	Cooney		

Nays, 20.

Beatty	Hill	Langfitt	Myers
Bissel	Irwin	Leonard	Quirk
Clark of	Kent	MacDonald	Ritchie
Cerro Gordo	Kimberly	McLeland	Stevens
Coykendall	Klemme	Moen	Wenner
Gunderson			

Absent or not voting, 8.

Anderson	Cole	Knudson	Stanley
Benson	Frailey	Patterson	White

The amendment was adopted.

Senator Bennett moved that the vote by which the amendment was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File No. 478, a bill for an act to reimburse Johnson County, Iowa, for money expended in the care of a state patient at the state sanatorium at Oakdale, Iowa, and making an appropriation to pay the same.

Read first and second times and referred to committee on appropriations.

House File No. 585, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and the corporate acts and proceedings relating to the incorporation of Rucker's Incorporation of Ottumwa, Iowa.

Read first and second times and referred to sifting committee.

House File No. 445, a bill for an act to amend section twenty-five (25) chapter thirty (30) of the acts of the forty-third (43rd) general assembly relating to false statements for credit.

Read first and second times and referred to sifting committee.

House File No. 546, a bill for an act to amend section forty-two hundred sixty-one (4261) of the code, 1927, relating to the teaching of elementary agriculture, domestic science and manual training.

Read first and second times and referred to sifting committee.

House File No. 588, a bill for an act to make an appropriation to Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise.

By unanimous consent on request of Senator Stoddard the rules were suspended and the bill placed on the calendar.

House File No. 582, a bill for an act to amend Section one of chapter one hundred twenty-two (122) of the laws of the Forty-third General Assembly, relating to and defining motor vehicles.

Read first and second times and referred to the sifting committee.

House File No. 535, a bill for an act to amend sections fifty-eight hundred fifteen (5815), and fifty-eight hundred nineteen (5819) to fifty-eight hundred twenty-two (5822), inclusive, Code, 1927, relating to river front improvement commissions in certain cities, and to the organization and powers of such commissions, and to authorize the acquisition by said commissions of the river bed or channel of any non-meandered stream in said cities.

Read first and second times and referred to the sifting committee.

House File No. 183, a bill for an act to repeal section six hundred fifty-five-a seventeen (655-a17), code, 1927, and to enact a substitute therefor, relating to the number of names required on nominations by petition.

Read first and second times and referred to the sifting committee.

House File No. 509, a bill for an act to amend section four thousand one hundred fifty-five (4155), code, 1927, to provide for a petition of one-third (1/3) of the land owners in the territory proposed as a consolidated school district.

Read first and second times and referred to the sifting committee.

WADE RESOLUTION

Be It Resolved by the Senate of the State of Iowa, That in the death of Judge Martin J. Wade, of Iowa City, Iowa, the State of Iowa, and the Nation has lost an able, courageous and useful citizen who has rendered to his country as a Judge of the Iowa District Court, as a Judge of the Federal Court for the Southern District of Iowa, a conspicuous and distinguished judicial service and whose advocacy of law observance and respect for American Institutions will continue to bear fruit long after his passing.

Be It Further Resolved, That a copy of this Resolution be spread upon

the records of the Senate, and the Secretary of the Senate is hereby instructed to deliver an engrossed copy of the same to his bereaved wife.

GEO. CLEARMAN

H. L. IRWIN

F. D. ICKIS

By unanimous consent on request of Senator Clearman the resolution was considered at this time.

The resolution was unanimously adopted by a rising vote.

FOURTH CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

The President appointed as fourth conference committee on the part of the Senate on House File No. 2, Senators Rigby, Baird, Kent, Irwin and Stanley.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate on Senate File No. 398.

EDW. J. WENNER

H. C. WHITE

FRANK BISSELL

WESLEY C. LOWE

J. N. LANGFITT

H. L. IRWIN

GEO. A. WILSON

M. D. COONEY

E. R. HICKLIN

I. H. KNUDSON

W. E. MCLELAND

GEO. W. CHRISTOPHEL

O. E. GUNDERSON

W. A. CLARK

The roll call revealed the presence of all Senators except Senator Frailey.

On motion of Senator Wilson Senator Frailey was excused from the call and the call was declared complete.

President McLeland was called to the chair.

THIRD READING OF BILLS

On motion of Senator Wenner Senate File No. 398, a bill for an act to repeal section ten thousand nine hundred thirty (10930) code, 1927, and to enact a substitute therefor, relating to the revocation and suspension of licenses of attorneys to

practice law, returned by the sifting committee, was taken up and considered.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section ten thousand nine hundred thirty (10930) code, 1927, be amended by adding thereto the following:

"5. Soliciting legal business for himself or office, either by himself or representative. However, nothing herein contained shall be construed to prevent or prohibit listing in legal or other directories, law lists and other similar publications, or the publication of professional cards in any such lists, directories, newspapers or other publication."

The amendment was adopted.

Senator MacDonald moved the previous question, which motion prevailed.

Senator Wenner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Clearman	Irwin	Rigby
Baird	Cochrane	Kimberly	Ritchie
Bennett	Cole	Klemme	Stevens
Benson	Cooney	Knudson	Stoddard
Bissell	Coykendall	Lowe	Tabor
Blackford	Doran	MacDonald	Topping
Booth	Hager	McLeland	Wenner
Carden	Hicklin	Myers	White
Christophel	Hill	Quirk	Wilson
Clark of Marion	Ickis		

Nays, 2.

Beatty	Gunderson
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Absent or not voting, 10.

Carroll	Clark of Linn	Langfitt	Patterson
Clark of Cerro Gordo	Frailey	Leonard	Stanley
	Kent	Moen	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Wenner moved to amend the title by striking the title and substituting in lieu thereof the following:

A bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for the revocation or suspension of license to practice law.

The amendment was adopted and the title as amended agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and adopted the following concurrent resolution:

Senate Concurrent Resolution No. 19, relating to the purchase of chairs occupied by members of the Forty-fourth General Assembly, also the presentation of chairs to certain officers.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 19

Amend as follows:

By striking the words and figures "twenty-five dollars (\$25.00)" in line four of the second paragraph and inserting in lieu thereof the following "twenty dollars (\$20.00)".

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 252, 299, 300, 376, 377, 382, 405, 409, 410, 266, 387, 388, 427 and 414 and House Files Nos. 28, 361 and 551.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President Pro Tem of the Senate announced that, as President Pro Tem of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 252, 299, 300, 376, 377, 382, 405, 409, 410, 266, 387, 388, 427 and 414, and House Files Nos. 28, 361 and 551.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 252, 299, 300, 376, 377, 382, 405, 409, 410, 266, 387, 388, 427 and 414.

E. R. HICKLIN, *Chairman.*

Report adopted.

SENATE FILES NOS. 301 AND 317 WITHDRAWN

By unanimous consent on request of Senator Coykendall Senate File No. 301 relating to bonds of township clerks, was withdrawn from further consideration.

By unanimous consent on request of Senator Stoddard, Senate File No. 317, relating to the inspection fees for the inspection of scales, was withdrawn from further consideration.

EXCHANGE OF SEATS

MR. PRESIDENT: We desire to exchange seats No. 48 and No. 32.

CHAS. D. BOOTH.

C. L. RIGBY.

On motion of Senator Ickis the Senate recessed.

The Senate reconvened at the sound of the gavel.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee reports out for passage House Files Nos. 464, 445, and 285.

W. S. BAIRD, *Chairman.*

THIRD READING OF BILLS

On motion of Senator Clark of Linn House File No. 305, a bill for an act to amend section ten thousand nine hundred thirty-four-b nine (10934-b9) of the code, 1927, relating to the costs and expenses incident to disbarment proceedings, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Linn moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Anderson	Clearman	Knudson	Ritchie
Baird	Cochrane	Leonard	Stanley
Bennett	Coykendall	Lowe	Stevens
Benson	Doran	McLeland	Stoddard
Blackford	Gunderson	Moen	Wenner
Booth	Hager	Myers	White
Christophel	Kimberly	Patterson	Wilson
Clark of Linn	Klemme	Rigby	

Nays, none.

Absent or not voting, 19.

Beatty	Clark of Marion	Hill	MacDonald
Bissell	Cole	Ickis	Quirk
Carden	Cooney	Irwin	Tabor
Carroll	Frailey	Kent	Topping
Clark of Cerro Gordo	Hicklin	Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Linn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE ON
SENATE FILE NO. 10

Senator Stoddard submitted the following report and moved its adoption:

To the President of the Senate and the Speaker of the House:

We, your conference committee appointed to consider the differences

between the Senate and the House on Senate File No. 10, beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the Senate concur in the House amendment to section 2, line 43.

Also, that the House recede from its amendment to section 2, line 46.

Also, that the Senate concur in the House amendment to section 3, line 41.

Also, that the Senate concur in the House amendment to section 3, line 43.

Also, that the Senate concur in the House amendment to section 3, line 45.

Also, that the Senate concur in the House amendment to section 3, line 49.

Also, that line 51, section 3, be stricken and the following inserted in lieu thereof:

"51 State Aid\$6,000.00"

Also, that the Senate concur in the House amendment to section 3, line 57.

Also, that line 11, section 4, be stricken and the following inserted in lieu thereof:

"11 Secretary 2,200.00"

Also, that line 15, section 4, be stricken and the following inserted in lieu thereof:

"15 File Clerk and Stenographer..... 1,400.00"

Also, that the Senate concur in the House amendment to section 4, line 25a.

Also, that line 9a, section 6, be stricken and the following inserted in lieu thereof:

"9a Chief Clerk, Municipal Accounting..... 2,100.00"

Also, that the Senate concur in the House amendment to section 6, line 21.

Also, that line 8, section 9, be stricken and the following inserted in lieu thereof:

"8 general improvements\$90,000.00"

Also, that the Senate concur in the House amendment to section 11, line 29.

Also, that the Senate concur in the House amendment to section 11, line 30.

Also, that the House recede from its amendment to section 12, line 10.

Also, that the Senate concur in the House amendment to section 14, line 10.

Also, that the Senate concur in the House amendment to section 14, line 16.

Also, that the House recede from its amendment to section 14, line 25.

Also, that the Senate concur in the House amendment to section 14, line 27.

Also, that the Senate concur in the House amendment to section 14, line 32.

Also, that line 16, section 17, be stricken and the following inserted in lieu thereof:

"16 Traveling Expenses 3,500.00"

Also, that line 17, section 17, be stricken and the following inserted in lieu thereof:

"17 Mileage and Reporting Fees..... 3,300.00"

Also, that the House recede from its amendment to section 19, line 16.

Also, that the Senate concur in the House amendment to Section 19, line 17.

Also, that the Senate concur in the House amendment to section 19, line 19.

Also, that line 7, section 25, be stricken and the following inserted in lieu thereof:

"7 Commissioner, to Jan. 1, 1933, per annum.....\$4,000.00"

7a After January 1, 1933, the salary of the commissioner shall be per annum..... 4,500.00"

Also, that line 8, section 25, be stricken and the following inserted in lieu thereof:

"8 Deputy (not to exceed)..... 3,600.00"

Also, that the House recede from its amendment to section 25, line 9.

Also, that the Senate concur in the House amendment to section 26, line 19.

Also, that the Senate concur in the House amendment to section 36, line 18.

Also, that the House recede from its amendment to section 36, line 19, and that the words "for the biennium" be inserted after the word "index".

Also, that the Senate concur in the House amendment to section 36, line 20.

Also, that line 8, section 38, be stricken and the following inserted in lieu thereof:

"8 Superintendent\$ 4,500.00"

Also, that line 10, section 38, be stricken and the following inserted in lieu thereof:

"10 Inspectors (4—not to exceed).....10,200.00"

Also, that the following be inserted as lines 13 and 14 in section 38:

"13 Director of research, stenographer and

14 traveling expenses 4,000.00"

Also, that the Senate concur in the House amendment to section 38, line 19.

Also, that line 38, section 42, be stricken and the following inserted in lieu thereof:

"38 Secretary\$3,300.00"

Also, that line 39, section 42, be stricken and the following inserted in lieu thereof:

"39 Chief Investigator 2,700.00"

Also, that the Senate concur in the other House amendments to section 42.

Also, that the House recede from its amendment to section 46, line 57.

Also, that the Senate concur in the House amendment to section 47, line 7.

Also, that the Senate concur in the House amendment to section 48, line 13.

Also, that the Senate concur in the House amendment to section 48, line 19.

Also, that the House recede from its amendment to section 48, line 20.

Also, that the Senate concur in the House amendment to section 49, line 39.

Also, that the Senate concur in the House amendment to section 49, lines 51, 52 and 53.

Also, that the House recede from its amendment to section 49, line 81.

Also, that the Senate concur in the House amendment to section 49, line 94.

Also, that line 106, section 49, be stricken and the following inserted in lieu thereof:

"106 Service Tunnel12,500.00"

Also, that line 152, section 49, be stricken and the following inserted in lieu thereof:

"152 Addition to Water Supply.....45,000.00"

Also, that the House recede from its amendment to section 49, line 182.

Also, that the Senate concur in the House amendment to section 49, line 183.

Also, that the Senate concur in the House amendment to section 49, line 205.

Also, that the Senate concur in the House amendment to section 49, line 207.

Also, that line 236, section 49, be stricken and the following inserted in lieu thereof:

"236 Addition to Water Supply.....6,000.00"

Also, that the House recede from its first twelve (12) amendments to section 50, and that the following be inserted as sub-section one (1) of said section:

"(1) For the State University of Iowa, at Iowa City, for the said biennum, the sum of four million nine hundred thousand dollars (\$4,900,000.00), or so much thereof as may be necessary, for salaries, support, maintenance, equipment and general improvements, and special capital purposes, provided that these unallocated funds be distributed by the State Board of Education, but not more than one hundred fifty thousand dollars (\$150,000.00) shall be expended for general improvements and special capital purposes."

Also, that the following be inserted as sub-section two (2) of said section 50:

"(2) For the Iowa State College of Agriculture and Mechanic Arts at Ames, for the said biennum, the sum of four million eight hundred sixty-five thousand nine hundred dollars (\$4,865,900.00), or so much thereof as may be necessary, for salaries, support, maintenance, equipment and general improvements, and special capital purposes, provided that these unallocated funds be distributed by the State Board of Education, but not more than seventy-five thousand dollars (\$75,000.00) shall be expended for general improvements and special capital purposes."

Also, that the following be inserted as sub-section three (3) of said section 50:

"(3) For the Iowa State Teachers' College, at Cedar Falls, for the said biennium, the sum of one million four hundred sixty-seven thousand dollars (\$1,467,000.00), or so much thereof as may be necessary, for salaries, support, maintenance, equipment and general improvements, and special capital purposes, provided that these unallocated funds be distributed by the State Board of Education, but not more than twenty thousand dollars (\$20,000.00) shall be expended for general improvements and special capital purposes, and not more than one hundred eighty thousand dollars (\$180,000.00) shall be expended for new heating and power plant."

Also, that the Senate concur in the House amendment to section 50, lines 74 and 75.

Also, that the Senate concur in the House amendment to section 50, line 79.

Also, that the Senate concur in the House amendment to section 50, line 80.

Also, that the House recede from its amendment to section 52, line 4.

Also, that the House recede from its amendment to section 52, line 5.

Also, that the House recede from its amendment to section 54.

Also, that the Senate concur in the House amendment to section 55.

Also, that the House recede from its amendment to section 56, line 15.

Also, that the Senate concur in the House amendment to section 58.

Also, that the Senate concur in the House amendment to section 59.

Also, that the Senate concur in the House amendment to section 72.

Also, that the Secretary of the Senate and the Chief Clerk of the House, cooperating with the office of the Budget Director, be authorized to make such changes in the bill as are necessary to correct the totals in the various sections to correspond with the changes made.

B. M. STODDARD,
C. E. ANDERSON,
CHAS. D. BOOTH,
H. L. IRWIN,
L. H. DORAN,

G. J. VAN BUREN,
ORE T. ROE,
R. L. RUTLEDGE,
E. O. ELLSWORTH,
HOMER HUSH,

On the Part of the Senate.

On the Part of the House.

On the question "Shall the report be adopted and the amendments proposed therein be concurred in?" the vote was:

Ayes, 39.

Anderson
Baird

Bennett
Benson

Bissell
Blackford

Booth
Carden

Clark of Cerro Gordo	Gunderson Hager	Leonard Lowe	Ritchie Stanley
Clark of Linn	Ickis	MacDonald	Stevens
Clark of Marion	Irwin	McLeland	Stoddard
Cochrane	Kent	Moen	Tabor
Cole	Kimberly	Myers	Wenner
Coykendall	Klemme	Quirk	White
Doran	Knudson	Rigby	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Clearman	Hicklin	Patterson
Carroll	Cooney	Hill	Topping
Christophel	Frailey	Langfitt	

The report of the conference committee having received a constitutional majority was declared to have been adopted and the amendments proposed concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 416, a bill for an act to make an appropriation to A. D. Willard, with report of appropriations committee recommending passage, was taken up and considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Christophel	Ickis	McLeland
Baird	Clark of	Irwin	Myers
Beatty	Cerro Gordo	Kimberly	Quirk
Bennett	Clark of Marion	Klemme	Rigby
Benson	Clearman	Knudson	Tabor
Bissell	Cole	Langfitt	Wenner
Blackford	Coykendall	Leonard	White
Booth	Doran	Lowe	Wilson
Carden	Gunderson	MacDonald	

Nays, 5.

Kent	Ritchie	Stanley	Stevens
Moen			

Absent or not voting, 11.

Carroll	Cooney	Hicklin	Stoddard
Clark of Linn	Frailey	Hill	Topping
Cochrane	Hager	Patterson	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator McLeland moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COPIES SENATE FILE NO. 111 ORDERED

By unanimous consent on request of Senator Doran ten thousand copies of Senate File No. 111, relating to drivers' license, were ordered printed with instructions to the printer to send a copy to each county.

THIRD READING OF BILLS

On motion of Senator Stoddard House File No. 588, a bill for an act to make an appropriation to Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Christophel	Irwin	Moen
Baird	Clark of	Kent	Myers
Beatty	Cerro Gordo	Kimberly	Quirk
Bennett	Clark of Marion	Klemme	Rigby
Benson	Clearman	Knudson	Stanley
Bissell	Cole	Leonard	Stevens
Blackford	Doran	Lowe	Stoddard
Booth	Gunderson	MacDonald	Tabor
Carden	Hager	McLeland	Topping
			Wenner

Nays, none.

Absent or not voting, 14.

Carroll	Coykendall	Ickis	Ritchie
Clark of Linn	Frailey	Langfitt	White
Cochrane	Hicklin	Patterson	Wilson
Cooney	Hill		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner House File No. 436, a bill for an act to amend chapter one hundred forty-two (142), code, 1927, changing the date for notification of intentions of holding local poultry shows, and providing that counties which do not hold a local show may hold a district show and may consolidate their state aid in holding such district shows, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of Marion	Kent	Patterson
Baird	Clearman	Kimberly	Quirk
Bennett	Cochrane	Klemme	Rigby
Benson	Cole	Knudson	Ritchie
Bissell	Coykendall	Langfitt	Stanley
Blackford	Doran	Leonard	Tabor
Booth	Gunderson	Lowe	Topping
Christophel	Hager	MacDonald	Wenner
Clark of	Ickis	McLeland	White
Cerro Gordo	Irwin	Myers	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Clark of Linn	Hicklin	Stevens
Carden	Cooney	Hill	Stoddard
Carroll	Frailey	Moen	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Anderson House File No. 296, a bill for an act to amend section eleven thousand forty-two (11042) of the code, 1927, relating to actions against public utilities, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of Marion	Kimberly	Quirk
Baird	Clearman	Klemme	Rigby
Bennett	Cochrane	Knudson	Ritchie
Benson	Coykendall	Langfitt	Stanley
Bissell	Gunderson	Leonard	Stoddard
Blackford	Hager	MacDonald	Tabor
Booth	Ickis	McLeland	Topping
Christophel	Irwin	Myers	Wenner
Clark of Cerro Gordo	Kent	Patterson	White
			Wilson

Nays, none.

Absent or not voting, 13.

Beatty	Cole	Frailey	Lowe
Carden	Cooney	Hicklin	Moen
Carroll	Doran	Hill	Stevens
Clark of Linn			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Anderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark of Marion House File No. 259, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, 1927, relating to the licensing of dentists, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark of Marion moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Booth	Clark of Marion	Gunderson
Baird	Carden	Clearman	Hager
Bennett	Christophel	Cochrane	Ickis
Benson	Clark of Cerro Gordo	Coykendall	Irwin
Blackford		Doran	Kent

Kimberly	MacDonald	Ritchie	Topping
Klemme	McLeland	Stanley	Wenner
Knudson	Myers	Stoddard	White
Leonard	Quirk	Tabor	Wilson
Lowe	Rigby		

Nays, none.

Absent or not voting, 13.

Beatty	Clark of Linn	Frailey	Langfitt
Bissell	Cole	Hicklin	Moen
Carroll	Cooney	Hill	Patterson
			Stevens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark of Marion moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Irwin Senate File No. 348, a bill for an act to amend sections four thousand five (4005), four thousand eight (4008), four thousand nine (4009), and four thousand twelve (4012), Code, 1927, relating to medical and surgical treatment, in the hospital of the college of medicine of the state university, of indigent persons, returned by the sifting committee, was taken up and considered.

Senator Irwin offered the following amendment and moved its adoption:

Amend by adding the following section thereto:

Section 5. Amend Section forty twelve (4012) of the Code, 1927, by adding the following paragraph thereto:

"That whenever a woman who is pregnant is committed to the hospital under the provisions of Section forty twelve (4012) of the Code, 1927, the said commitment shall authorize the hospital to provide proper medical or surgical treatment and hospital care for the infant."

The amendment was adopted.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Clark of Marion	Kent	Rigby
Baird	Clearman	Kimberly	Ritchie
Bennett	Cochrane	Klemme	Stanley
Benson	Cole	Knudson	Stevens
Bissell	Coykendall	Langfitt	Stoddard
Blackford	Doran	Lowe	Tabor
Booth	Gunderson	MacDonald	Topping
Carden	Hager	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Cerro Gordo	Ickis	Myers	Wilson
	Irwin	Quirk	

Nays, none.

Absent or not voting, 8.

Beatty	Clark of Linn	Frailey	Leonard
Carroll	Cooney	Hicklin	Patterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 170 WITHDRAWN

By unanimous consent on request of Senator Stanley Senate File No. 170, relating to handicapped children, was withdrawn from further consideration.

THIRD READING OF BILLS

On motion of Senator MacDonald House File No. 548, a bill for an act to repeal section fifteen hundred forty-six-a one (1546-a1) of the code, 1927, as amended, and to enact a substitute therefor, relating to employment agencies, and the fee to be charged for services rendered thereby, returned by the sifting committee, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend by inserting after the word "employment" in line eleven (11) the following: "by any chamber of commerce, young men's christian association, young women's christian association, fraternal, religious, or benevolent organization, employers' association, farmers' organization, or other civic or semi-civic organization, foundation of community trust, or".

The amendment was adopted.

The bill was read for information.

Rule prohibiting second and third reading same day suspended.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 9.

Blackford	Gunderson	Ickis	Leonard
Christophel	Hager	Kimberly	McLeland
			Tabor

Nays, 31.

Anderson	Clark of	Irwin	Rigby
Beatty	Cerro Gordo	Klemme	Ritchie
Bennett	Clark of Marion	Knudson	Stanley
Benson	Clearman	Langfitt	Stevens
Bissell	Cochrane	Lowe	Stoddard
Booth	Coykendall	MacDonald	Topping
Carden	Doran	Myers	Wenner
	Hill	Quirk	White
			Wilson

Absent or not voting, 10.

Baird	Cole	Hicklin	Moen
Carroll	Cooney	Kent	Patterson
Clark of Linn	Frailey		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Wilson moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has appointed as a fourth conference committee on House File No. 2, on the part of the House, the following: Representatives McCreery, Avery, Allen, Millhone, Simmer.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 412, a bill for an act providing for the payment of supplies, etc., used by the gasoline license tax department, out of the gasoline fees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 312, a bill for an act relating to probation officers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 430, a bill for an act making an appropriation to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 145, a bill for an act relating to the payment and apportionment of road taxes.

Also: 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 regulating the issuing of shares of stock of corporation without par value.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 391, a bill for an act relating to junior colleges and amending Section 4267 b1, Code, 1927.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 306, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize the levy and collection of a tax to pay said indebtedness.

Also: That the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 12, to establish a committee to make an investigation of State, County, Township, City, and Town Governments for the reduction of the expenditure of public funds.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION NO. 12

Amend as follows:

1. By striking from line three (3) of section one (1), the word "nine" and inserting in lieu thereof the word "six"; by striking the word "three" from the same line, and inserting in lieu thereof the word "two", and by striking from line four (4) of said section, the word "three" and inserting in lieu thereof the word "two", and by striking from line five (5) of

said section, the word "three" and inserting in lieu thereof the word "two".

2. By striking the words and figures "twenty thousand dollars (\$20,000)" from section seven (7) and inserting in lieu thereof the following: "ten thousand dollars (\$10,000)".

3. By striking all of sections three (3) and four (4) and renumbering the sections which follow.

4. Amend the title by striking from lines one (1), two (2), and three (3) the word "three" and inserting in lieu thereof in each of said lines the word "two".

REPORT OF COMMITTEE ON EXPENSE ACCOUNTS

Special Committee appointed to confer with Board of Audit,
Senate Chamber,
Building.
Gentlemen:

As agreed upon at the conference between the Board of Audit and the Committee appointed by the President of the Senate consisting of Senator Knudson, Senator Ickis and Senator Bissell, the Board, after considerable deliberation, concluded that under the provisions of Chapter 1, Acts of the 43rd General Assembly, the expense accounts of the members of the 44th General Assembly might be made up of the following items:

Board to be itemized by the day or week;

Room to be itemized by the day, week, or month;

Telephone and telegraph to be itemized as to dates and to whom, and will be allowed for state business only;

Postage to be itemized as to the amount and dates purchased;

Transportation will not be allowed except as provided by Section 14 of the Code, 1927, or by special acts of the 44th General Assembly, or where members went home during the long adjournment and for which time no board or room was charged.

Trusting this gives you the information that your committee desired, we are

Yours very truly,

BOARD OF AUDIT,
OSCAR ANDERSON,
J. W. LONG,
GERALD O. BLAKE.

THIRD READING OF BILLS

On motion of Senator Stoddard House File No. 478, a bill for an act to reimburse Johnson County, Iowa, for money expended in the care of a state patient at the state sanatorium at Oakdale, Iowa, and making an appropriation to pay the same, was taken up and considered.

The bill was read for information.

Rule prohibiting second and third reading same day suspended.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Clark of	Ickis	Myers
Baird	Cerro Gordo	Irwin	Patterson
Beatty	Clark of Linn	Kimberly	Quirk
Bennett	Clearman	Klemme	Rigby
Benson	Cochrane	Langfitt	Stanley
Bissell	Cole	Leonard	Stevens
Blackford	Coykendall	Lowe	Stoddard
Booth	Doran	MacDonald	Topping
Carden	Hager	McLeland	Wenner
Carroll	Hill	Moen	Wilson

Nays, 6.

Christophel	Knudson	Tabor	White
Clark of Marion	Ritchie		

Absent or not voting, 5.

Cooney	Gunderson	Hicklin	Kent
Frailey			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

There being a call of the Senate on file on House File No. 242, the roll call revealed the presence of all Senators except Senators Frailey, Cooney and Hicklin.

By unanimous consent on request of Senator Benson Senator Frailey was excused from the call.

By unanimous consent on request of Senator MacDonald Senators Hicklin and Cooney were excused and the call was declared complete.

On motion of Senator MacDonald, House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8), returned by the sifting committee, was taken up and considered.

Senator MacDonald offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause, also by striking all pending amendments and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of twenty-two thousand nine hundred ninety-six and one-one-hundredth dollars (\$22,996.01) to be paid to the following named persons, the amount set opposite each name:

Byron G. Allen.....	121.96
W. S. Baird.....	66.90
Frank C. Byers.....	44.64
H. B. Carroll.....	49.96
L. H. Doran.....	53.66
George Miller	105.71
W. F. Hathaway.....	35.00
Helen Dennery	31.72
W. H. Wisdom.....	83.52
Dennis Kelleher	5,499.90
Emmet Tinley	4,791.73
Henry G. Walker.....	744.93
Gordon L. Elliott.....	7,267.38
Muehle, Ream & McClain.....	1,590.35
A. R. Lapitz.....	507.11
Security Abstract Company.....	117.00
Bureau of Investigation.....	130.49
Ross-Richards Reporting Agency.....	522.00
Robert G. Paramore.....	61.23
Hotel Sherman Company.....	5.00

Verne Marshall	33.00
N. J. Alexander.....	14.10
O. L. Rees.....	14.10
Leo Budreau	14.10
E. J. Folda.....	14.10
Wm. L. Zager.....	14.10
C. O. Paine.....	16.20
LeRoy Amish	16.10
Lewis Maske	30.00
A. H. Platzer.....	16.10
A. L. Hamilton.....	16.72
H. A. Morse.....	18.10
A. J. Parcel.....	16.10
Geo. Chadeka	16.10
John H. F. Miller.....	16.10
John Shalla	16.10
Roy Anderson	8.00
Ralph Crawford	17.50
J. H. Coster.....	2.10
Otis L. Leefers.....	16.30
Harry F. Lambertsen.....	16.30
C. R. Humphrey.....	72.00
Clark Souers	4.20
W. A. Fitzgerald.....	32.00
J. W. Darragh.....	16.30
David L. Williams.....	34.60
Willis W. Mercer.....	14.10
Dr. Paul E. Belting.....	17.00
Irvin Nelson	14.10
Mike Farroh	14.10
Oran H. Pape.....	24.70
Wm. L. Hassett.....	2.10
Dr. Arthur W. Erskine.....	16.30
Dr. A. V. Hennessy.....	16.50
Dr. B. L. Eiker.....	9.20
Orville Simmons	14.10
R. A. Bates.....	20.50
Lucille O'Hagan	2.10
W. A. Chapman.....	16.20
Charles Schmidt	2.10
Roy L. Murry.....	18.50
David C. Page.....	8.20

J. J. McNamara.....	2.10
Allen Wallen	16.10
Louis Pelzer	14.10
Dr. R. A. Fenton.....	28.20
C. C. Williams.....	16.10
R. A. Kuever.....	14.10
Dr. Howard L. Beye.....	14.10
W. H. Gemmill.....	18.10
W. H. Cobb.....	8.10
W. H. Bates.....	22.20
John H. Blair.....	37.80
Thomas Farrell	2.10
Milo Dimity	2.10
W. R. Boyd.....	18.30
Robert E. Neff.....	14.10
Dr. Henry Houghton.....	16.10
Dr. G. W. Stewart.....	14.10
Dr. Walter A. Jessup.....	16.10
W. J. McChesney.....	4.10
J. M. Fisk.....	10.10
Roy McGinnis	2.10
Frank E. Humeston.....	4.10
Charles Brown	2.10
Dillard W. Bray.....	2.10
Ray Slezak	2.10
E. H. Lauer.....	14.10
George T. Baker.....	19.50
J. W. Bowdish.....	2.10
Mrs. Pauline L. Devitt.....	8.40
Anna B. Lawther.....	22.60
Ray Blakesley	14.10
Henry Shull	23.20
E. F. Brown.....	2.10
Harry D. Breene.....	14.10
John F. Dee.....	14.10
Reed Hedges	2.10
John C. Warner.....	2.10
John W. Wicklund.....	2.10
Fred Porter	2.10
Lloyd Tenny	2.10
Waldo B. Fimmen.....	15.20

Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Sloan Star, a newspaper published in Sloan, Iowa, and the LeMars Semi-Weekly Sentinel, a newspaper published in LeMars, Iowa.

The substitution was made.

Senator Moen offered the following amendment to the substitute amendment and moved its adoption:

Amend by striking from lines 2 and 3 the words and figures, twenty-two thousand nine hundred ninety-six and one-one-hundredths dollars (\$22,996.01), and inserting in lieu thereof the words and figures, seventeen thousand eight hundred fifty and nineteen hundredth dollars (\$17,850.19).

Further amend by striking from line 14 the figures \$5,499.90 and inserting in lieu thereof the figures \$2,749.90 and by striking from line 15 the figures \$4,791.73 and inserting in lieu thereof the figures \$2,395.86.

Senators Cooney and Hicklin appeared in the Senate chamber.

Action was deferred temporarily.

On motion of Senator Cooney the Senate recessed.

The Senate reconvened at the sound of the gavel.

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. 398, a bill for an act relating to the revocation and suspension of licenses of attorneys to practice law.

Also: 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 relating to the operation of motor trucks and trailers on the public highways of this state.

Also: 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 providing for annual license fees for truck tractors.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 330, a bill for an act relating to bonds in attachment proceedings.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 224, a bill for an act relating to the purchase and sale of school lands.

Also: 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 authorize city and town councils to establish school zones within the limits of said city and town.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 396, a bill for an act to authorize the issuance of a patent to certain lands in Clinton County, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 367, a bill for an act amending the definition of the term "motor vehicle" and changing penalty for the violation of the provisions of chapter 252-A1, code, 1927.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 138, a bill for an act relating to permanent registrations of voters and the preparing of registration cards therefor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 355, a bill for an act providing that no proposition to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty (60) per cent of the votes cast thereon.

Also: That the House has adopted the conference committee report, and concurred in the amendments proposed therein, on Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 285, a bill for an act relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 285

Amend as follows:

By inserting the word "willfully" after the word "or" in line four (4) of section one (1).

THIRD READING OF BILLS

On motion of Senator Wilson House File No. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose County in transferring nineteen thousand dollars (\$19,000.00) from the state insane' fund to the paupers' fund by resolution upon March 14, 1931, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Christophel	Ickis	Myers
Beatty	Clark of Marion	Kent	Quirk
Bennett	Clearman	Kimberly	Ritchie
Benson	Cochrane	Klemme	Stevens
Bissell	Cole	Langfitt	Tabor
Blackford	Coykendall	Lowe	Topping
Booth	Gunderson	MacDonald	Wenner
Carden	Hager	McLeland	Wilson
Carroll	Hicklin	Moen	

Nays, none.

Absent or not voting, 15.

Anderson	Cooney	Irwin	Rigby
Clark of	Doran	Knudson	Stanley
Cerro Gordo	Frailey	Leonard	Stoddard
Clark of Linn	Hill	Patterson	White

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bennett House File No. 464, a bill for an act to amend section eighty-eight hundred thirty (8830) of the code, 1927, relating to deposit of securities with the commissioner of insurance, was taken up and considered.

The bill was read for information.

Rule prohibiting second and third reading same day suspended.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Baird	Clark of	Hill	Moen
Beatty	Cerro Gordo	Ickis	Myers
Bennett	Clark of Linn	Irwin	Patterson
Benson	Clark of Marion	Kent	Quirk
Bissell	Cochrane	Kimberly	Rigby
Blackford	Cole	Klemme	Ritchie
Booth	Coykendall	Knudson	Stevens
Carden	Doran	Langfitt	Stoddard
Carroll	Gunderson	Leonard	Wenner
Christophel	Hager	Lowe	Wilson
	Hicklin	McLeland	

Nays, none.

Absent or not voting, 9.

Anderson	Frailey	Stanley	Topping
Clearman	MacDonald	Tabor	White
Cooney			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bennett moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby House File No. 445, a bill for an act to amend section twenty-five (25) chapter thirty (30) of the acts of the forty-third (43rd) general assembly relating to false statements for credit, was taken up and considered.

Rule prohibiting second and third reading same day suspended.

Senator McLeland moved the previous question which motion prevailed.

Senator Rigby moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Baird	Christophel	Gunderson	Lowe
Bennett	Clark of Linn	Hicklin	Rigby
Benson	Cochrane	Hill	Stanley
Blackford	Cole	Ickis	Stoddard
Carden	Cooney		

Nays, 27.

Anderson	Doran	Leonard	Stevens
Bissell	Hager	MacDonald	Tabor
Booth	Irwin	McLeland	Topping
Carroll	Kent	Moen	Wenner
Clark of Marion	Kimberly	Patterson	White
Clearman	Klemme	Quirk	Wilson
Coykendall	Langfitt	Ritchie	

Absent or not voting, 5.

Beatty	Clark of Cerro Gordo	Frailey Knudson	Myers
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Wenner moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Doran House File No. 183, a bill for an act to repeal section six hundred fifty-five-a seventeen (655-a17), code, 1927, and to enact a substitute therefor, relating to the number of names required on nominations by petition, was taken up and considered.

The bill was read for information.

Rule prohibiting second and third reading same day suspended.

Senator Doran moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Clark of	Hager	Moen
Baird	Cerro Gordo	Hicklin	Myers
Bennett	Clark of Linn	Hill	Patterson
Benson	Clark of Marion	Kimberly	Quirk
Blackford	Clearman	Klemme	Rigby
Booth	Cochrane	Knudson	Ritchie
Carden	Cole	Langfitt	Stanley
Carroll	Doran	Leonard	Stoddard
Christophel	Gunderson	MacDonald	Topping
		McLeland	Wenner

Nays, 8.

Bissell	Coykendall	Irwin	Tabor
Cooney	Ickis	Lowe	Wilson

Absent or not voting, 5.

Beatty	Kent	Stevens	White
Frailey			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CALL OF THE SENATE

MR. PRESIDENT: The undersigned request a call of the Senate for the remainder of the session.

B. M. STODDARD	WM. COCHRANE
M. D. COONEY	C. A. BENSON
O. P. BENNETT	W. E. MCLELAND
ROY E. STEVENS	D. W. KIMBERLY
CHAS. D. BOOTH	C. H. TOPPING
A. V. BLACKFORD	H. L. IRWIN
WILLIAM CARDEN	FRANK BISSELL
W. S. BAIRD	

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. 556, a bill for an act relating to licensing and listing of motor vehicles.

Also: That the House has adopted the following concurrent resolution:

House Concurrent Resolution No. 17, that the pages in the Senate and the House be permitted to retain the uniform jackets.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 134, a bill for an act to provide for the assessment

of the shares of stock of a mutual building and loan or savings and loan association against said association.

Also: 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 provide for the protection of highways which may be affected by the erection of such dams.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 404, a bill for an act relating to the taking of depositions in Workmen's Compensation cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 235, a bill for an act relating to the acquiring of settlement by poor persons.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 242, a bill for an act relating to the payment of license fees received under provisions of chapter 285, into the township road fund.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 416, a bill for an act to make an appropriation to A. D. Willard.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 256, a bill for an act relating to the recovery of real estate or to establish an interest therein.

Also: That the House refuses to concur in the Senate amendments to House File No. 155, a bill for an act relating to exemptions from execution.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 420, a bill for an act relating to supplements to books of annotations.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 420

Amend as follows:

By inserting after the word "fifty" in line three (3) the words "and by striking line twelve (12)".

CONSIDERATION OF HOUSE FILE NO. 242 RESUMED

There being a call of the Senate on file, the roll call revealed the presence of all Senators except Senator Frailey, who had been excused for the day.

By unanimous consent on his own request Senator Cooney was excused for four minutes.

By unanimous consent on his own request Senator Benson was excused for ten minutes.

By unanimous consent on request of Senator Moen his amendment to the substitute was withdrawn.

Senator Moen offered the following amendment to the substitute amendment and moved its adoption:

Amend by striking from lines 2 and 3 the words and figures, twenty-two thousand nine hundred ninety-six and one-one-hundredth dollars (\$22,996.01), and inserting in lieu thereof the words and figures, eighteen thousand three hundred two and sixty-one hundredth dollars (\$18,302.61).

Further amend by striking from line 14 the figures \$5,499.90 and inserting in lieu thereof the figures \$3,049.90 and by striking from line 15 the figures \$4,791.73 and inserting in lieu thereof the figures \$2,548.28.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment to the substitute be adopted?" the vote was:

Ayes, 29.

Anderson	Coykendall	Knudson	Myers
Bissell	Gunderson	Langfitt	Patterson
Carden	Hicklin	Leonard	Quirk
Christophel	Hill	Lowe	Ritchie
Clark of Linn	Irwin	MacDonald	Stanley
Clark of Marion	Kent	McLeland	Stevens
Cole	Klemme	Moen	Tabor
			Wenner

Nays, 16.

Baird	Clark of	Doran	Rigby
Bennett	Cerro Gordo	Hager	Topping
Booth	Clearman	Ickis	White
Carroll	Cochrane	Kimberly	Wilson
	Cooney		

Absent or not voting, 5.

Beatty Benson	Blackford	Frailey	Stoddard
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The amendment to the substitute was adopted.

Senator Cooney offered the following amendment to the substitute amendment and moved its adoption:

“Amend by allowing attorney’s fees at \$75.00 per day and expenses”.

Roll call was demanded.

On the question “Shall the amendment to the substitute be adopted?” the vote was:

Ayes, 21.

Baird	Clark of	Doran	MacDonald
Bennett	Cerro Gordo	Hager	Rigby
Blackford	Clark of Linn	Hicklin	Topping
Carden	Clearman	Ickis	White
Carroll	Cochrane	Irwin	Wilson
	Cooney	Kimberly	

Nays, 26.

Anderson	Gunderson	Lowe	Ritchie
Bissell	Hill	McLeland	Stanley
Booth	Kent	Moen	Stevens
Christophel	Klemme	Myers	Stoddard
Clark of Marion	Knudson	Patterson	Tabor
Cole	Langfitt	Quirk	Wenner
Coykendall	Leonard		

Absent or not voting, 3.

Beatty	Benson	Frailey
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The amendment to the substitute was lost.

Senator Stevens offered the following amendment to the substitute amendment and moved its adoption:

Amend by striking from lines 2 and 3 the words and figures “eighteen thousand three hundred two and sixty-one hundredths dollars (\$18,302.61)” and inserting in lieu thereof the words and figures, “eighteen thousand two dollars and sixty-one cents (\$18,002.61)”.

Also amend line 16 by striking the figures “744.93” and inserting in lieu thereof the figures “444.93”.

The amendment to the substitute amendment was adopted.

Senator MacDonald offered the following amendment to the substitute and moved its adoption:

Amend line 13 by striking the figures "31.72" and inserting in lieu thereof the figures "71.72".

The amendment to the substitute was adopted.

Senator Stoddard offered the following amendment to the substitute amendment and moved its adoption:

Amend by striking from section one thereof the following items:

"George T. Baker.....	19.50
Mrs Pauline L. Devitt.....	8.40
Miss Anna B. Lawther.....	22.60
H. C. Shull.....	23.20
W. R. Boyd.....	18.30"

and inserting at the end of sec. 1 the following:

"George T. Baker.....	194.11
Mrs. Pauline L. Devitt.....	198.91
S. J. Galvin.....	69.78
George W. Godfrey.....	52.26
Anna B. Lawther.....	224.62
E. P. Schoentgen.....	156.52
C. C. Sheakley.....	118.85
H. C. Shull.....	211.54
W. R. Boyd.....	123.87
Helen Peterson	8.00
Georgia Washburn	12.00

The amendment to the substitute amendment was adopted.

Senator Wilson offered the following amendment to the substitute amendment and moved its adoption:

Amend by adding the following as section 2 and renumbering Section 2 as Section 3:

Sec. 2. Before the payment to Muehle Ream & McClain of the sum provided for in section one (1) hereof, said firm shall file a written and sworn report with the Secretary of the Senate and the Chief Clerk of the House setting out in detail all matters examined by them incident to said investigation, giving in full and in detail all facts and circumstances incident thereto together with their findings.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment to the substitute amendment be adopted?" the vote was:

Ayes, 45.

Anderson	Clark of Marion	Irwin	Quirk
Baird	Clearman	Kent	Rigby
Beatty	Cochrane	Kimberly	Ritchie
Bennett	Cole	Klemme	Stanley
Blackford	Cooney	Knudson	Stevens
Booth	Coykendall	Langfitt	Stoddard
Carden	Doran	Leonard	Tabor
Carroll	Gunderson	Lowe	Topping
Christophel	Hager	MacDonald	Wenner
Clark of	Hicklin	McLeland	White
Cerro Gordo	Hill	Myers	Wilson
Clark of Linn	Ickis		

Nays, 3.

Bissell	Moen	Patterson
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Absent or not voting, 2.

Benson	Frailey
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The amendment to the substitute amendment was adopted.

By unanimous consent on his own request Senator Ickis was excused for ten minutes.

Senator Hicklin offered the following amendment to the substitute amendment and moved its adoption:

Amend sec. 2 by adding thereto the following: "Also to provide that the Senate resolve itself into a committee of the whole, that the president appoint a committee of three lawyer members from the judiciary committees of the Senate, that the accountants in question be called before the committee of the whole forthwith, and that the committee of three conduct an examination of the witness in the committee of the whole session; the testimony given to become a part of the records of the State University investigation and the witness and reporter expense to be added to the expense account previously filed by the investigating committee."

Senator Patterson moved the previous question.

Roll call was demanded on the previous question.

On the question "Shall the motion prevail?" the vote was:

Ayes, 13.

Anderson	Gunderson	Patterson	Stanley
Bissell	MacDonald	Quirk	Stevens
Clark of	Moen	Ritchie	White
Cerro Gordo	Myers		

Nays, 81.

Baird	Clearman	Hill	McLeland
Beatty	Cochrane	Ickis	Rigby
Bennett	Cole	Irwin	Stoddard
Blackford	Cooney	Kimberly	Tabor
Booth	Coykendall	Klemme	Topping
Carden	Doran	Knudson	Wenner
Clark of Linn	Hager	Langfitt	Wilson
Clark of Marion	Hicklin	Lowe	

Absent or not voting, 6.

Benson	Christophel	Kent	Leonard
Carroll	Frailey		

The motion for the previous question was lost.

Roll call was demanded on the amendment to the substitute amendment.

On the question "Shall the amendment to the substitute amendment be adopted?" the vote was:

Ayes, 26.

Baird	Clark of Marion	Hill	Langfitt
Bennett	Clearman	Ickis	Rigby
Benson	Cochrane	Irwin	Stevens
Blackford	Cole	Kent	Stoddard
Booth	Cooney	Kimberly	Topping
Carden	Hager	Knudson	Wenner
Clark of Linn	Hicklin		

Nays, 20.

Anderson	Coykendall	McLeland	Ritchie
Beatty	Gunderson	Moen	Stanley
Bissell	Klemme	Myers	Tabor
Christophel	Lowe	Patterson	White
Clark of	MacDonald	Quirk	Wilson
Cerro Gordo			

Absent or not voting, 4.

Carroll	Doran	Frailey	Leonard
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The amendment to the substitute amendment was adopted.

Senator Wenner offered the following amendment to the substitute amendment and moved its adoption:

Amend sec. 1 by striking from line 19 the figures "507.11" and inserting in lieu thereof the figures "224.00".

By unanimous consent on request of Senator Wenner his amendment was corrected by changing the figures "224.00" to the figures "176.00".

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment to the substitute amendment be adopted?" the vote was:

Ayes, 23.

Baird	Clearman	Hill	Rigby
Benson	Cochrane	Ickis	Stoddard
Blackford	Cole	Irwin	Topping
Carden	Cooney	Kimberly	Wenner
Christophel	Hager	Knudson	Wilson
Clark of Marion	Hicklin	Langfitt	

Nays, 25.

Anderson	Coykendall	Lowe	Quirk
Beatty	Doran	MacDonald	Ritchie
Bennett	Gunderson	McLeland	Stanley
Bissell	Kent	Moen	Stevens
Booth	Klemme	Myers	Tabor
Carroll	Leonard	Patterson	White
Clark of Linn			

Absent or not voting, 2.

Clark of Cerro Gordo	Frailey
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The amendment to the substitute was lost.

The substitute amendment as amended was adopted.

The bill was read for information.

Senator MacDonald moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Anderson	Clearman	Kent	Quirk
Baird	Cochrane	Kimberly	Rigby
Beatty	Cole	Klemme	Ritchie
Bennett	Cooney	Knudson	Stanley
Benson	Coykendall	Langfitt	Stevens
Bissell	Doran	Leonard	Stoddard
Blackford	Gunderson	Lowe	Tabor
Booth	Hager	MacDonald	Topping
Carden	Hicklin	McLeland	Wenner
Christophel	Hill	Moen	White
Clark of Linn	Ickis	Myers	Wilson
Clark of Marion	Irwin		

Nays, none.

Absent or not voting, 4.

Carroll	Clark of Cerro Gordo	Frailey	Patterson
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The bill having received a constitutional majority was declared to have passed the Senate.

Senator MacDonald moved that the secretary be instructed to correct the title to agree with amendments adopted, and the title as amended was agreed to.

The motion prevailed.

Senator MacDonald moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on his own request Senator Doran was excused for five minutes.

By unanimous consent on request of Senator Rigby the fourth conference committee on House File No. 2 was excused for a time.

THIRD READING OF BILLS

On motion of Senator Benson House File No. 285, a bill for an act to amend sections forty-nine hundred eight (4908), and forty-nine hundred ten (4910), Code, 1927, relating to the computation of the annual license fee on motor vehicles, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Christophel	Cooney	Myers
Beatty	Clark of	Coykendall	Patterson
Bennett	Cerro Gordo	Hicklin	Quirk
Benson	Clark of Linn	Kimberly	Stevens
Bissell	Clark of Marion	Knudson	Stoddard
Blackford	Clearman	Langfitt	Tabor
Carden	Cochrane	Lowe	Topping
Carroll	Cole	McLeland	Wenner
		Moen	White

Nays, 7.

Booth
Gunderson

Hager
Hill

Ickis
Klemme

Leonard

Absent or not voting, 10.

Baird
Doran
Frailey

Irwin
Kent
MacDonald

Rigby
Ritchie

Stanley
Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Patterson called up for consideration Senate Joint Resolution No. 12, amended by the House, and moved that the Senate concur in the following amendments:

Amend as follows:

1. By striking from line three (3) of section one (1), the word "nine" and inserting in lieu thereof the word "six"; by striking the word "three" from the same line, and inserting in lieu thereof the word "two", and by striking from line four (4) of said section, the word "three" and inserting in lieu thereof the word "two", and by striking from line five (5) of said section, the word "three" and inserting in lieu thereof the word "two".

2. By striking the words and figures "twenty thousand dollars (\$20,000)" from section six (6) and inserting in lieu thereof the following: "ten thousand dollars (\$10,000)".

3. By striking all of section three (3) and renumbering the sections which follow.

4. By striking the amendment inserting section two (2) and renumbering the Joint Resolution in accordance with section two (2).

5. Amend the title by striking from lines one (1), two (2), and three (3) the word "three" and inserting in lieu thereof in each of said lines the word "two".

On the question "Shall the Senate concur?" the vote was:

Ayes, 29.

Anderson
Bennett
Bissell

Booth
Christophel

Clark of
Cerro Gordo
Clark of Linn

Clark of Marion
Cole
Coykendall

Doran	Knudson	Moen	Stoddard
Gunderson	Langfitt	Myers	Tabor
Hicklin	Leonard	Patterson	Wenner
Hill	Lowe	Quirk	White
Klemme	MacDonald	Ritchie	

Nays, 11.

Beatty	Clearman	Ickis	Topping
Blackford	Cooney	Kimberly	Wilson
Carden	Hager	McLeland	

Absent or not voting, 10.

Baird	Cochrane	Kent	Stanley
Benson	Frailey	Rigby	Stevens
Carroll	Irwin		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Patterson moved that the vote by which the House amendments were adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Kimberly called up for consideration Senate File No. 285, amended by the House, and moved that the Senate concur in the following amendments:

Amend as follows:

By inserting the word "willfully" after the word "or" in line four of section one (1).

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Anderson	Clark of	Hicklin	Moen
Baird	Cerro Gordo	Hill	Myers
Beatty	Clark of Linn	Ickis	Patterson
Bennett	Clark of Marion	Kimberly	Quirk
Bissell	Clearman	Klemme	Ritchie
Blackford	Cochrane	Knudson	Stevens
Booth	Cole	Langfitt	Stoddard
Carden	Doran	Leonard	Tabor
Christophel	Gunderson	Lowe	Topping
	Hager	McLeland	Wenner
			Wilson

Nays, none.

Absent or not voting, 11.

Benson	Coykendall	Kent	Stanley
Carroll	Frailey	MacDonald	White
Cooney	Irwin	Rigby	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Clark of Marion called up for consideration House File No. 155, amended by the Senate, and moved that the Senate insist in the following amendments:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eleven thousand seven hundred sixty (11760) of the code, 1927, be amended as follows:

"By inserting in line two (2) of paragraph seventeen (17) after the word 'surveyor', the words 'professional engineer, architect,'.

Also further amend by inserting in line three (3) of paragraph seventeen (17), after the word 'physician', the word 'dentist,'.

Also further amend by striking out the title and inserting in lieu thereof the following:

'An act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions.'

On the question "Shall the Senate insist?" the vote was:

Ayes, 23.

Baird	Clearman	Hager	Quirk
Blackford	Cochrane	Hicklin	Tabor
Christophel	Cole	Klemme	Topping
Clark of	Cooney	Lowe	Wenner
Cerro Gordo	Coykendall	McLeland	White
Clark of Marion	Doran	Myers	Wilson

Nays, 5.

Anderson	Carden	Langfitt	Leonard
Booth			

Absent or not voting, 22.

Beatty	Frailey	Kimberly	Rigby
Bennett	Gunderson	Knudson	Ritchie
Benson	Hill	MacDonald	Stanley
Bissell	Ickis	Moen	Stevens
Carroll	Irwin	Patterson	Stoddard
Clark of Linn	Kent		

The Senate insisted on its amendments.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 293, 411, 369, 361, 290, 230, 179, 214, 215, 217, 218, 219, 220, and 245.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 561, 564, 567, 575, 586, 568, 574, 566, 562, 132, 571, 233, 352, 102, 502, 37, 309, 316.

LEW McDONALD,
Acting Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 293, 411, 369, 361, 290, 230, 179, 214, 215, 217, 218, 219, 220, and 245.

Also House Files Nos. 561, 564, 567, 575, 586, 568, 574, 566, 562, 132, 571, 233, 352, 102, 502, 37, 309, 316.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 293, 411, 369, 361, 290, 230, 179, 214, 215, 217, 218, 219, 220, and 245.

E. R. HICKLIN, *Chairman.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Beatty House File No. 114, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school funds, returned by the sifting committee, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section seventy-one hundred sixty-four (7164) of the Code, 1927, be amended by adding thereto the following:

Provided that the county auditor shall in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district eighty (80) per cent of the tax collected and distributed to such district for the preceding year from the monies and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the Code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided for have been made.

Also amend by striking the title and inserting in lieu thereof the following:

A bill for an act to amend section seventy-one hundred sixty-four (7164) of the Code, 1927, so as to provide for the replacement of the general property tax by the amount estimated for the monies and credits tax share of each taxing subdivision.

Senator Wilson moved to amend by making the following amendment as proposed by Senator Clark of Linn, Myers, and Rigby, part of his amendment and making his amendment Section 2.

The motion prevailed.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. That section seventy-one hundred sixty-four (7164), Code 1927, be amended by striking from lines 6, 7, and 8, the following:

"(without including moneys and credits and other moneyed capital taxed at a flat rate as provided in section 6985),"

Sec. 2. That section seventy-one hundred sixty-four (7164) of the code, 1927, be amended by adding thereto the following:

"Provided that the county auditor shall, in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district all of the tax to be derived from the moneys and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided have been made."

The amendments were adopted.

The bill was read for information.

Senator Beatty moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Clark of	Gunderson	McLeland
Beatty	Cerro Gordo	Hager	Moen
Bennett	Clark of Linn	Hicklin	Myers
Bissell	Clark of Marion	Ickis	Quirk
Blackford	Clearman	Kimberly	Stevens
Booth	Cochrane	Klemme	Topping
Carden	Cole	Langfitt	Wenner
Christophel	Coykendall	Leonard	White
		Lowe	Wilson

Nays, none.

Absent or not voting, 17.

Baird	Frailey	Knudson	Ritchie
Benson	Hill	MacDonald	Stanley
Carroll	Irwin	Patterson	Stoddard
Cooney	Kent	Rigby	Tabor
Doran			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Beatty moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 19 CONSIDERED

Amend by striking the words and figures "twenty-five dollars (\$25.00)" in line four of the second paragraph and inserting in lieu thereof the following "twenty dollars (\$20.00)".

The amendment was adopted and concurred in by the Senate.

HOUSE CONCURRENT RESOLUTION NO. 17 CONSIDERED

By unanimous consent the rules were suspended and the following resolution was taken up and considered at this time.

Resolved by the House, the Senate concurring, That the pages in the Senate and House be permitted to retain as their property the uniform jackets worn by them during the hours of the session, which were purchased for them by Joint Resolution No. 4, passed by the House on January 20, 1931.

The resolution was adopted.

MOTION OF SENATOR STODDARD

MR. PRESIDENT: I move that the chairman of the committee on investigation of State University of Iowa be directed to file a complete statement showing the amounts expended by any and all state officers in said investigation other than shown by House File No. 242 as amended and that said statement be printed in the Journal.

Senator Anderson moved to table the motion.

Rule 8 was invoked.

On the question "Shall the motion be tabled?" the vote was:

Ayes, 27.

Anderson	Carroll	Hill	Moen
Baird	Christophel	Knudson	Myers
Beatty	Clark of	Langfitt	Patterson
Bennett	Cerro Gordo	Leonard	Quirk
Bissell	Coykendall	Lowe	Stanley
Booth	Doran	MacDonald	Stevens
Carden	Gunderson	McLeland	White

Nays, 21.

Benson	Cole	Irwin	Stoddard
Blackford	Cooney	Kent	Tabor
Clark of Linn	Hager	Kimberly	Topping
Clark of Marion	Hicklin	Klemme	Wenner
Clearman	Ickis	Rigby	Wilson
Cochrane			

Absent or not voting, 2.

Frailey Ritchie

The motion was laid on the table.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 570, a bill for an act providing for the assessment of grain, ice and coal dealers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 332, a bill for an act relating to the filing of nomination papers by candidates for office in any subdivision of a county.

SAM C. RAGAN, *Chief Clerk.*

On motion of Senator Clark of Marion the Senate recessed.

The Senate reconvened at the sound of the gavel.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 155

The President appointed as conference committee on House File No. 155 on the part of the Senate, Senators Topping, Wilson, McLeland and Iekis.

THIRD READING OF BILLS

On motion of Senator Baird, House File No. 419, a bill for an act to amend section sixty-two (62) of the code, 1927, providing for the payment of publications, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clark of	Irwin	Patterson
Baird	Cerro Gordo	Kent	Quirk
Beatty	Clearman	Langfitt	Rigby
Bennett	Cochrane	Leonard	Stanley
Benson	Coykendall	Lowe	Stevens
Bissell	Doran	MacDonald	Tabor
Blackford	Gunderson	McLeland	Wenner
Booth	Hill	Moen	White
Carden	Ickis	Myers	Wilson
Christophel			

Nays, none.

Absent or not voting, 14.

Carroll	Cooney	Kimberly	Ritchie
Clark of Linn	Frailey	Klemme	Stoddard
Clark of Marion	Hager	Knudson	Topping
Cole	Hicklin		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 587, a bill for an act to authorize the secretary of agriculture to incur expenses and employ assistance in carrying out the provisions of house file number 377 of the acts of the forty-fourth general assembly and to make an appropriation therefor, was taken up and considered.

The bill was read for information.

Rule prohibiting second and third reading same day suspended.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Booth	Coykendall	Kent
Baird	Carden	Doran	Kimberly
Beatty	Clark of	Gunderson	Klemme
Bennett	Cerro Gordo	Hager	Langfitt
Benson	Clark of Linn	Hill	Leonard
Bissell	Clearman	Ickis	Lowe
Blackford	Cochrane	Irwin	McLeland

Moen	Rigby	Stoddard	Wenner
Myers	Stanley	Tabor	White
Patterson	Stevens	Topping	Wilson
Quirk			

Nays, none.

Absent or not voting, 10.

Carroll	Cole	Hicklin	MacDonald
Christophel	Cooney	Knudson	Ritchie
Clark of Marion	Frailey		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Rigby House File No. 333, a bill for an act to amend section fifty-five hundred forty-three (5543), code of 1927, relating to meetings of the township trustees, was taken up and considered.

Senator Rigby offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

The amendment was adopted.

HOUSE MESSAGES CONSIDERED

House File No. 138, a bill for an act to amend section nine (9) of chapter thirty-seven (37) of the acts of the regular session of the forty-third (43rd) General Assembly, relating to permanent registrations of voters and the preparing of registration cards therefor.

Read first and second times and referred to sifting committee.

House File No. 556, a bill for an act to amend sections forty-eight hundred sixty-four (4864), forty-nine hundred one (4901), and forty-nine hundred five (4905), code, 1927, relating to licensing and listing of motor vehicles.

Read first and second times and referred to sifting committee.

COMMITTEE TO NOTIFY HOUSE

Senator Benson moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die.

The motion prevailed and the President appointed as such committee Senators Benson, Anderson and Topping.

REPORT OF COMMITTEE TO NOTIFY HOUSE

The committee to notify the House that the Senate was ready to adjourn sine die reported they had performed their duty.

The report was adopted and the committee was discharged.

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. 429, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses that are payable from the general fund of the state.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 429.

1. Amend section seven (7), by changing the period (.) at the end of said section, to a comma (,) and adding the following: "and the further sum of Four Hundred Dollars (\$400.00) to cover compensation due him as provided by Rule 65 of the House of Representatives."

2. Amend section eleven (11), by adding thereto the following: "To L. C. Smith Typewriter Company for ribbons and supplies, the sum of twelve dollars and seventy-five cents (\$12.75)."

3. Amend section nineteen (19), by changing the period (.) at the end of said section to a comma (,) and adding the following: "Myra Larson, clerk of the house sifting committee, the sum of Seventy-five Dollars (\$75.00)."

4. Amend by adding the following sections:

a. "To Mabel M. Hoeye, as compensation for extra services rendered in the House during the Forty-third (43rd) General Assembly, at the request and under the direction of the Chief Clerk of the House, the sum of One Hundred Dollars (\$100.00)."

b. "There is also appropriated Five Thousand Dollars (\$5,000.00) to the Department of Justice for peace officers' salaries and expenses."

c. "There is also appropriated to Horace S. Dugan, One Hundred Dollars (\$100.00)."

d. "To Strock, Cunningham, Sloan & Herrick, Fifteen Hundred Dollars (\$1500.00).

e. To Fred H. Free, Six Hundred Eighty-seven Dollars and Three cents (\$687.03).

f. To Stipp, Perry, Bannister and Starzinger, Fifteen Hundred Dollars (\$1500.00).

g. To the Globe Publishing Company, One Hundred Twenty-one Dollars (\$121.00).

h. All relating to State of Iowa account Mathews v. Turner. All of such appropriations shall be paid from the primary road fund."

i. "Also to make an appropriation to the State Printing Board of Twelve Thousand Dollars (\$12,000.00) for printing for the Board of Assessment and Review."

j. "There is also appropriated for the Railroad Commission Five Thousand Dollars (\$5,000.00) for defraying the expenses in carrying out the provisions of pipe line act, Senate File No. 264."

k. "There is also appropriated the sum of Twenty Thousand Dollars (\$20,000.00) to the Board of Control for the purpose of purchasing a new bakery for the state hospital for the insane at Independence."

l. "There is also appropriated the sum of One Thousand Dollars (\$1,000.00) for the State Fire Marshal Department for reporting fires as provided by law."

5. Amend by striking from the bill all of Section nineteen (19).

6. Amend by renumbering sections to conform to the foregoing amendments.

Senate File No. 429, with the House amendments, was referred to the committee on appropriations.

CORRECTION TO THE TITLE OF HOUSE FILE NO. 242

Amend by striking all of said title and substituting in lieu thereof the following:

A bill for an act making an appropriation in the sum of nineteen thousand four hundred thirteen dollars and two cents (\$19,413.02) for the payment of the expenses of the investigation of the affairs of the State University of Iowa and other institutions under control of the State Board of Education, and of the administration of the affairs of the State Board of Education as authorized by concurrent resolution number eight (8).

The amendment was adopted and the title as amended agreed to.

COMMITTEE UNDER SENATE JOINT RESOLUTION NO. 12

In accordance with the provisions of Senate Joint Resolution No. 12, relative to reduction of public funds, the President appointed Senators Hicklin and Stevens.

EXCHANGE OF SEATS

MR. PRESIDENT: We desire to exchange Seats Nos. 4 and 1.

WM. H. KLEMME.
E. W. CLARK.

MR. PRESIDENT: We desire to exchange seats Nos. 3 and 27.

O. E. GUNDERSON
W. R. RITCHIE

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 111, 145, 199, 264, 280, 312, 347, 391, 412, 418, 425, 428, 430, and S. J. R. No. 2.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORE,
Chairman House Committee.

Report adopted.

Also:

Senator MacDonald, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 259, 296, 305, 436, 478, 570, 588.

LEW MACDONALD,
Acting Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 259, 296, 305, 436, 478, 570, 588 and Senate Files Nos. 111, 145, 199, 264, 280, 312, 347, 391, 412, 418, 425, 428, 430, and S. J. R. No. 2.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 111, 145, 199, 264, 280, 312, 347, 391, 412, 418, 425, 428, 430.

E. R. HICKLIN, *Chairman.*

Report adopted.

BILLS SENT TO THE SECRETARY OF STATE

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the secretary of state Senate Joint Resolution No. 2.

E. R. HICKLIN, *Chairman.*

Report adopted.

REPORT OF COMMITTEE

Senator Stoddard moved the adoption of the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 429 as passed by the House, beg leave to report that they have had the same under consideration and make the following report:

1. Amend amendment No. 1 of the House amendments by striking the words and figures "four hundred dollars (\$400.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)". Also by

adding at the end of said amendment No. 1, the following: "To Walter H. Beam, for extra services during the Forty-fourth General Assembly the sum of one hundred and fifty dollars (\$150.00)".

2. Amend amendment No. 3 of the House amendments by adding thereto the following: "Adeline Havel, clerk of the special tax revision committee, the sum of seventy-five dollars (\$75.00)"; C. F. Clark, C. L. Rigby, George W. Patterson, J. H. Johnson, M. R. McCaulley and H. M. Greene, the sum of five hundred dollars (\$500.00) each, as partial compensation and to cover expenses as members of the special legislative tax revision committee of the Forty-third General Assembly.

3. Strike sub-sections a, c, and e of amendment No. 4. In sub-sections d and f of amendment No. 4 strike out the words and figures "fifteen hundred dollars (\$1500.00)" and insert in lieu thereof the words and figures "one thousand dollars (\$1000.00)".

4. Strike out amendment No. 5 of the House amendments.

5. Strike out amendment No. 6 of the House amendments.

Amendment No. 1 to House amendments was adopted.

Amendment No. 2 to House Amendments was adopted.

Amendment No. 3 to sub-section a of House amendments was lost.

Amendment No. 3 to sub-section c of House amendments was lost.

Amendment No. 3 to sub-section e of House amendments was adopted.

Amendment No. 3 to sub-sections d and f of House amendments was lost.

Amendment No. 4 to House amendments was adopted.

Amendment No. 5 to House amendments was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend sec. 19 by striking the words "for the following employees of

the general assembly" and inserting in lieu thereof the following "to the following persons".

The amendment was adopted.

Senator Stoddard moved that the Senate adopt and concur in the House amendments as amended.

On the question "Shall the Senate concur?" the vote was:

Ayes, 43.

Anderson	Clearman	Irwin	Quirk
Baird	Cochrane	Kent	Rigby
Beatty	Cooney	Kimberly	Stanley
Bennett	Coykendall	Klemme	Stevens
Benson	Doran	Knudson	Stoddard
Bissell	Frailey	Langfitt	Tabor
Blackford	Gunderson	Leonard	Topping
Booth	Hager	Lowe	Wenner
Carden	Hicklin	MacDonald	White
Carroll	Hill	Moen	Wilson
Clark of Cerro Gordo	Ickis	Myers	

Nays, none.

Absent or not voting, 7.

Christophel	Clark of Marion	McLeland	Ritchie
Clark of Linn	Cole	Patterson	

The House amendments as amended having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 114, a bill for an act so as to provide for the distribution of the tax realized on money and credits to district school funds.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 415, a bill for an act to make an appropriation to Ethel F. Katz.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 163, a bill for an act relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 327, a bill for an act to provide for the financing in any city or town of the management, construction, maintenance and operation of main sanitary sewers.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 407, a bill for an act limiting the size of fish when using licensed nets or seines.

Also: 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 relating to medical and surgical treatment, in the hospital of the college of medicine of the state university, of indigent persons.

SAM C. RAGAN, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Irwin House File No. 463, a bill for an act to regulate the number of hours that drivers of commercial motor vehicles for hire shall be on duty in each twenty-four (24) hours, and to prescribe penalties for violation thereof, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Clark of Linn	Hicklin	Moen
Baird	Clearman	Hill	Myers
Bennett	Cochrane	Irwin	Quirk
Benson	Cooney	Kent	Rigby
Bissell	Coykendall	Kimberly	Stanley
Blackford	Doran	Klemme	Stevens
Booth	Frailey	Knudson	Stoddard
Carden	Gunderson	Leonard	Tabor
Clark of	Hager	Lowe	White
Cerro Gordo			

Nays, none.

Absent or not voting, 14.

Beatty	Cole	McLeland	Topping
Carroll	Ickis	Patterson	Wenner
Christophel	Langfitt	Ritchie	Wilson
Clark of Marion	MacDonald		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION FOR COMMITTEE OF WHOLE

Senator Hicklin moved that the Senate now resolve itself into a committee of the whole and that the President of the Senate appoint a committee of three lawyer members of the judiciary committee of the Senate, and that said committee examine and question Louis J. Muehle, certified public accountant as a witness before the said committee of the whole in relation to his employment as an accountant by the investigation committee to examine into the books and accounts of the State Board of Education, and of the State University of Iowa, and that the record be kept of such testimony, and that the same shall become a part of the records of the said University investigation.

Senator Benson offered the following as an amendment to the motion:

Amend by providing that the Lieutenant Governor act as chairman of the committee of the whole.

The amendment to the motion prevailed.

Roll call was demanded on the motion.

On the question "Shall the motion prevail?" the vote was:

Ayes, 28.

Baird	Clearman	Irwin	Stevens
Bennett	Cochrane	Kimberly	Stoddard
Benson	Cooney	Knudson	Tabor
Blackford	Frailey	Langfitt	Topping
Booth	Hager	McLeland	Wenner
Carden	Hicklin	Quirk	White
Clark of Linn	Ickis	Rigby	Wilson

Nays, 15.

Anderson	Coykendall	Klemme	Myers
Bissell	Gunderson	Leonard	Patterson
Carroll	Hill	Lowe	Stanley
Clark of Cerro Gordo	Kent	Moen	

Absent or not voting, 7.

Beatty	Clark of Marion	Doran	Ritchie
Christophel	Cole	MacDonald	

The motion prevailed and the President appointed Senators Baird, Wenner and Cooney.

The Senate went into a committee of the whole.

The Senate arose from a committee of the whole.

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 concurred in the Senate amendments to House File No. 242, a bill for an act providing for an appropriation to pay the expense of the investigation of the administration and affairs of the State University of Iowa, by striking all of section two (2).

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE AMENDMENTS TO HOUSE FILE NO. 242

Amend by striking all of section two (2).

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 refuses to concur in all Senate amendments to House Amendments to Senate File 429, and insists on all House amendments and requests a conference committee and the Speaker appoints as such committee on the part of the House the following: Representatives Hanson of Winnebago, Rutledge, Ditto and Forsling.

Also: That the Speaker of the House has appointed as a conference committee on the part of the House on the Senate amendments to House File No. 155 the following: Representatives Johnson of Marion, Tamsiea, Millhone and TePaske.

SAM C. RAGAN, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 429, on which the Senate amended the House amendments, and moved that the Senate insist on its amendments.

On the question "Shall the Senate insist?" the vote was:

Ayes, 38.

Anderson	Clearman	Ickis	Myers
Baird	Cochrane	Irwin	Patterson
Bissell	Cole	Kent	Quirk
Booth	Cooney	Kimberly	Stanley
Carden	Coykendall	Klemme	Stoddard
Carroll	Doran	Knudson	Tabor
Clark of	Frailey	Langfitt	Topping
Cerro Gordo	Gunderson	Leonard	Wenner
Clark of Linn	Hager	Lowe	Wilson
Clark of Marion	Hicklin	McLeland	

Nays, none.

Absent or not voting, 12.

Beatty	Blackford	MacDonald	Ritchie
Bennett	Christophel	Moen	Stevens
Benson	Hill	Rigby	White

The Senate insisted on its amendments.

CONFERENCE COMMITTEE ON SENATE FILE NO. 429

The President appointed as conference committee on the part of the Senate on Senate File No. 429, Senators Stoddard, E. W. Clark, Moen and Hicklin.

HOUSE AMENDMENTS CONSIDERED

Senator Wilson called up for consideration House File No. 242, amended by the House, and moved that the Senate concur in the following House amendment to the Senate amendment:

Amend by striking all of Section 2.

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Anderson	Coykendall	Kimberly	Patterson
Baird	Doran	Klemme	Quirk
Bissell	Frailey	Knudson	Ritchie
Carden	Gunderson	Langfitt	Stanley
Clark of Linn	Hager	Leonard	Taber
Clark of Marion	Hill	Lowe	Topping
Clearman	Irwin	McLeland	Wenner
Cochrane	Kent	Myers	Wilson
Cole			

Nays, none.

Absent or not voting, 17.

Beatty	Carroll	Cooney	Rigby
Bennett	Christophel	Hicklin	Stevens
Benson	Clark of	Ickis	Stoddard
Blackford	Cerro Gordo	MacDonald	White
Booth		Moen	

The House amendment to the Senate amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wilson moved that the vote by which the House amendment to the Senate amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gunderson called up for consideration Senate File No. 420, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting after the word "fifty" in line three (3) the words "and by striking line twelve (12)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Anderson	Clark of Marion	Cooney	Hager
Baird	Clearman	Coykendall	Hill
Bissell	Cochrane	Frailey	Ickis
Carden	Cole	Gunderson	Irwin

Kent	Leonard	Patterson	Topping
Klemme	Lowe	Quirk	Wenner
Knudson	McLeland	Stanley	Wilson
Langfitt	Myers	Tabor	

Nays, none.

Absent or not voting, 19.

Beatty	Carroll	Doran	Rigby
Bennett	Christophel	Hicklin	Ritchie
Benson	Clark of	Kimberly	Stevens
Blackford	Cerro Gordo	MacDonald	Stoddard
Booth	Clark of Linn	Moen	White

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Gunderson moved that the vote by which the House amendment was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The President announced the Senate at ease until the sound of the gavel.

CONFERENCE COMMITTEE REPORT

Senator Wilson called up for consideration the following report and moved its adoption:

MR. PRESIDENT: Your conference committee to whom was referred House File 155, begs leave to report that it has carefully considered the same and recommends that the House concur in the Senate amendments.

GEO. A. WILSON,
W. E. MCLELAND,
F. D. ICKIS,
C. H. TOPPING,

On behalf of the Senate.

J. H. JOHNSON,
HUGH J. TAMISIEA,
ANTHONY TEPASKE,
PAUL L. MILLHONE,

On behalf of the House.

On the question "Shall the report be adopted?" the vote was:

Ayes, 29.

Anderson	Clark of Linn	Cooney	Ickis
Baird	Clark of Marion	Coykendall	Klemme
Bissell	Clearman	Frailey	Knudson
Clark of	Cochrane	Hager	Langfitt
Cerro Gordo	Cole	Hicklin	Leonard

Moen
Myers
Patterson

Quirk
Ritchie
Stoddard

Tabor
Topping

Wenner
Wilson

Nays, none.

Absent or not voting, 21.

Beatty
Bennett
Benson
Blackford
Booth
Carden

Carroll
Christophel
Doran
Gunderson
Hill

Irwin
Kent
Kimberly
Lowe
MacDonald

McLeland
Rigby
Stanley
Stevens
White

The report was adopted.

Senator Wilson moved that the vote by which the report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report concurring in the Senate Amendments on House File No. 155, a bill for an act relating to exemptions.

SAM C. RAGAN, *Chief Clerk.*

MOTION BY SENATOR STODDARD

MR. PRESIDENT: I move that the Auditor and Accountant of the State University of Iowa, the Attorney General of Iowa, and the Director of the Budget be requested to file with the Secretary of the Senate, a statement of the expenses other than those that appear in House File No. 242, as passed by the Senate, of each of said departments incident to the investigation provided for in House Concurrent Resolution No. 8, said statements to be printed in the Senate Journal.

The motion prevailed.

(For data requested, see pages 1614 and 1615.)

EXCHANGE OF SEATS

MR. PRESIDENT: We desire to exchange Seats Nos. 46 and 2.

L. T. QUIRK,
LAFE HILL.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE
NO. 429

Senator Stoddard called up for consideration the following report and moved its adoption:

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, your conference committee appointed to consider the differences between the Senate and the House on Senate File No. 429, beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the House concur in the Senate amendment to the House amendment No. 1 to section 7.

Also, that the Senate recede from its amendment to House amendment No. 3, and that the following be inserted in lieu thereof:

"Sec. 19. As additional compensation to the following persons:

Gertrude Taggart, judiciary clerk of the house; Laura Schulze, appropriation clerk of the senate; Vera Meyer, clerk of the claims committee of the house, the sum of one hundred dollars (\$100.00) each.

Bernice Maine, clerk of the senate sifting committee; Myra Larson, clerk of the house sifting committee; Adeline Havel, clerk of the special tax revision committee, the sum of seventy-five dollars (\$75.00) each."

Also, that the House concur in the Senate amendment to sub-section e of House amendment No. 4.

Also, that the House concur in the Senate amendment to House amendments Nos. 5 and 6.

B. M. STODDARD

H. N. HANSON

T. E. MOEN

L. B. FORSLING

E. W. CLARK

R. S. RUTLEDGE

E. R. HICKLIN

On the Part of the House.

On the Part of the Senate.

On the question "Shall the report be adopted and the amendments concurred in by the Senate?" the vote was:

Ayes, 36.

Anderson	Clearman	Hicklin	Langfitt
Baird	Cochrane	Hill	Leonard
Bissell	Cole	Ickis	Lowe
Carden	Cooney	Irwin	McLeland
Clark of	Coykendall	Kimberly	Moen
Cerro Gordo	Doran	Klemme	Myers
Clark of Marion	Frailey	Knudson	Patterson

Quirk	Stoddard	Topping	White
Ritchie	Tabor	Wenner	Wilson
Stanley			

Nays, none.

Absent or not voting, 14.

Beatty	Booth	Clark of Linn	MacDonald
Bennett	Carroll	Gunderson	Rigby
Benson	Christophel	Hager	Stevens
Blackford		Kent	

The report was adopted and the amendments concurred in by the Senate.

Senator Stoddard moved that the vote by which the report was adopted and the amendments concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COMMUNICATION FROM THE SECRETARY

Senator Cooney moved the following be printed in the Journal which motion prevailed.

MR. PRESIDENT: To you, and to every member of the Senate, I want to express my sincere appreciation of the many kindnesses and courtesies that have been extended to me during the session. I have served in some capacity or other in the Senate every session since the 35th, and the days spent here have been some of the happiest of my life, and I count all those with whom I have served and for whom I have toiled as among my best and dearest friends. It has indeed been a pleasure to work with and for you. May joy and happiness be yours always.

Also I want to thank the officers and employees for their splendid cooperation in taking care of the work throughout the session, which, so far as I know, has been accomplished without discord.

WALTER H. BEAM.

REPORT OF FOURTH CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

MR. PRESIDENT: We, your conference committee, to which was referred House File No. 2, begs leave to submit the following report:

This committee has disagreed in its consideration of House File No. 2 and asks to be discharged.

D. R. McCREERY
LEONARD SIMMER
A. H. AVERY
PAUL L. MILLHONE
BYRON G. ALLEN

On the part of the House.

C. L. RIGBY
JOHN W. KENT
H. L. IRWIN
F. C. STANLEY
W. S. BAIRD

On the part of the Senate.

The Senate recessed.

The Senate reconvened.

Senator Blackford moved to excuse Senators MacDonald and Christophel for the balance of the session.

Roll call was demanded.

Senator Clark of Linn raised the point of order that there was a call in effect which required the presence of all Senators.

The President held the point not well taken as a call must be for a particular matter or motion.

Senators Patterson and Clark of Linn spoke.

Senator Cooney raised the point of order that the President had already ruled.

The President held the point well taken.

Senator Clark of Linn asked a ruling of the chair as to whether the call filed heretofore was still in effect.

The President held that the call was not in effect as far as he was concerned as it did not apply to any particular subject matter or motion.

On the question "Shall the motion prevail?" the vote was:

Ayes, 27.

Baird	Clark of Marion	Hicklin	Stevens
Beatty	Clearman	Ickis	Stoddard
Bennett	Cochrane	Irwin	Tabor
Benson	Cole	Kent	Topping
Blackford	Cooney	Kimberly	Wenner
Booth	Frailey	Klemme	Wilson
Carden	Hager	Rigby	

Nays, 19.

Bissell	Coykendall	Leonard	Patterson
Carroll	Doran	Lowe	Quirk
Clark of	Gunderson	McLeland	Ritchie
Cerro Gordo	Knudson	Moen	Stanley
Clark of Linn	Langfitt	Myers	White

Absent or not voting, 4.

Anderson	Christophel	Hill	MacDonald
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The motion prevailed.

INTRODUCTION OF BILLS

Senate File No. 431, by committee on appropriations, a bill for an act to make an appropriation for state aid to short courses in counties where no county or district fairs are held, as provided in House File No. 288.

Read first and second times and placed on the calendar.

The rules were suspended by which no bill may be read the second and third times the same day.

THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 431, a bill for an act to make an appropriation for state aid to short courses in counties where no county or district fairs are held, as provided in House File No. 288, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Clearman	Irwin	Patterson
Baird	Cochrane	Kent	Quirk
Bennett	Cole	Kimberly	Ritchie
Benson	Cooney	Klemme	Stanley
Booth	Coykendall	Knudson	Stevens
Carden	Doran	Langfitt	Stoddard
Carroll	Frailey	Leonard	Tabor
Clark of	Gunderson	Lowe	Topping
Cerro Gordo	Hager	McLeland	Wenner
Clark of Linn	Hicklin	Moen	White
Clark of Marion	Ickis	Myers	Wilson

Nays, none.

Absent or not voting, 7.

Beatty	Blackford	Hill	Rigby
Bissell	Christophel	MacDonald	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILLS

Senate File No. 432, by committee on ways and means, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council.

Read first and second times. The rules were suspended by which no bill may be read the second and third times the same day, and also the rule requiring the bill to be sent to the sifting committee.

THIRD READING OF BILLS

On motion of Senator Baird Senate File No. 432, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council, was taken up and considered.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 48.

Anderson	Clark of Marion	Ickis	Patterson
Baird	Clearman	Irwin	Quirk
Beatty	Cochrane	Kent	Rigby
Bennett	Cole	Kimberly	Ritchie
Benson	Cooney	Klemme	Stanley
Bissell	Coykendall	Knudson	Stevens
Blackford	Doran	Langfitt	Stoddard
Booth	Frailey	Leonard	Tabor
Carden	Gunderson	Lowe	Topping
Carroll	Hager	McLeland	Wenner
Clark of	Hicklin	Moen	White
Cerro Gordo	Hill	Myers	Wilson
Clark of Linn			

Nays, none.

Absent or not voting, 2.

Christophel MacDonald

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate recessed.

The Senate reconvened.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 134, 163, 202, 224, 235, 242, 256, 285, 330, 332, 348, 353, 355, 365, 366, 367, 396, 398, 404, 407, 416, 10, 327, 420 and S. J. R. No. 12.

Also, Senator Hicklin, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 464, 285, 183, 114, 553, 463, 587, 419, 155, 242.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Reports adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 134, 163, 202, 224, 235, 242, 256, 285, 330, 332, 348, 353, 355, 365, 366, 367, 396, 398, 404, 407, 416, 10, 327, 420, and S. J. R. No. 12; and House Files Nos. 464, 285, 183, 114, 553, 463, 587, 419, 155, and 242.

BILLS SENT TO THE GOVERNOR

Senator Hicklin, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his

approval, Senate Files Nos. 134, 163, 202, 224, 235, 242, 256, 285, 330, 332, 348, 353, 355, 365, 366, 367, 396, 398, 404, 407, 416, 10, 327, 420 and S. J. R. No. 12.

E. R. HICKLIN, *Chairman.*

Report adopted.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend the amendment to House File No. 519 filed by the Senator from Clayton by striking Section 5 and inserting in lieu thereof the following:

"Sec. 5. The state highway commission shall on or before January 1st, 1932, add to the primary road system such roads as will provide the most practicable connection from a primary road to each town or village in the state having a population of one hundred fifty (150) or more as shown by the latest available state census. Except as provided in this section additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system has all been graded, bridged and surfaced."

CHAS. D. BOOTH,

A. V. BLACKFORD.

MR. PRESIDENT: I move to amend House File No. 519 as same passed the House by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The following primary roads shall be improved by grading, draining, bridging and paving:

Primary road number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on primary road number 3 south of Keosauqua.

Primary road number 2, from a point on primary road number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on primary road number 71, south of Atlantic, and from a point on primary road number 71, westerly to a point on primary road number 32 near Lewis.

Primary road number 3, from a point on primary road number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to a point on the Missouri River opposite Nebraska City.

Primary road number 4, from a point on the Missouri line southeast of Hamburg by way of Hamburg and Sidney to a point on primary road number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on primary road number 20 west of Early.

Primary road number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to Le Mars.

Primary road number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary road number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary road number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota line north of Larchwood.

Primary road number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on primary road number 75 west of Orange City.

Primary road number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary road number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on primary road number 18 west of McGregor.

Primary road number 14, between Corydon and Chariton. Also from its intersection with primary road number 58 through Grundy Center to its intersection with primary road number 57.

Primary road number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary road number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with primary road number 9.

Primary road number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with primary road number 16.

Primary road number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer and Sheldon, to a point on primary road number 75 near Perkins.

Primary road number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary road number 21, from Primghar to a point on primary road number 18 east of Sanborn. Also, from Ida Grove to a point on primary road number 20 east of Holstein.

Primary road number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary road number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary road number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary road number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary road number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary road number 48, from Red Oak, through Essex, to Shenandoah.

Primary road number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota line north of Burr Oak.

Primary road number 57, from its intersection on primary road number 14, by way of Dike to Cedar Falls.

Primary road number 58, from Eldora to a point on primary road number 134 west of Eldora. Also east of Eldora to a point on primary road number 14.

Primary road number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on primary road number 10 east of Waverly.

Primary road number 60, from a point on primary road number 30 east of Boone, by way of Madrid, to Des Moines.

Primary road number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, DeWitt, and Maquoketa, to Dubuque.

Primary road number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri line southwest of Bloomfield.

Primary road number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota line north of Northwood.

Primary road number 69, from Leon, by way of Lamoni, to the Missouri line south of Lamoni.

Primary road number 71, from the Missouri line near Braddyville, by

Primary road number 134, from a point on primary road number 58, west of Eldora, to a point on primary road number 65 north of Hubbard.

Primary road number 117, from Anamosa to Maquoketa.

Primary road number 136, from Clinton, by way of Charlotte and Delmar, to a point on primary road number 61 west of Delmar.

Primary road number 141, from Denison, by way of Mapleton, to Sioux City.

Primary road number 149, from a point on primary road number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to primary road number 32 west of Homestead.

Primary road number 150, from a point on primary road number 32 near Homestead, by way of Amana and Fairfax, to a point on primary road number 30 west of Cedar Rapids.

Primary road number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson to a point on primary road number 61 southwest of Montrose.

Primary road number 218, from a point on primary road number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota line north of St. Ansgar.

Interstate primary roads and primary roads now connecting county seats of adjoining counties.

All other primary roads shall be improved by grading, draining, bridging and surfacing with gravel or other low cost type of surfacing.

Nothing herein shall prohibit the changing by the state highway commission of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

Sec. 2. Until such time as all of the primary roads designated for paving by Section 1 of this act shall have been so improved at least eighty-five per cent (85%) of the mileage of the pavement constructed on the primary road system in any year shall be located upon those roads designated for paving by said Section 1 of this act.

Sec. 3. In addition to the primary roads designated for paving in Section 1 of this act, when at least ninety per cent (90%) of such roads shall have been so improved, those primary roads which were a part of the primary road system as of April 11, 1929 and not designated for paving by said Section 1 of this act, or as the same may have been relocated, may be surfaced with paving.

Sec. 4. The amount of primary road funds expended for maintenance and construction work in any county in any year shall not exceed the amount which said county would have received from the primary road

fund had said fund been allotted among the counties of the state on the area basis, plus an amount equal to twenty-five per cent (25%) of the total amount of county primary road bonds issued by such county.

Sec. 5. If in any county the primary road funds available in any year under the provisions of Section forty-seven hundred fifty-five b thirty-two (4755-b32), Code, 1927, for the payment of interest and principal of county primary road bonds and bonds issued to refund county primary road bonds, outstanding on April 15, 1931, are not sufficient to pay all of the interest accruing and principal maturing on such bonds in said year, then the deficiency shall be paid from the primary road fund.

Sec. 6. The state highway commission shall on or before January 1st, 1932, add to the primary road system such roads as will provide the most practicable connection from a primary road to each town or village in the state having a population of one hundred fifty (150) or more as shown by the latest available state census, which additional roads shall be graded, bridged, drained and surfaced with gravel or other low cost type of surfacing. Except as provided in this section additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system has been graded, bridged and surfaced.

Sec. 7. Should the proposed amendment to the Constitution of the State of Iowa, to be known as Article XIII, as set forth in House Joint Resolution number 6 of the Forty-third General Assembly and Senate Joint Resolution number 1 of the Forty-fourth General Assembly become effective, this act shall be of no effect from and after the time said amendment becomes effective.

Also amend the title by striking it and substituting in lieu thereof the following:

A Bill for An Act to provide for the improvement of the primary road system of the state, for additions thereto, for the use of the primary road fund, and for the payment of the principal and interest of the county primary road bonds.

The substitution was made.

Senator Benson offered the following amendment to the amendment and moved its adoption:

1. By adding after section six (6) thereof, the following:

"Sec. 7. Section forty-seven hundred fifty-five b eight (4755-b8) of the Code, 1927, is amended by striking all of said section after the word "projects" in line eighteen (18) thereof."

2. Further amend by substituting a comma for the period at the end of the title and adding the following:

"and to amend section forty-seven hundred fifty-five b eight (4755-b8) of the Code, 1927."

3. And by renumbering section seven (7) as section eight (8).

The amendment to the amendment was adopted.

Senator Klemme offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "to" in line 34, section 1, and inserting the word "by" in lieu thereof. Also by striking the period after the word "Union" and adding "to Calmar."

The amendment to the amendment was adopted.

Senator Beatty offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the comma (,) and before the word "this" in line 5 of Sec. 7 of said amendment the following:

"Section 4 and Section 5 of".

The amendment to the amendment was adopted.

Senator Beatty offered the following amendment to the amendment and moved its adoption:

Amend by adding after Sec. 7 as Sec. 8 of said amendment the following:

"Sec. 8. This act is deemed to be separable and if any section thereof is held to be void or becomes void, it shall not void the other sections of this act".

The amendment to the amendment was adopted.

Senator Clark of Linn offered the following amendment to the amendment and moved its adoption:

Amend by striking out Section 6 and inserting in lieu thereof the following:

"Sec. 6. Additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system as of July 4, 1931, has all been graded, bridged, and surfaced."

Senator Frailey moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

By unanimous consent of the Senate Senator Clark of of Cerro Gordo was excused from this vote.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 13.

Anderson	Gunderson	MacDonald	Patterson
Bissell	Knudson	Moen	Quirk
Carroll	Leonard	Myers	White
Clark of Linn			

Nays, 35.

Baird	Clearman	Hill	Rigby
Beatty	Cochrane	Ickis	Stanley
Bennett	Cole	Irwin	Stevens
Benson	Cooney	Kent	Stoddard
Blackford	Coykendall	Kimberly	Tabor
Booth	Doran	Klemme	Topping
Carden	Frailey	Langfitt	Wenner
Christophel	Hager	Lowe	Wilson
Clark of Marion	Hicklin	McLeland	

Absent or not voting, 2.

Clark of Cerro Gordo	Ritchie
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The amendment was lost.

Senator Bennett offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 130 of Sec. 1, the following:

"Interstate primary roads" and inserting in lieu thereof: "Primary interstate roads shortening the direct line of travel on United States highways".

The amendment to the amendment was adopted.

Senator Frailey moved the previous question on all pending amendments and the main bill, which motion prevailed.

Senator Patterson offered the following amendment to the amendment and moved its adoption:

Amend by adding after the period in line 7 of section 6 the following:

"Construction and maintenance as provided in this section shall be allocated to the various counties of the state in proportion to the mileage of such roads."

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 9.

Anderson
Bissell
Clark of Linn

Gunderson
Knudson

Myers
Patterson

Quirk
White

Nays, 40.

Baird
Beatty
Bennett
Benson
Blackford
Booth
Carden
Carroll
Christophel
Clark of
Cerro Gordo

Clark of Marion
Clearman
Cochrane
Cole
Cooney
Coykendall
Doran
Frailey
Hager
Hicklin

Hill
Ickis
Irwin
Kent
Kimberly
Klemme
Langfitt
Leonard
Lowe
MacDonald

McLeland
Moen
Rigby
Stanley
Stevens
Stoddard
Tabor
Topping
Wenner
Wilson

Absent or not voting, 1.

Ritchie

The amendment was lost.

Senator Clark of Linn offered the following amendment to the amendment and moved its adoption:

Amend by striking out of Section six line 1 the word "shall" and inserting in lieu thereof the word "may".

Roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 18.

Anderson
Bissell
Carroll
Clark of
Cerro Gordo

Clark of Linn
Coykendall
Gunderson
Hill
Knudson

Leonard
Lowe
MacDonald
Moen
Myers

Patterson
Quirk
Stanley
White

Nays, 30.

Baird
Beatty
Bennett
Benson
Blackford
Booth
Carden
Clark of Marion

Clearman
Cochrane
Cole
Cooney
Doran
Frailey
Hager

Hicklin
Ickis
Irwin
Kent
Kimberly
Klemme
Langfitt
McLeland

Rigby
Stevens
Stoddard
Tabor
Topping
Wenner
Wilson

Absent or not voting, 2.

Christophel Ritchie

The amendment to the amendment was lost.

The substitute amendment as amended was adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Baird	Clark of Linn	Hill	Moen
Beatty	Clark of Marion	Ickis	Quirk
Bennett	Clearman	Irwin	Rigby
Benson	Cochrane	Kent	Stanley
Bissell	Cole	Kimberly	Stevens
Blackford	Cooney	Klemme	Stoddard
Booth	Coykendall	Knudson	Tabor
Carden	Doran	Langfitt	Topping
Carroll	Frailey	Leonard	Wenner
Christophel	Gunderson	Lowe	White
Clark of	Hager	MacDonald	Wilson
Cerro Gordo	Hicklin	McLeland	

Nays, 3.

Anderson Myers Patterson

Absent or not voting, 1.

Ritchie

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE NO. 429

Senator Bennett called up for consideration the following report and moved its adoption.

To the President of the Senate and the Speaker of the House:

We, your conference committee appointed to consider the differences

between the Senate and the House on Senate File No. 429, beg leave to report that we have had the same under consideration and desire to report as follows:

1. We recommend that the Senate recede from its amendment to House amendment No. 1 to section 7 of the bill, and that the following be inserted in lieu of all other amendments as section 7 of the original bill:

"Sec. 7. To A. C. Gustafson for preliminary expenses, including extra stenographic assistance prior to the convening of the general assembly, and postage, the sum of three hundred twenty dollars (\$320.00). To Walter H. Beam, for extra services during the Forty-fourth General Assembly the sum of one hundred and fifty dollars (\$150.00)."

2. Also, that the House concur in the Senate amendment to House amendment No. 5.

3. Also, that the Senate recede from its amendment to House amendment No. 3, and that the following be inserted in lieu thereof and in lieu of all other amendments to section 19 of the original bill:

"Sec. 19. As additional compensation to the following persons:

Laura Schulze, appropriation clerk of the Senate; Vera Meyer, clerk of the claims committee of the House; Adeline Havel, clerk of the special tax revision committee, the sum of \$100.00 each.

Gertrude Taggart, judiciary clerk of the house, the sum of \$75.00.

Bernice Maine, clerk of the Senate sifting committee; Myra Larson, clerk of the house sifting committee, the sum of \$50.00 each.

C. F. Clark, C. L. Rigby, George W. Patterson, J. H. Johnson, M. R. McCaulley and H. M. Greene, the sum of three hundred dollars (\$300.00) each, as partial compensation and to cover expenses as members of the special legislative tax revision committee of the Forty-third General Assembly:

4. Also that the Senate recede from its amendment to sub-sections "A" and "E" of the House amendment No. 4, creating the new Section 21 and that the following be inserted in lieu of all other amendments as paragraph "E" of section 4 of the House amendments:

"Par. e. Sec. 21. To Fred H. Free, the sum of \$387.03."

That the following be inserted in lieu of paragraph "h",

All appropriations under sub-sections (d), (e), (f) and (g), which relate to State of Iowa account Mathews vs. Turner, shall be paid from the primary road fund.

5. Also amend by renumbering the publication clause of the original bill as Section 22.

O. P. BENNETT,
M. D. COONEY,
WESLEY C. LOWE,
FRANK BISSELL,

On the Part of the Senate.

BYRON G. ALLEN,
FRANK W. ELLIOTT,
H. F. GARRETT,
Z. S. RATLIFF,

On the Part of the House.

On the question "Shall the conference committee report be adopted and concurred in by the Senate?" the vote was:

Ayes, 43.

Anderson	Clark of	Hicklin	McLeland
Baird	Cerro Gordo	Hill	Moen
Beatty	Clark of Marion	Ickis	Myers
Bennett	Clearman	Irwin	Quirk
Benson	Cochrane	Kent	Stevens
Bissell	Cole	Kimberly	Stoddard
Blackford	Cooney	Klemme	Tabor
Booth	Coykendall	Langfitt	Topping
Carden	Doran	Leonard	Wenner
Carroll	Frailey	Lowe	White
Christophel	Hager	MacDonald	Wilson

Nays, none.

Absent or not voting, 7.

Clark of Linn	Knudson	Rigby	Stanley
Gunderson	Patterson	Ritchie	

The report was adopted and concurred in by the Senate.

Senator Bennett moved that the vote by which the report was adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER CONSIDERED

Senator MacDonald called up for consideration the following:

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution No. 7 failed to pass the Senate.

On the question "Shall the motion prevail?" the vote was:

Ayes, 32.

Baird	Clark of Linn	Irwin	Rigby
Bennett	Clearman	Kimberly	Stevens
Benson	Cochrane	Klemme	Stoddard
Blackford	Cole	Knudson	Tabor
Booth	Cooney	Langfitt	Topping
Carden	Frailey	Moen	Wenner
Carroll	Hager	Patterson	White
Christophel	Hicklin	Quirk	Wilson

Nays, 6.

Bissell	Kent	McLeland	Stanley
Coykendall		Myers	

Absent or not voting, 12.

Anderson	Clark of Marion	Hill	Lowe
Beatty	Doran	Ickis	MacDonald
Clark of Cerro Gordo	Gunderson	Leonard	Ritchie

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Rigby Senate Joint Resolution No. 7, a joint resolution petitioning the federal government relative to farm financing, was taken up, and considered.

Senator Rigby offered the following amendment and moved its adoption:

Amend section 4 by striking from lines 2 and 3 the words and figures "Twenty-five Thousand (\$25,000.00)" and inserting in lieu thereof the words and figures "Ten thousand (\$10,000.00)".

The amendment was adopted.

The bill was read for information.

Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the resolution pass?" the vote was:

Ayes, 39.

Baird	Clark of Marion	Irwin	Quirk
Beatty	Clearman	Kimberly	Rigby
Bennett	Cochrane	Klemme	Stevens
Benson	Cole	Knudson	Stoddard
Blackford	Cooney	Langfitt	Tabor
Booth	Doran	Lowe	Topping
Carden	Frailey	MacDonald	Wenner
Carroll	Hager	McLeland	White
Christophel	Hicklin	Moen	Wilson
Clark of Linn	Iekis	Patterson	

Nays, 6.

Anderson	Coykendall	Leonard	Stanley
Bissell		Myers	

Absent or not voting, 5.

Clark of Cerro Gordo	Gunderson	Hill	Ritchie
		Kent	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Wilson moved that no more bills be considered except the road bills and any conference committee reports.

The motion prevailed.

The Senate recessed until the sound of the gavel.

The Senate reconvened at the sound of the gavel.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 431 and 432.

E. R. HICKLIN,
Chairman Senate Committee.

C. J. ORR,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 431 and 432.

BILLS SENT TO THE GOVERNOR

Senator Hicklin from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate Files Nos. 431 and 432.

E. R. HICKLIN, *Chairman.*

Report adopted.

The Senate recessed.

The Senate reconvened at the sound of the gavel.

Senator Wilson moved that the following named employees be allowed to have their chairs:

Henry J. Miller, M. M. Avery, W. H. Foster, John F. Baker, B. A. Stowe, and Clark Wilson.

The motion prevailed.

PRESENTATION OF GIFT TO LIEUTENANT GOVERNOR McFARLANE

Senator Frailey presented to Lieutenant Governor Arch W. McFarlane, on behalf of his friends in the Senate, a beautiful traveling bag with the following words:

MR. PRESIDENT AND FELLOW SENATORS: As a token of appreciation, a token of respect, and a token of a character of the finest type of presiding officer I have ever seen in my sixteen or eighteen years in this Senate, and realizing the stalwart character, his friendship, graciousness and personality, charming personality that he has, we want, his friends in this Senate, want to present him with a little token of respect.

They tell me that this was made out of buffalo hide, and the committee who selected it was of the opinion that our presiding officer was never buffaloes; that it may also be a kit bag, so that when you have any troubles, you can pack them up in your old kit bag. We want you to know that it carries with it the admiration, love and affection of those who admire you in this Senate.

Lieutenant Governor McFarlane spoke as follows:

THE SENATOR FROM LEE AND MEMBERS OF THE SENATE: I wish to tell you that I appreciate this very much. This is the fifth session I have presided over an Iowa legislature, and I think that perhaps I hold a record so far as presiding officer in the State of Iowa. During all of that time, I have never had a ruling appealed. There have been motions to that effect, but the chair has always been sustained.

I have tried always to be fair in my rulings, and I hope that after we leave this administration, after we have adjourned sine die that the members of this Senate will think as much of me as I do of each individual member here. I thank you very kindly.

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 conference committee report on Senate File No. 429, the omnibus bill.

SAM C. RAGAN, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hicklin from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 429.

E. R. HICKLIN,
Chairman Senate Committee.

G. H. HESSE,
Acting Chairman House Committee.

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 429.

BILL SENT TO THE GOVERNOR

Senator Hicklin from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1931, sent to the governor for his approval, Senate File No. 429.

E. R. HICKLIN, *Chairman.*

Report adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House refuses to concur in Senate amendments to House File No. 519, a bill for an act relating to the improvement of primary roads.

Also: That the House failed to pass Senate Joint Resolution No. 7, relating to farm financing.

SAM C. RAGAN, *Chief Clerk.*

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Stoddard moved that a committee of three be appointed to notify the Governor that the Senate was ready to adjourn sine die, and to ascertain whether or not he had any further communication to lay before the Senate, which motion prevailed.

The President appointed as such committee, Senators Stoddard, Booth and Stevens.

COMMITTEE TO NOTIFY THE HOUSE

Senator Wilson moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die, which motion prevailed.

The President appointed Senators Wilson, Irwin and Lowe.

REPORTS OF SPECIAL COMMITTEES

The committee appointed to notify the House that the Senate was ready to adjourn sine die returned and announced that it had performed its duty.

The report was accepted and the committee was discharged.

The committee appointed to wait upon the Governor, reported that it had performed its duty and had asked if he had any further statement to make to the Senate and they reported that the Governor's message to the Senate was that the Senate had done a great many things that should not have been done and failed to do a great many things that should have been done.

The report was accepted and the committee was discharged.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

EXPLANATION OF VOTE

I voted against the motion to suspend the rules and permit Senate File No. 433 to be read a second and third time on the same legislative day.

The clock had been stopped at 11:40 A. M. on April 15, and this bill

was introduced in the Senate on April 21. It consists of an enabling act relating to the \$100,000,000 primary road bond constitutional amendment. To this was attached five sections of extraneous and incongruous matter. These sections attempt to determine what shall be done along the line of primary road improvement for the next ten or twelve years and to bind the hands of the Highway Commission for that length of time.

I believe that the enabling act should be passed. None of the seventeen Senators who voted with me opposed the enabling act. All of them were desirous of seeing it passed. We voted against suspending the rules as a protest against this endeavor to hook this extraneous and incongruous matter on to the enabling act.

These provisions attempt to lay out the work and to control the activities of the State Highway Commission for the next ten years, but would not in any material way effect the work to be done during the next two years. I believe that such anticipatory legislation should be left for coming sessions of the legislature that will be in a better position to determine what should be done.

After being in session for more than five days with the clock stopped, it seemed to me time to forget controversial matters, pass upon those that are non-controversial, and adjourn the session on its hundredth calendar day. I urged the passing of the enabling act and of the millage bill without any extraneous or incongruous matter being attached to either. I believe this should have been done rather than to attempt at this late date to pass on highway legislation of this importance and of such a controversial character on which the two houses were sure to disagree and spend a very considerable time in argument and wrangling. In addition to this the Governor of the state had vetoed a similar bill and had expressed himself as not satisfied with this extraneous matter limiting the activities of the Highway Commission which had been attached to and inserted in this bill.

I am proud of my record in and out of the legislature as a good roads supporter since I entered the House of Representatives in the Thirty-eighth General Assembly. I was one of the committee of seven which prepared the original constitutional amendment bill seven years ago. I have campaigned in dozens of counties making speeches in favor of issuance by each county of primary road bonds. I have given of my time and money at all times for the good roads cause.

I do not believe that it is essential that this enabling act should be passed at this time. If the Supreme Court holds the amendment constitutional, and if it is ratified by vote of the people on July 15, there is still time for passing this enabling act by an extra or regular session of the General Assembly. It could not in any way affect the work that will be done by the State Highway Commission on the primary road system between the present time and the next regular session of the General Assembly.

I have been disappointed that a few self-styled leaders of the good roads movement have persisted in preventing the passage of the enabling

act unless their particular pet amendments and hobbies were attached thereto. Upon their shoulders is the blame, if blame there is, for the failure of the legislature to pass such an enabling act at this time. I feel it only justice to myself and those who voted with me to put this explanation of my position, and what I believe is the position of other Senators on this question in the record.

C. F. CLARK.

EXPLANATION OF VOTE

I supported the motion by Senator Carroll that the third conference committee on House File No. 2 be discharged and that another committee of five members from each house be appointed and that this committee be requested to report back an income tax bill without the county assessor bill attached for the consideration of the House and Senate, for the following reasons:

The people of Iowa on two occasions voted overwhelmingly in favor of a state income tax to replace some of the levies on property. It is now the 20th day of April. A motion to adjourn on the 15th was passed by both houses. The income tax measure has not yet been enacted into law. The fourth and last conference committee has reported as being unable to agree.

The records show that the income tax measure was the second bill introduced in the Legislature. It was introduced on January 20th. It passed the House on February 20th. It was amended in the Senate and passed the Senate on March 25th. On March 20th the county assessor bill, Senate File No. 1, was rejected by the House. The county assessor measure was added to the income tax measure as an amendment. On April 2nd the House again rejected the county assessor measure. The Senate refused to recede and the measure went to conference.

Four different conference committees have been appointed. The first two reported themselves unable to agree. The third committee disagreed, and likewise the fourth committee appointed disagreed, and has been discharged.

Since it appears that the sentiment in the House is overwhelmingly and unyieldingly against the county assessor measure and the session is about over, I feel that before the General Assembly dissolves, the Senate should be given an opportunity to vote on the income tax measure alone.

I served on the first joint conference committee. That committee was unable to make progress. The joint rules require a majority vote on the part of the conference from each house. There were four members from each house. The Senate committee was composed of Senators Patterson, Moen, Benson and Cooney. Senators Patterson and Moen were favorable to an income tax. Senators Benson and Cooney were opposed to it. On April the 4th Senator Patterson called a meeting of the committee for Saturday morning. Senator Benson was in the Senate Chamber. He was notified that a meeting was being called. He was ill and said that

he was going to look over his mail and go home. Senator Cooney refused to vote on any motion unless Senator Benson was present. Senator Benson, however, remained in his seat on the floor of the Senate and took part in the deliberations of that body through most of the forenoon. The Senate Journal (pages 1169 to 1173) records Senator Benson as voting on every bill, except two, acted upon during that day, and further records him as calling up, making motions upon, and otherwise handling House File No. 354, a legalizing act affecting Clayton County.

The fact that he did not attend the conference committee meeting together with the fact that his absence was used as a reason why Senator Cooney refused to vote on any propositions suggested, so annoyed the House conferees that they drafted the following Resolution for consideration by the committee:

Whereas, The conference committee on House File No. 2 has met with the following members present: Senators Patterson, Moen and Cooney and Representatives McCaulley, Nelson, Durant and Hutcheon, and

Whereas, Senator Benson, the other member of said committee is in the Senate Chamber taking part in the business of the session but refuses to meet with said committee at this time, and

Whereas, Senator Cooney refuses to either agree or disagree with said committee and refuses to vote on any motions,

Be It Resolved, That this conference committee report to the Senate and House that it appears it will be impossible for said committee to reach an agreement.

In my judgment Lieutenant Governor McFarlane has "packed" every senate conference committee for the purpose of stalling a report and thereby blocking any agreement between the two Houses.

I have been astounded at some of the facts and factors that have served to thwart income tax legislation. It was brought out that Lieutenant Governor McFarlane is engaged in the wholesale coal business. He is one of the largest dealers west of Chicago. Among his largest customers are many railroads and manufacturing concerns. In his published letter to one of the officials of the Illinois Central Railroad in which he solicited business, he gave as one of the reasons for meriting the business that, "He looked after their interests in the legislature." He probably did—he does now. These interests, which are his largest customers, have maintained in the state house and in the Des Moines hotels the largest and most effective coterie of lobbyists I have ever known to infest the capitol, working unremittingly to defeat the income tax measure. It is well known that the Lieutenant Governor has been in daily conference with these paid representatives of these interests.

There is an abundance of evidence to indicate that in the appointment of these conference committees he had in mind these coal contracts which netted him personally over \$21,900 in 1929, as shown by unquestioned evidence in the University of Iowa investigation.

I believe that in justice to the people of Iowa the effort should be made by the Senate to terminate these dilatory tactics, and permit the legislature to vote on the income tax.

For these reasons, I supported Senator Carroll's motion.

G. W. PATTERSON.

EXPLANATION OF VOTE ON HOUSE FILE NO. 519

The undersigned explain their affirmative vote on said House File as follows:

The amendments to the said bill were handed in at the desk shortly prior to the time of taking the vote with no printed or typewritten copies available. That we were forced to vote upon the bill depending entirely upon the oral explanation of the sponsors of the amendment; that some time after the vote was taken we were privileged to see a typewritten copy of the measure; that we feel that the explanation on the floor was incorrect; that we feel that the bill contains many inconsistencies; that while we are enthusiastically in favor of progressive measures in road matters, we feel that this measure was not for the best interests of the good roads movement. If we had been given an opportunity to read the substituted bill and the amendments offered before taking the vote, we would have voted "No" instead of "Yes" on the bill.

LEW MACDONALD.

C. F. CLARK.

EXPLANATION OF VOTE

In accordance with the rights conferred on members of the Senate by the constitution and the rules and customs of this body I desire to submit and have printed in the Journal the following with reference to the motion made by me and the vote thereon asking to have the conference committee on House File No. 2, the income tax bill, discharged and a new committee named with instructions that the bill be reported back without the county assessor provision attached.

The bill went into the hands of a conference committee on the 5th instant. It is now the 15th, the day set for adjournment. Three separate committees have been named and each and all of them, so far as the Senate is concerned, have been composed of members a majority of whom are opposed to an income tax. I am not criticising the members so named as their attitude has been well understood, but I am protesting against the action of the Presiding officer of this body for persisting in such a course. It can have but one effect which in my opinion is the purpose in naming such members, that is to delay action on the bill until the adjournment of the General Assembly.

It is well known to every member of the legislature and to the people of the state at large that the dominant issue in the recent campaign was

taxation, and that the outstanding question was that of an income tax. By an unusual majority the voters of the state decreed that those who favored an income tax should be entrusted with the administration of the affairs of the state. They believed and had a right to believe that an income tax law would be enacted. If such a law is not enacted they have a right to know who is responsible for the failure. As matters now stand there is no opportunity for the members of this body to express their views on the income tax proposition by way of a vote on the bill upon its merits. It is tied to the county assessor bill in such manner that both propositions must carry or both must fail. Members of the Senate voted to attach the assessor bill to the income tax measure in the hope that by so doing they might secure the passage of a law covering both provisions who would not have done so had they have known that it would result in such a situation as that which has arisen.

The bill has now been in the hands of the third conference committee five days, during two of which there have been no sessions of the Legislature, either during the day or in the evening, and members of the committee have admitted from the floor of this chamber that the committee has not been in session during these five days to exceed thirty minutes.

It is quite obvious that no effort has been made to reach an agreement with the conference committee of the house, which every day during the five has sought to have a meeting of the committee held.

The time has come when, if a vote is to be had on the merits of the income tax proposition the two measures must be separated. I believe that every member of this Legislature has a right to demand that the income tax bill be reported back in such form that he can express his view with reference thereto by either voting for or against the measure.

In my opinion the responsibility for this unfortunate situation rests entirely upon the presiding officer of this body and I must earnestly protest against his persisting in designating to membership on the committee persons whom he knows will not and can not recommend the bill for passage without reversing their action as expressed heretofore by their votes.

H. B. CARROLL.

EXPLANATION OF VOTE

The Constitution of Iowa gives to every member of the General Assembly the right to dissent from, or protest against, any act which he may think injurious to the public and "have the reasons for his dissent entered on the Journals". I desire to give my reasons for my dissent from and protest against the action taken by the Senate on April 15, 1981, (Senate Journal page 1410), in defeating the motion made by Senator Carroll to discharge the third conference committee on House File No. 2 (Income Tax Bill), and for the appointment of a new committee instructed to submit a report presenting the income tax alone without the county assessor bill, so that both houses might act upon the measure in

that form. I want the Journal to show my reasons for supporting that motion and the arguments which I used in support of it on the floor of the Senate.

Every member of the Senate in the Forty-third General Assembly, composing three-fourths of the membership of the present Senate, voted for House Joint Resolution No. 9 creating the Joint Legislative Committee on Taxation, of which committee I acted as chairman. This unanimous mandate of both Senate and House directed our committee to recommend special forms of taxes that would relieve the general property tax. The only special tax recommended by any organizations of taxpayers or citizens that would give substantial relief was the income tax. Those who opposed it offered no substitute, proposing only to continue the present confiscatory levies on real estate.

The people of Iowa at the June primary and the November election by no uncertain voice issued a mandate to the Governor and legislature to enact an income tax law, leaving to the General Assembly and the Governor the determination of the details of that measure. Those who now vote against a motion that would permit both houses to vote on this proposition in my opinion are endeavoring to thwart this positive popular mandate.

The income tax bill passed the House and then passed the Senate with an amendment attached providing for a county assessor system. The House rejected this amendment and the measure went to conference.

Both houses accepted the income tax, and the income tax principle was not in controversy between the houses or before the conference committees. Under our rules conference committees are limited to the consideration of matters in controversy between the houses. These were three in number.

- (1) The exemptions in the individual income tax;
- (2) The rate in the corporation income tax;
- (3) Whether or not the county assessor should be included.

These three matters were in controversy between the Houses. Under the joint rules conference committees should have been appointed representing opposite views on these matters so that they might bring about a compromise.

Instead of doing this the president of the Senate appointed on each conference committee two Senators who were absolutely opposed to the income tax at all. They represented neither one side nor the other of the questions in controversy between the two houses or before the committees. In my opinion these selections were made with the deliberate purpose on the part of the presiding officer of "stalling" the question until the adjournment of the assembly, and his act in doing so was in direct violation of the rules of the Senate which it was his sworn duty to enforce.

This bill went to conference on the third day of April. The date set for final adjournment was April 15. On the first committee one Senator

was selected who was known to be sick and confined to his room and who refused to serve, but it was impossible to secure the appointment of a substitute. This resulted in the inability of the committee to agree.

On the second committee, of which I was chairman, the presiding officer appointed one Senator who was sick in bed and was not back in the Senate for several days. After several hours delay, a substitution was made.

In appointing the third committee the president of the Senate selected as the chairman the Senator from Des Moines County who was known at the time of the appointment to be on his way to Burlington on a trip which took him away from Des Moines two or three days.

The third conference committee was appointed and announced Friday afternoon. Senator Carroll's motion was debated and decided just before noon the following Wednesday. It was admitted by members of that committee on the floor of the Senate that during these five days they had not been in conference with each other or the House conferees more than thirty minutes, notwithstanding the fact that the House members had come over to the Senate in a body every day demanding and insisting upon a conference meeting. Prior to the filing of Senator Carroll's motion a majority of the House conferees issued the following signed statement:

"We, the House members of the third conference committee on House File No. 2, have made every effort to meet with the Senate members of the conference committee. The meetings were evaded by the Senate members on one pretext and another. The first meeting we succeeded in getting was at one o'clock Tuesday at which meeting the House members made a tentative suggestion of a compromise. Some of the members of the Senate committee apparently agreed to the suggestions made. The House members begged for an evening meeting which was refused. It is the opinion of the House members that the Senate members were just sparring for time and never intended to agree to any compromise."

During these five days there were two half days when neither house was in session at all and there were no evening sessions. In addition this third conference committee insisted on holding this bill for forty-seven hours after Senator Carroll's motion was disposed of before making a report of disagreement, notwithstanding the impending close of the session.

A fourth conference committee was appointed during the closing hours of the session. It was a "hand picked" committee like the others and had little time for deliberation. This unfairness in the selection of conference committees, this deliberate violation of the Senate rules by its presiding officer, prevented consideration by the legislature of the most important, the most needed, measures for tax reform. In my opinion this was planned and carried out for the benefit of those selfish interests in the state that now enjoy immunity or advantage under our present antiquated taxation laws.

At the time the Senate voted on the income tax the Des Moines Register carried an article which stated that after the bill went to conference, four Senators could be named on each conference committee, all of whom would "hold out forever for inclusion of the assessors measure in the income tax bill". This statement does not appear as an authorized interview with the president of the Senate, but in my opinion was inspired by his attitude, if not by his statements.

The motion introduced by Senator Carroll did not involve the merits of the income tax. It merely demanded that the two houses of the General Assembly be permitted through a conference committee report to pass upon that question divorced of the county assessor bill. As I stated on the floor of the Senate: "The question is whether the House and Senate shall be permitted to vote on an income tax bill. It asks that a report be brought in by a conference committee that will place before both houses the income tax without the county assessor amendment. The present conference committee can obey that order if that instruction is given, or another can be appointed to do it if the present one refused. An affirmative vote on this question means that you favor the income tax principle, or at least that you are fair enough to permit the legislature to vote on it. A negative vote will be interpreted that you are opposed to letting the legislature even vote on that proposition.

"The bill before the conference committee is a bill that was supported by twenty-nine Senators on the floor of the Senate, and it is the only bill that they can report and not any imaginary one. It must be that bill with such modifications on rates and exemptions as they may agree upon with the House committee. We merely want a record on this question. We want those who favor the income tax to vote for this motion, and we ask also that all Senators support it who are fair enough to be willing that the House and Senate shall vote on this measure, whether they favor the measure itself or not. This motion merely limits the consideration of the conference committee to the income tax, and requires them to bring in a report on the income tax alone, so that the members of the General Assembly may go on record on that income tax. Anyone who votes against this motion votes against having the proposition of the income tax presented to the House and Senate of Iowa as the people of Iowa expect that it will be".

The vote on Senator Carroll's motion was: Yes 22, No 28 (Senate Journal 1410). This vote, together with the abuse by the President of the Senate of his power in appointing conference committees, has prevented further consideration of the most important property tax relief measure of the session, and has resulted in denying the taxpayers' demand that some part of the tax burden be raised with reference to ability to pay.

C. F. CLARK.

STATEMENT OF EXPENSES

The following communications were received in response to the request in the motion made by Senator Stoddard and duly adopted, found on page 1572:

The State University of Iowa
Secretary's Office
Iowa City

April 27, 1931.

Mr. Walter Beam,
Secretary of the Senate,
State House,
Des Moines, Iowa.
Dear Sir:

In compliance with the resolution of the Senate on April 15, page 1572 of the Journal which states that the "auditor and accountant of the State University of Iowa be requested to file with the Secretary of the Senate a statement of the expenses other than those that appear in House File No. 242 as passed by the Senate."

The expenditures for transportation, including lodging and meals, transportation of records, and telephone expense totals \$2,006.11. This total does not include the salaries of the University staff concerned with the investigation. The value of the time of these officials concerned with the investigation for a period of approximately eight weeks computed on a conservative basis would be \$9,596.62.

Yours very truly,

W. H. COBB, Auditor.

State of Iowa
Department of Justice
Des Moines

April 23, 1931.

Mr. Walter H. Beam,
Secretary of the Senate,
Building.
Dear Mr. Beam:

Pursuant to your communication of yesterday, I am enclosing herewith statement of expenses incurred by members of my Department in connection with the investigation of the State University of Iowa.

George W. Atkins, Peace Officer.....	\$130.49
Earl F. Wisdom, Asst. Atty. Gen'l.....	129.99
J. V. Arney, Special Peace Officer.....	126.44
	<hr/>
Total.....	\$386.92

Yours very truly,

JOHN FLETCHER, Attorney General.

State of Iowa
Director of the Budget
Des Moines

April 23, 1931.

Mr. W. H. Beam,
Secretary of the Senate,
Building.
Dear Sir:

In compliance with motion made by Senator Stoddard found on page 1572 of the Senate Journal that the Budget Director and others be requested to file with the Secretary of the Senate a statement of their expenses incident to the investigation of the State University, will say that I had no expenses incident to that investigation.

Yours very truly,
OSCAR ANDERSON, *Director of the Budget.*

FINAL ADJOURNMENT

The hour of 12:00 o'clock noon having arrived, President Arch W. McFarlane declared the Senate of the Forty-fourth General Assembly adjourned sine die.

IN MEMORIAM

Iowa State Senate

HERBERT E. DEAN.....	December 5, 1872-March 27, 1931
JAMES E. BRUCE.....	April 14, 1860-February 26, 1931
WILLARD C. STUCKSLAGER.....	October 24, 1869-February 23, 1931
ARFST F. FRUDDEN.....	September 10, 1854-April 2, 1931
JOHN G. LEGEL.....	May 26, 1859-December 17, 1930
ORLANDO BILLINGS COURTRIGHT.....	November 11, 1849-January 13, 1930
ARTHUR C. SAVAGE.....	January 2, 1870-February 22, 1931

JOURNAL OF THE SENATE

MEMORIALS

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 13, 1931.

The Senate met in memorial session, President Arch W. McFarlane presiding.

HERBERT E. DEAN

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life and public service of the Honorable Herbert E. Dean, State Representative, State Senator and member of the State Highway Commission, beg leave to submit the following:

Herbert E. Dean was born in O'Brien county, on December 5, 1872. Attended school at Primghar, and Morningside college, Sioux City, Iowa, and served two years as deputy clerk of the court of O'Brien county. He entered the Northern Indiana Normal school at Valparaiso, Indiana, and graduated with the class of 1896; entered the law department of the State University of Nebraska and graduated with the class of 1898. He was married to Estella M. Bowser of Fort Wayne, Indiana, and has two sons, Wilbur M. and Forest C. Moved to Harris, Iowa, in 1899, and was elected president of the school board. Moved to Ocheyedan, Iowa, in 1901. Was elected and served for three terms as mayor of that town. He was elected representative in 1916, reelected in 1918, and was elected Senator for the 49th district, comprising Osceola, Lyon, O'Brien and Sioux counties, in 1924. He was appointed member of the state highway commission by Governor Hammill in 1927, and was re-appointed for a term of four years in 1929.

He died at his home in Ocheyedan on March 27, 1931. Senator Dean had formed a large circle of friends throughout the state, who have learned to love and admire him for his many good traits. He was endowed with a charm of a very cheerful and congenial personality. He was firm and determined in his actions, yet fair and considerate. He has left a fine record as a true, faithful and able public servant. The service he has rendered is a fine tribute to his good mother, his family and the community. Of Senator Dean it can be truthfully said that his community, his county and his state have been made better because he lived in them.

Therefore, Be It Resolved, That in the passing of the Honorable Herbert E. Dean the state has lost a valuable and honored citizen, a man of strong character and sterling worth, and the Senate of Iowa will by this

resolution tender its sympathy to his mother and his immediate family who survive.

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the Senate as an expression of the life and worth of the deceased, and an engrossed copy hereof be transmitted to his mother and his immediate family.

T. E. MOEN,
C. A. BENSON,
G. W. PATTERSON,
Committee.

The resolution was unanimously adopted by a rising vote.

Senator Moen spoke as follows:

MR. PRESIDENT AND SENATORS: It was a considerable shock to us all when we received the sad news that our Highway Commissioner Dean had suffered a severe stroke which left him in a very critical condition. The best of help was called to his bedside but with no relief. He was then taken by his son to the hospital at Rochester, Minnesota, where he received the care and the attention of the best doctors obtainable. The first news we received from there was to the effect that he seemed to be resting a little easier, but before long we received a message which stated that his condition had turned for the worse. A second message was received later stating that he had passed away. Evidently the grim reaper who shows no favoritism had placed his stamp on our good friend and he had to answer the final roll call—one that we all must answer. It had been my privilege to know Herbert Dean for many years. We lived in adjoining counties. We served together in the House during the Thirty-eighth session of the General Assembly. We had the same Committee Clerk and Dean occupied the seat right back of me so we had the opportunity of getting well acquainted. I learned to know him as a man with a strong and determined mind of his own. It was not hard to find whether he was for or against any bill. He was a hard working and faithful member of the House, and later of the Senate. I have lost a close personal friend in his passing.

Senator Patterson spoke as follows:

H. E. Dean—I knew him well. He was able, kind and good; industrious, ambitious and diligent. He was courageous, consistent and confident. He was genial and enthusiastic. He was educated not only in public school and college, but in the university of hard knocks as well. He was a success. He was admired, respected and loved. He always played the game. He lived the golden rule. For many years he gave himself unsparingly to the public good. He died in the public service.

I would conclude these few brief remarks with what seems to me a beautiful and fitting prose poem entitled, "Life," by Robert G. Ingersoll.

"Born of love and hope, of ecstasy and pain, of agony and fear, of tears and joy—dowered with the wealth of two united hearts—held in happy arms, with lips upon life's drifted font, blue-veined and fair,

where perfect peace finds perfect form—rocked by willing feet and wooed to shadowy shores of sleep by siren mother singing soft and low—looking with wonder's wide and startled eyes at common things of life and day—taught by want and wish and contact with the things that touch the dimpled flesh of babes—lured by light and flame, and charmed by color's wondrous robes—learning the use of hands and feet, and by the love of mimicry beguiled to utter speech—releasing prisoned thoughts from crabbed and curious marks on soiled and tattered leaves—puzzling the brain with crooked numbers and their changing, tangled worth—and so through years of alternating day and night, until the captive grows familiar with the chains and walls and limitations of a life.

“And time runs on in sun and shade, until the one of all the world is wooed and won, and all the lore of love is taught and learned again. Again a home is built with the fair chamber wherein faint dreams, like cool and shadowy vales, divide the billowed hours of love. Again the miracle of a birth—the pain and joy, the kiss of welcome and the cradle-song drowning the drowsy prattle of a babe.

“And then the sense of obligation and of wrong—pity for those who toil and weep—tears for the imprisoned and despised—love for the generous dead, and in the heart the rapture of a high resolve.

“And then ambition, with its lust of pelf and place and power, longing to put upon its breast distinction's worthless badge. Then keener thoughts of men, and eyes that see behind the smiling mask of craft—flattered no more by the obsequious cringe of gain and greed—knowing the uselessness of hoarded gold—of honor bought from those who charge the usury of self-respect—of power that only bends a coward's knee and forces from the lips of fear the lies of praise. Knowing at last the unstudied gesture of esteem, the reverent eyes made rich with honest thought and holding high above all other things—high as hope's great throbbing star above the darkness of the dead—the love of wife and child and friend.

“Then locks of gray, and growing love of other days and half-remembered things—then holding withered hands of those who first held his, while over dim and loving eyes death softly presses down the lids of rest.

“And so, locking in marriage vows his children's hands and crossing others on the breast of peace, with daughters' babes upon his knees, the white hair mingling with the gold, he journeys on from day to day to that horizon where the dusk is waiting for the night—at last, sitting by the holy hearth of home as evening's embers change from red to gray, he falls asleep within the arms of her he worshiped and adored, feeling upon his pallid lips love's last and holiest kiss.”

JAMES E. BRUCE

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and service of the late James E. Bruce, beg leave to submit the following report, and move its adoption:

James E. Bruce, a self-made man, was born at Brooklyn, Iowa, on April 14, 1860, being educated in the public schools of that town and then attending the University of Iowa, graduating from the law department in 1881.

He started practicing law in Anita, Iowa, shortly after his graduation. Taking insurance and real estate as sidelines, he began to make his influence felt in the business of the community. In 1894, he organized the Citizens Bank of Anita, which later became the Citizens Savings Bank of Anita in July of 1903. That same year he organized the Farmers Supply Company of Anita with a capital of \$25,000.00 and eighty stockholders. Also, in 1903, he purchased the old Commercial Bank in Atlantic, Iowa, and as its successor organized the Iowa Trust and Savings Bank of Atlantic with a capital of \$125,000.00. Subsequently Mr. Bruce operated a chain of banks in Cass and adjoining counties which were successful for many years. At one time he maintained a law practice with the late T. B. Swan at Atlantic and one at Anita with the late A. H. F. Zeigler. For many years he was county attorney of Cass County. He was a lifelong republican in politics and belonged to many fraternal orders during his life, at one time being an officer of the Iowa Masonic Grand Lodge.

Mr. Bruce represented the Cass-Shelby district in the Iowa State Senate in the Twenty-ninth, Thirtieth, Thirty-first and Thirty-second General Assemblies, defeating the late Dr. J. M. Emmert, democratic candidate.

After the World War, Mr. Bruce located in Tampa, Florida, and was affiliated in the land business with his son, the late C. W. Bruce. Six years ago he moved to California, where he resided until his death February 26, 1931.

James E. Bruce has been called to his reward, and in his death the State of Iowa loses one of its distinguished sons who did much in his lifetime to bring honor and distinction to the commonwealth and to promote its welfare in countless ways. His service and counsel as a member of the Iowa State Senate were such as to mark him as one of the outstanding members of this body.

Therefore, Be It Resolved, That in the passing of Senator James E. Bruce, his state and nation have incurred a keen loss, and that we recognize in him one who contributed much to the deliberations of this body and who gave to his day and generation valuable service, leaving a monument to his memory of accomplishment for the people. The Iowa State Senate express the sorrow and regret of its membership and the people of Iowa generally in the passing of Mr. Bruce and we hereby extend to his bereaved family our sincere condolence. We revere his memory as a splendid citizen of the state of Iowa, and one who at all times gave the best he had to her service.

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the Senate as an expression of the life and worth

of the deceased and an engrossed copy hereof be transmitted to his family.

CHAS. D. BOOTH,
W. S. BAIRD,
J. N. LANGFITT,
Committee.

The resolution was unanimously adopted by a rising vote.

Senator Booth spoke as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: James E. Bruce belonged to those hardy pioneers who developed this state. He was born in Poweshiek county but his active life was in the western part of the state. His boyhood days were during the times of the Indian, the covered wagon, the wild flowers in bloom, and of the ox team.

He stood for a fine type of manhood, sturdy and virile. His father having died early, it was his lot to make his own way, which he did very successfully.

I knew him but slightly because the time he was in the Senate was before there were very many automobiles but I remember of his being in Harlan a few times. I do know that he was an outstanding citizen.

The land he loved is the land of western slopes and the land which the Indians vacated last, but he, like the prairie schooner, has "gone west," below the horizon of the setting sun. His record is complete. His work is done. May he rest in peace.

Senator Bissell spoke as follows:

MR. PRESIDENT AND SENATORS: I wish to add a few words in regard to the life of Senator Bruce. He came as a young man to practice law in the county in which I was born, and I was one among the many young men who received benefit and help from him.

Words cannot express the worthiness of Senator Bruce's life.

WILLARD C. STUCKSLAGER

The Senate has learned with deep regret of the death of Honorable Willard C. Stuckslager which occurred suddenly and without warning February 23, 1931, while visiting at the home of his daughter, Mrs. Lanning MacFarland, in Winnetka, Cook county, Illinois. He was born at Lisbon, Iowa, October 24, 1869, the only son of Harrison Stuckslager and Mary Goldren Stuckslager, Iowa pioneers, his death occurring in the sixty-second year of his age.

Mr. Stuckslager at the time of his death was a member of the state board of education. He had served on this board since his first appointment by Governor Clarke in 1915 and was reappointed in 1929 for a six-year term. He was vice president of the board and chairman of its faculty committee.

Since young manhood Mr. Stuckslager had been a prominent figure in the political, business, civic, and educational life of the state. He was one of Iowa's best known and most successful bankers. For many years he was a trustee, executive officer, and treasurer of Cornell College, and

to its upbuilding and success he contributed freely of his time and means as he did to many other worthy institutions and projects.

Mr. Stuckslager entered politics in 1899 and served with distinction in the House of Representatives in the Twenty-eighth and Twenty-ninth General Assemblies. In 1903 he was elected Senator and served in the Senate in the Thirtieth, Thirty-first, Thirty-second, Thirty-second extra, Thirty-third, and Thirty-fourth General Assemblies, his legislative service therefore lasting for thirteen years. During most of his service in the Senate he was chairman of the Senate committee on appropriations. He was a most useful member, and at all times won not only the respect of his colleagues but their affection as well.

Mr. Stuckslager lived an increasingly useful life from maturity until the date of his death. He was one of the most influential men in his community and county, always exercising that influence for the good of the public and the state. He was especially noticeable for his unselfishness in all good work and his firm and uncompromising stand for the right on all social, moral, and religious questions. At all times he had the courage of his convictions and stood by them steadfastly. He was always loyal to his friends, and was a cheerful, wise, and far-seeing counsellor and leader.

Therefore, Be It Resolved, That the Senate takes this occasion to present this tribute to the memory of a faithful public servant and to express appreciation of his character and public service, and at the same time to extend most sincere sympathy to his widow and relatives.

And the Secretary of the Senate is hereby directed to enter these resolutions upon the Journal of the Senate, and to forward an enrolled copy to the family of the deceased.

C. F. CLARK,
C. L. RIGBY,
B. M. STODDARD,

Committee.

The resolution was unanimously adopted by a rising vote.

Senator Rigby spoke as follows:

MR. PRESIDENT AND SENATORS: I have known Willard C. Stuckslager since boyhood. I went to school with him at Mt. Vernon. After his college days he entered his father's bank at Lisbon and I have known him in a business way ever since. He was a member of the board of Cornell College, located at Mt. Vernon, Iowa. He was always loyal to his friends. I never knew anyone who would go farther than Mr. Stuckslager, if anyone was only half-way fair with him.

He had a state-wide acquaintance, though he always lived in a small town, but he never lost touch with the common folk. He was an intensely religious man, being the chief supporter of the little church in the town in which he lived. He was generous with the use of his money and gave both his time and strength to every good cause. He was an outstanding and leading man in his community and in the eastern part of Iowa.

The state of Iowa has lost a great man in the death of Senator Stuckslager and I have lost one of my best friends.

Senator Clark of Linn spoke as follows:

MR. PRESIDENT AND SENATORS: I esteem it a privilege to add a few words in commemoration of the life of Willard Stuckslager.

He was my friend for thirty years. He was a personal friend, a business friend, and a political friend. I met him frequently in a business way, and had the privilege of knowing his happy and beautiful family life. In all things he lived a life such as the youth of the state might look up to and emulate.

He had large business connections and was always interested in public affairs. For more than three decades he was an officer of the state of Iowa; he was thirteen years a member of the General Assembly, and sixteen years a member of the board of education. At all times he was an untiring worker. He was a man of broad vision and generous sympathies; he was one of the most congenial of men and always considerate of the feelings and the rights of others. He was always willing to help, always willing to give advice, and that advice and counsel was always of the best.

His death is a distinct loss to the state of Iowa, and to the state board of education; and a personal loss to his friends, many of whom are members of this Senate and have known him for many years. The new members who had known him but a short time, join with us in this expression of grief and sorrow at his untimely death.

ARFST F. FRUDDEN

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and service of the late A. F. Frudden, begs leave to submit the following report, and move its adoption:

Arfst F. Frudden was born on the Island of Fohr, in the Province of Schleswig-Holstein, Germany, September 10, 1854. He came to the United States in the spring of 1871, following the Franco-Prussian war, and settled in Clinton, Iowa. After working on a farm in Jackson county for two years he obtained employment in the factory of Curtis Brothers & Company at Clinton. On November 30, 1877, he married Miss Philine C. D. Johannsent at Clinton. In the fall of 1879 he came to Dubuque and went to work in the Carr, Austin & Company plant, now the Carr, Ryder & Adams Company. In the fall of 1888 he, his brother Dan and F. A. Rumpf organized the Frudden Lumber Company and operated a line of retail lumber yards. Shortly afterwards the Engler-Frudden Lumber Company organized a wholesale lumber yard in Dubuque and later this firm was known as the Rumpf-Frudden Lumber Company. Mr. Frudden served as president and director of both the Northeastern and Central Iowa Lumberman's Associations.

In 1903 Mr. Frudden was elected state representative from Dubuque county and served in the Twenty-ninth, Thirtieth and Thirty-first General Assemblies.

In 1906 he was elected state senator from Dubuque county and served in the Thirty-second, Thirty-second extra, and Thirty-third General Assemblies in this body.

Senator Frudden was prominent in both Dubuque's business and civil life up to 1919, when he retired and with Mrs. Frudden went to California to reside.

Senator Frudden was a man of honor and stood high in the confidence and esteem of his associates. He was kind, considerate and generous and served well in every capacity in which he was engaged. In public or private life, Senator Frudden was a man of pronounced convictions, candid and outspoken, and there was never room for doubt as to his stand on any public question.

Therefore, Be It Resolved, That in the death of Hon. Arfst F. Frudden the state has lost a worthy and influential citizen, and that we extend to his relatives and friends our sincere sympathy, and

Be It Further Resolved, That this resolution of respect and appreciation be printed in the Journal of the Senate and that the Secretary be directed to forward an engrossed copy to the family of the deceased.

M. D. COONEY,
C. A. BENSON,
WM. H. KLEMME,

Committee.

The resolution was unanimously adopted by a rising vote.

Senator Cooney spoke as follows:

MR. PRESIDENT AND SENATORS: It was my good fortune to be personally acquainted with Senator A. F. Frudden for the past fifteen or twenty years. I learned to have a very high regard for his judgment on all matters. During his entire life he was a man whose word was as good as his bond—a man of integrity in the last detail. The life of Senator Frudden could well be taken as an example by any young man starting out in life. He came to this country a German emigrant boy, and by hard work, attention to duty, and fairness in dealings with his fellow man, became a tower of strength in the business world. Senator Frudden, although absent from Dubuque much of the last twelve years, his influence in our community was constantly felt. He builded a monument more lasting than brick and mortar; a monument that will live on and become a part of the history of Dubuque. And when the end came he desired to come back so that his final resting place would be in the community he loved and where he had labored for so many years. Dubuque and northeastern Iowa has lost a man whose place will be hard to fill.

Senator Klemme spoke as follows:

MR. PRESIDENT AND SENATORS: I heartily concur with Senator Cooney in his good and kind words just spoken relative to the life and character of the late Senator A. F. Frudden.

I have known A. F. Frudden for many years, and during that time I have never heard one word against his honesty, fairness and justice. I have had business relations with the Senator for years and found him to be a man of justice and fairness. Would that there were more men in this world like Senator A. F. Frudden.

JOHN G. LEGEL

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and public services of the late John G. Legel, begs leave to submit the following report, and moves its adoption:

John G. Legel was born in St. Louis, Missouri, May 26, 1859, and died at his home in Charles City, Iowa, December 17, 1930.

He moved with his parents to Dubuque and later graduated from the Dubuque High School. In 1877, at the age of nineteen, he moved to Charles City, Iowa. For a time, he worked on a farm and taught school; following this, he entered the employ of Ed. Berg as a druggist's clerk and became a registered pharmacist. In 1884, on the death of Mr. Berg, he and a partner purchased the store and later he became sole proprietor and continued in the business until the time of the death. Mr. Legel was an active member of the Lutheran church, in which he served as an official in various capacities. He served as councilman and mayor of his town and was a member of the city library board for many years. Mr. Legel was a trustee of the Cedar Valley hospital for several years. He took an active part in all of the affairs of the community. On September 16, 1884, he was united in marriage with Miss Bertha C. Dinkel who, with one son, survives him. He was an active member of the various fraternal and civic societies of his town and worked untiringly for the good of his community and state. He traveled extensively and brought home with him a wealth of information and knowledge which contributed much to the public welfare. In 1910 he was elected to the State Senate and served in the Thirty-fourth and Thirty-fifth sessions.

In politics Mr. Legel was a staunch Democrat and was elected as such in a strong Republican district. As a citizen and legislator his services were not bound by party lines but he supported all measures from the standpoint of right and justice.

Therefore, Be It Resolved, That in the passing of the Honorable John G. Legel the state has lost a valuable and honored citizen, a man of strong character and sterling worth, and the Senate of Iowa would tender by this resolution its sympathy to the widow, son and sisters, who survive.

Be It Further Resolved, That a copy of these resolutions be printed in the Journal of the Senate as an expression of the life and worth of the deceased, and an engrossed copy hereof be transmitted to the widow and son.

LAFE HILL,
GEO. W. CHRISTOPHEL,
WM. H. KLEMME,
Committee.

The resolution was unanimously adopted by a rising vote.

Senator Hill spoke as follows:

MR. PRESIDENT: I rise to say a few words concerning the life and services of John G. Legel, a former member of this body and a citizen of the district which I have the honor to represent.

Senator Legel belonged to that great body of Americans, the bulwark

of our civilization. He was progressive but not destructive; he was conservative but not reactionary. As a young man with no capital except his hands and a determination to succeed, he built for himself a successful business and an envious place in his community. To any worthy cause, however small, he gave his personal attention; no question was too large or too difficult.

Matters of state and national importance likewise received his careful consideration. He recognized it as a patriotic duty to hold office when his electors demanded his services. He served as councilman, school director and mayor of his city. For half a century this man went about doing good, encouraging his neighbors by his example of thrift and kindness.

In 1910 he was elected to the State Senate in which he served with honor to himself and credit to his district. He was kind and willing to lend a helping hand; he carried much of the responsibility of his community. His life work is done, but his influence for good and righteousness lives. As a citizen, as a friend, he walked among his neighbors doing good.

"Life is like a mountain railway
With an engineer that's brave.
We can make the run successful
From the cradle to the grave.
Watch the fills, the curves, the tunnels,
Never falter, never quail
With your hand upon the throttle
And your eye upon the rail."

ORLANDO BILLINGS COURTRIGHT

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and services of the late Orlando B. Courtright, begs leave to submit the following report and moves its adoption:

Orlando Billings Courtright was born in Pawgrove, near Rockford, Ill., November 11, 1849, the son of Mr. and Mrs. G. C. Courtright. When he was nine years old, he came with his parents to Grundy county and settled on a farm near Parkersburg. At that time the Courtright home was the only house between Parkersburg and Grundy Center.

Judge Courtright received his primary education in the country schools of Grundy county, after which he attended the Rockford Academy at Rockford, Illinois, from 1868 to 1870. He then went to Nebraska and spent two years there as a pioneer farmer. He married Miss Clara Whiting at Red Cloud, Nebraska, November 27, 1872, and soon thereafter moved to Ackley, Iowa, and purchased a newspaper, the Ackley Enterprise.

He practiced law at Parkersburg, Iowa, until 1894, at which time, having formed a partnership with J. W. Arbuckle, he moved to Waterloo. Here he continued in the practice of law until the date of his death on January 13, 1930.

He was a member of the Senate from the Black Hawk-Grundy Senatorial District in the Twenty-ninth, Thirtieth, and Thirty-first General Assemblies. He was considered a safe legislator and was responsible for several important desirable changes in the Iowa statutes.

In 1919 Senator Courtright was appointed by the Governor to serve as one of the judges of the Municipal Court of the city of Waterloo, in which position he continued until 1924, after which he re-entered the practice of law.

At the time of Senator Courtright's death he had been engaged as a practicing lawyer, a State Senator, and a judge of the Municipal Court for the total period of fifty-three years—probably longer than any other Iowan.

Now, Therefore, Be It Resolved, by the Senate of the Forty-fourth General Assembly of Iowa, That in the death of Orlando B. Courtright, the people of the Thirty-eighth Senatorial District and the people of the entire state of Iowa have sustained a great loss. Everywhere he was known as a man honored and trusted, a man of sterling quality and irreproachable character.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of this Senate.

EDW. J. WENNER,
H. C. WHITE,
LAFE HILL,

Committee.

The resolution was unanimously adopted by a rising vote.

Senator Wenner spoke as follows:

MR. PRESIDENT AND SENATORS: It was my privilege to have been acquainted with Senator Courtright for about twenty-five years of the time during which he was engaged in the practice of law in Waterloo.

I always admired him for his ability as a lawyer and for his sterling manhood. He was straightforward and when he believed in a certain principle he had the moral courage to advocate and defend it. He was uniformly courteous and kind, a good husband and father. He was considerate of the views of those with whom he could not agree, according to them the same honesty of purpose that always guided his actions. I feel a personal loss in his passing.

ARTHUR C. SAVAGE

Arthur C. Savage was born in Prairieburg, Linn county, Iowa, January 2, 1870, and died February 22, 1931.

He moved with his parents to Stuart, Iowa, and later resided in Dexter, Iowa. He attended the schools of Stuart and Dexter, and later attended college at Grinnell, Iowa. He took up his business career in Adair in 1893 and resided there until his removal to Des Moines, upon his appointment as insurance commissioner of the state of Iowa, and at the time of his death was vice president and assistant treasurer of the Royal Union

Life Insurance Company. He was elected to the State Senate in 1908 and was re-elected in 1912.

Arthur C. Savage was a typical product of his day and generation, representing the best type of the sons and daughters of the early pioneers, who made the history of Iowa in the last decade. Of unimpeachable character, unassuming, painstaking and industrious in the part that he played in the history of politics, legislation and business of the state, he has left a record that his family and friends will always be proud of. He was one of the builders and not underminers of the commonwealth, its welfare and all that was for the best in our history. He will be remembered by his friends and those who affectionately called him "Art" as long as memory and affection survive throughout the years.

J. N. LANGFITT,

J. R. FRAILEY,

GEO. A. WILSON,

Committee.

The resolution was unanimously adopted by a rising vote.

Senator Wilson spoke as follows:

MR. PRESIDENT AND SENATORS: I think the resolution itself memorializes the true life and character of Arthur Savage better than anyone can tell in words.

I do wish to say that he was a real man; that he was an aggressive man, but his aggressiveness never became a cinder in the eye of his fellowmen. It can truthfully be said that the state is better for his having lived.

On motion of Senator Wilson the memorial session adjourned.

HISTORY OF SENATE BILLS IN SENATE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

10, 15, 16, 20, 21, 22, 25, 28, 30, 31, 35, 37, 38, 41, 43, 44, 49, 53, 55, 56, 65, 67, 68, 69, 70, 72, 73, 74, 75, 77, 82, 99, 105, 106, 107, 108, 111, 116, 125, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 148, 151, 152, 155, 156, 163, 177, 179, 189, 193, 199, 200, 202, 209, 211, 214, 215, 217, 218, 219, 220, 224, 230, 235, 236, 239, 242, 245, 250, 251, 252, 256, 264, 266, 279, 280, 284, 285, 288, 289, 290, 293, 297, 299, 300, 309, 310, 312, 325, 327, 330, 332, 333, 344, 345, 348, 353, 355, 356, 358, 361, 365, 366, 367, 369, 374, 376, 377, 382, 387, 388, 389, 391, 396, 398, 404, 405, 408, 409, 410, 411, 412, 414, 416, 418, 420, 425, 426, 427, 428, 429, 430, 431, 432, S. J. R. 1, 2, 4, 10, 12.

RECORD OF EACH BILL

S. F.	Page	S. F.	Page
1 By Patterson, Clark of Linn, and Rigby. County assessors. Introduced, passed on file.....	21-23	7 By Clark of Linn, Rigby and Patterson. Taxation—of public utilities. Introduced	25
Referred	108	Referred	108
Amendment filed	178	Amendment filed	604
Amendment filed	198		
Recommended amendment and passage	296	8 By Clark of Linn. Gasoline filling station—licensing and regulation. Introduced	26
Made special order	317	Referred	122
Amendment filed	377	Recommended amendment and passage	296
Amendments filed	408	Made special order	365
Amendments adopted	419	Amendments adopted	445
Amended	419	Failed to pass; ayes 14, nays 30 ..	445
Amended, passed. Ayes 29, nays 17	440		
Title amended	442	9 By Christopher and Clark of Linn. Oleomargarine tax. Introduced, passed on file	26
Received back	1016	Referred	108
		Recommended amendment and passage	533
2 By Clark of Linn, Rigby and Patterson. Income tax. Introduced, passed on file	23	H. F. 106 substituted	674
Referred	108	Withdrawn	674
Amendment filed	152		
Amendment filed	228-229	10 By Stoddard. State budget. Introduced	75
Amendment filed	262	Amendment filed	409
Amendment filed	318	Amendment filed	632
		Recommended amendment and passage	942
3 By Rigby, Patterson and Clark of Linn. Privilege tax on business corporations. Introduced, passed on file	23	Made special order	950
Referred	108	Amendments filed	969
		Amendments filed	991
4 By Clark of Linn, Patterson and Rigby. Powers of state board of assessment and review. Introduced	23	Amendments withdrawn	1061
Referred	108	Amendments adopted	1062
Withdrawn	629	Amendments filed	1068
		Certain amendments adopted ..	1073
5 By Patterson, Rigby and Clark of Linn. Registration fee on real estate mortgages. Introduced	24	Amended	1073
Referred	108	Amendments filed	1086
Amendment filed	695	Amendment withdrawn	1097
Amendment filed	1144	Amended, action deferred	1089
		Amended, passed; ayes 41, nays 0 ..	1125
6 By Rigby, Clark of Linn, and Patterson. Tax on moneys and credits. Introduced	24	Received back	1316
Referred	108	Refused to concur	1339
		Conference committee	1347
		Conference reported	1517
		Conference report adopted	1522
		Received back	1537
		Reported enrolled	1578
		Signed by President	1578
		Sent to Governor	1579

SENATE RECORD OF SENATE BILLS

1631

S. F.	Page
11 By Clark of Linn. Placing telephone companies under jurisdiction of railroad commissioners.	
Introduced	76
Referred	122
12 By Clark of Linn. Gasoline tax.	
Introduced	76
Referred	122
Withdrawn	729
13 By Stoddard. Repeal of expense allowance of members of General Assembly.	
Introduced	76
Referred	122
Recommended indefinite postponement	246
Indefinitely postponed	253
14 By Doran. Automobile driver's license.	
Introduced	76-77
Referred	122
Withdrawn	201
15 By Clearman and White. County road bonds.	
Introduced, passed on file	77
Referred	122
Recommended amendment and passage	251
Amendment adopted	255
Passed; ayes 41, nays 0	255
Received back	327
Reported enrolled	357
Signed by President	358
Sent to Governor	358
16 By Clearman and White. Use of surplus secondary road construction fund.	
Introduced	77
Referred	122
Recommended amendment and passage	252
Amendment adopted	256
Passed; ayes 45, nays 0	256
Received back	476
Reported enrolled	498
Signed by President	498
Sent to Governor	498
Resolution requesting Governor to return bill	535
House request received in Senate	549
Received back	575
Concurred	576
Reported enrolled	629
Signed by President	629
Sent to Governor	629
Approved by Governor	643
17 By Doran. Weed cutting.	
Introduced, referred	81
Amendment filed	180
Withdrawn	458
18 By Doran. Workmen's compensation—amending so widow receives benefits after remarriage.	
Introduced, referred	81
Recommended indefinite postponement	282
Indefinitely postponed	247
19 By Clark of Linn. Swimming pools.	
Introduced, referred	81
Amendment filed	148

S. F.	Page
Recommended indefinite postponement	384
Report rejected	666
Amendments filed	969
Amended, failed to pass; ayes 24, nays 23	977
20 By Baird. Levy for park purposes.	
Introduced, referred	105
Recommended passage	360
Passed; ayes 43, nays 1	366
Received back	857
Reported enrolled	882
Signed by President	921
Sent to Governor	921
Approved by Governor	1060
21 By Baird. Tax levy for park improvement purposes.	
Introduced, referred	106
Recommended passage	591
Passed; ayes 32, nays 0	628
Received back	1016
Reported enrolled	1072
Signed by President	1072
Sent to the Governor	1072
Approved by Governor	1147
22 By Clark of Cerro Gordo. Pleasant Hill Telephone company.	
Introduced, referred	106
Recommended passage	168
Passed; ayes 44, nays 0	176
Received back	286
Reported enrolled	325
Signed by President	326
Approved by Governor	406
23 By Anderson. Fish and game—shipping hides without tags.	
Introduced, referred	106
24 By Anderson. Trucks—reducing license fees on certain types.	
Introduced, referred	106
Recommended indefinite postponement	267
Indefinitely postponed	284
25 By Anderson. School closing on account of small attendance.	
Introduced, referred	106
Recommended amendment and passage	591
Amendment adopted	652
Passed; ayes 32, nays 6	652
Received back	1156
Reported enrolled	1176
Signed by President	1176
Sent to Governor	1176
Approved by Governor	1225
26 By Anderson. Occasional truckers.	
Introduced, referred	107
27 By Stoddard. General Assembly—repeal expense allowance and increase of salaries for 1935.	
Introduced, referred	107
Recommended indefinite postponement	377
Amendment filed	393
Withdrawn	458
28 By Stoddard. State aparlst.	
Introduced, referred	107

S. F.	Page
Recommended passage	174
Passed; ayes 43, nays 0	176
Received back	327
Reported enrolled	357
Signed by President	358
Sent to Governor	358
Approved by Governor	406
29 By Klemme. Decorah school.	
Introduced, referred	107
Proof of publication	121
Recommended passage	147
Passed; ayes 44, nays 0	160
30 By Topping. Lutheran Mutual Fire Insurance Association.	
Introduced, referred	122
Recommended passage	147
Amended, passed; ayes 43, nays 0	159
Received back	286
Concurred	302
Reported enrolled	357
Signed by President	358
Sent to Governor	358
Approved by Governor	406
31 By Clark of Cerro Gordo. Public buildings—borrowing money for.	
Introduced, referred	123
Recommended passage	201
Passed; ayes 46, nays 0	234
Received back	380
Reported enrolled	404
Signed by President	404
Sent to Governor	404
Approved by Governor	447
32 By Benson. Highway commission.	
Introduced, referred	123
33 By Hill. Refunding certain primary road taxes.	
Introduced, referred	123
34 By Clearman and White. County secondary road indebtedness.	
Introduced, referred	123-124
35 By Kimberly. Interstate bridges—making law applicable to special charter cities.	
Introduced, referred	124
Recommended passage	266
Amended, passed; ayes 44, nays 0	269
Received back	380
Reported enrolled	404
Signed by President	404
Sent to Governor	404
Approved by Governor	447
36 By Stoddard. Retrenchment and reform committee.	
Introduced, referred	124
37 By Ickis. Fur dealers' licenses.	
Introduced, referred	127
Recommended amendment and passage	187
Amendment adopted	233
Amended, passed; ayes 47, nays 0	233
Received back	1016
Reported enrolled	1072
Signed by President	1072
Sent to Governor	1072
Approved by Governor	1147

S. F.	Page
38 By Cooney. Chiefs of police.	
Introduced, referred	127
Recommended passage	266
Passed; ayes 34, nays 0	280
Received back	741
Reported enrolled	772
Signed by President	773
Sent to Governor	773
Approved by Governor	824
39 By Blackford. Teachers' minimum wages.	
Introduced, referred	128
Amendment filed	272
Recommended amendment and passage	322
Amendments adopted	384
Passed; ayes 41, nays 0	385
40 By Hicklin. Municipal public utilities.	
Introduced, referred	128
Companion bill superseded	704
41 By Stoddard. Municipal bands.	
Introduced, referred	128
Amendment filed	525
Recommended amendment and passage	558
Amendment filed	656
Amendment adopted	786
Passed; ayes 33, nays 10	788
Received back	1187
House requested return of bill	1211
Reported correctly enrolled	1421
Signed by President	1422
Sent to Governor	1422
42 By Wilson. Stock certificates.	
Introduced, referred	128
Withdrawn	624
43 By Wilson. Special assessments—date of interest.	
Introduced, referred	129
Recommended passage	359
Amended, passed; ayes 38, nays 0	509
Received back	667
Reported enrolled	692
Signed by President	692
Sent to Governor	693
Approved by Governor	739
44 By Clearman. Integration of state psychopathic and university hospitals.	
Introduced, referred	134
Recommended passage	361
Passed; ayes 39, nays 0	386
Received back	804
Reported enrolled	821
Sent to Governor	821
Approved by Governor	853
45 By Rigby. Court of claims.	
Introduced, referred	134
Recommended passage	376
Amendments filed	526
Amended, passed; ayes 39, nays 3	538
46 By Doran. Jury trial in mayor's court.	
Introduced, referred	134
47 By Anderson. Domestic animals.	
Introduced, referred	134
Returned without recommendations	277

SENATE RECORD OF SENATE BILLS

1638

S. F.	Page
Amended, passed; ayes 38, nays 7	364
Received back	505
48 By Wilson. Court reporters. Introduced, referred	135
Returned without recommendation	825
49 By Stoddard. Barber apprentices. Introduced, referred	135
Recommended amendment and passage	423
Amendment adopted	512
Passed; ayes 33, nays 2	512
Received back	665
Concurred	690
Reported enrolled	702
Signed by President	703
Sent to Governor	703
Approved by Governor	773
50 By Doran. Supervisors—\$6.00 per day. Introduced, referred	135
51 By Doran and Ickis. Boards of supervisors—three members. Introduced, referred	135
Returned without recommendation	557
Amendment filed	656
Amendment offered	818
Amended, passed; ayes 28, nays 15	858
Title amended	859
52 By Doran. Chattel loan interest rates. Introduced, referred	136
Withdrawn	295
53 By Leonard. Expense of inaugural ceremonies. Introduced, referred	141
Recommended amendment and passage	174
Amendment adopted	175
Passed; ayes 43, nays 0	175
Received back	277
Reported enrolled	284
Signed by President	284
Sent to Governor	285
Approved by Governor	405
54 By Hicklin. Moscow Dam. Introduced, referred	141
Recommended passage	268
Amended, passed; ayes 26, nays 16	333
Received back	711
55 By White. State aid for education of the blind. Introduced, referred	141
Recommended passage	247
Passed; ayes 46, nays 0	247
Received back	277
Reported enrolled	284
Signed by President	284
Sent to Governor	285
Approved by Governor	406
56 By Wenner. Coroners—duties and fees. Introduced, referred	141
Recommended passage	283
Passed; ayes 41, nays 0	326
Received back	478
Concurred	506
Reported enrolled	568

S. F.	Page
Signed by President	568
Sent to Governor	568
Approved by Governor	643
57 By White. Iowa products and labor preference. Introduced, referred	144
58 By Myers. Chattel loans. Introduced, referred	144
59 By Wilson. Water connection in streets that are to be improved. Introduced, referred	145
Recommended indefinite postponement	559
Referred	667
60 By Wilson. Uniting certain school districts. Introduced, referred	145
Recommended passage	691
61 By Wilson. Sidewalks—removing snow. Introduced, referred	145
62 By Wilson. Cleaning sidewalks. Introduced, referred	145
Recommended indefinite postponement	267
Withdrawn	271
63 By Wilson. Dragging improved streets in cities. Introduced, referred	145
Withdrawn	152
64 By Patterson. Estray and trespassing animals. Introduced, referred	145
65 By MacDonald, Patterson, and Clark of Linn. Inheritance tax rates. Introduced, referred	146
Made special order	295
Recommended passage	296
Amended, passed; ayes 39, nays 8	338
Received back	1390
Reported enrolled	1463
Signed by President	1463
Sent to Governor	1463
66 By Gunderson. Gas tax. Introduced, referred	146
Recommended indefinite postponement	375
Withdrawn	458
67 By Gunderson. Doctor's report of suspicious accident cases. Introduced, referred	146
Recommended amendments and passage	423
Amendments adopted	485
Amended, passed; ayes 30, nays 3	484
Received back	1187
Reported enrolled	1225
Signed by President	1225
Sent to Governor	1225
Approved by Governor	1269
68 By Kimberly. Children—dependent—discharge by board of control. Introduced, referred	149
Recommended amendment and passage	284

S. F.	Page	S. F.	Page
Committee amendment adopted..	362	Sent to Governor	404
Passed; ayes 45, nays 1.....	362	Approved by Governor	447
Title amended	363		
Received back	1434	76 By Benson. Bridges, cul-	
Reported enrolled	1463	verts and overhead crossings	
Signed by President	1463	in cities of 2,500 or less.	
Sent to Governor	1463	Introduced, referred	153
		Withdrawn	1041
69 By Kimberly. Feeble-mind-			
ed—release by board of control.		77 By Booth. Stop signs on	
Introduced, referred	150	secondary road.	
Recommended amendment and		Introduced, referred	153
passage	426	Recommended passage	228
Amendment adopted	478	Amended, passed; ayes 45, nays 0.	232
Passed; ayes 35, nays 0.....	478	Received back	505
Received back	1434	Concurred	616
Reported enrolled	1463	Received back	665
Signed by the President	1463	Reported enrolled	692
Sent to Governor	1463	Signed by President	692
		Sent to Governor	693
70 By Doran. Fines to county		Approved by Governor	739
school fund.			
Introduced, referred	150	78 By Cole. Title insurance.	
Recommended passage	493	Introduced, referred	154
Passed; ayes 34, nays 0.....	625	Recommended recommitment	278
Received back	1434	Rereferred	278
Reported enrolled	1463		
Signed by President	1463	79 By Hicklin. Soldiers relief	
Sent to Governor	1463	fund.	
		Introduced, referred	154
71 By Kent. School territory.		Recommended H. F. 99 substituted	426
Introduced, referred	150	Withdrawn	470
Recommended indefinite postpone-			
ment	323	80 By Gunderson. Elections—	
Indefinitely postponed.....	520	canvass of votes.	
		Introduced, referred	154
72 By Tabor. Distribution of		Recommended amendment and pas-	
early codes and session laws.		sage	424
Introduced, referred	150	Amendment adopted	487
Recommended amendment and		Passed; ayes 35, nays 0.....	487
passage	252		
Amendment adopted	254	81 By Hicklin. Club houses in	
Passed; ayes 41, nays 0.....	254	public parks.	
Received back	575	Introduced, referred	154
Reported enrolled	629	Recommended passage	267
Signed by President	629	Passed; ayes 43, nays 0.....	270
Sent to Governor	629		
Approved by Governor	643	82 By Benson. Vacating pri-	
		mary roads.	
73 By Fraley. Odd Fellows		Introduced, referred	154
Building Association, Keokuk.		Recommended passage	301
Introduced, referred	151	Amended, passed; ayes 34, nays 1.	722
Recommended passage	376	Received back	741
Passed; ayes 39, nays 0.....	448	Reported enrolled	772
Received back	803	Signed by President	773
Reported enrolled	821	Sent to Governor	773
Signed by President	821	Approved by Governor.....	824
Sent to Governor	821		
Approved by Governor	853	83 By Benson. Paving from	
		primary road to centers of	
74 By Hager. Fish and game—		cities.	
Mississippi River seines.		Introduced, referred	170
Introduced, referred	151	Withdrawn	760
Recommended amendment and			
passage	332	84 By Benson. Secondary road	
Amendment adopted	368	bonds.	
Passed; ayes 42, nays 0.....	367	Introduced, referred	170
Received back	1016		
Reported enrolled	1072	85 By Benson. Primary roads.	
Signed by President	1072	Introduced, referred	170
Sent to Governor	1072	Recommended passage	302
Approved by Governor	1147	Passed; ayes 42, nays 0.....	388
75 By Doran. Jury commission.		86 By Benson. Removing limit	
Introduced, referred	151	on primary road construction	
Recommended amendment and		funds.	
passage	253	Introduced, referred	170
Amendment adopted	258	Recommended passage	375
Passed; ayes 43, nays 0.....	258	Amendment filed	527
Received back	369	Amendment filed	551
Reported enrolled	404	Amended, passed; ayes 35, nays 0	577
Signed by President	404		

S. F.	Page
87 By Benson. Secondary roads.	
Introduced, referred	170
Recommended passage	794
Reported out	1148
Amended, passed; ayes 39, nays 0.	1221
88 By Stanley. Cemetery fee regulations.	
Introduced, referred	171
Recommended passage	474
Withdrawn	762
89 By Stanley. Embalming—license and regulation.	
Introduced, referred	171
Recommended indefinite postponement	422
Indefinitely postponed	521
90 By Benson. Road relocation—dwellings at corners.	
Introduced, referred	171
Recommended amendments and passage	495
Amendments adopted	650
Passed; ayes 36, nays 0	649
91 By Myers. County recorder—index forms.	
Introduced, referred	171
Recommended indefinite postponement	475
Report rejected, placed on calendar	682
Amendment filed	911
Amended, failed to pass; ayes 15, nays 31	987-989
92 By Stevens. Automobile accidents—service of notice on nonresident operators.	
Introduced, referred	171
Recommended reference	361
Rereferred	381
Returned by committee	1002
Passed; ayes 35, nays 0	1002
93 By Benson. State traffic police.	
Introduced, referred	172
Recommended passage	472
Amended, passed; ayes 29, nays 17	762
94 By Hill. Billboard tax.	
Introduced, referred	172
Recommended amendment and passage	692
Action deferred	1127
Amendments filed	1144, 1145
Amendments adopted	1159
Failed to pass; ayes 18, nays 19	1162
Motion to reconsider filed	1166
Amendment filed	1166
95 By Clark of Marion. Highway commission.	
Introduced, referred	172
Recommended passage	720
96 By Bennett. Interstate bridges.	
Introduced, referred	172
Recommended passage	493
H. F. 90 substituted	579
Withdrawn	580
97 By Bennett. Interstate bridges.	
Introduced, referred	173
Recommended passage	492
Withdrawn	732

S. F.	Page
98 By Bennett. Legalizing the acts of certain corporations.	
Introduced, referred	173
Recommended passage	492
H. F. 92 substituted	732
Withdrawn	733
99 By Bennett. New certificates of incorporation.	
Introduced, referred	173
Recommended passage	492
Passed; ayes 35, nays 0	733
Received back	1016
Reported enrolled	1072
Signed by President	1072
Sent to Governor	1072
Approved by Governor	1147
100 By Bennett. Keokuk and Hamilton Bridge Co.	
Introduced, referred	174
Recommended passage	491
Withdrawn	735
101 By Klemme. To make county superintendent of schools elective.	
Introduced, referred	181
Recommended indefinite postponement	323
Indefinitely postponed	480
102 By Hill. State custodial farm at Clive.	
Introduced, referred	182
Withdrawn	434
103 By Myers. Estate matters—notice, claims, etc.	
Introduced, referred	182
Withdrawn	228
104 By Benson and Baird. Constitutional amendments—testing legality of.	
Introduced, referred	185
Withdrawn	447
105 By Blackford. Annual report of corporations.	
Introduced, referred	185
Recommended passage	376
Passed; ayes 39, nays 0	460
Received back	1016
Reported enrolled	1072
Signed by President	1072
Sent to Governor	1072
Approved by Governor	1147
106 By Lowe. Banks and trust companies—debentures or bonds.	
Introduced, referred	185
Recommended passage	301
Passed; ayes 41, nays 0	363
Received back	857
Reported enrolled	882
Signed by President	921
Sent to Governor	921
Approved by Governor	1060
107 By Benson. Motor vehicle fuel defined.	
Introduced, referred	185
Recommended amendment and passage	360
Amendment adopted	387
Passed; ayes 40, nays 0	387
Received back	1017
Amended and concurred	1113
Received back	1372
Reported enrolled	1421

S. F.	Page	S. F.	Page
Signed by President.....	1422	117 By Knudson. Taxing capital stock of certain public utilities.	
Sent to Governor.....	1422	Introduced, referred.....	200
108 By Clark of Cerro Gordo. Freight shipments by cheapest route.		Recommended rereference.....	426
Introduced, referred.....	186	Rereferred.....	426
Amendment filed.....	678	Recommended amendment and passage.....	863
Recommended amendment and passage.....	720	Reported out.....	1203
Amendment adopted.....	1044	Made special order.....	1253
Passed; ayes 30, nays 0.....	1044	Amendment filed.....	1266
Received back.....	1187	Amendments adopted.....	1272
Reported enrolled.....	1225	Amended, failed to pass; ayes 23, nays 24.....	1273
Signed by President.....	1225	118 By Gunderson. Railroad crossing signals.	
Sent to Governor.....	1225	Introduced, referred.....	200
109 By Wilson. Pipe lines.		119 By Gunderson. High school tuition in adjoining state.	
Introduced, referred.....	186	Introduced, referred.....	201
Amendment filed.....	352	Recommended passage.....	323
Returned without recommendation.....	795	H. F. 35 substituted.....	328
110 By Ickis. Osteopathy.		120 By Blackford. Banks (insolvent)—debenture for taxes.	
Introduced, referred.....	186	Introduced, referred.....	224
Amendment filed.....	713	121 By Anderson. Chattel loans—reducing interest rate on.	
Redrafted.....	717	Introduced, referred.....	225
111 By Doran. Auto driver's license.		Recommended indefinite postponement.....	384
Introduced, referred.....	197	Withdrawal asked and refused.....	412
Recommended amendment and passage.....	472	Committee report rejected.....	412
Amendment adopted.....	683	Amendment filed.....	515
Amended, passed; ayes 37, nays 6.....	683	Action deferred.....	523
Received back.....	1468	Made special order.....	753
Concurred.....	1475	Failed to pass; ayes 12, nays 38..	801
Reported enrolled.....	1562	122 By Booth. Automobiles—passing other cars, additional restrictions.	
Signed by President.....	1563	Introduced, referred.....	225
Sent to Governor.....	1563	Amendment filed.....	427
112 By Knudson. School books—listing price with state superintendent.		Amendment withdrawn.....	693
Introduced, referred.....	197	Amendment adopted.....	729
Recommended substitute.....	830	Action deferred.....	745
113 By Bennett. Missouri Valley (city).		Amendments filed.....	755
Introduced, referred.....	199	Amended, passed; ayes 40, nays 1	764
Recommended passage.....	277	123 By Gunderson. Town of Lake Mills.	
H. F. 145 substituted.....	279	Introduced, referred.....	225
114 By Myers. Board of Audits to audit expenditures of Board of Education and Board of Control.		Recommended passage.....	493
Introduced, referred.....	200	Reported out.....	1148
Recommended passage.....	701	Failed to pass; ayes 13, nays 20..	1222
115 By Clark of Linn, Doran and Wenner. Amusement tax.		124 By Kent. Tall lights.	
Introduced, referred.....	200	Introduced, referred.....	225
Recommended amendment and passage.....	876	125 By White. Fire trucks.	
Reported out.....	1178	Introduced, referred.....	225
Amendment filed.....	1266	Recommended passage.....	267
Made special order.....	1293	Passed; ayes 36, nays 0.....	280
Amendments adopted.....	1336	Received back.....	1434
Amended, failed to pass; ayes 21, nays 28.....	1336	Reported enrolled.....	1463
116 By Knudson. Blue sky laws.		Signed by President.....	1463
Introduced, referred.....	200	Sent to Governor.....	1463
Recommended passage.....	425	126 By Stevens. Salary reductions.	
Passed; ayes 45, nays 1.....	540	Introduced, referred.....	225
Received back.....	857	Recommended amendment and passage.....	470
Concurred.....	974	Amendments adopted.....	685
Reported enrolled.....	1014	Failed to pass; ayes 16, nays 26..	685
Signed by President.....	1015	127 By Clark of Cerro Gordo. Taking of depositions.	
Sent to Governor.....	1015	Introduced, referred.....	231
Approved by Governor.....	1060	Recommended passage.....	829

SENATE RECORD OF SENATE BILLS

1637

S. F.	Page
128 By Coykendall. Fur bearing animals—open season on red fox.	
Introduced, referred	231
Recommended passage	720
Passed; ayes 26, nays 1.....	1050
129 By Balrd. Fire protection contracts for buildings under charge of Board of Education and Board of Control.	
Introduced, referred	231
Recommended passage	359
H. F. 16 substituted.....	392
Withdrawn	393
130 By Carden. Marriage license—increasing fees—creation of vital statistics fund.	
Introduced, referred	231
Recommended passage	422
Amended, passed; ayes 29, nays 8.	486
131 By Benson. State owned lands—sale of.	
Introduced, referred	231
Recommended amendment and passage	425
Amendments adopted	483
Passed; ayes 36, nays 0.....	483
132 By Patterson and Clark of Linn. Corporation income tax.	
Introduced, referred	239
133 By Booth, et al. Trucks, trailers and combinations—length and load.	
Introduced, referred	239
Recommended amendment and passage	360
Amendments filed	428
Amendments filed	524
Amendments adopted	535
Amended	565
Passed; ayes 44, nays 1.....	565
Received back	1018
Special order	1110
Amendments filed	1145
Amended and refused to concur.....	1150
Senate conference committee.....	1195
Substitution in Senate committee.....	1269
Conference report	1351
Conference report adopted.....	1364
Received back	1390
Reported enrolled	1474
Signed by President.....	1475
Sent to Governor.....	1475
134 By Clark of Linn, Rigby, and Patterson. Building and loan associations—tax on.	
Introduced, referred	239
Recommended passage	722
Amended, passed; ayes 36, nays 0.	1140
Received back	1541
Reported enrolled	1578
Signed by President.....	1578
Sent to Governor.....	1579
135 By Wenner. Notice of appeal, filed with (not served on) Clerk of Court.	
Introduced, referred	240
Recommended passage	611
Action deferred	846
Amended, passed; ayes 36, nays 0.	952
Title amended	953
Received back	1434
Reported enrolled	1463
Signed by President.....	1463
Sent to Governor.....	1463

S. F.	Page
136 By Wenner. Bills suggested by code editor—where referred.	
Introduced, referred	240
Recommended passage	611
Passed; ayes 31, nays 0.....	845
Received back	1434
Reported enrolled	1463
Signed by President.....	1463
Sent to Governor.....	1463
137 By Wenner. Prosecution re-defined.	
Introduced, referred	240
Recommended indefinite postponement	610
Indefinitely postponed	682
138 By Wenner. Eugenics.	
Introduced, referred	240
Recommended passage	612
Passed; ayes 32, nays 0.....	844
Received back	1434
Reported enrolled	1463
Signed by President.....	1463
Sent to Governor.....	1463
139 By Wenner. Highways.	
Introduced, referred	240
Recommended passage	612
Passed; ayes 29, nays 0.....	843
Received back	1433
Reported enrolled	1474
Signed by President.....	1475
Sent to Governor.....	1475
140 By Wenner. Jurors' oath.	
Introduced, referred	241
Recommended passage	612
Amended, passed; ayes 32, nays 1.	846
Received back	1433
Reported enrolled	1463
Signed by President.....	1463
Sent to Governor.....	1463
141 By Wenner. Notary public's acknowledgment.	
Introduced, referred	241
Recommended passage	612
Passed; ayes 31, nays 0.....	842
Received back	1433
Reported enrolled	1463
Signed by President.....	1463
Sent to Governor.....	1463
142 By Wenner. Correcting section number in acts of Forty-third General Assembly.	
Introduced, referred	241
Recommended passage	613
Passed; ayes 30, nays 0.....	841
Received back	1187
Reported enrolled	1225
Signed by President.....	1225
Sent to Governor.....	1225
Approved by Governor.....	1269
143 By Wenner. Original notice to state date and place of court.	
Introduced, referred	242
Recommended passage	613
Passed; ayes 30, nays 0.....	837
Received back	1433
Reported enrolled	1463
Signed by President.....	1463
Sent to Governor.....	1463
144 By Wenner. Judges of Supreme Court.	
Introduced, referred	242
Recommended passage	613
Passed; ayes 34, nays 0.....	838
Received back	1433

S. F.	Page
Reported enrolled	1463
Signed by President	1463
Sent to Governor	1463
145 By Wenner. Repealing certain antiquated section on road laws.	
Introduced, referred	242
Recommended passage	613
Passed; ayes 32, nays 0	833
Received back	1530
Reported enrolled	1562
Signed by President	1563
Sent to Governor	1563
146 By Wenner. Deposits of public fund.	
Introduced, referred	242
Recommended amendment and passage	611
Amendments adopted	800
Amended, deferred	799
Amendments filed	806
Amended, passed; ayes 33, nays 9	814
Received back	1289
Concurred	1345
Reported enrolled	1421
Signed by President	1422
Sent to Governor	1422
147 By Wenner. Resubmission of case after a demurrer is sustained.	
Introduced, referred	243
Recommended indefinite postponement	611
Indefinitely postponed	683
148 By Clearman. Marriage license—five-day notice.	
Introduced, referred	243
Recommended passage	377
Amended, passed; ayes 36, nays 1	458
Received back	910
Concurred	950
Reported enrolled	971
Signed by President	971
Sent to Governor	971
Approved by Governor	1072
149 By Myers. Adult wards and their guardians.	
Introduced, referred	243
Reported out	1178
Amended, passed; ayes 32, nays 1	1200
150 By Leonard. Parole outside of state.	
Introduced, referred	243
Recommended passage	532
H. F. 202 substituted	624
151 By Hill. Firearms in autos.	
Introduced, referred	243
Recommended passage	473
Amended, passed; ayes 36, nays 0	620
Received back	1017
Concurred	1111
Reported enrolled	1147
Signed by President	1147
Sent to Governor	1147
Approved by Governor	1225
152 By Hill. Concealed weapons.	
Introduced, referred	244
Recommended passage	473
Amended, passed; ayes 34, nays 0	622
Received back	1018
Concurred	1112
Reported enrolled	1147
Signed by President	1147
Sent to Governor	1147
Approved by Governor	1225

S. F.	Page
153 By Hicklin. Levee improvement commission.	
Introduced, referred	244
154 By Ritchie. Sanitary Water Board.	
Introduced, referred	244
Recommended passage	655
Withdrawn	968
155 By Hill. Machine guns.	
Introduced, referred	250
Recommended passage	473
Passed; ayes 34, nays 0	621
Received back	1017
Concurred	1113
Reported enrolled	1147
Signed by President	1147
Sent to Governor	1147
Approved by Governor	1225
156 By Kimberly. Widow's pension.	
Introduced, referred	251
Recommended amendment and passage	359
Amendment adopted	389
Passed; ayes 40, nays 0	389
Received back	708
Reported enrolled	718
Signed by President	718
Sent to Governor	718
Approved by Governor	739
157 By Clark of Linn, Rigby, and Patterson. Taxation statement—deducting debts to affiliated corporations.	
Introduced, referred	251
Recommended passage	677
Passed; ayes 39, nays 0	983
158 By Gunderson and Clark of Linn. Lord substitutes inspection fee.	
Introduced, referred	251
Recommended amendment and passage	490
Amendment filed	658
Substitute offered	746
Amended and passed; ayes 34, nays 9	748
159 By Cooney. County attorneys—increasing salaries in certain counties.	
Introduced, referred	251
Withdrawn	996
160 By Knudson. Tail light for horse-drawn vehicles.	
Introduced, referred	263
Recommended amendment and passage	422
H. F. 169 substituted	551
161 By Clearman. Appropriation—paving adjacent to University of Iowa.	
Introduced, referred	264
Returned without recommendation	1105
Withdrawn	1166
162 By Hill. Creating a sanitary water board.	
Introduced, referred	264
Recommended passage	473
Passed; ayes 45, nays 0	687
163 By McLeland. Admittance to Soldiers' Home.	

S. F.	Page
Introduced, referred	264
Recommended passage	532
Passed; ayes 38, nays 0	646
Received back	1566
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
164 By Klemme. Compensation of members of Board of Health. Introduced, referred	265
Recommended indefinite postponement	438
Indefinitely postponed	521
165 By Wilson. Police equipment. Introduced, referred	265
166 By Clark of Marion. Preference for Iowa products and labor. Introduced, referred	265
167 By Wilson. Pension fund for municipal court clerks. Introduced, referred	275
Recommended indefinite postponement	610
Indefinitely postponed	683
168 By Myers. Administrator's report. Introduced, referred	275
Reported out	1264
Amendments filed	1282
Enacting clause stricken	1447
169 By Lowe. Exemptions from taxation. Introduced, referred	275
Recommended passage	426
Passed; ayes 33, nays 0	481
170 By Stanley and Carroll. Handicapped children. Introduced, referred	275
Recommended reference	691
Referred	691
Withdrawn	1528
171 By Coykendall. Marriage licenses—issued also by Clerks of Superior Courts. Introduced, referred	276
Recommended passage	376
Withdrawn	514
172 By Moen. Taxation of capital stock of corporations organized for profit. Introduced, referred	276
173 By Cooney. Observance of certain holidays. Introduced, referred	276
174 By Cochrane. Automobile driver's license. Introduced, referred	276
175 By Hill. Police radio broadcasting system. Introduced, referred	282
Recommended passage	615
H. F. 257 substituted	962
Withdrawn	963
176 By Ritchie. Consolidated school district of Bode. Introduced, referred	282
Recommended passage	474
H. F. 247 substituted	618

S. F.	Page
177 By Hill. Intoxicating liquors. Introduced, referred	294
Recommended passage	424
Passed; ayes 32, nays 2	484
Received back	1166
Concurred	1219
Reported enrolled	1270
Signed by President	1270
Sent to Governor	1270
Approved by Governor	1294
178 By Doran, Quirk and Bennett. Automobile license fees. Introduced, referred	294
179 By Doran, Bennett and Quirk. Motor trucks—redefined. Introduced, referred	294
Reported out	1178
Amendment filed	1399
Amended, passed; ayes 41, nays 0	1411
Received back	1434
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
180 By Quirk, Doran and Bennett. Busses and trucks—length, width and height. Introduced, referred	294
181 By Quirk, Bennett and Doran. Motor trucks—relating to loads. Introduced, referred	294
182 By Blissell. School zone stop signs. Introduced, referred	295
Withdrawn	352
183 By Bennett, Doran and Quirk. Trucks—maximum load. Introduced, referred	295
184 By Bennett, Doran and Quirk. Motor trucks. Introduced, referred	295
185 By Ickis. Firearms in autos. Introduced, referred	321
Recommended passage	474
Withdrawn	623
186 By Myers. Pipe lines—tax on. Introduced, referred	321
187 By Myers. Pipe lines—grants to cross rivers or state lands. Introduced, referred	321
Amendment filed	352
188 By Myers. Pine lines—permission to cross or use state roads. Introduced, referred	321
Amendment filed	353
Recommended amendment and passage	557
Withdrawn	646
189—By Anderson. County Board of Education. Introduced, referred	321
Recommended amendment and passage	535
Amendment adopted	651
Passed; ayes 38, nays 0	651
Received back	741
Reported enrolled	772

S. F.	Page
Signed by President.....	773
Sent to Governor.....	773
Approved by Governor.....	804
190 By MacDonald. Schools— repealing law on detaching school districts by petition.	
Introduced, referred.....	322
Withdrawn.....	1013
191 By Wilson. Weed control and cutting in cities of 5,000 or more.	
Introduced, referred.....	322
Rereferred.....	458
Recommended indefinite postpone- ment.....	676
Indefinitely postponed.....	783
192 By Ickis. Fish and game.	
Introduced, referred.....	330
Recommended amendment and passage.....	561
Amendment adopted.....	789
Passed; ayes 41, nays 0.....	789
193 By Booth. Legalizing cer- tain assessors' books and as- sessment rolls.	
Introduced, referred.....	330
Recommended passage.....	353
Passed; ayes 44, nays 0.....	365
Received back.....	434
Concurred.....	462
Reported enrolled.....	498
Signed by President.....	498
Sent to Governor.....	498
Approved by Governor.....	502
194 By Doran. Deeds in execu- tion in case of death of person entitled to certificate.	
Introduced, referred.....	330
Recommended passage.....	494
Passed; ayes 37, nays 1.....	626
195 By Kimberly. Primary elec- tions in cities followed by po- litical party conventions.	
Introduced, referred.....	331
Recommended passage.....	699
Passed; ayes 33, nays 0.....	996
196 By Cooney. City manager.	
Introduced, referred.....	331
Recommended passage.....	875
Amended, passed; ayes 31, nays 0.....	1042
Motion to reconsider prevailed.....	1049
Reconsidered vote on amendment and withdrew amendment.....	1049
Amended, passed; ayes 27, nays 0.....	1049
197 By Coykendall. School finan- cial statement.	
Introduced, referred.....	331
Recommended passage.....	830
Withdrawn.....	1191
198 By Cooney and Kimberly. Public utility commission.	
Introduced, referred.....	331
199 By Bissell. Stop signs at schools.	
Introduced, referred.....	332
Recommended amendment and passage.....	422
Committee amendments adopted.....	482
Passed; ayes 36, nays 0.....	482
Received back.....	1536
Reported enrolled.....	1562

S. F.	Page
Signed by President.....	1563
Sent to Governor.....	1563
200 By Bissell. Teacher's em- ployment bureau.	
Introduced, referred.....	332
Recommended passage.....	437
Passed; ayes 30, nays 0.....	497
Received back.....	741
Reported enrolled.....	772
Signed by President.....	773
Sent to Governor.....	773
Approved by Governor.....	824
201 By Bennett and Beatty. Teachers' oath of allegiance.	
Introduced, referred.....	355
202 By Benson. Dams.	
Introduced, referred.....	356
Recommended passage.....	558
Passed; ayes 39, nays 0.....	648
Received back.....	1543
Reported enrolled.....	1578
Signed by President.....	1578
Sent to Governor.....	1579
203 By Ritchie. Moving pictures —exposure of certain pictures forbidden.	
Introduced, referred.....	355
204 By Fralley. Pensions for aged.	
Introduced, referred.....	356
205 By Clark of Marion. Licen- sing of veterinarians.	
Introduced, referred.....	356
206 By Clark of Marion. Inter- est rates.	
Introduced, referred.....	356
Recommended indefinite postpone- ment.....	778
Committee report rejected.....	878
207 By Benson and Beatty. High- ways—maintenance to mean entire right-of-way.	
Introduced, referred.....	356
Returned without recommendation.....	494
Passed; ayes 29, nays 7.....	746
208 By McLeland. Approval of Governor's appointees.	
Introduced, referred.....	356
Committee recommended passage.....	828
209 By Committee on Cities and Towns. Plats.	
Introduced.....	357
Amended, passed; ayes 38, nays 0.....	511
Received back.....	575
Concurred.....	577
Reported enrolled.....	629
Signed by President.....	629
Sent to Governor.....	629
Approved by Governor.....	643
210 By Wilson. Hotel liens.	
Introduced, referred.....	357
Recommended passage.....	829
H. F. 248 substituted.....	1007
Withdrawn.....	1008
211 By Committee on Judiciary No. 2. Chief Justice of Su- preme Court.	
Introduced.....	372
Amended, passed; ayes 37, nays 0.....	461
Received back.....	857

SENATE RECORD OF SENATE BILLS

1641

S. F.	Page
Reported enrolled	882
Signed by President	921
Sent to Governor	921
Approved by Governor	970
212 By Stevens. Municipal public utility bonds.	
Introduced, referred	373
Withdrawn	882
213 By Doran. Labor and material on public improvements.	
Introduced, referred	373
Recommended amendment and passage	616
H. F. 307 substituted	963
Withdrawn	977
214 By Committee on Conservation. Cost of removal of obstructions at state parks.	
Introduced	373
Amendment filed	455
Amended, passed; ayes 38, nays 0	461
Received back	1501
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
215 By Committee on Conservation. Flanders-Bixby Park.	
Introduced	373
Passed; ayes 36, nays 0	463
Received back	1501
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
216 By Committee on Conservation. State parks and waters.	
Introduced	373
Passed; ayes 39, nays 0	464
217 By Committee on Conservation. State owned lands and waters.	
Introduced	374
Amended, passed; ayes 39, nays 0	464
Received back	1501
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
218 By Committee on Conservation. State lands—leases for five years.	
Introduced	374
Amended, passed; ayes 40, nays 0	466
Received back	1501
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
219 By Committee on Conservation. Landscape architect for state board of conservation.	
Introduced	374
Passed; ayes 33, nays 2	466
Received back	1501
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
220 By Committee on Conservation. Boundaries of state owned land—time of fixing same.	
Introduced	374
Passed; ayes 36, nays 0	467
Received back	1501
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553

S. F.	Page
221 By Committee on Conservation. State owned lands.	
Introduced	374
Amended, passed; ayes 33, nays 4	468
222 By Stoddard. Flood protection.	
Introduced, referred	375
Recommended passage	514
Passed; ayes 41, nays 1	766
223 By Stoddard. Public bonds.	
Introduced, referred	375
224 By Benson. School lands.	
Introduced, referred	375
Recommended amendments and passage	437
Amendment filed	455
Amendments adopted	496
Passed; ayes 31, nays 0	496
Received back	1537
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
225 By Committee on Compensation of Public Officers. Automobile mileage for public employees.	
Introduced	379
Amendment offered, action deferred	469
Amendment filed	515
Referred	521-523
Withdrawn	741
226 By Anderson. General Assembly—member's expense allowance.	
Introduced, referred	396
Recommended indefinite postponement	810
Indefinitely postponed	880
227 By Coykendall and Knudson. Schools—uniform textbooks.	
Introduced, referred	397
228 By Lowe. Insurance—mutual assessment associations.	
Introduced, referred	397
229 By Anderson. Highway commission—members' salaries.	
Introduced, referred	397
Recommended indefinite postponement	794
Indefinitely postponed	879
230 By Clark of Cerro Gordo. Laws of the road.	
Introduced, referred	397
Recommended amendment and passage	719
Amendment adopted	735
Passed; ayes 37, nays 0	735
Received back	1484
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
231 By Moen. Hail insurance.	
Introduced, referred	398
232 By Stevens. Motor vehicle license fees.	
Introduced, referred	411
Recommended amendment and passage	779
Amendment adopted	836
Passed; ayes 35, nays 0	837

S. F.	Page	S. F.	Page
233 By Baird. Deputy recorders. Introduced, referred	412	245 By Wenner. Plumbing Board of Examiners. Introduced, referred	458
Recommended passage	610	Recommended passage	559
Passed; ayes 40, nays 0	883	Passed; ayes 35, nays 0	653
234 By Clark of Cerro Gordo. Widow's pension. Introduced, referred	432	Received back	1502
Recommended passage	676	Reported enrolled	1553
Passed; ayes 37, nays 0	726	Signed by President	1553
235 By Clark of Cerro Gordo. Poor—inmates of private char- itable institutions acquire no residence. Introduced, referred	432	Sent to Governor	1553
Recommended passage	676	246 By Cooney. Civil service. Introduced, referred	490
Passed; ayes 34, nays 0	729	Withdrawn	1044
Received back	1542	247 By Irwin. Divorce. Introduced, referred	502
Reported enrolled	1578	Recommended amendment and passage	740
Signed by President	1578	Amendments adopted	1305
Sent to Governor	1579	Passed; ayes 29, nays 2	1305
236 By Stanley. Teacher's first grade certificate. Introduced, referred	432	248 By Irwin. Divorce. Introduced, referred	502
Recommended passage	739	Recommended passage	780
Reported out	1178	Passed; ayes 28, nays 12	1361
Passed; ayes 30, nays 0	1189	249 By Stanley. College property tax exemption. Introduced, referred	502
Received back	1335	250 By Stanley. Ice cream— quart to weigh at least eighteen ounces. Introduced, referred	503
Reported enrolled	1360	Recommended passage	721
Signed by President	1360	Amendments filed	821
Sent to Governor	1360	Amended, passed; ayes 31, nays 0	1035
237 By Wilson. City park board. Introduced, referred	432	Received back	1316
238 By Wilson. Group insurance. Introduced, referred	432	Reported enrolled	1333
Recommended indefinite postpone- ment	676	Signed by President	1334
Indefinitely postponed	783	Sent to Governor	1334
239 By Wilson. Waterworks. Introduced, referred	433	251 By Committee on Claims. Harold Grimes, E. W. Cook, Ward N. Rowland, Dorothy Zeln. Introduced, referred	503
Recommended amendment and passage	873	Recommended passage	675
Reported out	1178	Passed; ayes 43, nays 0	980
Amendment adopted	1192	Received back	1287
Passed; ayes 36, nays 0	1191	Reported enrolled	1333
Received back	1434	Signed by President	1334
Reported enrolled	1463	Sent to Governor	1334
Signed by President	1463	252 By Committee on Claims. Montgomery County Farmers' Institute, Lyon County Farmers' Institute, Atlantic Com- munity Corn Show or Farmers' Institute, Johnson County Poultry Show. Introduced, referred	503
Sent to Governor	1463	Recommended passage	740
240 By Wilson. Waterworks. Introduced, referred	433	Passed; ayes 37, nays 0	1238
Recommended passage	559	Received back	1458
241 By Patterson. Tax sales—on lands mortgaged to school, agricultural college or univer- sity funds. Introduced, referred	433	Reported enrolled	1515
242 By Clark of Cerro Gordo. Amusement license fees to coun- ty road funds. Introduced, referred	433	Signed by President	1516
Recommended passage	719	Sent to Governor	1516
Passed; ayes 38, nays 0	1137	253 By Committee on Public Li- braries. Libraries—contracts with cities, towns, school cor- porations or counties. Introduced	503
Received back	1542	Action deferred	724
Reported enrolled	1578	Amended, failed to pass; ayes 17, nays 23	767
Signed by President	1578	254 By Knudson. Presidential primaries. Introduced, referred	503
Sent to Governor	1579	Recommended indefinite postpone- ment	872
243 By Myers. State audit of municipal accounts. Introduced, referred	433	Withdrawn	693
244 By Myers. Foreclosure. Introduced, referred	434		

S. F.	Page	S. F.	Page
255 By Hicklin. Pleadings. Introduced, referred	503	267 By Committee on Judiciary No. 1. Investment of funds by trustees, executors, etc. Introduced	529
256 By Bennett. Real estate— claims to same antedating 1920. Introduced, referred	517	Reported out	1178
Reported out	1178	Passed; ayes 38, nays 0	1276
Passed; ayes 35, nays 0	1275	268 By Committee on Judiciary No. 1. Attorneys—practice of law defined. Introduced	730
Received back	1542	269 By Committee on Judiciary No. 1. Fiduciary powers. Introduced	530
Reported enrolled	1578	270 By McLeland. Volunteer fire department in rural communi- ties. Introduced, referred	530
Signed by President	1578	Recommended passage	721
Sent to Governor	1579	Amended, passed; ayes 33, nays 0	1000
257 By Bennett. Fish and game —closed season on beaver. Introduced, referred	518	271 By Coykendall. Accepting Tabor College as a gift. Introduced, referred	530
Recommended passage	721	272 By Benson. Public deposits —cancelling interest payment for four certain months. Introduced, referred	530
Passed; ayes 33, nays 0	1035	Withdrawn from committee	585
258 By Bennett. Short change— punishment. Introduced, referred	518	Rereferred	585
Recommended indefinite postpone- ment	826	273 By Irwin. Supervisors — compensation. Introduced, referred	531
259 By Committee on Cities and Towns. Trees and shrubbery on public streets. Introduced	518	Recommended amendment and passage	809
260 By Wenner. Suspending part of a sentence. Introduced, referred	518	274 By Committee on Pharmacy. Pharmacy—practice of. Introduced	531
Reported out	1178	275 By Benson. County officers —school of instruction. Introduced, referred	531
Passed; ayes 41, nays 0	1249	Recommended indefinite postpone- ment	782
261 By Baird. Municipal water- works—use of surplus earnings. Introduced, referred	518	Indefinitely postponed	878
Recommended passage	677	276 By MacDonald. Schools — redistricting. Introduced, referred	554
Withdrawn	968	Recommended passage	739
262 By Myers. Public securities. Introduced, referred	519	Passed; ayes 33, nays 0	1012
263 By Myers. Moneys and cred- its. Introduced, referred	519	277 By Fralley. Serial number— destroying on machinery or mus- ical instruments. Introduced, referred	554
Recommended indefinite postpone- ment	795	Recommended passage	781
Indefinitely postponed	879	Amendment filed	849
264 By Myers. Pipe lines—li- cense and regulations. Introduced, referred	519	H. F. 365 substituted	999
Returned without recommenda- tion	795	Withdrawn	1000
Amendments filed	850	278 By Cooney. Fire chiefs and police chiefs. Introduced, referred	555
Amendments filed	1054	Recommended indefinite postpone- ment	874
Reported out	1148	279 By Hill. School—dividing general and building funds. Introduced, referred	555
Amendment filed	1202	Recommended passage	740
Amended, passed; ayes 40, nays 0	1212	Amended, passed; ayes 31, nays 2	1142
Title amended	1217	Received back	1187
Received back	1501	Reported enrolled	1225
Reported enrolled	1562	Signed by President	1225
Signed by President	1563	Sent to Governor	1225
Sent to Governor	1563	Approved by Governor	1269
265 By Knudson. County sur- veying—records, etc. Introduced, referred	519		
Recommended passage	722		
266 By Hill. Peace officers' school of instruction. Introduced, referred	529		
Recommended passage	615		
Passed; ayes 29, nays 6	953		
Received back	1435		
Concurred	1455		
Reported enrolled	1515		
Signed by President	1516		
Sent to Governor	1516		

S. F.	Page	S. F.	Page
280 By Hill. Deputy county officers—liability policy acceptable in place of bond.		289 By Rigby. Banks—taxation.	
Introduced, referred	555	Introduced, referred	581
Recommended passage	863	Recommended passage	778
Amended, action deferred	1223	Passed; ayes 30, nays 0	1021
Passed; ayes 37, nays 6	1250	Received back	1187
Motion filed to reconsider	1254	Reported enrolled	1226
Motion to reconsider prevailed	1260	Signed by President	1226
Amended, passed; ayes 41, nays 0	1260	Sent to Governor	1226
Received back	1502		
Reported enrolled	1562	290 By Rigby. Banks—stop orders on checks.	
Signed by President	1563	Introduced, referred	581
Sent to Governor	1563	Recommended passage	778
		Amendments filed	850
281 By Christophel. Grading eggs.		Amended, passed; ayes 28, nays 2	1022
Introduced, referred	555	Received back	1484
Recommended passage	721	Reported enrolled	1553
Action deferred	1048	Signed by President	1553
Amended, passed; ayes 27, nays 13	1135	Sent to Governor	1553
282 By Rigby. Workmen's compensation extended to employees on state owned farms.		291 By Rigby. Banks—blue sky laws not applicable.	
Introduced, referred	556	Introduced, referred	581
Reported out	1264	Recommended passage	778
Passed; ayes 35, nays 3	1446	Passed; ayes 28, nays 2	1023
283 By Committee on Departmental affairs. Giving Attorney General the duties of commerce counsel.		292 By Rigby. False statement for credit.	
Introduced	556	Introduced, referred	581
284 By Kimberly. Making bonds for cities applicable to special charter cities.		293 By Cooney. Women—personal injuries or death by accident.	
Introduced, referred	556	Introduced, referred	582
Recommended passage	592	Recommended passage	781
Passed; ayes 30, nays 0	638	Reported out	1148
Received back	857	Amended, passed; ayes 29, nays 0	1171
Reported enrolled	882	Title amended	1172
Signed by President	921	Received back	1484
Sent to Governor	921	Reported enrolled	1553
Approved by Governor	1060	Signed by President	1553
		Sent to Governor	1553
285 By Kimberly. Penalty for willful neglect by public officials to purchase prison made goods.		294 By Stanley. Schools—Board of Examiners, teachers' certificates, expenditures, high school normal training, county superintendents, kindergartens.	
Introduced, referred	557	Introduced, referred	582
Recommended passage	782		
Passed; ayes 32, nays 0	834	295 By Cooney. Automobiles—rate of speed governed by clear view ahead.	
Received back	1537	Introduced, referred	582
Concurred	1551	Recommended amendment and passage	1058
Reported enrolled	1578	Reported out	1178
Signed by President	1578	Amendment adopted	1192
Sent to Governor	1579	Passed; ayes 34, nays 0	1192
286 By Rigby. Banks—chattel loans.		296 By Myers. Pipe lines.	
Introduced, referred	580	Introduced, referred	583
Recommended indefinite postponement	678	Recommended amendment and passage	810
Indefinitely postponed	783	Withdrawn	1432
287 By Clearman. Union high schools.		297 By Committee on Compensation of Public Officers. Mileage of public officials.	
Introduced, referred	580	Introduced	607
		Amendment filed	656
288 By Rigby. Closed banks—making all drafts and cashiers' checks preferred claims.		Amended, passed; ayes 41, nays 3	955
Introduced, referred	581	Received back	1316
Recommended passage	677	Refused to concur	1344
Amended, passed; ayes 39, nays 5	981	Received back	1373
Received back	1016	Reported enrolled	1421
Reported enrolled	1072	Signed by President	1422
Signed by President	1072	Sent to Governor	1422
Sent to Governor	1072		
Approved by Governor	1225	298 By Bennett, Hicklin. Booth and Moen. Municipal public utilities—retailing fixtures.	
		Introduced, referred	608

S. F.	Page
299 By Committee on Claims. H. C. Equipment Corporation and Johnson Oil Refining Co.	
Introduced, referred	608
Recommended passage	1165
Passed; ayes 37, nays 0	1233
Received back	1458
Reported enrolled	1515
Signed by President	1516
Sent to Governor	1516
300 By Committee on Claims. Claim of Verna P. Marks.	
Introduced, referred	608
Recommended passage	1263
Passed; ayes 38, nays 11	1374
Received back	1458
Reported enrolled	1515
Signed by President	1516
Sent to Governor	1516
301 By Coykendall. Township clerks.	
Introduced, referred	608
Withdrawn	1516
302 By Bennett, Hicklin, Carroll and Doran. Public utility commission.	
Introduced, referred	608
303 By Wilson. Insurance—unlawful to give or receive special inducements for insurance.	
Introduced, referred	609
Reported out	1284
Amendment filed	1456
Failed to pass; ayes 12, nays 25	1498
304 By Knudson. Gasoline—sale of by city or town.	
Introduced, referred	609
Recommended indefinite postponement	873
305 By Knudson. Bluy Sky.	
Introduced, referred	609
306 By Clearman. Township road indebtedness.	
Introduced, referred	609
Recommended passage	812
Passed; ayes 33, nays 0	1036
Received back	1530
307 By Knudson. State registration board for civil engineer.	
Introduced, referred	610
Reported out	1284
Amendments filed	1353
Amended, passed; ayes 33, nays 0	1465
308 By Clark of Linn. Jury fees.	
Introduced, referred	636
Recommended passage	780
Amended, passed; ayes 31, nays 16	1363
309 By Stanley. School elections.	
Introduced, referred	637
Recommended passage	739
Passed; ayes 35, nays 0	1141
Received back	1335
Reported enrolled	1360
Signed by President	1360
Sent to Governor	1360
310 By Hill. Legalizing an election at New Hampton.	
Introduced, referred	637
Recommended passage	675
Proof of publication	697

S. F.	Page
Passed; ayes 37, nays 0	724
Received back	742
Reported enrolled	772
Signed by President	773
Sent to Governor	778
311 By Wilson. Renewal of incorporation.	
Introduced, referred	637
Recommended amendment and passage	825
312 By Clark of Cerro Gordo. Probation officers.	
Introduced, referred	637
Recommended passage	675
Passed; ayes 32, nays 0	834
Received back	1530
Reported enrolled	1562
Signed by President	1563
Sent to Governor	1563
313 By Cooney. County manager.	
Introduced, referred	637
314 By Myers. Legal interest rate.	
Introduced, referred	643
315 By Bennett. Drainage.	
Introduced	643
316 By Cole. Standard bushel for grapefruit, lemons and oranges.	
Introduced, referred	643
Recommended passage	782
Withdrawn	1007
317 By Stoddard. Scales inspection.	
Introduced, referred	644
Withdrawn by author	1516
318 By Stoddard. Sale of public bonds.	
Introduced, referred	644
319 By Stoddard. County primary road bonds.	
Introduced, referred	644
Reported out	1203
Amended, failed to pass; ayes 16, nays 28	1253
320 By Anderson. Congressional districts.	
Introduced, referred	644
321 By Stanley. Congressional districts.	
Introduced, referred	644
322 By Bennett. City of Missouri Valley.	
Introduced, referred	644
323 By Hill. Trallars.	
Introduced, referred	645
Recommended amendment and passage	942
Amendment adopted	1257
Amended, passed; ayes 39, nays 0	1257
324 By Cooney. Delinquent motor vehicle license fees.	
Introduced, referred	645
325 By Wenner. City managers.	
Introduced, referred	645
Reported out	1240
Passed; ayes 30, nays 0	1311

S. F.	Page	S. F.	Page
Received back	1433	338 By Carroll and MacDonald. Absent voter's ballot.	
Reported enrolled	1463	Introduced, referred	670
Signed by President	1463	Recommended indefinite post- ponement	873
Sent to Governor	1463		
326 By Wenner. Penalties for contempt.		339 By Wilson. Electricians.	
Introduced, referred	645	Introduced, referred	670
327 By Clark of Linn. Sewer rental.		340 By Rigby. Municipal pub- lic utilities.	
Introduced, referred	645	Introduced, referred	670
Recommended passage	813	Returned without recommenda- tion	781
Passed; ayes 27, nays 0	1173	Reported out	1203
Received back	1566		
Reported enrolled	1578	341. By Baird. Delinquent taxes.	
Signed by President	1578	Introduced, referred	670
Sent to Governor	1579	Recommended passage	827
		Reported out	1265
328 By Myers. Taxation— money indebtedness deducted from real estate value.		342 By Baird. Legalizing spe- cial election.	
Introduced, referred	646	Introduced, referred	670
Recommended indefinite post- ponement	828	Recommended passage	825
Action deferred	881	H. F. 373 substituted	1041
329 By Wilson. Clerk of su- preme court.		Withdrawn	1042
Introduced, referred	668		
330 By Moen. Bonds in attach- ment proceedings.		343 By Bennett. Insurance funds.	
Introduced, referred	668	Introduced, referred	671
Recommended passage	826		
Passed; ayes 30, nays 0	1038	344 By Bennett. Insurance on buildings against damages by railroad equipment and motor vehicles.	
Received back	1536	Introduced, referred	671
Reported enrolled	1578	Recommended passage	825
Signed by President	1578	Passed; ayes 33, nays 0	1033
Sent to Governor	1579	Received back	1210
		Reported enrolled	1225
331 By Moen. Chattel loans.		Signed by President	1225
Introduced, referred	668	Sent to Governor	1225
		Approved by Governor	1269
332 By Wenner. Primary elec- tions—time of filing.		345 By Bennett. Insurance— common agent for several companies.	
Introduced, referred	668	Introduced, referred	671
Recommended passage	872	Recommended passage	759
Passed; ayes 42, nays 2	1255	Passed; ayes 32, nays 0	1032
Received back	1557	Received back	1210
Reported enrolled	1578	Reported enrolled	1225
Signed by President	1578	Signed by President	1225
Sent to Governor	1579	Sent to Governor	1225
		Approved by Governor	1294
333 By Wenner. River front improvement commission.		346 By Committee on Reduc- tion of Expenditures. School census.	
Introduced, referred	669	Introduced	671
Reported out	1203	H. F. 328 substituted	984
Passed; ayes 41, nays 0	1255	Withdrawn	985
Received back	1433		
Reported enrolled	1463	347 By Fralley. Corporation stock without par value— computing fees on \$25.00 nominal value.	
Signed by President	1463	Introduced, referred	671
Sent to Governor	1463	Recommended passage	828
		Reported out	1149
334 By Kimberly. Full time county health units.		Passed; ayes 35, nays 0	1219
Introduced, referred	669	Received back	1530
335 By Kent. Cemeteries—Com- pletion of lot improvement.		Reported enrolled	1562
Introduced, referred	669	Signed by President	1563
Recommended indefinite post- ponement	874	Sent to Governor	1563
336 By Cooney, Kimberly and Bennett. Optometry.		348 By Irwin. Care of the in- digent.	
Introduced, referred	669	Introduced, referred	672
		Amendment filed	1108
337 By Cooney. Permanent registration.			
Introduced, referred	669		
Recommended passage	874		

S. F.	Page
Reported out	1456
Amended, passed; ayes 42, nays 0	1527
Received back	1566
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
349 By Knudson. Fortune tellers, astrologers.	
Introduced, referred	672
350 By Clark of Marion. Gasoline tax refunds.	
Introduced, referred	672
351 By Committee on Reduction of Expenditures. Consolidated school.	
Introduced	672
Failed to pass; ayes 24, nays 25	986
352 By Wenner. Poll tax.	
Introduced, referred	672
353 By Hicklin. Appropriation for exposition at Chicago in 1933.	
Introduced, referred	672
Recommended amendment	1104
Amendment adopted	1372
Amended, passed; ayes 35, nays 3	1372
Received back	1468
Concurred	1479
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1597
354 By Wilson. Corporations.	
Introduced	673
Recommended passage	824
355 By Committee on Reduction of Expenditures. Municipal bond elections.	
Introduced	681
Amendment filed	969
Amended, passed; ayes 35, nays 10	989
Received back	1537
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
356 By Committee on Banks and Banking. Banks—minimum capitalization based on census.	
Introduced	681
Passed; ayes 39, nays 0	725
Received back	743
Concurred	749
Reported enrolled	772
Signed by President	773
Sent to Governor	773
Approved by Governor	805
357 By Committee on Departmental Affairs. Creating (by uniting two departments) the State Department of Taxation and Budget.	
Introduced, referred	698
358 By Committee on Code Revision. Cigarette tax—re-funding license fee.	
Introduced	711
Passed; ayes 32, nays 0	1027
Received back	1372
Concurred	1403

S. F.	Page
Reported enrolled	1463
Signed by President	1463
Sent to Governor	1463
359 By Committee on Tax Revision. School taxes.	
Introduced	717
Amended, passed; ayes 34, nays 10	1137
Senate requested return of bill from House	1292
Received back	1316
360 By Committee on Reduction of Expenditures. Municipal band levy.	
Introduced	717
Enacting clause stricken	1139
361 By Committee on Appropriations. Adjutant general's records of military graves.	
Introduced	738
Passed; ayes 32, nays 0	1188
Received back	1484
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553
362 By Committee on Printing. Publication fees.	
Introduced	759
Reported out	1148
363 By Committee on Agriculture. Dogs.	
Introduced	759
Amendment filed	821
Reported out	1456
364 By Committee on Agriculture. Male service animals.	
Introduced	759
365 By Committee on Motor Vehicles. Motor trucks.	
Introduced	777
Amended, passed; ayes 27, nays 0	1048
Received back	1536
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
366 By Committee on Motor Vehicles. Trailers.	
Introduced	777
Amendments filed	947
Amendments adopted	1168
Passed; ayes 28, nays 0	1168
Received back	1536
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
367 By Committee on Motor Vehicles. Trailers and semi-trailers.	
Introduced	777
Passed; ayes 30, nays 0	1047
Received back	1537
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
368 By Committee on Highways. Bridges on state lands.	
Introduced	793
Reported out	1148
Passed. ayes 37, nays 0	1244
369 By Committee on Appropriations. Corn borer.	

S. F.	Page	S. F.	Page
Introduced	808	381 By Committee on Conserva-	
Passed; ayes 42, nays 0.....	1246	tion. Prohibiting commercial	
Received back	1484	buildings within 600 feet of	
Reported enrolled	1553	entrances of state park.	
Signed by President.....	1553	Introduced	871
Sent to Governor.....	1553	Reported out	1107
		Passed; ayes 29, nays 0.....	1172
370 By Committee on Public			
Health. Juvenile court.		382 By Committee on Claims.	
Introduced	808	Iowa Bridge Co. and Olson	
Passed; ayes 32, nays 0.....	1010	Construction Co.	
371 By Committee on Tax Re-		Introduced, referred	872
vision. Vending and weight		Recommended passage	1202
machines.		Passed; ayes 38, nays 0.....	1230
Introduced	809	Received back	1435
Amendment filed	1086	Concurred	1454
372 By Committee on Horticul-		Reported enrolled	1515
ture and Forestry. Peddlers		Signed by President	1516
of fruit and vegetables.		Sent to Governor	1516
Introduced	824	383 By Committee on Agricul-	
373 By Committee on Public		ture. Partition fences.	
Schools. County teachers'		Introduced	872
Institutes.		384 By Committee on Motor Ve-	
Introduced	824	hicles. Automobile trucks and	
H. F. 527 substituted.....	1190	trailers.	
Withdrawn	1191	Introduced	941
374 By Committee on Board of		385 By Committee on Motor Ve-	
Control. Iowa Juvenile home		hicles. Commercial busses and	
—superintendent guardian of		trucks.	
inmates.		Introduced	942
Introduced	824	386 By Committee on Judiciary	
Passed; ayes 31, nays 0.....	998	No. 2. First M. E. church of	
Received back	1335	Mason City.	
Concurred	1346	Introduced	968
Reported enrolled	1421	Passed; ayes 34, nays 0.....	1031
Signed by President.....	1422	387 By Committee on Claims.	
Sent to Governor.....	1422	L. J. Baschnagel.	
375 By Committee on Compen-		Introduced, referred	968
sation of Public Officers.		Recommended passage	1165
State board of education—		Passed; ayes 40, nays 0.....	1234
limiting salaries of the em-		Received back	1468
ployees of.		Reported enrolled	1515
Introduced	853	Signed by President	1516
376 By Committee on Claims.		Sent to Governor.....	1516
C. H. Lambach.		388 By Committee on Claims.	
Introduced, referred	854	Hamiel and Mather, and	
Recommended passage	1263	Edwin B. Wilson.	
Passed; ayes 49, nays 0.....	1376	Introduced	968
Received back	1458	Recommended passage	1202
Reported enrolled	1515	Passed; ayes 40, nays 0.....	1229
Signed by President.....	1516	Received back	1468
Sent to Governor.....	1516	Reported enrolled	1515
377 By Committee on Claims.		Signed by President	1516
Matilda Blaise.		Sent to Governor	1516
Introduced, referred	854	389 By Committee on Claims.	
recommended passage	1165	Wm. E. Quinn.	
Passed; ayes 39, nays 0.....	1234	Introduced	968
Received back	1458	Recommended passage	1104
Reported enrolled	1515	Passed; ayes 37, nays 0.....	1237
Signed by President	1516	Received back	1391
Sent to Governor.....	1516	Reported enrolled	1463
378 By Committee on Claims.		Signed by President	1463
Olson Construction Company.		Sent to Governor	1463
Introduced, referred	854	390 By Committee on Commerce	
Withdrawn	969	and Trade. Portable feed	
379 By Committee on County and		grinders, license and regulation	
Township affairs. Rural street		of.	
and road lighting.		Introduced	971
Introduced	854	391 By Committee on Reduction	
380 By Committee on Conserva-		of Expenditures. Public junior	
tion. Boats on inland lakes.		colleges.	
Introduced	871	Introduced	971
		Amendment filed	1054
		Reported out	1107

S. F.	Page
Amended, passed; ayes 27, nays 15	1206
Received back	1530
Reported enrolled	1562
Signed by President	1563
Sent to Governor	1563
392 By Committee on Public Health. Podiatry.	
Introduced	972
Reported out	1107
Passed; ayes 39, nays 0	1207
393 By Committee on Public Health. Podiatry.	
Introduced	972
394 By Committee on Fish and Game. Fish and game.	
Introduced	994
Reported out	1240
Passed; ayes 41, nays 0	1262
395 By Committee on Police Regulation. Picture films—cities' power to regulate same against fire hazards.	
Introduced	994
Reported out	1107
Amended, passed; ayes 38, nays 0	1220
Reconsideration prevailed	1223
Rereferred to sifting committee	1226
396 By Committee on Land Titles. Patent to certain lands to N. A. Gaarde.	
Introduced	994
Passed Senate; ayes 33, nays 0	1039
Received back	1537
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
397 By Committee on Judiciary No. 1. Judicial council, creation of, duties and appropriation.	
Introduced	994
Amendment filed	1166
398 By Committee on Judiciary No. 1. Attorneys—Revocation of licenses.	
Introduced	994
Reported out	1284
Amended, passed; ayes 38, nays 0	1513
Received back	1536
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
399 By Committee on Judiciary No. 1. Industrial commissioner.	
Introduced	995
400 By Committee on Judiciary No. 1. Settlement of estates. Introduced, placed on calendar	995
401 By Committee on Judiciary No. 1. Drainage taxes.	
Introduced	995
402 By Committee on Judiciary No. 1. Arraignment and pleading of defendant—waiver of right of jury trial.	
Introduced	995
403 By Committee on Judiciary No. 1. Alternate jurors.	
Introduced	995

S. F.	Page
404 By Judiciary No. 1. Workmen's compensation—deposition of witness.	
Introduced	995
Reported out	1179
Passed; ayes 42, nays 0	1251
Received back	1542
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
405 By Committee on Claims. Ruth Harper, Martha Nichols, Robert Honegger, A. E. McGlothlen.	
Introduced, referred	996
Recommended passage	1105
Amended, passed; ayes 40, nays 0	1236
Received back	1458
Reported enrolled	1515
Signed by President	1516
Sent to Governor	1516
406 By Committee on Appropriations. State Employment Bureau.	
Introduced	1068
Passed; ayes 37, nays 0	1235
Received back	1484
407 By Committee on Fish and Game. Fish and game.	
Introduced, referred	1073
Reported out	1168
Amended, passed; ayes 30, nays 0	1184
Received back	1566
Reported enrolled	1578
Signed by President	1578
Sent to Governor	1579
408 By Committee on Claims. George F. Van Note.	
Introduced, referred	1103
Recommended passage	1166
Passed; ayes 43, nays 0	1232
Received back	1350
Concurred in House amendments	1350
Reported enrolled	1421
Signed by President	1422
Sent to Governor	1422
409 By Committee on Claims. J. G. Minert, Etta S. Minert, Phyllis S. Davenport.	
Introduced, referred	1103
Recommended passage	1264
Passed; ayes 46, nays 0	1377
Received back	1468
Reported enrolled	1515
Signed by President	1516
Sent to Governor	1516
410 By Committee on Claims. G. C. Bell, A. L. McClintock, Harley Cowman, D. F. Brownlee.	
Introduced, referred	1103
Recommended passage	1202
Passed; ayes 42, nays 0	1231
Received back	1458
Reported enrolled	1515
Signed by President	1516
Sent to Governor	1516
411 By Committee on Appropriations. Motor truck funds—transfer of unused balances.	
Introduced	1104
Passed; ayes 42, nays 0	1208
Received back	1484
Reported enrolled	1553
Signed by President	1553
Sent to Governor	1553

S. F.	Page	S. F.	Page
412 By Committee on Code Revision. Gas tax—certain costs of collection charged against gas tax fund.		422 By Committee on Aeronautics. Aeronautics.	
Introduced, referred	1111	Introduced, referred	1226
Reported out	1168	Reported out	1284
Passed; ayes 33, nays 0	1189	Passed, ayes 39, nays 0	1439
Received back	1529		
Reported enrolled	1562	423 By Sifting Committee. State senatorial redistricting.	
Signed by President	1563	Introduced	1226
Sent to Governor	1563	Reported out	1240
413 By Committee on Code Revision. County attorney's information.		Amendments filed	1266
Introduced, referred	1111	Amended, failed to pass; ayes 12, nays 34	1302
414 By Committee on Claims. Claims of certain veterinarians.			
Introduced, referred	1111	424 By Sifting Committee. Auditor of highway commission.	
Recommended passage	1282	Introduced	1269
Passed; ayes 45, nays 0	1379		
Received back	1468	425 By Sifting Committee. Sherbills Mound Mutual Fire Insurance Co.	
Reported enrolled	1515	Introduced	1270
Signed by President	1516	Passed; ayes 30, nays 0	1310
Sent to Governor	1516	Received back	1502
		Reported enrolled	1562
415 By Committee on Claims. Ethel F. Katz.		Signed by President	1563
Introduced, referred	1158	Sent to Governor	1563
Recommended passage	1264		
Passed; ayes 45, nays 1	1378	426 By Sifting Committee. Fraternal beneficiary associations.	
Received back	1566	Introduced	1270
416 By Committee on Claims. A. D. Willard.		Amended, passed; ayes 37, nays 0	1304
Introduced, referred	1158	Received back	1433
Passed; ayes 34, nays 5	1523	Reported enrolled	1463
Received back	1542	Signed by President	1463
Reported enrolled	1578	Sent to Governor	1463
Signed by President	1578		
Sent to Governor	1579	427 Committee on Claims. Claim of Elmer Rulisch.	
417 By Committee on Highways. State highway bonds of \$100,000,000.		Introduced	1293
Introduced, referred	1167	Recommended passage	1347
Amendment filed	1266	Passed; ayes 42, nays 0	1380
Reported out	1284	Received back	1468
H. F. 576 substituted	1394	Reported enrolled	1515
Withdrawn	1411	Signed by President	1516
		Sent to Governor	1516
418 By Sifting Committee. Secondary road improvements.			
Introduced	1179	428 By Committee on Appropriations. Appropriation to purchase property adjacent to the capitol grounds.	
Passed; ayes 39, nays 0	1249	Introduced	1350
Received back	1485	Amendment adopted	1426
Concurred	1509	Passed; ayes 41, nays 2	1426
Reported enrolled	1562	Received back	1502
Signed by President	1563	Reported enrolled	1562
Sent to Governor	1563	Signed by President	1563
		Sent to Governor	1563
419 By Sifting Committee. Repealing road bond act of the 42nd extra session.			
Introduced	1179	429 By Committee on Appropriations. Omnibus appropriation bill.	
Action deferred	1199	Introduced	1391
		Amendment adopted	1417
420 By Sifting Committee. Annotation supplements—price \$1.00.		Passed; ayes 44, nays 0	1417
Introduced	1179	Received back, referred	1560
Passed; ayes 35, nays 0	1198	Recommended amendments and concurrence	1563
Received back	1542	Amendments amended and concurred in	1565
Concurred	1570	Refusal received	1569
Reported enrolled	1578	Senate insists	1569
Signed by President	1578	Conference committee	1569
Sent to Governor	1579	Conference report	1573
		Conference report adopted	1573
421 By Sifting Committee. Tobacco tax.		Second conference committee	1585
Introduced	1179	Conference report	1599
Failed to pass; ayes 9, nays 33	1274	Conference report adopted	1601
		Received back	1612
		Reported enrolled	1612
		Signed by President	1613
		Sent to Governor	1613

SENATE RECORD OF SENATE BILLS

1651

S. F.	Page	S. F.	Page
430 Committee on Appropriations. Appropriation for alterations, repairs and maintenance of state capitol and grounds.		Passed; ayes 43, nays 0.....	1576
Introduced	1453	Received back	1585
Amended, passed; ayes 39, nays 0.	1503	Reported enrolled	1603
Received back	1530	Signed by President	1603
Reported enrolled	1562	Sent to Governor	1603
Signed by President	1563		
Sent to Governor	1563	432 By Committee on Ways and Means. Millage bill—Tax levy.	
		Introduced, passed; ayes 48, nays 0	1577
431 By Committee on Appropriations. Appropriation to carry out provisions of House File No. 288. Agricultural Short Courses.		Received back	1585
Introduced	1576	Reported enrolled	1603
		Signed by President	1603
		Sent to Governor	1603
		433 By Committee on Highways. Roads and highway.	
		Introduced	1584

HISTORY OF HOUSE BILLS IN THE SENATE

HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

4, 7, 16, 17, 21, 22, 23, 28, 35, 37, 38, 40, 41, 46, 50, 52, 56, 57, 63, 67, 71, 80, 90, 91, 92, 94, 96, 98, 99, 102, 105, 106, 111, 113, 114, 117, 123, 124, 129, 131, 132, 133, 135, 136, 145, 147, 149, 151, 154, 155, 156, 157, 160, 164, 169, 170, 172, 175, 177, 183, 184, 189, 190, 194, 198, 200, 202, 203, 205, 207, 208, 209, 210, 211, 212, 218, 223, 225, 227, 233, 234, 235, 236, 237, 238, 242, 247, 248, 249, 257, 259, 263, 265, 267, 268, 271, 276, 279, 280, 282, 288, 290, 296, 301, 302, 304, 305, 307, 309, 316, 319, 320, 321, 323, 328, 334, 335, 337, 338, 339, 341, 345, 351, 352, 354, 355, 361, 364, 365, 368, 372, 373, 377, 380, 392, 408, 409, 410, 411, 415, 419, 421, 422, 424, 427, 436, 442, 448, 453, 454, 463, 464, 468, 478, 482, 502, 517, 518, 527, 530, 539, 540, 541, 542, 543, 544, 545, 551, 552, 553, 561, 562, 564, 566, 567, 568, 569, 570, 571, 574, 575, 580, 581, 586, 587, 588, H. J. R. 3, 4, 6.

RECORD OF EACH BILL

H. F.	Page	H. F.	Page
2 By McCaulley, Johnson of Marlon, Greene. Income tax. Received, referred	548	Concurrence received	741
Recommended amendment and passage	585	Reported enrolled	773
Amendments filed	605	Signed by President	773
Amendment filed	633	7 By Greene, McCaulley and Johnson of Marlon. Taxation of public utilities.	
Amendment filed	655	Received, referred	370
Motion lost to make special order	663	Recommended passage	438
Recommended amendment and passage	692	Passed; ayes 44, nays 0	701
Amendment filed	736	Reported enrolled	773
Amendment filed	753	Signed by President	773
Amendments filed	867	9 By Van Buren. Telephone companies under jurisdiction of Railroad Commissioners.	
Amendments adopted	885	Received, referred	1371
Amendments	909	16 By Whiting. Fire protection contracts for buildings under charge of Board of Education (state) and of Board of Control.	
Amendments filed	910	Received, referred	245
Amended, action deferred	884, 912	Substituted for S. F. 129	392
Amended, passed; ayes 29, nays 21	921	Passed; ayes 42, nays 0	392
Title amended	939	Reported enrolled	431
Correction authorized	951	Signed by President	431
Received back	1150	17. By Reimers. Vacation orders on wills, administration and guardianship.	
Insisted amendments	1158	Received, referred	665
Conference committee appointed	1159	Reported out	1307
Reported disagreement	1198	Passed; ayes 40, nays 0	1439
Second conference committee	1205	Reported enrolled	1490
Reported disagreement	1301	Signed by President	1490
Third conference committee	1302	21 By Helgason. Weeds—cutting.	
Reported disagreement	1438	Received, referred	327
Fourth conference committee	1513	Recommended passage	470
Reported disagreement	1574	Action deferred	654
4 By Greene, McCaulley, and Johnson of Marlon. Powers and duties of State Board of Assessment and Review.		Amended, passed; ayes 32, nays 12	744
Received, referred	369	Concurrence received	804
Recommended amendment and passage	438	Reported enrolled	795
Made special order	551	Signed by President	796
Amendments adopted	571	22 By Durant. Drainage improvement.	
Passed; ayes 37, nays 0	571		
Concurrence received	664		
Senate requested return of bill	693		
Received back	704		
Passage reconsidered	727		
Amended, passed; ayes, 38, nays 0	728		

H. F.	Page
Received, referred	381
Recommended passage	471
Passed; ayes 36, nays 0	623
Reported enrolled	666
Signed by President	666
23 By TePaske, et al. Additional judge in twenty-first district.	
Received, referred	288
Recommended passage	494
Passed; ayes 43, nays 0	564
Reported enrolled	629
Signed by President	629
28 By Van Buren and Torgeson. Auditing accounts of Board of Control and Board of Education.	
Received, referred	574
Recommended passage	782
Amended, referred	1126
Returned without recommendation	1201
Amendment filed	1288
Amended, passed; ayes 36, nays 13	1387
Concurrence received	1468
Reported enrolled	1515
Signed by President	1516
30 By McLain. Podiatrist permit for alcohol.	
Received, referred	548
Recommended passage	812
33 By Van Buren and Helgason. School taxes on land owned by federal, state, county or municipal governments.	
Received, referred	668
35 By Langland. High school tuition in adjoining state.	
Received, referred	327
Substituted for S. F. 119	328
Passed; ayes 44, nays 0	367
Request for recall from House	407
Received back	476
Title amended	476
Concurrence received	504
Reported enrolled	520
Signed by President	520
37 By Allen. Street improvements.	
Received, referred	1186
Reported out	1443
Passed; ayes 39, nays 0	1460
Title amended	1460
Concurrence received	1500
Reported enrolled	1553
Signed by President	1553
38 By Allen. Tax exemptions.	
Received, referred	504
Amendments filed	1240
Reported out	1265
Amended, passed; ayes 45, nays 0	1404
Concurrence received	1457
Reported enrolled	1490
Signed by President	1490
40 By Brown. Sheriffs' salaries in counties of 40,000 or more.	
Received, referred	574, 584
Recommended passage	678
Amendments filed	864

H. F.	Page
Amended, passed; ayes 42, nays 0	963
Concurrence received	1015
Reported enrolled	1014
Signed by President	1015
41 By Brown. County Attorney's salary in counties of 125,000 or more.	
Received, referred	548
Recommended passage	678
Amendments filed	805
Amended, passed; ayes 38, nays 1	965
Concurrence received	1015
Reported enrolled	1014
Signed by President	1015
42 By Ditto. Poll tax.	
Received, referred	742
46 By Brown and Kern. Dragging unpaved city streets—levy.	
Received, referred	369
Recommended passage	811
Passed; ayes 33, nays 0	1010
Reported enrolled	1089
Signed by President	1089
50 By Brown and Kern. Water connections on streets that are to be improved.	
Received, referred	245
Recommended passage	676
Passed; ayes 32, nays 0	848
Reported enrolled	950
Signed by President	950
52 By Watts. Trot-line limits.	
Received, referred	804
Recommended passage	973
Amendments filed	991
Amended, passed; ayes 30, nays 2	1001
Concurrence received	1093
Reported enrolled	1110
Signed by President	1111
54 By Pattison and Reed. Property owned by educational institutions not to be exempt from taxation when operated for profit.	
Received, referred	804
Reported out	1307
Amendment filed	1456
Enacting clause stricken	1510
56 By Brown. Parks and playgrounds.	
Received, referred	245
Recommended passage	514
Passed; ayes 37, nays 0	653
Reported enrolled	692
Signed by President	692
57 By Wearin. Cemetery improvement fund.	
Received, substituted for S. F. 88	743
Deferred	744
Amendment filed	755
Amended, passed; ayes 38, nays 0	761
Concurrence received	804
Reported enrolled	849
Signed by President	849
62 By Watts. Fur-bearing animals.	
Received, referred	244, 246
63 By Avery. Lloyd Township school, Dickinson County.	

H. F.	Page	H. F.	Page
Received	226	98 By Van Buren, Coordinating certain departmental expense accounts under general appropriation bill.	
Amended, passed; ayes, 42, nays 0	227	Received, referred	369
Concurrence received	236	Recommended passage	532
Reported enrolled	259	Deferred	768
Signed by President	261	Amended, passed; ayes 40, nays 0	785
67 By Durant. Hancock County.		Concurrence received	804
Received, referred	285	Reported enrolled	882
Recommended passage	828	Signed by President	882
Passed; ayes 38, nays 1	1247	99 By Rutledge. Soldiers' relief fund.	
Reported enrolled	1339	Received, referred	259
Signed by President	1339	Recommended reference	268
71 By Osborn. Decatur County.		Rereferred	268
Received, referred	259	Recommended substitution for S. F. 79	426
Recommended passage	827	Recommended passage	426
Passed; ayes 32, nays 0	1025	Passed; ayes 33, nays 0	469
Reported enrolled	1089	Reported enrolled	520
Signed by President	1089	Signed by President	520
75 By Durant. Pheasants—additional open season upon petition.		101 By Millhone. Joint trial in joint indictments.	
Received, referred	475	Received, referred	575, 584
Recommended amendment and passage	655	Recommended indefinite postponement	827
Amendments filed	753	Indefinitely postponed	881
Rereferred	961	102 By Millhone. Hunting and fishing license fee.	
80 By Hansen of Scott. Expenses of district judges.		Received, referred	434, 447
Received, referred	277	Recommended passage	655
Recommended passage	1166	Action deferred	848
Passed; ayes 41, nays 1	1231	Amendment filed	864
Reported enrolled	1339	Rereferred	962
Signed by President	1339	Reported out	1443
90 By Elliott. Interstate bridges.		Amended, passed; ayes 27, nays 20	1461
Received, referred	504, 507	Concurrence received	1500
Substituted for S. F. 96	579	Reported enrolled	1553
Passed; ayes 39, nays 0	579	Signed by President	1653
Reported enrolled	629	105 By Peaco. Iowa products and labor—preference law.	
Signed by President	629	Received, referred	435
91 By Elliott. Interstate bridges.		Recommended passage	875
Received, referred	285	Deferred	882
Recommended passage	615	Amended, passed; ayes 40, nays 0	954
Passed; ayes 33, nays 0	731	Concurrence received	1015
Reported enrolled	795	Reported enrolled	1089
Signed by President	796	Signed by President	1089
92 By Elliott. Legalizing acts of certain corporations.		106 By McCreery and Van Buren. Oleomargarine, tax.	
Received, referred	505	Received, referred	668
Substituted for S. F. 98	732	Substituted for S. F. 9	674
Passed; ayes 35, nays 0	732	Amendment (substitute bill) filed	693
Reported enrolled	795	Amendment filed	714
Signed by President	796	Amended, passed; ayes 44, nays 1	768
94 By Elliott. Keokuk and Hamilton Bridge Co.		Concurrence received	804
Received, referred	285, 289	Reported enrolled	849
Recommended amendment and passage	560	Signed by President	849
Amendment adopted	734	111 By Whiting. School—attendance in another district.	
Passed; ayes 32, nays 0	734	Received, referred	548, 549
Concurrence received	804	Recommended passage	739
Reported enrolled	849	Passed; ayes 31, nays 0	1024
Signed by President	849	Reported enrolled	1089
96 By Hayes. Civil service.		Signed by President	1089
Received, referred	665, 673	113 By Greene. Bridges, culverts and overhead crossings.	
Recommended passage	873	Received, referred	548
Passed; ayes 30, nays 0	1043	Rereferred	617
Reported enrolled	1089	Recommended passage	719
Signed by President	1089	Deferred	825
		Passed; ayes 31, nays 0	1029

H. F.	Page
Reported enrolled	1089
Signed by President.....	1089
114 By Drake of Keokuk.	
Moneys and credits.	
Received, referred	959, 960
Reported out	1457
Amendment filed	1494
Amended, passed; ayes 33, nays 0.....	1554
Title amended	1555
Concurrence received	1565
Reported enrolled	1578
Signed by President	1578
117 By Forsling and Kern.	
Guardianship of veterans.	
Received, referred	259, 260
Recommended passage	780
Passed; ayes 35, nays 0	1009
Reported enrolled	1089
Signed by the President	1089
121 By Hunt. Highway commis-	
sion—legal service and expense.	
Received, referred	667, 673
Substituted for S. F. 95.....	790
Amendments filed	806
Amendment withdrawn	1026
Amended, passed; ayes 33, nays 0.....	1025
Refusal to concur received.....	1149
Senate insists	1180
Conference committee	1205
123 By Van Buren. Banks—sub-	
receiving stations.	
Received, referred	475, 476
Made special order	551
Passed; ayes 33, nays 0	617
Reported enrolled	666
Signed by President	666
124 By Committee on Fish and	
Game. Fish and game commis-	
sion.	
Received, referred	381
Recommended indefinite postpone-	
ment	562
Minority recommended passage.....	562
Action deferred	563
Rereferred	664
Recommended amendment and	
passage	699
Amendments filed	754
Amendment filed	774
Amendments filed	865
Made special order	1068
Amendments adopted	1097
Amended, passed; ayes 29, nays	
16	1101
Concurrence received	1157
Reported enrolled	1206
Signed by President	1206
129 By Long. Venereal diseases.	
Received, referred	574, 584
Recommended passage	812
Reported out	1148
Passed; ayes 29, nays 0	1180
Reported enrolled	1270
Signed by President	1270
131 By Long. Local Boards of	
Health.	
Received, referred	742
Recommended passage	813
Passed; ayes 29, nays 0.....	1181
Reported enrolled	1270
Signed by President	1270
132 By Rutledge. Maintenance	
of primary roads in cities of	
2,500 or less.	

H. F.	Page
Received, referred	958
Reported out	1307
Passed; ayes 47, nays 0	1499
Reported enrolled	1553
Signed by President	1553
133 By Forsling. Vacating	
street, alley or playgrounds.	
Received, referred	285
Recommended passage	814
Passed; ayes 37, nays 0	1245
Reported enrolled	1339
Signed by President	1339
135 By Kern and Forsling. Stock	
certificates.	
Received, referred	286, 289
Rereferred	295
Recommended passage	560
Passed; ayes 31, nays 0	624
Reported enrolled	666
Signed by President	666
136 By Hopkins. School courses	
of study to include Iowa history.	
Received, referred	504, 507
Recommended passage	722
Passed; ayes 36, nays 0	1003
Reported enrolled	1089
Signed by President	1089
138 By Rutledge. Return of poll	
book.	
Received, referred	1537
145 By Tamisiea. City of Mis-	
souri Valley.	
Received, substituted for S. F. 113.	
.....	277, 279
Passed; ayes 35, nays 0	279
Reported enrolled	353
Signed by President	353
147 By Long. Communicable	
diseases—definition of "isola-	
tion".	
Received, referred	575
Recommended passage	812
Passed; ayes 29, nays 0	1182
Reported enrolled	1270
Signed by President	1270
149 By Committee on Pharmacy.	
Public display of pharmacy	
license.	
Received; referred	268
Recommended passage	440
Passed; ayes 38, nays 0	647
Reported enrolled	692
Signed by President	692
150 By Committee on Pharmacy.	
Sale of poisons.	
Received, referred	269, 271
151 By Simmer. Municipal pub-	
lic utility plants.	
Received, referred	475, 477
Recommended amendment and	
passage	560
Made special order	664
Amendment filed	695
Amendment adopted	704-706
Amended, passed; ayes 37, nays	
13	704, 711
Title amended	710, 711
Concurrence received	741
Reported enrolled	773
Signed by President	773
154 By Stiger. Mayne and	
Brown. Constitutional amend-	
ments—testing legality of.	

H. F.	Page	H. F.	Page
Received, referred	381	172 By Rylander. Secondary road improvement.	
Recommended passage	423	Received, referred	475
Amended, passed; ayes 40, nays 2.	443	Recommended amendment and passage	719
Concurrence received	475	Amendment adopted	1046
Reported enrolled	488	Passed; ayes 29, nays 0	1046
Signed by President	488	Concurrence received	1093
155 By McCaulley and Johnson of Marion. Exemptions from execution.		Reported enrolled	1110
Received, referred	958, 960	Signed by President	1111
Reported out	1307	175 By Kern and Brown. County hospitals.	
Amended, passed; ayes 37, nays 0.	1497	Received, referred	505, 509
Refusal to concur received	1542	Recommended passage	677
Senate insists	1552	Passed; ayes 32, nays 0	847
Conference committee	1557	Reported enrolled	882
Received in Senate	1572	Signed by President	882
Conference report adopted	1571-1572	177 By Brown. Commutation of sentence.	
Reported enrolled	1578	Received, referred	505, 509
Signed by President	1578	Recommended passage	780
156 By Berry. Shale in street improvements.		Passed; ayes 33, nays 0	1008
Received, referred	285, 289	Reported enrolled	1089
Recommended passage	558	Signed by President	1089
Passed; ayes 43, nays 0	797, 798	183 By Hollingsworth. Nomination by petition.	
Reported enrolled	849	Received, referred	1500, 1512
Signed by President	849	Passed; ayes 37, nays 8	1540
157 By Committee on Judiciary. Repealing civil action exemption to military men.		Reported enrolled	1578
Received, referred	259	Signed by President	1578
Recommended passage	493	184 By Ditto and Mead. State aid for county and district fairs.	
Passed; ayes 46, nays 0	689	Received, referred	381
Reported enrolled	718	Recommended passage	760
Signed by President	718	Passed; ayes 27, nays 0	1061
160 By Committee on Judiciary. Township officers.		Reported enrolled	1110
Received, referred	259	Signed by President	1111
Recommended passage	493	189 By Mayne. Omaha, Council Bluffs & Suburban Railway Co.	
Passed; ayes 44, nays 0	689	Received, referred	505
Reported enrolled	718	Recommended passage	826
Signed by President	718	Passed; ayes 34, nays 0	1040
163 By Committee on Cities and Towns. Removal of snow, etc., from sidewalks.		Reported enrolled	1089
Received, referred	259, 260	Signed by President	1089
Recommended indefinite postponement	384	190 By Long. Board of Health.	
Indefinitely postponed	520	Received, referred	575
164 By Committee on Judiciary. Session laws.		Recommended passage	699
Received, referred	259, 260	Passed; ayes 34, nays 0	1005
Recommended passage	425	Reported enrolled	1089
Passed; ayes 37, nays 0	477	Signed by President	1089
Reported enrolled	520	194 By Special Contest Committee. Expense of Fabritz-Hall election contest.	
Signed by President	520	Received, referred	574, 584
169 By Snyder. Horse-drawn vehicles.		Recommended passage	674
Received, referred	548	Passed; ayes 42, nays 1	979
Substituted for S. F. 160	551	Reported enrolled	1072
Passed; ayes 27, nays 8	627	Signed by President	1072
Reported enrolled	666	197 By Fabritz. County offices.	
Signed by President	666	Received, referred	1157, 1164
170 By Greaser. Commercial foods and stock tonics.		Reported out	1240
Received, referred	434, 447	Failed to pass; ayes 15, nays 30	1368-1369
Committee recommended amendment and passage	760	198 By Ditto and Mead. County and district fairs.	
Reported out	1148	Received, referred	574
Amendments adopted	1174	Reported out	1240
Passed; ayes 28, nays 2	1174	Passed; ayes 46, nays 0	1369
Concurrence received	1280	Reported enrolled	1421
Reported enrolled	1339	Signed by President	1422
Signed by President	1339	199 By Kern and Brown. County hospitals.	

SENATE RECORD OF HOUSE BILLS

1657

H. F.	Page
Received, referred	1433, 1441
200 By Fabritz. Fish and game —undesirable fish.	
Received, referred	575, 585
Recommended passage	701
Amendment filed	990
Amended, passed; ayes 36, nays 0.	1115
Concurrence received	1289
Reported enrolled	1339
Signed by President	1339
202 By Beath. Parole outside of state.	
Received, referred	548
Substituted for S. F. 150	624
Passed; ayes 38, nays 0.	624
Reported enrolled	666
Signed by President	666
203 By Whiting. Transferring certain township funds to school.	
Received, referred	704
Recommended amendment and passage	829
Amendment adopted	1256
Passed; ayes 41, nays 0.	1256
Concurrence received	1289
Reported enrolled	1339
Signed by President	1339
205 By Thompson. Open season on red fox.	
Received, referred	505, 508
Recommended passage	581
Amendment filed	695
Amended, passed; ayes 34, nays 0.	730
Concurrence received	804
Reported enrolled	795
Signed by President	796
207 By Committee on Judiciary. Bonds of budget director and appeal board members.	
Received, referred	286, 289
Recommended passage	424
Passed; ayes 38, nays 0.	479
Reported enrolled	568
Signed by President	568
208 By Committee on Judiciary. Code annotations to be issued every two years.	
Received, referred	286
Recommended passage	613
Passed; ayes 33, nays 0.	339
Reported enrolled	882
Signed by President	882
209 By Committee on Judiciary. Teachers' pensions.	
Received, referred	286
Recommended indefinite postpone- ment	614
Indefinitely postponed	682
Indefinite postponement recon- sidered	713
Passed; ayes 31, nays 0.	1028
Reported enrolled	1089
Signed by the President	1089
210 By Committee on Judiciary. Court proceedings in vacation.	
Received, referred	286
Recommended passage	614
Passed; ayes 44, nays 0.	888
Reported enrolled	1014
Signed by President	1015
211 By Committee on Judiciary. Labor and materials on public improvements.	

H. F.	Page
Received, referred	286, 290
Recommended passage	614
Passed; ayes 31, nays 0.	840
Reported enrolled	882
Signed by President	882
212 By Committee on Judiciary. False bills of lading.	
Received, referred	286, 290
Recommended passage	614
Amended, passed; ayes 27, nays 0.	840
Concurrence received	910
Reported enrolled	950
Signed by President	950
213 By Committee on Judiciary. Sheriff's fees.	
Received, referred	286, 290
Recommended indefinite postpone- ment	615
Indefinitely postponed	682
215 By Randall. Closed season on akunk.	
Received, referred	1016
218 By Hansen of Scott. Super- visors—destroying certain rec- ords.	
Received, referred	703, 712
Recommended passage	829
Passed; ayes 33, nays 0.	997
Reported enrolled	1072
Signed by President	1072
223 By Committee on Public Health. Medicine and surgery.	
Received, referred	380
Recommended amendment and passage	699
Amendment adopted	1004
Amended, passed; ayes 36, nays 0.	1004
Reported enrolled	1110
Signed by President	1111
225 By Committee on Public Health. Medicine and surgery.	
Received	369
Recommended amendment and passage	472
Amendment adopted	688
Passed; ayes 39, nays 1.	688
Concurrence received	741
Reported enrolled	778
Signed by President	773
226 By Committee on Suppres- sion of Intemperance. Drugged or adulterated liquors.	
Received, referred	381, 383
Committee recommended passage.	524
Rereferred	952
227 By Committee on Suppres- sion of Intemperance. Liquor law violations.	
Received, referred	381, 383
Recommended passage	794
Reported out	1148
Passed; ayes 31, nays 3.	1271
Reported enrolled	1339
Signed by President	1339
228 By Husted. Commercial feeds.	
Received	632
Referred	646
Recommended passage	813
233 By Johnson of Marion. Li- censing of veterinarians.	
Received, referred	1186, 1197

H. F.	Page	H. F.	Page
Reported out	1307	249 By Hayes and Orr. Fish and game.	
Passed; ayes 28, nays 18	1463	Received, referred	743, 752
Reported enrolled	1553	Recommended passage	973
Signed by President	1553	Reported out	1240
234 By Committee on Judiciary. Motor vehicle records.		Passed; ayes 36, nays 0	1311
Received, referred	380, 382	Reported enrolled	1368
Recommended passage	559	Signed by President	1369
Passed; ayes 42, nays 0	797	251 By Nelson of Story. Insurance—mutual assessment associations—quo warranto procedure against.	
Reported enrolled	849	Received, referred	1371
Signed by President	849	252 By Rylander. Hail insurance.	
235 By Committee on Judiciary. Records of supreme court.		Received, referred	1370
Received, referred	380, 381	Reported out	1443
Reported out	1203	Action deferred	1451
Passed; ayes 36, nays 0	1259	Failed to pass, ayes 19, nays 21	1458
Reported enrolled	1339	257 By Johnson of Marion. Police radio broadcasting system.	
Signed by the President	1339	Received, substituted for S. F. 175.	958, 962
236 By Special Contest Committee. Expenses of Gallagher-Hatter contest.		Passed; ayes 41, nays 0	962
Received, referred	575	Reported enrolled	1014
Recommended passage	675	Signed by President	1015
Passed; ayes 37, nays 4	980	259 By Johnson of Marion. Dentist's license.	
Reported enrolled	1072	Received, referred	1372
Signed by President	1072	Reported out	1457
237 By Miller. Portsmouth Livestock Shipping Association.		Passed; ayes 37, nays 0	1526
Received, referred	504	Reported enrolled	1562
Recommended passage	827	Signed by President	1563
Passed; ayes 30, nays 0	832	261 By Hopkins. Teachers' employment bureau.	
Reported enrolled	882	Received	632
Signed by President	882	Referred	646
238 By Committee on Judicial and Political Districts. State representative districts.		263 By Committee on Judiciary. Felony defined.	
Received, referred	476	Received, referred	380, 384
Recommended passage	718	Recommended passage	474
Passed, ayes 35, nays 0	1136	Passed; ayes 37, nays 0	513
Reported enrolled	1206	Reported enrolled	568
Signed by President	1206	Signed by President	568
242 By Committee on State Educational Institutions. Expenses of investigation of State University.		265 By Special Contest Committee. Expenses of Berry-Maneour election contest.	
Received, referred	380, 382	Received, referred	665, 673
Amendment filed	525	Recommended passage	740
Recommended amendment and passage	532	Reported out	1148
Amendment filed	551	Passed; ayes 37, nays 0	1226
Made special order	564	Reported enrolled	1294
Action deferred	570	Signed by President	1294
Amendment filed	991	267 By Hopkins. Teachers' examinations.	
Amendment filed	1481	Received, referred	742
Amended, passed; ayes 46, nays 0	1533	Recommended passage	830
Title amended	1562	Passed; ayes 36, nays 0	1218
Concurred	1570	Reported enrolled	1294
Reported enrolled	1578	Signed by President	1294
Signed by President	1578	268 By Helgason. Special assessments.	
247 By Strachan. Consolidated school district of Bode.		Received, referred	856
Received, referred	504, 508	Reported out	1240
Proof of publication	607	Passed; ayes 42, nays 0	1402
Substituted for S. F. 176	618	Reported enrolled	1474
Passed; ayes 35, nays 0	618	Signed by President	1475
Reported enrolled	666	271 By Committee on Public Libraries. Libraries.	
Signed by President	666	Received, referred	548, 550
248 By Brown. Hotel liens.		Recommended passage	713
Received, referred	504, 507	Amended, passed; ayes 38, nays 1	1030
Recommended passage	974		
Substituted for S. F. 210	1007		
Passed; ayes 34 nays 0	1007		
Reported enrolled	1089		
Signed by President	1089		

H. F.	Page
Concurrence received	1093
Reported enrolled	1110
Signed by President	1111
276 By Special Contest Committee. Ditto-Hattendorf contest expenses.	
Received, referred	742
Recommended passage	811
Reported out	1148
Passed; ayes 42, nays 0	1209
Reported enrolled	1339
Signed by President	1339
279 By Van Buren. Patent to certain lands to A. F. Walters.	
Received, referred	575, 585
Recommended passage	780
Passed; ayes 35, nays 0	1013
Reported enrolled	1089
Signed by President	1089
280 By Committee on Agriculture. Scales—inspection fees.	
Received, referred	380, 382
Recommended passage	699
Passed; ayes 32, nays 0	1037
Reported enrolled	1089
Signed by President	1089
282 By Hanson. Distress warrants for collection of personal taxes.	
Received, referred	668
Recommended passage	781
Passed; ayes 29, nays 0	1045
Reported enrolled	1089
Signed by President	1089
285 By Hansen of Scott. Automobile license reductions after first year.	
Received, referred	1335
Reported out	1516
Passed; ayes 33, nays 7	1549
Reported enrolled	1578
Signed by President	1578
288 By Ditto. State aid to agricultural short courses.	
Received, referred	742, 751
Recommended amendment and passage	972
Reported out	1179
Amendments adopted	1211
Passed; ayes 39, nays 0	1211
Refusal to concur received	1289
Receded	1401
Reported enrolled	1474
Signed by President	1475
290 By Helgason. Secondary road improvement on county line.	
Received, referred	857
Recommended passage	958
Reported out	1179
Passed; ayes 34, nays 0	1194
Reported enrolled	1270
Signed by President	1270
292 By Mayne. Fire chiefs and police chiefs.	
Received, referred	1016
296 By Rutledge. Damage in constructing gas lines—place of bringing suit.	
Received, referred	1186, 1197
Reported out	1307
Passed; ayes 37, nays 0	1525
Reported enrolled	1572
Signed by President	1573

H. F.	Page
297 By Durant. Dog license.	
Received, referred	1149, 1163
301 By Simmer. Municipal public utility bonds.	
Received, referred	548
Recommended passage	592
Passed; ayes 33, nays 0	619
Reported enrolled	666
Signed by President	666
302 By Committee on Cities and Towns. City park board.	
Received	632
Referred	646
Recommended passage	813
Reported out	1265
Passed; ayes 29, nays 1	1308
Reported enrolled	1368
Signed by President	1368
304 By Avery. Divorce.	
Received, referred	743, 753
Reported out	1307
Passed; ayes 30, nays 0	1443
Reported enrolled	1490
Signed by President	1490
305 By McCaulley. Costs of disbarment proceedings.	
Received, referred	855
Reported out	1457
Passed; ayes 31, nays 0	1517
Reported enrolled	1562
Signed by President	1563
307 By Tamisiea. Labor and material on public improvements.	
Received	959
Substituted for S. F. 213, deferred	963
Amended, passed; ayes 43, nays 0	976
Concurrence received	1015
Reported enrolled	1089
Signed by President	1089
309 By Allen and Hanson. Marketing livestock by truck.	
Received, referred	1186, 1197
Reported out	1265
Amendment filed	1353
Amended, passed; ayes 31, nays 9	1448
Concurrence received	1500
Reported enrolled	1553
Signed by President	1553
310 By Short. Official newspapers.	
Received, referred	1288, 1297
314 By Brown. Wills.	
Received, referred	856
316 By Garrett. Fur dealers.	
Received, referred	855, 860
Reported out	1307
Amendment filed	1399
Amended, passed; ayes 44, nays 1	1449
Concurrence received	1500
Reported enrolled	1553
Signed by President	1553
319 By Committee on Claims. Emmet L. Morris, Albert L. Sharp, A. L. Wood.	
Received, referred	1287, 1295
Recommended passage	1348
Passed; ayes 41, nays 0	1386
Reported enrolled	1421
Signed by President	1422
320 By Committee on Claims. Mrs. K. E. Anderson.	

H. F.	Page	H. F.	Page
Received, referred	742	Passed; ayes 32, nays 7	796
Recommended passage	1263	Reported enrolled	849
Passed; ayes 46, nays 1	1375	Signed by President	849
Reported enrolled	1421		
Signed by President	1422	341 By Mayne and Greene. Municipal waterworks—use of surplus earnings.	
321 By Committee on Claims, Metz Construction Co.		Received, referred	743
Received, referred	742	Substituted for S. F. 261	966
Recommended passage	793	Amended, passed; ayes 44, nays 0	966
Passed; ayes 37, nays 0	1238	Concurrence received	1015
Reported enrolled	1339	Reported enrolled	1089
Signed by President	1339	Signed by President	1089
323 By Committee on Claims, W. F. Dollen and Sons.		344 By Short and Forsling. Interstate bridges.	
Received, referred	1287, 1295	Received, referred	1156, 1163
Recommended passage	1348	Reported out	1265
Passed; ayes 41, nays 0	1383-1384	Amended, failed to pass; ayes 8, nays 37	1452
Reported enrolled	1421		
Signed by President	1422	345 By Langland. School elections on contracting indebtedness.	
328 By Committee on Schools and Textbooks. School census.		Received, referred	1157
Received, referred	704	Reported out	1284
Substituted for S. F. 346	984	Passed; ayes 34, nays 0	1313
Amended, passed; ayes 47, nays 0	984	Reported enrolled	1368
Received back	1150	Signed by President	1368
Concurred	1183		
Reported enrolled	1270	351 By Committee on Claims, Thomas Logan, Dale Taylor, Mrs. James Shada, E. R. Bartz, Union Prairie Church, P. A. Clemmer, Fink Bros., Wm. Ross.	
Signed by President	1270	Received, referred	1287, 1295
332 By Ellsworth. Local boards of health.		Recommended passage	1347
Received, referred	856, 862	Passed; ayes 42, nays 0	1382
Recommended indefinite postponement	972	Reported enrolled	1421
		Signed by President	1422
333 By Ellsworth. Township trustees.		352 By Hush. Pipe lines—valuation and assessment.	
Received, referred	856, 862	Received, referred	1157
Reported out	1307	Reported out	1284
Enacting clause stricken	1559	Amendments filed	1355
		Substitute bill submitted	1427
334 By Committee on Judiciary. Gasoline refunds.		Substitution made	1431
Received, referred	703, 711	Passed; ayes 46, nays 0	1431
Recommended passage	827	Concurrence received	1500
Reported out	1149	Reported enrolled	1553
Passed; ayes 42, nays 0	1248	Signed by President	1553
Reported enrolled	1339		
Signed by President	1339	354 By Orr. Patent to certain lands to J. P. Eckart.	
335 By Committee on Judiciary. City and town elections.		Received, referred	854
Received, referred	703	Recommended passage	973
Reported out	1179	Reported out	1170
Amended, passed; ayes 38, nays 0	1277	Passed; ayes 28, nays 0	1170
Concurrence received	1371	Reported enrolled	1206
Reported enrolled	1421	Signed by President	1206
Signed by President	1422		
337 By McCauley. Attorney's fees.		355 By Craven. Budget plan for counties.	
Received, referred	959	Received, referred	1335, 1349
Reported out	1203	Reported out	1443
Passed; ayes 37, nays 0	1259	Passed; ayes 35, nays 0	1445
Reported enrolled	1339	Reported enrolled	1490
Signed by President	1339	Signed by President	1490
338 By Orr. Carl G. Schultz.		361 By Berry. Workmen's compensation.	
Received, referred	855, 861	Received, referred	1186
Recommended passage	973	Reported out	1284
Passed; ayes 32, nays 0	1031	Passed; ayes 39, nays 0	1450
Reported enrolled	1089	Reported enrolled	1515
Signed by President	1089	Signed by President	1516
339 By Committee on Pharmacy. Pharmacy.		364 By Committee on Judiciary. Municipal waterworks.	
Received, referred	742, 751	Received, referred	855, 861
Substituted for S. F. 274	786	Passed; ayes 43, nays 0	1278
Action deferred	786		

H. F.	Page
Reported enrolled	1339
Signed by President	1339
365 By Committee on Judiciary. Serial number—destroying same on machinery or musical instruments.	
Received, referred	743, 752
Substituted for S. F. 277	999
Amended, passed; ayes 33, nays 0	999
Concurrence received	1093
Reported enrolled	1110
Signed by President	1111
367 By Berry. Mines—check- weighmen—interference in du- ties.	
Received, referred	1186
368 By Elliott. Taxes—reducing rate of all taxing bodies for 1932 and 1933.	
Received, referred	1093
Reported out	1203
Amendments filed	1265
Amended, action deferred	1278
Amended, passed; ayes 29, nays 18	1289
Concurrence received	1335
Reported enrolled	1368
Signed by President	1368
371 By Forsling. Workmen's compensation.	
Received, referred	1186, 1197
372 By Mayne and Brown. Auto- mobile accidents.	
Received, referred	855, 860
Reported out	1203
Amendment filed	1233
Amended, passed; ayes 42, nays 1	1297
Concurrence received	1335
Reported enrolled	1368
Signed by President	1368
373 By Mayne. Legalizing an election at Council Bluffs.	
Received, referred	743
Substituted for S. F. 342	1041
Passed; ayes 32, nays 0	1041
Reported enrolled	1089
Signed by President	1089
377 By Wamstad. Motor vehicle fuel.	
Received, referred	703, 712
Recommended amendment and passage	875
Reported out	1179
Amendment adopted	1252
Amended, passed; ayes 43, nays 0	1252
Concurrence received	1289
Reported enrolled	1339
Signed by President	1339
380 By Forsling. Code and ses- sion laws—free distribution.	
Received, referred	855
Reported out	1284
Passed; ayes 41, nays 0	1435
Reported enrolled	1490
Signed by President	1490
390 By Committee on Claims. Silfer and Abrahamson.	
Received, referred	1390
Returned without recommenda- tion	1419
Failed to receive two-thirds ma- jority in Senate; ayes 15, nays 21	1425

H. F.	Page
Failure to pass reconsidered	1462
Request for return from House	1462
Received in Senate	1468
Failed to receive two-thirds ma- jority in Senate; ayes 25, nays 17	1493
392 By Kern. Petition for parti- tion.	
Received, referred	856, 862
Reported out	1265
Passed; ayes 42, nays 0	1436
Reported enrolled	1490
Signed by President	1490
395 By Committee on Schools and Textbooks. Normal training courses in high schools.	
Received, referred	1156, 1165
399 By Flnnern. Municipal pub- lic utilities.	
Received, referred	1157
407 By Ditto. Anti-freeze com- pounds—regulating sale of me- thanol.	
Received, referred	804
Recommended passage	875
408 By Committee on Claims. C. A. Knutson.	
Received, referred	1287
Recommended passage	1395
Passed; ayes 37, nays 0	1415
Reported enrolled	1474
Signed by President	1475
409 By Committee on Claims. Brown and Cook, and Harry Yoss.	
Received, referred	1258
Recommended passage	1348
Passed; ayes 44, nays 0	1379
Reported enrolled	1421
Signed by President	1422
410 By Committee on Claims. Winnebago, Emmet, Louisa, Muscatine and Hancock Coun- ties.	
Received, referred	1287
Recommended passage	1347
Passed; ayes 42, nays 0	1381
Reported enrolled	1421
Signed by President	1422
411 By Committee on Claims. William Hirsch, Fred Helden- mler.	
Received, referred	1288, 1296
Recommended passage	1395
Passed; ayes 36, nays 0	1414
Reported enrolled	1474
Signed by President	1475
412 By Wamstad. Unfair dis- crimination.	
Received, referred	1187, 1196
414 By Hopkins. School elections legal notice.	
Received, referred	1016
415 By Kern. Civil service.	
Received, referred	804
Recommended passage	874
Passed; ayes 33, nays 0	1185
Reported enrolled	1270
Signed by President	1270
419 By Greene. Publication of Legislative acts effective upon publication.	

H. F.	Page	H. F.	Page
Received, referred	1017, 1052	Received, referred	1371, 1392
Reported out	1307	453 By Committee on Judiciary.	
Passed; ayes 36, nays 0	1557	State representative districts.	
Reported enrolled	1578	Received, referred	856
Signed by President	1578	Reported out	1203
420 By Greene. Publication of		Passed; ayes 44, nays 0	1298
census.		Reported enrolled	1339
Received, referred	1017, 1052	Signed by President	1339
421 By Tamisiea. City of Mis-		454 By Committee on Judiciary.	
souri Valley.		Appeals to the supreme court.	
Received, referred	743	Received, referred	743
Recommended passage	973	Recommended passage	826
Proof of publication	994	Reported out	1149
Passed; ayes 33, nays 0	1034	Passed; ayes 41, nays 0	1246
Reported enrolled	1089	Reported enrolled	1339
Signed by President	1089	Signed by President	1339
422 By Snyder. Standard bushel		463 By Peaco. Busses and trucks.	
48 lbs. for grapefruit, oranges		limiting operator's hours.	
and lemons.		Received, referred	1289
Received, referred	856	Passed; ayes 36, nays 0	1566
Substituted for S. F. 316	1006	Reported enrolled	1578
Passed; ayes 31, nays 0	1007	Signed by President	1578
Reported enrolled	1089	464 By Koch. Insurance—depos-	
Signed by President	1089	its with commissioner.	
424 By Mayne. School districts.		Received, referred	1433
Received, referred	855, 861	Reported out	1516
Reported out	1443	Passed; ayes 41, nays 0	1538
Passed; ayes 34, nays 0	1444	Reported enrolled	1578
Reported enrolled	1490	Signed by President	1578
Signed by President	1490	468 By Stiger. Legalizing an	
427 By Tamisiea. Drainage.		election at Traer.	
Received, referred	855	Received, referred	1168
Recommended passage	990	Reported out	1203
Passed; ayes 35, nays 0	1005	Passed; ayes 41, nays 0	1209
Reported enrolled	1089	Reported enrolled	1294
Signed by President	1089	Signed by President	1294
429 By Stiger. Partitions.		476 By Committee on Judiciary.	
Received, referred	856	Arraignment and pleading of	
436 By Hollis. District poultry		defendant—waiver of right to	
shows.		jury trial.	
Received, referred	1334	Received, referred	856, 863
Reported out	1457	Reported	1203
Passed; ayes 39, nays 0	1525	Failed to pass; ayes 22, nays 22	1299
Reported enrolled	1562	477 By Committee on Judiciary.	
Signed by President	1563	Automobile—personal damages	
441 By Committee on Schools and		to guest.	
Textbooks. Common school li-		Received, referred	1016
braries.		Reported out	1203
Received, referred	855, 861	Action deferred	1300
442 By Tamisiea, et al. Congres-		Failed to pass; ayes 19, nays 28	1361
sional districts.		Motion to reconsider	1374, 1493
Received, referred	1149, 1163	478 By Whiting. Johnson Coun-	
Reported out	1240	ty.	
Passed; ayes 36, nays 8	1228	Received, referred	1484
Reported enrolled	1294	Passed; ayes 39, nays 6	1532
Signed by President	1294	Reported enrolled	1562
445 By Committee on Banks and		Signed by President	1563
Banking. False statement for		482 By Whiting. Johnson Coun-	
credit.		ty.	
Received, referred	1484	Received, referred	1017, 1052
Reported out	1516	Passed; ayes 29, nays 0	1170
Failed to pass; ayes 18, nays 28	1539	Reported enrolled	1206
448 By McCreery. Automobiles		Signed by President	1206
—driving while intoxicated.		492 By Hanson, Durant and Hop-	
Received	1316	kins. Dogs.	
Reported out	1443	Received	1316
Passed; ayes 36, nays 0	1446	494 By Langland. Fences.	
Reported enrolled	1490	Received, referred	1432, 1440
Signed by President	1490	502 By Committee on Land Titles.	
450 By Dayton. Nurses' training		Tax corrections and liens.	
hospitals.		Received, referred	1017, 1051
		Reported out	1284

SENATE RECORD OF HOUSE BILLS

1663

H. F.	Page
Passed; ayes 31, nays 3.....	1464
Reported enrolled	1553
Signed by President.....	1553
509 By Allen. Consolidated schools.	
Received, referred	1500, 1512
517 By Committee on Claims. Independence Corrugated Culvert Co.	
Received, referred	1288
Recommended passage	1348
Passed; ayes 44, nays 0.....	1384
Reported enrolled	1421
Signed by President.....	1422
518 By Committee on Claims. Town of West Branch.	
Received, referred	1287
Recommended passage	1347
Passed; ayes 42, nays 0.....	1387
Reported enrolled	1421
Signed by President.....	1422
519 By Shields, Hush, Reimers, Torgeson. Primary road bonds.	
Received, referred	1390, 1394
Amendment filed	1495, 1496
Amendment filed	1579
Amended, passed; ayes 45, nays 4.....	1590
Refusal to concur received.....	1613
527 By Hopkins. Schools.	
Received, referred	1017, 1054
Substituted for S. F. 373.....	1190
Passed; ayes 33, nays 0.....	1190
Reported enrolled	1270
Signed by President.....	1270
530 By Long. First Methodist Episcopal church at Mason City.	
Received, referred	1017, 1053
Passed; ayes 39, nays 0.....	1061
Reported enrolled	1110
Signed by President.....	1111
533 By Kern. City's supplies—bids for yearly contract basis.	
Received, referred	1432
535 By Committee on Cities and Towns. River front improvement.	
Received, referred	1500
538 By Committee on Judiciary. Attorneys—solicitation of business.	
Received, referred	1371, 1393
539 By Committee on Appropriations. Oleomargarine tax.	
Received, referred	1287, 1295
Recommended passage	1396
Passed; ayes 36, nays 0.....	1416
Reported enrolled	1474
Signed by President.....	1475
540 By Committee on Claims. Van L. Woodruff.	
Received, referred	1288, 1296
Recommended passage	1418
Passed; ayes 36, nays 9.....	1421
Reported enrolled	1474
Signed by President.....	1475
541 By Committee on Claims. H. D. Coe.	
Received, referred	1370
Recommended passage	1419
Passed; ayes 40, nays 0.....	1420
Reported enrolled	1474
Signed by President.....	1475
542 By Committee on Claims. Earl E. Hunt.	

H. F.	Page
Received, referred	1288
Recommended passage	1348
Passed; ayes 43, nays 0.....	1385
Reported enrolled	1421
Signed by President.....	1422
543 By Committee on Claims. George Brown.	
Received, referred	1287, 1294
Recommended passage	1419
Passed; ayes 42, nays 0.....	1423
Reported enrolled	1474
Signed by President.....	1475
544 By Committee on Claims. H. A. Sterns.	
Received, referred	1288, 1296
Recommended passage	1395
Passed; ayes 39, nays 0.....	1413
Reported enrolled	1474
Signed by President.....	1475
545 By Committee on Claims. Tama, Greene and Story Counties.	
Received, referred	1288, 1296
Returned without recommendation	1395
Passed; ayes 38, nays 0.....	1413
Reported enrolled	1474
Signed by President.....	1475
546 By Committee on Schools and Textbooks. School courses.	
Received, referred	1484
548 By Committee on Labor. Employment agencies.	
Received, referred	1432
Amendment filed	1456
Reported out	1457
Amended, failed to pass; ayes 9, nays 31	1528
549 By Committee on Labor. Child labor.	
Received, referred	1432
551 By Committee on Claims. Gilbert Merritt.	
Received, referred	1288, 1297
Recommended passage	1349
Amended, passed; ayes 41, nays 0.....	1383
Concurrence received	1468
Reported enrolled	1515
Signed by President.....	1516
552 By Committee on Cities and Towns. Municipal public utilities.	
Received, referred	1157, 1164
Reported out	1307
Passed; ayes 40, nays 0.....	1438
Reported enrolled	1490
Signed by President.....	1490
553 By Committee on Judiciary. Appanoose County.	
Received, referred	1187
Reported out	1457
Passed; ayes 35, nays 0.....	1538
Reported enrolled	1578
Signed by President.....	1578
556 By Committee on Motor Vehicles and Transportation. Automobiles.	
Received, referred	1541, 1559
561 By Committee on Claims. Joseph Roy Collins.	
Received, placed on calendar.....	1458, 1474
Passed; ayes 42, nays 0.....	1506
Reported enrolled	1553
Signed by President.....	1553

H. F.	Page	H. F.	Page
562 By Committee on Claims. M. L. Haley.		Reported out	1443
Received	1457	Passed; ayes 36, nays 4.....	1491
Passed; ayes 38, nays 5	1507	Reported enrolled	1553
Reported enrolled	1553	Signed by President.....	1553
Signed by President.....	1553	575 By Committee on Tax Revision. Moneys and credits taxation.	
564 By Committee on Claims. Delpha Nelson.		Received, referred	1372, 1392
Received	1457	Reported out	1443
Passed; ayes 43, nays 0.....	1507	Passed; ayes 35, nays 1.....	1492
Reported enrolled	1553	Reported enrolled	1553
Signed by President.....	1553	Signed by President.....	1553
566 By Committee on Claims. Paul J. Tissler.		576 By Committee on Roads and Highways. State highway bonds of \$100,000,000.	
Received	1457	Received, substituted for S. F. 417	1390, 1394
Passed; ayes 38, nays 0.....	1508	Amended, passed; ayes 46, nays 4.....	1406
Reported enrolled	1553	Concurrence received	1468
Signed by President.....	1552	Reported enrolled	1490
567 By Committee on Claims. Martin McCarthy.		Signed by President.....	1490
Received, referred	1434, 1441	580 By Committee on Claims. Laura E. Sellers.	
Passed; ayes 42, nays 0.....	1504	Received, referred	1391, 1394
Reported enrolled	1553	Recommended passage	1419
Signed by President.....	1553	Passed; ayes 40, nays 3.....	1424
568 By Committee on Claims. Fred Hill. Mrs. Victoria Hill, Laura E. Hill.		Reported enrolled	1474
Received	1457	Signed by President.....	1475
Passed; ayes 44, nays 0.....	1505	581 By Committee on Claims. J. O. Gilchrist.	
Reported enrolled	1553	Received, referred	1390, 1394
Signed by President.....	1553	Passed; ayes 40, nays 0.....	1422
569 By Committee on Claims. C. C. Mayhew and Rev. F. A. Moore.		Reported enrolled	1474
Received, referred	1391, 1394	Signed by President.....	1475
Recommended passage	1419	582 By Sifting Committee. Mo- tor vehicles.	
Passed; ayes 44, nays 0.....	1423	Received, referred	1500, 1512
Reported enrolled	1474	585 By Sifting Committee. Ruck- er's Incorporation.	
Signed by President.....	1475	Received, referred	1485
570 By Committee on Tax Revision. Grain, ice and coal deal- ers.		586 By Sifting Committee. Amending House File 527.	
Received, referred	1371, 1392	Received, referred	1457, 1473
Reported out	1443	Reported out	1467
Passed; ayes 35, nays 0.....	1489	Passed; ayes 43, nays 0.....	1504
Concurrence received	1557	Reported enrolled	1553
Reported enrolled	1562	Signed by President.....	1553
Signed by President.....	1563	587 By Committee on Appropriations. Appropriation to carry out provisions of House File 377.	
571 By Committee on Tax Revision. Corporation stock.		Received	1468
Received, referred	1371, 1392	Passed; ayes 40, nays 0.....	1558
Reported out	1443	Reported enrolled	1578
Passed; ayes 42, nays 0.....	1490	Signed by President.....	1578
Reported enrolled	1553	588 By Sifting Committee. How- ard Downing, Gilbert Down- ing, Gifford Handke, A. L. Wise.	
Signed by President.....	1553	Received	1485
573 By Committee on Tax Revision. Loan corporation taxa- tion.		Passed; ayes 36, nays 0.....	1524
Received, referred	1371, 1391	Signed by President.....	1563
574 By Committee on Tax Revision. Taxing sheep and swine.			
Received, referred	1372, 1392		

SENATE RECORD ON SENATE JOINT RESOLUTIONS

S. J. R.	Page	S. J. R.	Page
1 By Benson. Constitutional amendment—improvement of highways.		Signed by President.....	326
Introduced, referred	104	Sent to Secretary.....	407
Recommended passage	129	2 By Moen. Constitutional amendment—filling vacancies in the general assembly.	
Passed; ayes 37, nays 10.....	166	Introduced, referred	127
Revised back	225	Returned without recommenda- tion	283
Concurred	303		
Reported enrolled	325		

SENATE RECORD OF HOUSE BILLS

1665

S. J. R.	Page
Passed; ayes 41, nays 2.....	361
Received back	1501
Reported enrolled	1562
Signed by President.....	1563
3 By Wilson. Constitutional amendment—authorizing cities to acquire or establish civic centers.	
Introduced, referred	150
Returned without recommendation	759
Withdrawn	760
4 By Bennett. Compensation of extra help of the General Assembly.	
Introduced	153
Passed; ayes 43, nays 2.....	156
Received back	174
Reported enrolled	177
Signed by President.....	178
Sent to Governor.....	178
Approved by Governor.....	181
5 By Beatty. Constitutional amendment—debt of state.	
Introduced, referred	264
Recommended amendments and passage	358
Amendments adopted	390
Passed; ayes 41, nays 1.....	389
6 By Benson. Submission to electorate of constitutional amendment on road bonding.	
Introduced, referred	276
Recommended passage	376
H. J. R. 4 substituted.....	383
Withdrawn	447
7 By Benson, et al. Petitioning federal government on farm credit.	
Introduced	452
Failed to pass; ayes 23, nays 22..	454
Motion to reconsider	488
Reconsideration prevailed	1601
Amended, passed; ayes 39, nays 0.	1602
8 By Anderson. Constitutional amendment—reducing membership in Houses of the General Assembly.	

S. J. R.	Page
Introduced, referred	458
Recommended indefinite postponement	718
Indefinitely postponed	783
9 By Committee on Judiciary No. 1. Commission to study corporate laws and report to Forty-fifth General Assembly.	
Introduced	531
Recommended passage	811
Reported out	1149
H. J. R. 6 substituted.....	1199
Withdrawn	1200
10 By Committee on Conservation. State natural resources—twenty-five-year development program.	
Introduced	555
Amendment filed	738
Amended, passed; ayes 42, nays 2.	798
Received back	959
Concurred	975
Reported enrolled	1014
Signed by President.....	1015
Sent to Governor.....	1015
Approved by Governor.....	1060
11 By Anderson. Additional office space at capitol.	
Introduced, referred	556
Recommended indefinite postponement	720
Indefinitely postponed	784
12 Committee on Reduction of Expenditures. Committee to study all taxing subdivisions.	
Introduced, referred	1263
Recommended amendment and passage	1306
Amendment filed	1442
Amended, passed; ayes 33, nays 14	1485
Received back	1530
Concurred	1550
Reported enrolled	1578
Signed by President.....	1578
Sent to Governor.....	1579

SENATE RECORD ON HOUSE JOINT RESOLUTIONS

H. J. R.	Page
3 By Hanson. Compensation of officers of the Forty-fourth General Assembly.	
Received	139
Amended and passed; ayes 46, nays 0	139
Received back	147
Concurred	148
Reported enrolled	151
Signed by President.....	152
4 By Elliott and Johnson of Marion. Submission to electorate of constitutional amendment on road bonding.	

H. J. R.	Page
Received	383
Substituted for S. J. R. 6.....	383
Amended, passed; ayes 41, nays 3.	444
Concurrence received	475
Reported enrolled	488
Signed by President.....	488
6 By Tamisiea and Garrett. Commission to study corporate laws and report to Forty-fifth General Assembly.	
Received, referred	1187
Substituted for S. J. R. 9.....	1199
Passed; ayes 33, nays 4.....	1199
Reported enrolled	1270
Signed by President.....	1270

RESOLUTIONS

Action on Senate Concurrent Resolutions.

- No. 1—Ernest R. Moore for Federal Reserve Board, 5.
 - No. 2—For committee on inauguration, 9.
 - No. 3—For short recess, 9.
 - No. 4—Abraham Lincoln's birthday, 129.
 - No. 5—Pioneer Lawmakers Association, 177.
 - No. 6—The tariff on corn, 186.
 - No. 7—March first recess, 187.
 - No. 8—Farm credit, 291, 448.
 - No. 9—Waterways, 630.
 - No. 10—Senate File No. 16 recalled, 535.
 - No. 11—Reduced appropriations, 569.
 - No. 12—Waterways, 637.
 - No. 13—Final adjournment, 1052, 1269.
 - No. 14—Interstate Legislative Reference Bureau, 1105.
 - No. 15—Knut Rockne, 1175.
 - No. 16—Waterways, 1193.
 - No. 17—Mrs. Ed H. Campbell, 1239.
 - No. 18—Work of employees after adjournment, 1398, 1418.
 - No. 19—Purchase of chairs by senators and representatives, 1398, 1427.
-

RESOLUTIONS

Action on House Concurrent Resolutions.

- No. 2—For joint convention to hear message and canvass vote, 18.
 - No. 3—On additional employees, 18.
 - No. 4—Uniforms for pages, 125.
 - No. 5—Codes for officers, committee rooms and press, 141.
 - No. 6—Committees to visit state institutions, 159.
 - No. 7—St. Olaf choir, 158.
 - No. 8—State University, 191, 266, 309.
 - No. 9—Oleomargarine 226, 325.
 - No. 10—Federal aid in law enforcement, 236, 246.
 - No. 11—Tariff on crude petroleum, 287, 327.
 - No. 12—Sparks-Copper Act, 435.
 - No. 14—Final adjournment, 1269, 1286, 1341, 1344.
 - No. 17—Pages' jackets.
-

SENATE RESOLUTIONS

- On committee clerks, 8.
- Calling on Attorney General for an opinion on road bond amendment, 108.
- John H. Mills memorial, 125.
- For a standing committee on public expenditures, 136.
- On senatorial redistricting, 281, 323.
- On public hearings, 369.
- Arthur C. Savage memorial, 564.
- Willard C. Stuckslager memorial, 630.

(Continued on next page.)

John G. Legel memorial, 921.
On death of H. E. Dean, 992.
On death of Knute Rockne, 1175.
James E. Bruce memorial, 1332.
A. F. Frudden memorial, 1332.
Dr. L. H. Pammel, 1437.
Martin J. Wade, 1512.

TOPICAL INDEX TO SENATE BILLS

ADMINISTRATORS, EXECUTORS, GUARDIANS AND TRUSTEES—

Inheritance tax rates. 65, McDonald, Patterson, Clark of Linn.
Adult wards—claims against estates of decedents. 149, Myers.
Clerk of court to examine reports of administrators, etc. 168, Myers.
Fiduciary powers—attorney for trustee and attorney for beneficiary, 269, committee on judiciary No. 1.
Investment of funds by. 267, committee on judiciary No. 1.
Settlement of estates—applications for adjudications. 400, committee on judiciary No. 1.

ADVERTISING—

Outdoor—license for. 94, Hill.

AERONAUTICS—

Joint ownership of flying field by two cities. 422, committee on aeronautics.

AGRICULTURE—

State apiarist under director of agricultural extension work. 28, Stoddard.
Larceny of animals—increased penalties. 47, Anderson.
State aid to agricultural short courses. 431, committee on appropriations.

AMUSEMENTS—

Tax on. 115, Clark of Linn, Doran, Wenner.
Moving pictures—exposure of certain pictures. 203, Ritchie.
Moving picture films—cities' power to regulate the fire hazard. 395, committee on police regulations.

ANIMAL INDUSTRY—

Estray animals—including chickens. 64, Patterson.
Male service animals—control of. 364, committee on agriculture.

ANNOTATIONS—

Supplements—price \$1.00. 420, sifting committee.

APPEALS—

Notice filed with clerk of court. 135, Wenner.

APPROPRIATIONS—

Budget bill. 10, Stoddard.
Governor's inaugural. 53, Leonard.
Blind—educational aid. 55, White.
Extra help of 44th G. A. J. R. 4, Bennett.
Paving adjacent to University of Iowa. 161, Clearman.
Claims of Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein. 251, committee on claims.
Claims of Montgomery county farmers institute, Lyon county farmers institute, Atlantic community corn show or farmers institute and Johnson county poultry show. 252, committee on claims.
For Tabor State Teachers College. S. F. 271, Coykendall.
Commission to study corporate laws. J. R. 9, committee on judiciary No. 1.
Claims of H. H. C. Equipment Co. and Johnson Oil Refining Co. 299, committee on claims.
Claim of Verna P. Marks. 300, committee on claims.
County health units—full time. 334, Kimberly.
Exposition at Chicago, 1933. 353, Hicklin.
For compiling adjutant general's records of military graves. 361, committee on appropriations.

- Corn borer—eradication. 369, committee on appropriations.
 Lambach, C. H., claim of. 376, committee on claims.
 Blaise, Matilda—claim of. 377, committee on claims.
 Olson Construction Co.—claim of. 378, committee on claims.
 Iowa Bridge Co. and Olson Construction Co.—claims of. 382, committee on claims.
 Baschnagel, L. J.—claim of. 387, committee on claims.
 Hamiel & Mather and Edwin B. Wilson—claims. 388, committee on claims.
 Quinn, Wm. E.—claim of. 389, committee on claims.
 Judicial council—for expenses. 397, committee on judiciary No. 1.
 Ruth Harper, Martha Nichols, Robert Honegger, and A. E. McGlothlen—claims of. 405, committee on claims.
 State employment bureau. 406, committee on appropriations.
 Van Note, George F., claim of. 408, committee on claims.
 Minert, J. G., and Etta S., and Phyllis S. Davenport—claims of. 409, committee on claims.
 Bell, G. C.—claim of. 410, committee on claims.
 McClintock, A. L.—claim of. 410, committee on claims.
 Cowman, Harley—claim of. 410, committee on claims.
 Brownlee, D. F.—claim of. 410, committee on claims.
 To certain veterinarians as claims against the animal industry funds. 414, committee on claims.
 Katz, Ethel F.—claim of. 415, committee on claims.
 Willard, A. D.—claim of. 416, committee on claims.
 For committee on reduction of expenditures. J. R. 12, committee on reduction of expenditures.
 Ruisch, Elmer—claim of. 427, committee on claims.
 Purchase of property adjacent to the capitol grounds. 428, committee on appropriations.
 Omnibus appropriation bill. 429, committee on appropriations.
 Agricultural short courses. 431, committee on appropriations.

ARCHITECTS—

- Landscape architect for state board of conservation. 219, committee on conservation.

ARMISTICE DAY—

- (See holidays.)

ASSESSORS—

- (See County and Township Affairs for County Assessors, and State Board of Assessment and Review.)

ATLANTIC COMMUNITY CORN SHOW OR FARMERS INSTITUTE—

- Claim of. 252, committee on claims.

ATTORNEYS—

- Highway commission—legal service. 95, Clark of Marion.
 Practice of law defined. 268, committee on judiciary No. 1.
 Admittance to bar vested in supreme court. 268, committee on judiciary No. 1.
 Revocation of licenses. 398, committee on judiciary No. 1.
 Attorneys fees in liquor injunction cases. 577, sifting committee.

AUDITING—

- Accounts of board of control and board of education. 114, Myers.
 State audit of accounts of cities of 1,000 to 2,000 population. 243, Myers.
 Auditor of highway commission—powers and duties. 424, sifting committee.

AUTOMOBILES—

- Drivers license. 14, Doran. 111, Doran.
 Accident—nonresident owners—legal notice of action. 92, Stevens.
 To keep pace when being passed—passing on curves and hills. 122, Booth.

Tail lights—additional red glass reflectors. 124, Kent.
 Peace officers allowed firearms in autos. 151, Hill.
 Drivers license, and creation of public safety department. 174, Cochrane.
 License fees—increased on certain cars. 178, Doran, Quirk, Bennett.
 Firearms in autos—peace officers and permit holders. 185, Ickis.
 School stop signs. 199, Blissell.
 Laws of the road—obeying markers. 230, Clark of Cerro Gordo.
 Auto mileage six cents for public employees. 225, 297, committee on compensation of public officers.
 License fees—when collectible. 232, Stevens.
 Rate of speed—clear distance ahead. 295, Cooney.
 Trallers—no fees when drawn by passenger vehicle. 323, Hill.
 License fees—delinquency fees to secondary road funds. 324, Cooney.
 License fee registrations. 384, committee on motor vehicles.

BANDS—

Municipal—tax levy. 41, Stoddard.
 Municipal—tax levy cut. 360, committee on reduction of expenditures.

BANKS AND BANKING—

Debenture loans—106, Lowe.
 Insolvent—debenture for taxes. 120, Blackford.
 Deposit of public funds. 146, Wenner.
 Interest rate—six per cent. 206, Clark of Marion.
 Fiduciary powers—attorney for trustees and attorney for beneficiary. 269, committee on judiciary No. 1.
 Public deposits—interest payment cancelled for four certain months. 272, Benson.
 Chattel loans by banks at 2% per month. 286, Rigby.
 Closed banks—all drafts and cashiers' checks preferred claims. 288, Rigby.
 Taxation. 289, Rigby.
 Stop orders on checks. 290, Rigby.
 Blue sky laws not applicable to federal and state banks. 291, Rigby.
 False statement for credit. 292, Rigby.
 Minimum capitalization based on census. 356, committee on banks and banking.

BARBERS—

Apprentices—educational qualifications and other regulations. 49, Stoddard.

BASCHNAGLE, L. J.—

Claim of. 387, committee on claims.

BAXTER, DR. C. E.—

Claim of. 414, committee on claims.

BEEES—

State apiarist under director of agricultural extension. 28, Stoddard.

BELL, G. C.—

Claim of. 410, committee on claims.

BEVAN, DR. G. C.—

Claim of. 414, committee on claims.

BILLBOARDS—

Tax on. 94, Hill.

BLAISE, MATILDA—

Claim of. 377, committee on claims.

BLIND—

State aid for education. 55, White.

BLUE SKY LAWS—

Public utility securities. 116, Knudson.
 Additional revision of. 305, Knudson.
 Not to apply to federal or state banks. 291, Rigby.

BOARDS AND COMMISSIONS—CREATION OF—

Court of claims. 45, Fralley.
 Sanitary water board. 154, Ritchie; 162, Hill.
 State department of public safety. 174, Cochran.
 Public service commission. 198, Cooney, Kimberly; 302, Bennett, Hicklin, Carroll, Doran.
 Commission on uniform textbooks for rural schools. 227, Coykendall, Knudson.
 Commission to study corporate law. J. R. 9, committee on judiciary No. 1.
 City park board (Des Moines). 237, Wilson.
 State registration board for professional engineers and land surveyors. 307, Knudson.
 Commission on "Century Progress Exposition." 353, Hicklin.
 State Department of Taxation and Budget. 357, committee on departmental affairs.
 Reduction of expenditures—committee on. J. R. 12, committee on reduction of expenditures.

BOARD OF ASSESSMENT AND REVIEW—

(See State Board of Assessment and Review.)

BOARD OF CONTROL—

Fire protection contracts. 129, Baird.
 Auditing accounts of. 114, Myers.
 Discharge of dependent children. 68, Kimberly.
 Feeble-minded—release by board of control. 69, Kimberly.
 State custodial farm. 102, Hill.
 Iowa juvenile home—guardian of inmates. 374, committee on board of control.

BOARD OF EDUCATION (STATE)—

Fire protection contracts. 129, Baird.
 Auditing accounts of. 114, Myers.
 Limiting salaries of employees. 375, committee on compensation of public officials.

BOARD OF HEALTH—

(See State Board of Health.)

BOARD OF PAROLE—

Parole outside of state. 150, Leonard.

BOARD OF RAILROAD COMMISSIONERS—

Jurisdiction over telephones. 11, Clark of Linn.
 Railroad crossing signals. 118, Gunderson.

BOATS—

Licenses and regulations. 380, committee on conservation.

BODE—

Legalizing proceedings of consolidated school. 176, Ritchie.

BONDS—

County road bonds—sale of and how paid. 15, Clearman, White.
 Surplus construction fund—payment of county road bonds. 16, Clearman, White.
 Secondary road bonds—issuance. 34, Clearman, White.
 Public buildings. 31, Clark of Cerro Gordo.

Secondary road bonds. 84, Benson.

Debenture loans and bonds of banks and trust companies. 106, Lowe.

Elections—60 per cent favorable to carry. 355, committee on reduction of expenditures.

Municipal public utility bonds—issuance and payment. 212, Stevens.

Public bonds—interest limited to 5%. 223, Stoddard.

Repealing tax exemption on public securities. 262, Myers.

Liability policy for bond for county deputy officers. 280, Hill.

City bonds—making same applicable to special charter cities. 284, Kimberly.

Sale of public bonds—calling for open bids made optional. 318, Stoddard.

Bonds in attachment proceedings on real estate. 330, Moen.

State highway bond of \$100,000,000. 417, committee on highways.

BRIDGES AND CULVERTS—

Interstate bridges—making law applicable to special charter cities. 35, Kimberly.

Primary roads in cities of 2,500 or less. 76, Benson.

Interstate bridges—method of mergers. 96, Bennett.

Interstate bridges—legalizing mergers. 97, Bennett.

BROWNLEE, D. F.—

Claim of. 410, committee on claims.

BUCK, DR. F. L.—

Claim of. 414, committee on claims.

BUDGET DIRECTOR—

State appropriation bill as prepared by. 10, Stoddard.

Department united with board of assessment and review. 357, committee on departmental affairs.

BUILDING AND LOAN ASSOCIATIONS—

Tax on. 134, Clark of Linn, Rigby, Patterson.

BUREAU OF INVESTIGATION—

Permits for concealed weapons. 152, Hill.

BUSSES—

(See Motor Carriers and Trucks.)

CAPITOL GROUNDS—

Appropriations to purchase lot adjacent to. 428, committee on appropriations.

CEMETERIES—

Cemetery fee regulations. 88, Stanley.

Lot improvement—completion of plans. 335, Kent.

CENSUS—

School census—every two years. 346, committee on reduction of expenses.

Bank capitalization based on Iowa census. 356, committee on banks and banking.

CENTURY PROGRESS EXPOSITION—

Commission and appropriation. 353, Hicklin.

CHARITIES, CHURCHES AND ASSOCIATIONS NOT CONDUCTED FOR PROFIT—

Inmates of private charitable institutions acquire no residence. 235, Clark of Cerro Gordo.

First M. E. Church of Mason City—legalizing reincorporation. 386, committee on judiciary No. 2.

Fraternal beneficiary associations for benevolent purposes. 426, sifting committee.

CHATTEL LOANS—

Reducing interest rates. 52, Doran; 58, Myers; 121, Anderson.
 By banks and trust companies. 286, Rigby.
 Legal interest rate—repealing same. 331, Moen.

CHILDREN—

Dependent—discharge by board of control. 68, Kimberly.
 Handicapped—defined—education—state aid. 170, Stanley, Carroll.
 Juvenile court—redefining neglected, dependent and delinquent children.
 370, committee on public health.
 Iowa juvenile home—guardian of inmates. 374, committee on board of
 control.

CIGARETTES—

Refunding license fees. 358, committee on code revision.
 Tax on. 421, sifting committee.

CITIES AND TOWNS—

Interstate bridges—making law applicable to special charter cities. 35,
 Kimberly.
 Weeds—cutting. 17, Doran.
 Swimming pools—repealing power to build or purchase. 19, Clark of Linn.
 Civil service rights to certain chiefs of police. 38, Cooney.
 Electric light plants—purchases. 40, Hicklin.
 Municipal bands—tax levy. 41, Stoddard.
 Mayors court—jury trial. 46, Doran.
 Dragging unpaved city streets—levy. 63, Wilson.
 Special assessments—date of interest. 43, Wilson.
 Sidewalks—levy for removing snow. 61, Wilson.
 Sidewalks—cleaning—ten day notice. 62, Wilson.
 Additional gas tax—part to cities. 66, Gunderson.
 Constitutional amendment—civic centers. J. R. 3, Wilson.
 Civil service examinations in cities of 50,000 or less. 246, Cooney.
 Primary road bridges, culverts and overhead crossings. 76, Benson.
 Public park club houses—tax levy. 81, Hicklin.
 Paving from primary road to business centers. 83, Benson.
 Deposits of public funds. 146, Wenner.
 Police equipment in certain cities—levy for. 165, Wilson.
 Weed cutting in cities of 5,000 or over. 191, Wilson.
 City manager—abandonment election upon petition of 25% of highest city
 candidate. 196, Cooney.
 Political party conventions in cities. 195, Kimberly.
 School stop signs. 199, Bissell.
 Plats—extending plans commission's supervision to two miles beyond city
 limits. 209, committee on cities and towns.
 Fire chiefs and police chiefs—how appointed. 278, Cooney.
 Des Moines park board—creation of and duties. 237, Wilson.
 State audit of accounts in cities with 1,000 to 2,000 population. 243, Myers.
 Municipal waterworks—use of surplus earning. 261, Baird.
 Civil service examination—in cities under 50,000 population. 246, Cooney.
 Trees and shrubbery on public streets. 259, committee on cities and towns.
 Bonds—applicable to special charter cities. 284, Kimberly.
 Gasoline—sale by city or town. 304, Knudson.
 Mileage of public officials. 297, committee on compensation of public officials.
 City managers—waterworks in certain cities not included in manager's
 duties. 325, Wenner.
 Riverfront improvement commission—treasurer of. 333, Wenner.
 Sewer tax—creation of. 327, Clark of Linn.
 Municipal bands levy cut. 360, committee on reduction of expenditures.

CIVIC CENTERS—

Constitutional amendment. J. R. 3, Wilson.

CIVIL SERVICE—

To chiefs of police having ten years' service in city manager cities. 38, Cooney.
Examinations—alternate years in cities of 50,000 or less. 246, Cooney.

CLAIMS—

Court of—creation, jurisdiction, etc. 45, Rigby.
Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein. 261, committee on claims.
Montgomery county farmers institute, Lyons county farmers institute, Atlantic community corn show or farmers institute, and Johnson county poultry show. 252, committee on claims.
H. H. C. Equipment Co. 299, committee on claims.
Johnson Oil Refining Co. 299, committee on claims.
Marks, Verna P. 300, committee on claims.
Lambach, C. H. 376, committee on claims.
Blaise, Matilda. 377, committee on claims.
Olson Construction Co. 378, committee on claims.
Iowa Bridge Co. and Olson Construction Co. 382, committee on claims.
Baschnagel, L. J. 387, committee on claims.
Hamiel & Mather and Edwin B. Wilson. 388, committee on claims.
Quinn, Wm. E. 389, committee on claims.
Harper, Ruth. 405, committee on claims.
Nichols, Martha. 405, committee on claims.
Honegger, Robert. 405, committee on claims.
McGlothlen, R. H. 405, committee on claims.
Van Note, Geo. T. 408, committee on claims.
Minert, J. G. 409, committee on claims.
Minert, Etta S. 409, committee on claims.
Davenport, Phyllis S. 409, committee on claims.
Bell, G. C. 410, committee on claims.
McClintock, A. L. 410, committee on claims.
Cowman, Harley. 410, committee on claims.
Brownlee, D. F. 410, committee on claims.
Certain veterinarians against animal industry fund. 414, committee on claims.
Katz, Ethel F. 415, committee on claims.
Willard, A. D. 416, committee on claims.
Ruisch, Elmer. 427, committee on claims.

CLIVE—

State custodial farm. 102, Hill.

CODE AND SESSION LAWS—

Free distribution of early editions. 72, Tabor.
Annotations supplements. 420, sifting committee.

CODE REVISION—

Appeals filed with clerk of court. 135, Wenner.
Bills suggested by—where referred. 136, Wenner.
Prosecution redefined. 137, Wenner.
Eugenics law—one word changed. 138, Wenner.
On highway laws. 139, Wenner.
Jurors' oath. 140, Wenner.
Notary's acknowledgment. 141, Wenner.
Correcting section number in Acts of 43rd G. A. 142, Wenner.
Original notice to state date and place of court. 143, Wenner.
Election of supreme court judges. 144, Wenner.
Repealing certain antiquated sections on road law. 145, Wenner.
Deposits of public funds. 146, Wenner.

COMMERCE AND TRADE—

Interest rate—six per cent. 206, Clark of Marion.
 Ice cream—quart to weigh at least eighteen ounces. 260, Stanley.
 Grading eggs for sale. 281, Christophel.
 Commerce counsel—turned to attorney general. 283, 385, committee on departmental affairs.
 Food commodities—standard bushel for certain fruit. 316, Cole.
 Legal interest rate cut one cent. 314, Myers.

COMMON CARRIERS—

Freight shipments by cheapest routes. 108, Clark of Cerro Gordo.

COMPENSATION OF PUBLIC OFFICERS—

Repealing expense allowance of General Assembly members. 13, Stoddard.
 Repealing expense allowance, and increasing salaries of General Assembly members. 27, Stoddard.
 Highway commission—salaries. 32, Benson.
 Court reporters—increasing fees. 48, Wilson.
 Supervisors—\$6.00 per day. 50, Doran.
 Reducing salaries of certain executive council members, of attorney for highway and of district judges. 126, Stevens.
 County attorneys—increasing salaries in certain counties. 159, Cooney.
 Board of health—\$10.00 per day. 164, Klemme.
 Automobile mileage six cents—for public employees. 225, 297, committee on compensation of public officers.
 Highway commission—reducing salaries to \$3,000.00. 229, Anderson.
 Supervisors—compensation varying according to population of county. 273, Irwin.
 State board of education employees. 375, committee on compensation of public officers.

CONCEALED WEAPONS—

Officers' fire arms in autos. 151, Hill.
 Bureau of investigation—permit for. 152, Hill.

CONGRESSIONAL REDISTRICTING—

Nine new districts. 320, Anderson; 321, Stanley.

CONSTITUTIONAL AMENDMENTS—

Improvement of highways and payment of same. J. R. 1, Benson.
 General assembly—filling vacancies. J. R. 2, Moen.
 City authority to establish civic centers. J. R. 3, Wilson.
 Testing legality of. 104, Benson, Baird.
 Submission to electorate of bond issue amendment. J. R. 6, Benson.
 On state debt and payment. J. R. 5, Beatty.
 Reducing membership in houses of general assembly. J. R. 8, Anderson.

COOK, E. W.—

Claim of. 251, committee on claims.

CORN BORER—

Appropriation for eradication. 369, committee on appropriations.

CORONERS—

Duties and fees. 56, Wenner.

CORPORATIONS, TRUSTS—

Business franchise tax. 3, Rigby, Patterson, Clark of Linn.
 Stock certificates—facsimile signatures. 42, Wilson.
 Legalizing acts of corporations who have failed to file articles of incorporation. 98, Bennett.
 New certificate of incorporation. 99, Bennett.
 Interstate bridges—method of mergers. 96, Bennett.

Interstate bridges—legalizing mergers. 97, Bennett.
 Annual reports—repealing a section on. 195, Blackford.
 Trust companies—debentures and bonds. 106, Lowe.
 Corporation income tax. 132, Patterson, Clark of Linn.
 Taxation statement—deducting debts to affiliated corporations. 157, Clark of Linn, Rigby, Patterson.
 Removing taxation exemption on capital stock of corporations. 172, Moen.
 Renewal of incorporation by two-thirds vote of stock. 311, Wilson.
 Stock without par value,—computing fees on \$25.00 basis. 347, Fralley.
 Organization procedure. 354, Willson.

COUNCIL BLUFFS—

Legalizing an election at. 342, Baird.

COUNTY AND TOWNSHIP AFFAIRS—

County assessors—appointment and duties. 1, Patterson, Clark of Linn, Rigby.
 County road bonds, sale of, and payments. 15, Clearman, White.
 Surplus secondary road fund to apply to county road bonds. 16, Clearman, White.
 Cutting weeds. 17, Doran.
 Coroners—duties and fees. 56, Wenner.
 Borrowing money for public buildings. 31, Clark of Cerro Gordo.
 Supervisors—\$6.00 per day. 50, Doran.
 Boards of supervisors—three members. 51, Doran, Ickis.
 Secondary road indebtedness. 34, Clearman, White.
 Surplus fines—to county school fund where collected. 70, Doran.
 Secondary road bonds. 84, Benson.
 Superintendent of schools elective. 101, Klemme.
 County attorneys—increasing salaries in certain counties. 159, Cooney.
 Public funds—deposits. 146, Wenner.
 Widow's pension—aid in care of child. 156, Kimberly; 284, Clark of Cerro Gordo.
 County board of education—time member's term begins. 189, Anderson.
 Sheriff's deed in execution. 194, Doran.
 Pensions to aged—county and state cooperation. 204, Fralley.
 Deputy recorders—fixing salaries in additional counties. 233, Baird.
 Amusement license fees to county road funds. 242, Clark of Cerro Gordo.
 County surveying—records. 265, Knudson.
 Supervisors—compensation according to population of county. 273, Irwin.
 Peace officers—school of instruction. 266, Hill.
 County officers—school of instruction. 275, Benson.
 Deputy officers—liability policy in place of bond. 280, Hill.
 Mileage of public officials. 297, committee on compensation of public officials.
 Township clerks—no bond required. 301, Coykendall.
 Township road indebtedness—levy for. 306, Clearman.
 County manager—organization and method of adoption. 313, Cooney.
 Primary road bond (county)—deficiency refunded by highway commission. 319, Stoddard.
 Township primaries—time of filing. 332, Wenner.
 Poll tax for county revenue—raised to \$2.50. 352, Wenner.
 Rural street and road lighting. 379, committee on county and township affairs.
 Secondary road improvement—supervisors' action. 418, sifting committee.

COURT AND COURT PROCEDURE—

Mayor's court—jury trial. 46, Doran.
 Reconvening jury commission. 75, Doran.
 Larceny of animal—increase penalties. 47, Anderson.
 Recordors—index forms. 91, Myers.
 Taking of depositions. 127, Clark of Cerro Gordo.
 Appeals filed with clerk of court. 135, Wenner.
 Original notice—date and place of court. 143, Wenner.

- Resubmission of case after a demurrer is sustained. 147, Wenner.
Municipal court clerks (Des Moines) pension fund. 167, Wilson.
District court clerk to examine reports of administrators, etc. 168, Myers.
Clerks of superior courts also to handle marriage licenses. 171, Coykendall.
Pleadings—interrogatories annexed. 255, Hicklin.
Suspended part of a sentence. 260, Wenner.
Jury fees—\$25.00 for each trial. 308, Clark of Linn.
Probation officers—either man or woman when only one is employed in a county. 312, Clark of Cerro Gordo.
Contempt—increasing penalties. 326, Wenner.
Supreme court clerk—copies of opinions for publication. 329, Wilson.
Attachment proceeds—bonds. 330, Moen.
Juvenile court. 370, committee on public health.
Estates—adjudication application—time of filing. 400, committee on judiciary No. 1.
County attorneys information in counties with municipal courts. 413, committee on code revision.
District court of appeals—new evidence. 399, committee on judiciary No. 1.

COURT REPORTERS—

- Increasing fees. 48, Willson.

COWMAN, HARLEY—

- Claim of. 410, committee on claims.

CUSTODIAL FARM—

- At Clive. 102, Hill.

DAMS, LEVEES AND DOCKS—

- Diversion of water for. 54, Hicklin.
Levee improvement commission. 153, Hicklin.
Dams affecting highways—permit from highway commission. 202, Benson.

DEBENTURES—

- By banks and trust companies. 106, Lowe.
Insolvent banks—for taxes. 120, Blackford.

DEBTS—

- Constitutional amendment on debt of state and payment. J. R. 5, Beatty.
Repealing tax exemptions on debts. 263, Myers.

DECORAH—

- Legalizing school election. 29, Klemme.

DEPOSITIONS—

- Taking of same. 127, Clark of Cerro Gordo.

DIVORCE—

- Minor change in causes; also in corroboration. 247, Irwin.
Alimony after remarriage. 248, Irwin.

DOGS—

- Licenses. 363, committee on agriculture.

DRAINAGE—

- Delinquent taxes—receivership. 401, committee on judiciary No. 1.

EDUCATIONAL INSTITUTIONS—

- State psychopathic and general hospitals (Iowa City) integrated. 44, Clearman.
Appropriation—paving adjacent to State University. 231, Whiting; 161, Clearman.

Accepting Tabor College as a gift for a state teachers college. 271, Coykendall.
 Redemption from tax sales on lands encumbered to school, agricultural college or university funds. 241, Patterson.
 Tax exemptions—not on annuity contracts. 249, Stanley.
 Junior college—none in districts with less than 20,000 population. 391, committee on reduction of expenditures.

EGGS—

Grading for retail sale. 281, Christophel.

ELECTIONS—

Canvass of votes. 80, Gunderson.
 Election judges—appointment by supervisors. 332, Wenner.
 Bond elections—60 per cent favorable to carry. 355, committee on reduction of expenditures.
 Special election on road bond issue. J. R. 6, Benson.
 School election notices. 309, Stanley.
 Primaries—time of filing for township. 332, Wenner.
 Permanent registration—no certificate of registration in cities of 50,000 or less. 337, Cooney.
 Absent voter's ballots—mailing and false affidavits. 338, Carroll, MacDonald.

ELECTRICIANS—

Examination and license. 339, Wilson.

EMBALMING—

Licensing and regulating. 89, Stanley.

ENGINEERS (Professional)—

License of. 307, Knudson.

ESTATES—

Inheritance tax rates. 65, McDonald, Patterson, Clark of Linn.
 Notices, claims, etc. 103, Myers.
 Adjudication application—time of filing. 400, committee on judiciary No. 1.

EUGENICS—

Code revision—one word changed. 138, Wenner.

EVANS, DR. G. A.—

Claim of. 414, committee on claims.

EXECUTIONS—

Sheriff's deed. 194, Doran.

EXECUTIVE COUNCIL—

State owned land—sale of. 131, Benson.
 Reducing salaries of certain members. 126, Stevens.
 Governor's appointees—approval requiring two-thirds of members present. 208, McLeland.

EXPENSE ACCOUNT—

Members of General Assembly. 13, Stoddard; 27, Stoddard.
 Reducing to \$200.00. 226, Anderson.

FALSE STATEMENT—

False statement for credit made a felony. 292, Rigby.

FEEBLE-MINDED—

Release by board of control. 69, Kimberly.

FENCES—

Partition fences. 383, committee on agriculture.

FIRE ARMS—

Officers' fire arms in autos. 151, Hill.
Bureau of investigation—permit for. 152, Hill.
Machine guns—possession unlawful. 155, Hill.
Peace officers and permit holders permitted to carry fire arms in autos. 185, Ickis.

FIRE DEPARTMENT—

Fire protection contracts between cities and certain state institutions. 129, Balrd.
Trucks—no license. 125, White.
Fire chiefs—how appointed. 278, Cooney.
Volunteer fire department in rural communities. 270, McLeland.

FISH AND GAME—

Shipping furs without tags. 23, Anderson.
Fur dealers' licenses—expiration March 31st. 37, Ickis.
Mississippi river seines. 74, Hager.
Red fox—open season on. 128, Coykendall.
Major revisions of game laws. 192, Ickis.
Program of development of natural resources. J. R. 10, committee on conservation.
Beaver—closed season. 357, Bennett.
Duck and certain other birds—extending closed season. 394, committee on fish and game.
Bullheads—size, limits. 407, committee on fish and game.

FLANDERS, M. D., AND EVA J.—

Title to lands offered for state park. 215, committee on conservation.

FLOOD PROTECTION—

Removing levy limitation. 222, Stoddard.

GAARDE, N. A.—

Patent to certain lands in Clinton county. 396, committee on land titles.

GASOLINE—

(See also PIPE LINES for all matters pertaining to pipe line conduct of petroleum products.)
Filling stations—license and regulations. 8, Clark of Linn.
Tax—reapportionment to secondary roads. 12, Clark of Linn.
Tax—one cent addition—for cities and towns and secondary roads. 66, Gunderson.
Motor vehicle fuel defined. 107, Benson.
Pipe lines—license and regulations. 296, Myers.
City or town selling gasoline. 304, Knudson.
Tax refund—application within thirty days after purchase. 350, Clark of Marlon.
Tax—certain costs of collection charged against fund. 413, committee on code revision.

GENERAL ASSEMBLY—

Expense allowed members of. 13, Stoddard; 27, Stoddard.
Repeal expense allowance and increase salaries for 1935. 27, Stoddard.
Constitutional amendment—filling vacancies. J. R. 2, Moen.
Compensation of extra help of 44th G. A. J. R. 4, Bennett.
Reducing members' expense allowance to \$200.00. 226, Anderson.
Reducing membership in both houses. J. R. 8, Anderson.
State senatorial redistricting. 423, sifting committee.

GETZ, DR. L. M.—

Claim of. 414, committee on claims.

GLENWOOD—

Release of voluntary patients. 70, Doran.

GREEN, DR. MARCH—

Claim of. 414, committee on claims.

GRIMES, HAROLD—

Claim of. 251, committee on claims.

HAMIEL & MATHER—

Claim of. 388, committee on claims.

HARPER, RUTH—

Claim of. 405, committee on claims.

HAXBY, DR. JOHN W.—

Claim of. 414, committee on claims.

HAY AND GRAIN—

Portable feed grinders—licenses. 390, committee on commerce and trade.

HEALTH—

Osteopathy—regulations. 110, Ickis.

Members of state board of health to be paid \$10.00 per day. 164, Klemme.

County health units—full time—appropriations. 334, Kimberly.

Optometry—additional regulations. 336, Cooney, Kimberly, Bennett.

Podiatry—three year course. 392, committee on public health.

Podiatry—change in definition. 393, committee on public health.

H. H. C. EQUIPMENT CORPORATION—

Claim of. 299, committee on claims.

HOLIDAYS—

Observance of Lincoln's and Washington's birthdays and Armistice day. 173, Cooney.

HONEGGER, ROBT.—

Claim of. 405, committee on claims.

HOSPITALS—

Integration of state psychopathic and general hospital (Iowa City). 44, Clearman.

HOTELS—

Liens extended to any rooming house. 210, Wilson.

ICE CREAM—

Quart to weigh at least eighteen ounces. 250, Stanley.

INAUGURAL EXPENSES—

Appropriation for. 53, Leonard.

INCOME TAX—

Personal income tax. 2, Clark of Linn, Rigby, Patterson.

Corporation income tax. 132, Patterson, Clark of Linn.

INDUSTRIAL COMMISSIONER—

New evidence at court of appeals. 399, committee on judiciary No. 1.

INHERITANCE TAX—

Levy and collection. 65, MacDonald, Patterson, Clark of Linn.

INSURANCE—

- Title insurance. 78, Cole.
Mutual assessment associations—quo warranto procedure against. 228, Lowe.
Hall insurance—limiting certain expenses. 231, Moen.
Group insurance—employees of Des Moines waterworks. 238, Wilson.
Soliciting insurance—unlawful to give or receive inducements. 303, Wilson.
Funds—investment in municipal improvement bonds from other states. 343, Bennett.
Building insurance—damages by railroads and automobiles. 344, Bennett.
Common agent for several companies. 345, Bennett.
Fraternal beneficiary association organized for benevolent purposes. 426, sifting committee.

INTEREST RATES—

- Chattel loans—reducing rates. 52, Doran; 58, Myers; 121, Anderson.
Commerce and trade—six per cent. 206, Clark of Marion.
On public bonds—limited to 5%. 223, Stoddard.
Commerce and trade—interest cut one cent. 314, Myers.
Chattel loans—repealing 3½ per cent per month. 331, Moen.

INTERSTATE BRIDGES—

- Cities under special charter—making law applicable to. 35, Kimberly.
Method of merger of owners. 96, Bennett.
Legalizing merger of owners. 97, Bennett.

INTOXICATING LIQUORS AND NARCOTICS—

- Bringing into state a felony. 177, Hill.

IOWA BRIDGE CO.—

- Claim of. 382, committee on claims.

IOWA PRODUCTS AND LABOR—

- Penalties under preference law. 57, White; 166, Clark of Marion.

JOHNSON COUNTY POULTRY SHOW—

- Claim of. 252, committee on claims.

JOHNSON OIL REFINING CO.—

- Claim of. 299, committee on claims.

JUDICIAL COUNCIL—

- Creation of. 397, committee on judiciary No. 1.

JUDICIARY, JUDGES AND JURIES—

- Mayor's court—jury trial. 46, Doran.
Reconvening jury commission. 75, Doran.
District judges salaries—repealing increase granted by 43rd G. A. 126, Stevens.
Juror's oath. 140, Wenner.
Election of supreme court judges. 144, Wenner.
Chief justice of supreme court—office rotating. 211, committee on judiciary No. 2.
Jury fees—\$25.00 for each trial. 308, Clark of Linn.
Jury trial—waiver of rights by defendant. 402, committee on judiciary No. 1.
Alternate jurors. 403, committee on judiciary No. 1.
Juvenile judges and probation officers. 370, committee on public health.

JUNIOR COLLEGES—

- None in districts with less than 20,000 population. 391, committee on reduction of expenditures.

KATZ, ETHEL F.—

- Claim of. 415, committee on claims.

KEOKUK AND HAMILTON BRIDGE CO.—

Legalizing acts of. 100, Bennett.

KUHLNAN, WILL—

Claim of. 414, committee on claims.

LABOR—

Iowa labor and products preference law—penalties. 57, White; 166, Clark of Marion.

Drivers of commercial busses and trucks—limiting hours of work of. 385, committee on motor vehicles.

LABOR AND MATERIAL ON PUBLIC IMPROVEMENT—

Not to include personal expenses. 213, Doran.

LAMBACH, C. H.—

Claim of. 376, committee on claims.

LANDSCAPE ARCHITECT—

For state board of conservation. 219, committee on conservation.

LARD—

Substitutes—inspection fee and regulations. 158, Gunderson, Clark of Linn.

LEGALIZING ACTS—

Pleasant Hill Telephone Co.—corporate acts. 22, Clark of Cerro Gordo.

Decorah school election. 29, Klemme.

Lutheran Mutual Fire Insurance Association. 30, Topping.

Keokuk and Hamilton Bridge Co. 100, Bennett.

Odd Fellows Building Association, Keokuk. 73, Frailey.

Missouri Valley city election. 113, Bennett.

Lake Mills contract. 123, Gunderson.

Proceedings of Bode consolidated school. 176, Ritchie.

Certain assessors' books and assessment rolls. 193, Booth.

Council Bluffs election. 342, Baird.

Missouri Valley—certain warrants of. 322, Bennett.

New Hampton—an election. 310, Hill.

First M. E. Church at Mason City—re-incorporation. 386, committee on judiciary No. 2.

Sherills Mound Mutual Fire Insurance Co.—proceedings of. 425, sifting committee.

LIBRARIES—

Contracts with cities, towns, schools or counties. 253, committee on public libraries.

LICENSES—

For gasoline filling stations. 8, Clark of Linn.

Drivers of automobiles. 14, Doran; 111, Doran; 174, Cochrane.

On certain trucks. 24, Anderson.

Occasional truckers—exemption. 26, Anderson.

Embalming. 89, Stanley.

Fur dealers—expiration March 31. 37, Ickis.

For Mississippi River seines. 74, Hager.

Marriage—five-day notice. 148, Clearman.

Marriage—increasing fee. 130, Carden.

Unlicensed veterinarians—injunction. 205, Clark of Marion.

Marriage licenses—issued also by clerks of superior courts. 171, Coykendall.

Automobile license fee—increase on certain cars. 178, Doran, Quirk, Bennett.

Motor vehicles—changing time of payment. 232, Stevens.

Automobile—license regulations. 384, committee on motor vehicles.

Pipe line companies—other regulations. 264, Myers.

Professional engineers and land surveyors. 307, Knudson.

Electricians. 339, Wilson.
 Fortune-tellers, astrologers and phrenologists. 349, Knudson.
 Automobile license fees—penalties to secondary road funds. 324, Cooney.
 Cigarette license fee—refunding in some cases. 358, committee on code revision.
 Dog licenses—chapter rewritten. 363, committee on agriculture.
 Vending and weight machines. 371, committee on tax revision.
 Peddlers. 372, committee on horticulture and forestry.
 Boats. 380, committee on conservation.
 Portable feed grinders—license and regulation. 390, committee on commerce and trade.
 Attorneys—revocation of licenses. 398, committee on judiciary No. 1.

LICHTY, DR. J. M.—

Claim of. 414, committee on claims.

LIENS—

Hotel liens extended to rooming houses. 210, Wilson.

LOANS—

Chattel loan interest reduced. 52, Doran; 58, Myers; 121, Anderson.
 Legal interest rate—6%. 206, Clark of Marion.
 Public bonds—interest rate not over 5%. 223, Stoddard.
 Chattel loans by banks. 286, Rigby.

LUTHERAN MUTUAL FIRE INSURANCE ASSOCIATION—

Legalizing proceedings of. 30, Topping.

LYON COUNTY FARMERS INSTITUTE—

Claim of. 252, committee on claims.

MACHINE GUNS—

Possession unlawful. 155, Hill.

MACHINERY—

Manufacturer's serial number—destroying same. 277, Frailey.

MARKS, VERNA P.—

Claim of. 300, committee on claims.

MARRIAGE—

Five-day notice for license. 148, Clearman.
 Increasing fees. 130, Carden.

MATERIAL AND LABOR ON PUBLIC IMPROVEMENTS—

Not to include personal expenses. 213, Doran.

MCCABE, DR. J. F.—

Claim of. 414, committee on claims.

MCCLINTOCK, A. L.—

Claim of. 410, committee on claims.

MCGLOTHLEN, A. E.—

Claim of. 405, committee on claims.

MILITARY AFFAIRS—

Relief fund—raising levy. 79, Hicklin.
 Soldiers' home—any Iowa military man eligible. 163, McLeland.
 Graves of military men—adjutant general's records—appropriation. 361, committee on appropriations.

MILLAGE BILL—

432, committee on ways and means.

MINERT, J. G. & ETTA S.—

Claim of. 409, committee on claims.

MISSOURI VALLEY, CITY OF—

Legalizing an election. 113, Bennett.

Legalizing certain warrants of. 322, Bennett.

MONEYS AND CREDITS—

Taxation on same. 6, Rigby, Clark of Linn, Patterson.

Repealing tax exemption on debts. 263, Myers.

MONTGOMERY COUNTY FARMERS INSTITUTE—

Claim of. 252, committee on claims.

MORTGAGES—

Registration of real estate mortgages. 5, Patterson, Rigby, Clark of Linn.

Debentures and bonds. 106, Lowe.

Foreclosures—no deficiency judgments. 244, Myers.

MOSCOW DAM—

Division of water for. 54, Hicklin.

MOTOR CARRIERS AND TRUCKS—

License fees on certain trucks. 24, Anderson.

Occasional trucks—license exemption. 26, Anderson.

Trucks, trailers and combinations—length and load. 133, Booth, et al.

Fire trucks—no license. 125, White.

Length, width and height of. 180, Quirk, Doran, Bennett.

Maximum loads on trucks. 183, Bennett, Doran, Quirk.

License fees—increased on certain vehicles. 178, Doran, Quirk, Bennett.

Motor trucks—relating to loads. 181, Quirk, Bennett, Doran.

Motor trucks under taxation provisions of motor carriers. 184, Bennett, Doran, Quirk.

Laws of the road—obeying markers. 230, Clark of Cerro Gordo.

Licenses—changing time of payment. 232, Stevens.

License fees—delinquency penalties to secondary road funds. 324, Cooney.

Drivers and commercial busses and trucks—limiting hours. 358, committee on motor vehicles.

Trucks—department's authority to determine overload. 365, committee on motor vehicles.

Semi-trailer defined as trailer. 366, committee on motor vehicles.

Trailers and semi-trailers under motor carrier regulations. 367, committee on motor vehicles.

Motor truck funds—transfer of unused balances. 411, committee on appropriations.

License regulations. 384, committee on motor vehicles.

MOVING PICTURES—

Exposure of certain pictures forbidden. 203, Ritchie.

MURRAY, DR. CHAS.—

Claim of. 414, committee on claims.

MUSICAL INSTRUMENTS—

Manufacturer's serial number—destroying same. 277, Frailey.

NEW HAMPTON—

Legalizing an election at. 310 Hill.

NICHOLS, MARTHA—

Claim of. 405, committee on claims.

NOTARY PUBLIC—

His acknowledgment. 141, Wenner.

ODD FELLOWS BUILDING ASSOCIATION—KEOKUK—

Legalizing acts of. 73, Frailey.

OFFICIAL NEWSPAPERS—

Publication fees—payment. 362, committee on printing.

OLEOMARGARINE—

Inspection fee and tax. 9, Christophel, Clark of Linn.

OLSON CONSTRUCTION CO.—

Claim of. 378, 382, committee on claims.

OMNIBUS APPROPRIATION—

Expenses of general assembly. 429, Committee on appropriations.

OPTOMETRY—

Additional regulations. 336, Cooney, Kimberly, Bennett.

OSTEOPATHY—

Student regulations. 110, Ickis.

PARKS AND PLAYGROUNDS—

Tax levy of one mill extended to 1949. 20, 21, Baird.

Clubhouses in public parks—tax levy. 81, Hicklin.

Constitutional amendment—to establish civic centers. J. R. 3, Wilson.

State parks—cost of removal of obstructions. 214, committee on conservation.

Flanders-Bixby park—relinquishing state's rights to. 215, committee on conservation.

State parks—ten days for removal of obstructions. 216, committee on conservation.

State parks—costs and permits for obstructions. 217, committee on conservation.

State parks—marking boundaries. 220, committee on conservation.

State parks—sale or exchange of. 221, committee on conservation.

City park board (Des Moines)—creation of and duties. 237, Wilson.

State parks—twenty-five year program of development. J. R. 10, committee on conservation.

State parks—buildings within 600 ft. of entrances. 381, committee on conservation.

PATENT—

To N. A. Gaarde—certain lands in Clinton county. 396, committee on land titles.

PEACE OFFICERS—

Civil service to police chiefs in certain city manager cities. 38, Cooney.

State traffic police. 93, Benson.

Fire arms in autos. 151, Hill.

Police equipment—levy for in certain cities. 165, Wilson.

Police broadcasting system. 175, Hill.

Fire arms in cars. 185, Ickis.

Sheriff's deed in execution. 194, Doran.

Police chiefs—how appointed. 278, Cooney.

School of instruction. 266, Hill.

PEDDLERS—

Fruit and vegetables—peddlers' licenses. 372, committee on horticulture and forestry.

PENITENTIARY AND MEN'S REFORMATORY—

Prison made goods—penalty for willfull neglect by public officials to purchase same. 285, Kimberly.

PENSIONS—

Widow's aid in care of child—extending same to additional counties. 156
 Kimberly; 234, Clark of Cerro Gordo.
 Municipal court clerks. 167, Wilson.
 Old age—state and county cooperation. 204, Fralley.

PERSONAL PROPERTY—

Chattel loan rates reduced. 52, Doran; 58, Myers; 121, Anderson.
 Chattel loans by banks and trust companies. 286, Rigby.
 Chattel loans—repealing interest rate of 3½% per month. 391, Mosn.

PHARMACY—

Redefining—additional regulations. 274, committee on pharmacy.

PHYSICIANS AND SURGEONS—

Report of suspicious accident cases. 67, Gunderson.
 Osteopathy—student regulations. 110, Ickla.

PIPE LINES—

Right of way. 109, Wilson.
 Tax on. 186, Myers.
 Grants to cross state lands and rivers. 187, Myers.
 Grants to cross or use state roads. 188, Myers.
 License and regulation. 264, Myers.

PLATS—

City plan commission to have supervision to two miles beyond city limits.
 209, committee on cities and towns.

PLEASANT HILL TELEPHONE CO.—

Legalizing corporate acts. 22, Clark of Cerro Gordo.

PLUMBING—

Board of examiners—how appointed. 245, Wenner.

PODIATRIST—

Three year course. 392, committee on public health.
 Definition change. 393, committee on public health.

POLITICAL AND JUDICIAL DISTRICTS—

Congressional districts. 320, Anderson; 321, Stanley.
 Constitutional amendment—reducing membership in houses of general assembly. J. R. 8, Anderson.
 State senatorial redistricting. 423, sifting committee.
 Committee to study expenses of all taxing subdivisions. J. R. 12, committee on reduction of expenditures.

POLL TAX—

County revenue poll tax raised to \$2.50. 352, Wenner.

POOR—

Inmates of private charitable institution acquire no residence. 235, Clark of Cerro Gordo.
 Care of during pregnancy. 348, Irwin.

POTTER, J. S.—

Claim of. 414, committee on claims.

PREFERENCE LAW—

Iowa products and labor—penalties. 57, White; 166, Clark of Marlon.

PRIMARIES—

Canvass of votes. 80, Gunderson.
 Primaries in cities, followed by political party conventions. 195, Kimberly.
 Presidential primaries. 254, Knudson.
 Time of filing for township and precinct candidates. 332, Wenner.

PRISON MADE GOODS—

Penalty for wilful neglect by public officials to purchase prison made goods. 285, Kimberly.

PROBATION OFFICERS—

Either man or woman when only one officer in a county. 312, Clark of Cerro Gordo.

Apportionment, salary, etc. 370, committee on public health.

PROSECUTION—

Redefined. 137, Wenner.

PUBLIC BUILDINGS—

Borrowing money for. 31, Clark of Cerro Gordo.

PUBLIC DEPOSITS—

Code revision on. 148, Wenner.

Cancelling interest payments for certain months. 272, Benson; 146, as amended.

PUBLIC UTILITIES COMMISSION—

Creation—powers and duties. 198, Cooney, Kimberly; 302, Bennett, Hicklin, Carroll, Doran.

PUBLIC UTILITIES—

Taxation. 7, Clark of Linn, Rigby, Patterson.

Telephone companies—under jurisdiction of railroad commission. 11, Clark of Linn.

Electric light plants—purchase by cities. 40 Hicklin.

Water connection on streets to be improved. 59, Wilson.

Public utility securities under blue sky laws. 116, Knudson.

Taxing capital stock of certain public utilities. 117, Knudson.

Public service commission. 198, Cooney, Kimberly; 302, Bennett, Hicklin, Carroll, Doran.

QUINN, WM. E.—

Claim of. 389, committee on claims.

RADIO—

Police broadcasting system. 175, Hill.

RAILROADS—

Freight shipments over cheapest route. 108, Clark of Cerro Gordo.

Taxing capital stock of. 117, Knudson.

Crossing signals, under railroad commission. 118, Gunderson.

REAL ESTATE—

Mortgage tax. 5, Patterson, Rigby, Clark of Linn.

Title insurance. 78, Cole.

Road relocation—dwellings at corners. 90, Benson.

State owned land—sale of. 131, Benson.

Deeds in execution—in case of death of person entitled to certificate. 194, Doran.

Foreclosures on mortgages—no deficiency judgments. 244, Myers.

Claims to real estate antedating 1920. 256, Bennett.

Attachment proceedings on real estate—bonds. 330, Moen.

REDISTRICTING—

Constitutional amendment—reducing membership in houses of general assembly. J. R. 8, Anderson.

REDUCTION OF EXPENDITURES—

Committee to study all taxing subdivisions. J. R. 12, committee on reduction of expenditures.

RETRENCHMENT AND REFORM—

Committee abolished. 36, Stoddard.

RIVERS AND LAKES—

Division of water for dam. 54, Hicklin.

Licenses for Mississippi seining. 74, Hager.

State owned—cost of removal of obstructions. 214, committee on conservation.

State owned—ten days for removal of obstructions. 216, committee on conservation.

State owned—permits for obstruction. 217, committee on conservation.

Flood protection—removing levy limitation. 222, Stoddard.

Riverfront Improvement commission—treasurer. 333, Wenner.

Boats—license and regulations. 380, committee on conservation.

ROACH, DR. F. C.—

Claims of. 414, committee on claims.

ROADS AND HIGHWAYS—

Constitutional amendment for improvement of highways and payment of same. J. R. 1, Benson.

Gasoline tax—a portion to secondary roads. 12, Clark of Linn.

County road bonds—sale and payment. 15, Clearman, White.

Secondary road construction fund—use of surplus. 16, Clearman, White.

Weed cutting. 17, Doran.

Highway commission of three. 32, Benson.

Refunding certain primary road taxes. 33, Hill.

County secondary road indebtedness. 34, Clearman, Hill.

Additional gas tax—part for secondary road. 66, Gunderson.

Bridges, culverts and overhead crossings in cities of 2,500 or less. 76, Benson.

Stop signs on secondary road. 77, Booth.

Vacating parts of primary roads. 82, Benson.

Paving from primary roads to centers of cities. 83, Benson.

Secondary road bonds. 84, Benson.

Primary road authority—correction of Code. 85, Benson.

Removing limit on primary road construction. 86, Benson.

Secondary road special assessments. 87, Benson.

State traffic police. 93, Benson.

Legal service and expense. 95, Clark of Marion.

Relocation—dwellings at corners. 90, Benson.

Horse drawn vehicles—tail lights. 160, Knudson.

Vehicles—tail lights—additional red light reflector. 124, Kent.

Attorneys for commission—reducing salary. 126, Stevens.

Certain code revisions. 139, Wenner.

Certain sections repealed—code revision. 145, Wenner.

\$100,000,000 bond issue—election. J. R. 6, Benson.

Dams effecting highways—permit from highway commission. 202, Benson.

Maintenance to include entire right of way. 207, Beatty, Benson.

Motor laws of the road—obeying markers. 230, Clark of Cerro Gordo.

Highway commission—reducing salaries to \$3,000.00. 229, Anderson.

Speed to be governed by clear view ahead. 295, Cooney.

Township road indebtedness—levy to meet same. 306, Clearman.

County primary road bonds—deficiency refunded by highway commission. 319, Stoddard.

Motor vehicle fees—delinquency penalties to secondary road funds. 324, Cooney.

Rural street and road lighting. 379, committee on county and township affairs.

Gas tax—certain costs of collection charged against fund. 412, committee on code revision.

State highway bonds of \$100,000,000. 417, committee on highways.

Secondary road improvements—supervisors' action. 418, sifting committee.

Repealing road bond act of the 42nd extra session. 419, sifting committee.

Auditor for highway commission. 424, sifting committee.

ROBERTSON, DR. J. E.—

Claim of. 414, committee on claims.

ROWLAND, WARD N.—

Claim of. 251, committee on claims.

RUISCH, ELMER—

Claim of. 427, committee on claims.

SANITARY WATER BOARD—

Creation of, and duties. 154, Ritchie; 162, Hill.

SCALES—

Inspection fees. 317, Stoddard.

SCHOOLS—

Closing for small attendance. 25, Anderson.
 High school tuition in adjoining state. 119, Gunderson.
 Teachers' minimum wages. 39, Blackford.
 Union high schools. 287, Clearman.
 Uniting school districts. 60, Wilson.
 Surplus fines—to county school fund where collected. 70, Doran.
 Attaching or detaching territory. 71, Kent.
 County superintendents elective. 101, Klemme.
 School books—listing of prices. 112, Knudson.
 Deposit of public funds. 146, Wenner.
 Education of handicapped children. 170, Stanley, Carroll.
 School zone stop signs. 182, Bissell; 199, Bissell.
 Teachers employment bureau dissolved. 200, Bissell.
 Detaching school district by petition—repealing. 190, MacDonald.
 County board of education—time member's term begins. 189, Anderson.
 Financial statement—posting same—detailed tuition statement. Coykendall.
 Teacher's oath of allegiance. 201, Bennett, Beatty.
 School lands—sale of and recording deeds. 224, Benson.
 Uniform textbooks for rural schools—new commission to select. 227, Coykendall, Knudson.
 Redistricting. 276, MacDonald.
 School census—changed to biennial. 346, committee on reduction of expenditures.
 Teacher's first grade county certificate—subjects covered. 236, Stanley.
 Relating to board of examiners, teachers' certificates, expenditures, high school normal training, county superintendents, kindergartens. 294, Stanley.
 Dividing general and building funds. 279, Hill.
 School election notices. 309, Stanley.
 Consolidated schools—transportation optional. 351, committee on reduction of expenditures.
 Taxation—cutting limit \$5.00 per pupil. 359, committee on tax revision.
 County teachers' institute. 374, committee on public schools.
 Junior colleges—none in districts with less than 20,000 population. 391, committee on reduction of expenditures.

SECURITIES—

Stock certificates—facsimile signatures of officers. 42, Wilson.
 Public utility securities under blue sky laws. 116, Knudson.
 Blue sky laws—revision. 305, Knudson.
 Repealing tax exemption on public utility securities. 262, Myers.

SERIAL NUMBER (MANUFACTURER'S)—

Destroying same on machinery and musical instruments. 277, Fralley.

SHANTLEBURY, DR. EDD—

Claim of. 414, committee on claims.

SHARP, W. E.—

Claim of. 414, committee on claims.

SHERRILLS MOUND MUTUAL FIRE INSURANCE CO.—

Legalizing proceedings of. 425, sifting committee.

SHORT CHANGE ARTISTS—

Fixing punishment for. 258, Bennett.

SHRUBBERY AND TREES—

Trees and shrubbery on public streets. 259, Wilson.

SNOW AND ICE—

Removal from sidewalks. 61, 62, Wilson.

SOLDIERS' HOME—

Any Iowa military man eligible to enter. 163, McLeland.

SPECIAL ASSESSMENTS—

Date of interest. 43, Wilson.

Secondary roads—specials. 87, Benson.

Drainage districts—classification for assessments. 315, Bennett.

STATE AID—

Blind—education. 55, White.

To handicapped children. 170, Stanley, Carroll.

County health units. 334, Kimberly.

STATE BOARD OF ASSESSMENT AND REVIEW—

Powers and duties. 4, Clark of Linn, Patterson, Rigby.

Uniting department with budget department. 357, committee on departmental affairs.

STATE BOARD OF CONSERVATION—

State lands and waters—cost of removing obstructions. 214, committee on conservation.

Flanders-Bixby park—relinquishing. 215, committee on conservation.

Ten days for removal of obstructions. 216, committee on conservation.

Cost and permits for obstruction. 217, committee on conservation.

Leases for five years on state property. 218, committee on conservation.

Landscape architect of board. 219, committee on conservation.

Boundaries of state lands. 220, committee on conservation.

Sale or exchange of state lands. 221, committee on conservation.

STATE BOARD OF HEALTH—

Compensation—\$10.00 per day. 164, Klemme.

Vital statistics fund. 130, Carden.

STATE LANDS—

Sale of. 131, Benson.

Cost of removal of obstructions on. 214, committee on conservation.

Flanders-Bixby park—relinquishing. 215, committee on conservation.

Ten days for removal of obstructions. 216, committee on conservation.

Cost and permit for obstructions. 217, committee on conservation.

Leases for five years. 218, committee on conservation.

Fixing boundaries. 220, committee on conservation.

Sale or exchange of. 221, committee on conservation.

Sale of school lands—filing deeds. 224, Benson.

Employees given workmen's compensation. 282, Rigby.

STATE OFFICERS—

Repealing increase in salaries granted by 43rd G. A. 126, Stevens.
 Governor's appointees—approval requiring two-thirds vote of members present. 208, McLeland.
 Attorney general given duties of commerce counsel. 283, committee on departmental affairs.
 Additional office space at capitol. J. R. 11, Anderson.

STREET IMPROVEMENTS, SEWERS AND SPECIAL ASSESSMENTS—

Sidewalks—removing snow—levy. 61, Wilson.
 Sidewalks—removing snow—ten-day-notice. 62, Wilson.
 Dragging unpaved streets in certain cities—levy. 63, Wilson.

SURVEYING—

County surveying and the records thereof. 265, Knudson.
 Licensing surveyors. 307, Knudson.

SWIMMING POOLS—

Repealing municipal power to build or purchase. 19, Clark of Linn.

TABOR COLLEGE—

A gift for a state teachers college. 271, Coykendall.

TAXATION—

County assessor. 1, Patterson, Clark of Linn, Rigby.
 Income tax. 2, Clark of Linn, Rigby, Patterson.
 Business tax. 3, Rigby, Patterson, Clark of Linn.
 Powers and duties of state board of assessment and review. 4, Clark of Linn, Patterson, Rigby.
 Mortgages on real estate—registration tax. 5, Patterson, Rigby, Clark of Linn.
 On money and credits. 6, Rigby, Clark of Linn, Patterson.
 On public utilities. 7, Clark of Linn, Rigby, Patterson.
 Gasoline filling station—license fee. 8, Clark of Linn.
 Oleomargarine—inspection fee. 9, Christophel, Clark of Linn.
 Park improvement levy of one mill extended to 1949. 20, 21, Baird.
 Primary road taxes. 33, Hill.
 Municipal bands. 41, Stoddard.
 Special assessments—date of interest. 43, Wilson.
 Dragging city streets. 63, Wilson.
 Inheritance tax. 65, MacDonald, Patterson, Clark of Linn.
 Sidewalks—removing snow. 61, Wilson.
 Additional gas tax. 66, Gunderson.
 Soldiers' relief fund—increased levy. 79, Hicklin.
 Parks—clubhouses in—tax levy. 81, Hicklin.
 Billboards. 94, Hill.
 Amusements. 115, Clark of Linn, Doran, Wenner.
 Capital stock of certain public utilities. 117, Knudson.
 Insolvent banks—debentures for taxes. 120, Blackford.
 Corporation income tax. 132, Patterson, Clark of Linn.
 Building and loan associations. 134, Clark of Linn, Rigby, Patterson.
 Corporation taxation statement—deducting debts to affiliated corporations. 157, Clark of Linn, Rigby, Patterson.
 On lard substitutes. 158, Gunderson, Clark of Linn.
 Exemptions from taxation—time of filing. 169, Lowe.
 Removing exemptions on capital stock of corporations. 172, Moen.
 On gas and gasoline pipe lines. 186, Myers.
 Legalizing certain assessors' books and assessment rolls. 193, Booth.
 Tax sales—on lands mortgaged to school, agricultural college or university funds. 241, Patterson.
 Taxes due or past due to be cancelled on land acquired by Des Moines water-works. 240, Wilson.
 Repealing tax exemption on public utility securities. 262, Myers.

Repealing tax exemption on debts. 263, Myers.
 On banks. 289, Rigby.
 Pipe lines—valuation and taxation. 296, Myers.
 Township road indebtedness—levy for. 306, Clearman.
 Sewer tax. 327, Clark of Linn.
 Money indebtedness deducted from real estate values. 328, Myers.
 Municipal public utilities—taxing same. 340, Rigby.
 Delinquent taxes—holder of tax sale certificate to pay taxes as due. 341, Baird.
 Gasoline tax refund—application within thirty days after purchase. 350, Clark of Marion.
 Poll tax for county revenue raised to \$2.50. 352, Wenner.
 School taxes—cutting limit \$5.00 per pupil. 359, committee on tax revision.
 Municipal bond levy cut. 360, committee on reduction of expenditures.
 Tax recording time to be entered. 502, committee on land titles.
 Vending machines. 371, committee on tax revision.
 Tobacco tax. 421, sifting committee.
 Tax list—corrections by treasurer. 572, committee on tax revision.
 Committee on reduction of expenditures to study all taxing subdivisions.
 J. R. 12, committee on reduction of expenditures.
 Millage bill. 432, committee on ways and means.

TEACHERS—

Minimum wages. 39, Blackford.
 Oath of allegiance. 201, Bennett, Beatty.
 First grade certificates—subjects covered. 236, Stanley.
 County teachers' institute. 373, committee on public schools.

TEXTBOOKS—

Listing of prices with state superintendent. 112, Knudson.
 State uniformity for rural schools—new commission. 227, Coykendall, Knudson.

TITLES—

Insurance. 78, Cole.
 To M. D. and Eva J. Flanders—a clear title on land offered for state park. 215, committee on conservation.

TOBACCO—

Tax on. 421, sifting committee.

VAN NOTE, GEO. F.—

Claim of. 408, committee on claims.

VEHICLES—

Horse drawn—tail lights. 160, Knudson.
 Tail lights—additional red light reflectors. 124, Kent.

VENDING MACHINES—

License, regulation and taxation. 371, committee on tax revision.

VETERINARIANS—

Injunction against unlicensed practitioner. 205, Clark of Marion.

VITAL STATISTICS FUND—

Created from increase in marriage license fees. 130, Carden.

WEEDS—

Cutting—by highway commission, supervisors on county road and by governing council in cities. 17, Doran.
 Cutting—in cities of 5,000 or more. 191, Wilson.

WILLARD, A. D.—

Claim of. 416, committee on claims.

WILSON, EDWIN B.—

Claim of. 388, committee on claims.

WOMEN—

Workmen's compensation to widow after remarriage. 18, Doran.

Widow's aid in care of child—extending provision to additional counties.
156, Kimberly; 234, Clark of Cerro Gordo.

Personal injuries and death by accidents—damages same as accident to
men. 293, Cooney.

Care of indigent during pregnancy. 348, Irwin.

WORKMEN'S COMPENSATION—

To widow after remarriage. 18, Doran.

Extended to employees on state owned farms. 282, Rigby.

New evidence at court of appeals. 399, committee on judiciary No. 1.

Deposition of a witness. 404, committee on judiciary No. 1.

WORLD'S FAIR—

Appropriation and commission. 353, Hicklin.

ZEIN, DOROTHY—

Claim of. 251, committee on claims.

GENERAL INDEX

ADDITIONAL HELP—

Committee on appointed.....	18
Report of committee.....	77
Resolution fixing compensation of.....	155

ADDRESSED JOINT CONVENTION—

James H. Jewell, National Commander of the G. A. R.....	73
Governor John Hammill.....	28
Governor Dan W. Turner.....	86
Former Senator A. L. Rule.....	334
Hon. Geo. M. Hopkins.....	421
Hon. L. H. Doran.....	421
Irving Richman.....	421
L. E. Francis.....	421

ADDRESSED THE SENATE—

President Pro Tempore William E. McLeland.....	16
Lieutenant Governor Arch W. McFarlane.....	104
Former Senator Frank Shane.....	124
Senator Fralley.....	126
R. C. Williams.....	219
Former Senator Oscar Ulstad.....	245
Former Senator F. C. Gilchrist.....	283
Former Senator Denver L. Wilson.....	357
Senator Stoddard.....	404
Senator Klemme.....	405
C. O. Holmes, State Senator from Indiana.....	950
Byron W. Newberry.....	974
Dr. O. W. Lowery.....	1587
Senator Fralley.....	1604
Lieutenant Governor McFarlane.....	1604

ADJOURNMENT—

Resolution for adjournment for short January recess.....	9
Resolution for March 1 recess.....	187
Resolution for final adjournment.....	1052, 1269

ANDERSON, C. E.—Senator Twenty-seventh District—

Bills introduced.....	S. J. R. No. 8, 11, S. F. 23, 24, 25, 26, 47, 121, 189, 226, 229, 320
Committee assignments.....	1, 114, 1347, 1560
Petitions presented.....	238, 263, 320, 456, 635, 642, 696, 715, 776, 792, 993
Amendments offered.....	451, 515, 744, 801, 1145
Resolutions offered.....	1052
Motions made.....	180, 284, 364, 365, 412, 451, 455, 523, 651, 652, 653, 744, 762, 768, 783, 784, 801, 803, 879, 880, 962, 1001, 1002, 1064, 1081, 1084, 1085, 1089, 1090, 1228, 1229, 1260, 1273, 1286, 1304, 1342, 1380, 1499, 1525, 1526, 1556
Leave of absence granted.....	82, 379, 1177

APPROPRIATIONS—

Sub-committees on.....	131
Certain items recommended by committee.....	773

ATTORNEY GENERAL—

Opinion by on road bond constitutional amendment.....	202
---	-----

BADGES—

Secretary authorized to secure for employees.....	8
---	---

BAIRD, W. S.—Senator Nineteenth District

Bills introduced.....	S. F. 20, 21, 129, 233, 261, 341, 342
Committee assignments	6, 115, 169, 371, 1332, 1513, 1563
Petitions presented.....	224, 238, 320, 395, 516, 793, 807
Amendments offered.....	140
Resolutions offered.....	291, 1105
Motions made.....	74, 141, 366, 367, 392, 393, 628, 629, 822, 882, 883, 967, 1267, 1274, 1374, 1444, 1445, 1502, 1557, 1558, 1577
Leave of absence granted.....	274, 440, 456, 993
Appointed chairman of sifting committee.....	949

BEAM, WALTER H.—

Ejected temporary secretary.....	1
Elected permanent secretary.....	3
Communication from.....	1574

BEATTY, FRANK M.—Senator Twelfth District.

Bills introduced.....	S. J. R. No. 5, 201, 207
Committee assignments.....	8, 115, 169
Petitions presented.....	431, 716
Amendments offered.....	315, 398, 402, 461, 523, 708, 710, 911, 922, 1138, 1388, 1407
Motions made.....	389, 390, 392, 402, 420, 461, 462, 523, 708, 710, 746, 1138, 1246, 1247, 1300, 1388, 1407, 1554, 1555
Leave of absence granted.....	993
Raised point of order.....	919

BENNETT, O. P.—Senator Thirty-fourth District.

Bills introduced.....	S. F. No. 76, 96, 97, 98, 99, 100, 113, 173, 179, 180, 181, 183, 184, 201, 256, 257, 258, 298, 302, 315, 322, 336, 343, 344, 345
Committee assignments.....	18, 115, 1195, 1206, 1240, 1374
Petitions presented.....	25, 143, 238, 456, 554, 777, 948
Amendments offered.....	139, 408, 442, 465, 523, 524, 525, 537, 565, 567, 695, 705, 924, 937, 994, 1095, 1145, 1153, 1399, 1411, 1412
Resolutions offered.....	291, 1239
Motions made.....	1, 139, 148, 156, 247, 278, 279, 442, 465, 523, 537, 538, 579, 580, 705, 731, 732, 733, 734, 735, 762, 952, 1032, 1033, 1034, 1035, 1095, 1153, 1166, 1200, 1271, 1275, 1276, 1374, 1411, 1412, 1413, 1511, 1538, 1539, 1601
Leave of absence granted.....	1242
Explained vote.....	455

BENSON, C. A.—Senator Thirty-sixth District.

Bills introduced.....	S. J. R. No. 1, 6, S. F. 32, 76, 82, 83, 84, 85, 86, 87, 90, 93, 104, 107, 131, 133, 202, 224, 272, 275
Committee assignments.....	8, 105, 115, 169, 992, 1029, 1158, 1132, 1560
Petitions presented.....	149, 274, 329, 378, 516, 529, 553, 607, 636, 680, 715, 823, 1109, 1269
Amendments offered.....	190, 313, 443, 444, 459, 485, 496, 525, 527, 541, 578, 620, 622, 684, 686, 762, 767, 800, 815, 816, 841, 850, 858, 916, 921, 956, 1022, 1030, 1114, 1139, 1221, 1258, 1289, 1399, 1406, 1411, 1495, 1496
Resolutions offered.....	291, 369, 564, 1105
Motions made.....	105, 133, 166, 167, 168, 188, 190, 196, 303, 387, 388, 443, 444, 445, 448, 454, 459, 477, 478, 479, 483, 485, 496, 497, 522, 541, 552, 577, 578, 579, 620, 622, 630, 648, 649, 650, 659, 684, 686, 722, 723, 724, 762, 764, 767, 768, 797, 800, 815, 816, 813, 835, 841, 858, 878, 882, 916, 950, 952, 954, 955, 956, 969, 1022, 1029, 1030, 1031, 1040, 1041, 1113, 1114, 1135, 1137, 1139, 1170, 1221, 1222, 1244, 1245, 1248, 1249, 1254, 1258, 1289, 1303, 1390, 1406, 1408, 1409, 1411, 1509, 1549, 1550, 1567, 1584
Leave of absence granted.....	823, 1146
Raised point of order.....	167, 784, 1291, 1338, 1343, 1367, 1410

BIENNIAL MESSAGE—

By Governor Hammill, Text of..... 28

BILLS—

Index to.....

BISSELL, FRANK—Senator Seventeenth District.

Bills introduced.....S. F. No. 182, 199, 200
 Committee assignments.....9, 115, 124, 169
 Petitions presented.....282, 395, 430, 456, 606, 636, 641, 679, 776, 1268
 Amendments offered.....442, 1145
 Motions made.....124, 125, 442, 478, 479, 482,
 497, 1082, 1375, 1378, 1381, 1383, 1415, 1421, 1462, 1493, 1507, 1508
 Leave of absence granted..... 569

BLACKFORD, A. V.—Senator Second District.

Bills introduced.....S. F. 39, 105, 120, 133
 Committee assignments.....1, 115, 169, 1205
 Petitions presented.....181, 199,
 240, 282, 528, 554, 716, 738, 757, 776, 970, 807, 1205, 1243
 Amendments offered.....152, 272, 377, 419, 551, 605,
 867, 914, 1097, 1139, 1284, 1388, 1399, 1408, 1411, 1442, 1486, 1579
 Resolutions offered..... 281
 Motions made 323, 385, 386, 419, 460, 578, 914, 919, 986, 1087, 1097,
 1139, 1155, 1166, 1169, 1291, 1292, 1316, 1388, 1408, 1411, 1486, 1575
 Leave of absence granted..... 993
 Raised point of order.....1127, 1279

BOOTH, CHAS. D.—Senator Eighteenth District.

Bills introduced.....S. F. No. 77, 122, 133, 193, 298
 Committee assignments.....115, 1195, 1332, 1347
 Petitions presented.....282, 379, 501, 661, 696, 793, 948, 1268
 Amendments offered.....232, 429, 565, 705, 746,
 756, 765, 947, 1047, 1048, 1135, 1169, 1399, 1408, 1411, 1486, 1579
 Resolutions offered..... 1332
 Motions made.....79, 104, 232, 284, 365, 366, 535, 565,
 567, 568, 616, 617, 705, 729, 745, 746, 765, 766, 1047,
 1048, 1049, 1065, 1135, 1150, 1151, 1168, 1332, 1368, 1408, 1411, 1486
 Leave of absence granted.....272, 410, 634, 823

CALL OF THE SENATE—

Ruling by the President relating to..... 1575
 On House Concurrent Resolution No. 8..... 292
 On Senate File No. 65..... 399
 On Senate File No. 1..... 407
 On Senate File No. 121..... 517
 On Senate File No. 225..... 517
 On House File No. 124..... 563
 On House File No. 151..... 704
 On House File No. 2..... 864
 On House File No. 184..... 1051
 On Senate File No. 133..... 1068
 On Senate File No. 320..... 1227
 On House File No. 442..... 1227
 On Senate File No. 117..... 1264
 On Senate File No. 423..... 1302
 On motion relating to House File No. 2..... 1310, 1313, 1314
 On House File No. 28..... 1374
 On Senate File No. 398..... 1513
 For all business until end of session..... 1541

CANVAISS OF VOTE—

Tellers appointed.....	73
Judges designated.....	73
Returns opened.....	73
Tellers reported.....	82

CARDEN, WM.—Senator Tenth District.

Bills introduced.....	S. F. No.	130
Committee assignments.....	7,	115
Petitions presented.....	223, 329,	355
395, 410, 456, 516, 662, 680, 758, 776, 793, 1110, 1177,		1242
Amendments offered.....	1004, 1145,	1408
Resolutions offered.....		187
Motions made.....	7, 229, 486, 487, 796, 1004, 1005, 1028, 1029, 1293, 1408,	1475
Leave of absence granted.....		199

CARROLL, H. B.—Senator Third District.

Bills introduced.....	S. F. No. 302,	338
Committee assignments.....	8, 116,	371
Amendments offered.....		313
Motions made.....	140, 189, 309, 919, 1385, 1401,	1502
Leave of absence granted.....	272,	634
Explained vote.....		1610

CHAPLAINS—

Committee on.....	7
Harry Longley.....	1
A. Raymond Grant.....	25
A. E. Griffith.....	75
H. E. Rasmussen.....	81
J. E. Prichard.....	105
S. A. Fulton.....	122
R. L. L. Barnstable.....	128
C. H. Van Metre.....	136
Chas. Neff.....	143
Clarence W. Greene.....	149
John A. Kettle.....	153
C. E. Burdine.....	169
L. A. Stangle.....	181
Harry Secor.....	184
E. W. Curtis.....	199
I. G. Randels.....	223
E. Cornell Wilson.....	230
E. L. True.....	238
P. M. Thomas.....	250
James Edward Lair.....	262
De Loss Marken.....	274
Stoddard Lane.....	282
Paul P. Jackson.....	293
Daniel E. Kerr.....	319
Millard L. Riley.....	329
Benj. J. Trickey.....	354
Ernest McAninch.....	372
G. S. Nichols.....	378
L. W. Hauter.....	395
A. P. Blough.....	410
Forrest L. Richeson.....	430
W. R. Moore.....	456
C. A. Luce.....	489
P. N. McDermott.....	500
O. C. Huff.....	516
Arthur Atack.....	528

Wm. H. Phelps.....	553
Frank A. Wilder.....	606
A. A. Howe.....	634
A. J. Farnham.....	640
I. Halleen.....	661
George W. Dunn.....	679
Ira D. Halvorson.....	696
Fred A. Smith.....	715
James O. Simon.....	737
Dorothy Dornon.....	757
L. W. Inman.....	775
Walter A. Morgan.....	792
Orville W. Morrow.....	807
Arthur E. Bennett.....	823
Ella K. Sours.....	852
Carrie V. A. Lucas.....	869
Lewis B. Grossman.....	920
Herman C. Rice.....	948
Edward Dues.....	970
J. Hamilton Dawson.....	992
Manson E. Miller.....	1060
James A. Laurie.....	1071
Levi P. Goodwin.....	1088
C. M. Granskon.....	1109
P. B. Gray.....	1146
H. Millard Jones.....	1167
A. W. Armstrong.....	1177
Frederick A. Clark.....	1205
J. L. Ralston.....	1242
Earnest B. Mounsey.....	1268
W. C. Porter.....	1285
Thomas Carson.....	1308
Loren R. Gans.....	1332
R. Stanley Brown.....	1362
William E. Guy.....	1401

CHIEF JUSTICE FREDERICK F. FAVILLE—

Administered oath to Lieutenant Governor Arch W. McFarlane...	85
Administered oath to Governor Dan W. Turner.....	86

CHRISTOPHEL, GEO. W.—Senator Thirty-ninth District.

Bills introduced.....S. F. No. 9,	266,	281
Committee assignments.....	116,	931
Petitions presented.....	411, 457, 489, 636, 642, 776, 808, 920,	1242
Amendments offered.....	770, 771,	1145
Motions made.....	7, 768, 770, 771, 772, 1048, 1135,	1136
Leave of absence granted.....	184, 199,	606

CLARK, C. F.—Senator Twenty-sixth District.

Bills introduced.....S. F. 1, 2, 3,	4, 5, 6, 7, 8, 9, 11, 12, 19, 65, 115, 132, 134, 157, 808,	327
Committee assignments.....	4, 116, 169, 630, 939, 949,	1305
Petitions presented.....		641
Amendments offered...402, 403, 408, 420, 539, 573, 633, 656,	707, 728, 748, 762, 787, 801, 885, 964, 967, 969, 976,	
	977, 984, 989, 1087, 1095, 1140, 1228, 1241, 1267, 1280, 1281,	
	1283, 1286, 1304, 1315, 1331, 1341, 1342, 1404, 1405, 1448, 1489,	1495
Resolutions offered.....	5, 136,	630
Motions made.....	136, 402, 403, 420, 442, 443, 445, 446, 523, 539, 571,	
	573, 574, 506, 630, 663, 666, 681, 701, 702, 707, 727,	
	728, 729, 748, 762, 787, 790, 801, 885, 908, 938, 950,	
	964, 967, 976, 977, 978, 984, 985, 989, 1063, 1095, 1140,	

GENERAL INDEX

1699

1141, 1158, 1173, 1174, 1228, 1251, 1252, 1274, 1278, 1280, 1281,	
1286, 1289, 1290, 1291, 1301, 1304, 1305, 1315, 1338, 1341, 1342,	
1363, 1364, 1404, 1405, 1446, 1448, 1460, 1486, 1489, 1491, 1492, 1517	
Leave of absence granted.....	993
Raised point of order.....	1063, 1153, 1279, 1575
Explained vote.....	317, 455, 1606, 1610, 1611
Spoke on right of personal privilege.....	1409

CLARK, E. W.—Senator Forty-third District.

Bills introduced.....S. F. 22, 31, 108, 127, 230, 234, 235, 242, 312	
Committee assignments.....	9, 105, 116, 334, 949, 1569
Petitions presented.....	184, 230, 553, 607, 635,
642, 663, 680, 696, 716, 758, 777, 853, 869, 948, 1243, 1268	
Amendments offered.....	450, 678, 868, 1266, 1272, 1283, 1286, 1331, 1341
Resolutions offered.....	129
Motions made.....	129, 176, 177, 234, 235, 325, 334, 450,
569, 726, 727, 729, 730, 735, 736, 801, 815, 834, 938,	
938, 1061, 1064, 1074, 1075, 1076, 1180, 1181, 1182, 1183, 1188,	
1232, 1247, 1248, 1272, 1286, 1309, 1340, 1341, 1350, 1414, 1493, 1584	
Place Senator McLeland in nomination for President Pro Tempore..	16
Leave of absence granted.....	143
Appointed teller.....	8

CLARK, W. A.—Senator Fifteenth District.

Bills introduced.....S. F. No. 95, 166, 205, 206, 350	
Committee assignments.....	104, 116, 982, 1208, 1302
Petitions presented.....	379,
456, 528, 635, 642, 807, 1071, 1088, 1110, 1177, 1243, 1269, 1285	
Amendments offered.....	515, 522, 808, 858, 969, 1026, 1145, 1497
Motions made.....	262, 273, 522, 619, 620, 791, 797, 798, 858,
878, 1025, 1026, 1027, 1065, 1066, 1070, 1073, 1079, 1180, 1301,	
1331, 1382, 1440, 1463, 1464, 1497, 1498, 1503, 1526, 1527, 1552, 1557	
Leave of absence granted.....	198, 395, 569
Raised point of order.....	570, 1494
Explained vote.....	261

CLEARMAN, GEO. M.—Senator Twenty-fifth District.

Bills introduced.....S. F. 15, 16, 34, 44, 148, 161, 287, 306	
Committee assignments.....	7, 27, 105, 116, 421, 1494
Petitions presented.....	169,
274, 354, 529, 606, 635, 680, 696, 776, 1109, 1243, 1285	
Amendments offered.....	1145, 1408
Motitions made.....	7, 27, 222,
255, 256, 386, 387, 421, 458, 459, 460, 1024, 1025, 1036,	
1037, 1170, 1171, 1256, 1257, 1380, 1408, 1424, 1425, 1454, 1455, 1494	
Leave of absence granted.....	143, 808

COCHRANE, WM.—Senator Eighth District.

Bills introduced.....S. F. No. 174	
Committee assignments.....	116
Petitions presented.....	250, 456, 500, 661, 776, 807, 1088
Motions made.....	198, 328, 1387
Leave of absence granted.....	75, 379, 410

COLE, C. G.—Senator Thirty-third District.

Bills introduced.....S. F. No. 78, 316	
Committee assignments.....	8, 104, 117
Petitions presented.....	75, 329, 378, 553, 716, 717, 758, 1146
Amendments offered.....	867, 1096, 1097
Motions made.....	8,
318, 1007, 1067, 1074, 1075, 1076, 1078, 1096, 1097, 1195, 1226	
Appointed teller.....	8

COMMITTEE CLERKS—

Committee appointed to examine.....	9
Report of committee on.....	20

COMMITTEE ON COMMITTEES—

Motion to amend rules to provide for.....	6
Appointed.....	6
Standing committees appointed by.....	109
Committee on reduction of expenditures appointed by.....	169

COMMITTEES, CONFERENCE—

On House File No. 2.....	1158,
.....	1198, 1205, 1226, 1301, 1302, 1488, 1513, 1574
On Senate File No. 133.....	1195, 1269, 1351, 1364
On House File No. 121.....	1205
On Senate File No. 10.....	1347, 1517
On Senate File No. 429.....	1569, 1573, 1585
On House File No. 155.....	1557, 1571

COMMITTEE OF THE WHOLE—

Heard evidence in university investigation.....	1568
---	------

COMMITTEE ROOMS—

Committee on appointed.....	7
Report of committee.....	130
Supplemental report.....	182

COMMITTEES, SPECIAL—

On credentials.....	1
To notify Governor Hammill.....	4, 27
To notify the House.....	4, 1560, 1606
On committees.....	6
On chaplains.....	7
On mileage.....	7
On committee rooms.....	7
To act as tellers.....	8
On committee clerks.....	8
To arrange for inauguration.....	9
On additional employees.....	18
To escort James W. Willett and James H. Jewell to the Speaker's rostrum in joint convention.....	73
To notify Governor Turner.....	85, 1606
To notify Lieutenant Governor McFarlane.....	85
To escort Lieutenant Governor McFarlane to the desk.....	104
On placing flags in Senate Chamber.....	105
On memorial for John H. Mills.....	124
To escort former Senator Shane to the chair.....	124
To notify former Senator A. L. Rule.....	334
To investigate the State University.....	371
On memorial for Arthur C. Savage.....	564
On memorial for Willard C. Stuckslager.....	620
On memorial for John G. Legel.....	921
To correct the title to House File No. 2.....	939
To send messages of sympathy to relatives of H. E. Dean.....	982
To send floral tribute expressing esteem for H. E. Dean.....	992
To attend funeral of H. E. Dean.....	1029
To draft resolutions on death of Knute Rockne.....	1155
To send floral tribute on death of Mrs. E. H. Campbell.....	1240
To draft resolutions on death of Nicholas Longworth.....	1281
On memorial for James E. Bruce.....	1332
On memorial for A. F. Frudden.....	1333
On memorial for Judge Martin J. Wade.....	1494
To confer with board of audit on expense filings.....	1494

COMMITTEES, STANDING—

List of as appointed by committee on committees..... 109

COMMUNICATIONS FROM—

Secretary of State G. C. Greenwalt..... 10
 Governor Dan W. Turner..... 144
 Former Senator Redfield C. Mills..... 237
 Governor Dan W. Turner on economy..... 406
 Senator J. N. Langfitt..... 490
 Governor Dan W. Turner relating to Congressional redistricting 738
 Governor Dan W. Turner relating to income tax..... 870
 Governor Dan W. Turner recalling certain nominations..... 1197
 Walter H. Beam, secretary of the Senate..... 1574

CONCURRENT RESOLUTIONS—

Index to..... 1666

CONSTITUTIONAL AMENDMENT—

For highway improvement, text of.....11, 161
 Opinion of Attorney General John Fletcher on..... 202
 Opinion of group of lawyers on..... 208

COONEY, MATT. D.—Senator Thirty-fifth District.

Bills introduced..... S. J. R. No. 4,
 S. F. No. 38, 159, 173, 196, 198, 246, 278, 293, 295, 313, 324, 336, 337
 Committee assignments.....117, 1155, 1158, 1206, 1333, 1374, 1568
 Petitions presented.....238; 329, 395, 411, 516, 554, 758, 993, 1146, 1243
 Amendments offered.....314, 318, 400, 408, 416, 469, 805,
 806, 1099, 1144, 1145, 1159, 1160, 1161, 1162, 1171, 1279, 1510, 1544
 Resolutions offered.....1175, 1194, 1332
 Motions made.....8, 280, 400, 416, 469, 495, 499, 660,
 787, 790, 947, 965, 1042, 1043, 1044, 1049, 1099, 1108, 1145,
 1155, 1159, 1160, 1161, 1162, 1171, 1172, 1192, 1193, 1204, 1241,
 1279, 1310, 1311, 1333, 1343, 1364, 1374, 1452, 1510, 1536, 1544, 1574
 Leave of absence granted.....75, 82, 143, 184, 679
 Raised point of order.....1153, 1303, 1575
 Explained vote..... 455

CORPORATION COMMITTEE—

Senate members appointed under H. J. R. No. 6..... 1374

COYKENDALL, FRANK I.—Senator Seventh District.

Bills introduced.....S. F. No. 128, 171, 197, 227, 271, 301
 Committee assignments..... 117
 Petitions presented.....354, 372, 456, 517, 529, 641, 679, 697, 758, 807, 852
 Amendments offered..... 1145
 Motions made..... 82, 357, 881, 1050, 1051

CREDENTIALS—

Special committee on appointed..... 1
 Report of committee on..... 1

DORAN, L. H.—Senator Thirty-first District.

Bills introduced...S. F. 14, 17, 18, 46, 50, 51, 52, 70,
 75, 111, 115, 178, 179, 180, 181, 183, 184, 194, 213, 302
 Committee assignments.....6, 117, 124, 371, 1347
 Petitions presented.....184, 239, 430, 456, 500,
 528, 553, 607, 662, 680, 697, 776, 828, 852, 1088, 1268, 1333
 Amendments offered.....148,
 180, 229, 353, 398, 524, 525, 537, 565, 567, 641, 754,
 909, 912, 956, 957, 977, 1081, 1083, 1084, 1154, 1338, 1399, 1411
 Resolutions offered.....1105, 1437

Motions made.....	247, 257, 258, 314, 325, 398, 523, 537,	
	625, 626, 627, 683, 684, 685, 816, 832, 833, 859, 909,	
	912, 949, 956, 957, 976, 977, 1081, 1083, 1084, 1154, 1309,	
	1338, 1340, 1341, 1362, 1411, 1413, 1475, 1479, 1494, 1502, 1540,	1541
Appealed from decision of the chair.....		1314
Leave of absence granted.....	274, 413,	439
Raised point of order.....		1314, 1494
Addresses chair on point of information.....		1312

EXCHANGE OF SEATS—

Entered of record.....	1442, 1475, 1516, 1562,	1572
------------------------	-------------------------	------

EXECUTIVE SESSIONS OF THE SENATE—

Sessions held....	126, 133, 141, 198, 228, 235, 248, 261, 319,	
	495, 524, 569, 667, 1060, 1078, 1178, 1269, 1293, 1334, 1391,	1442
Steelsmith, Dr. D. C., confirmed.....		133
Clark, E. W., confirmed.....		133
Way, Thomas, confirmed.....		141
Reynolds, J. W., confirmed.....		228
Henderson, J. H., confirmed.....		235
Urlick, A. L., confirmed.....		248
Riepe, Carl C., confirmed.....		249
Felton, E. H., confirmed.....		319
Simpson, George M., confirmed.....		319
Funk, A. B., confirmed.....		319
Archie, W. D., confirmed.....		524
Miles, Frank, refused confirmation.....		667
Hueschen, Max R., refused confirmation.....		667
Strohm, John W., confirmed.....		1078
Neas, Harry M., confirmed.....		1293
Anderson, Joseph H., confirmed.....		1293
Walter, J. F., confirmed.....		1334
Rapp, Arthur E., confirmed.....		1334
Goeders, Dennis H., confirmed.....		1334
Darling, J. N., confirmed.....		1334
Boone, W. C., confirmed.....		1334
Quirk, L. T., confirmed.....		1391
Carlson, E. C., confirmed.....		1391
Keenan, Thomas W., confirmed.....		1442

EXPENSE ACCOUNTS—

Special committee on appointed to confer with Board of Audit....	1494
Report of committee.....	1531

EXPLANATION OF VOTE—

By W. A. Clark.....	261
By Klemme.....	272, 455
By Rigby.....	311-312
By C. F. Clark.....	317, 455, 1606, 1610, 1611
By Bennett.....	455
By MacDonald.....	455, 1610
By Wenner.....	455
By Cooney.....	455
By Stevens.....	941
By Patterson.....	1608
By Carroll.....	1610

FRAILEY, JOSEPH R.—Senator First District.

Bills introduced.....	S. F. No. 73, 204, 277,	347
Committee assignments.....	117,	564
Petitions presented.....	282,	354
Amendments offered.....	409, 441, 708, 1069, 1079,	1145
Motions made.....	4.	
	266, 441, 448, 488, 689, 690, 708, 756, 1079, 1089, 1137,	
	1153, 1219, 1224, 1228, 1276, 1277, 1278, 1290, 1300, 1338, 1339,	1333

GENERAL INDEX

1703

Raised point of order.....261, 271, 663, 802, 1150, 1341, 1409, 1410
 Addressed the Senate on death of John H. Mills..... 126

GOVERNOR JOHN HAMMILL—

Committee to notify appointed.....4, 27
 Read biennial message..... 28

GOVERNOR DAN W. TURNER—

Canvass of vote for..... 73
 Certificate of election..... 83
 Arrival at joint convention..... 85
 Took oath of office..... 86
 Delivered inaugural address..... 86
 Communication from relating to State University..... 144
 Communication from relating to economy.....406
 Communication from relating to Congressional redistricting..... 738
 Communication from relating to income tax..... 870
 Communication from recalling certain nominations..... 1197

GUNDERSON, O. E.—Senator Forty-first District.

Bills introduced.....S. F. No. 66, 67, 80, 118, 119, 123, 158
 Committee assignments.....117, 949
 Petitions presented.....431, 607, 635, 642, 661, 680, 753
 Amendments offered.....656, 658, 714, 747,
 748, 753, 767, 770, 771, 799, 864, 955, 964, 1252, 1283, 1353
 Resolutions offered..... 108
 Motions made.....158, 254, 283, 367, 469, 476,
 484, 485, 486, 487, 521, 522, 746, 747, 748, 749, 767,
 770, 771, 799, 915, 922, 955, 957, 958, 963, 964, 965,
 966, 1031, 1032, 1045, 1046, 1087, 1155, 1160, 1166, 1198, 1199,
 1222, 1223, 1252, 1253, 1313, 1344, 1359, 1448, 1449, 1450, 1570, 1571
 Leave of absence granted.....25, 330
 Raised point of order..... 571

HAGER, J. H.—Senator Fortieth District.

Bills introduced.....S. F. 74
 Committee assignments.....1, 9, 28, 117, 1195
 Petitions presented.....
 75, 169, 184, 263, 355, 395, 411, 517, 528, 640, 680, 1146
 Amendments offered.....455, 461,
 695, 730, 736, 798, 1069, 1080, 1081, 1087, 1094, 1184, 1243, 1408
 Committee report submitted by..... 1
 Motions made.....1, 28, 148,
 367, 368, 419, 461, 462, 463, 464, 465, 466, 467, 468,
 667, 730, 731, 798, 799, 975, 1065, 1066, 1067, 1073, 1075,
 1076, 1077, 1078, 1079, 1080, 1081, 1094, 1136, 1172, 1184, 1304, 1408
 Leave of absence granted..... 274

HICKLIN, EDWIN R.—Senator Twentieth District.

Bills introduced.....S. F. 40, 54, 79, 81, 153, 255, 298, 302, 353
 Committee assignments.....9, 117, 939, 1155, 1226, 1281, 1562, 1569
 Petitions presented 320, 372, 410, 456, 489, 516, 681, 696, 823, 970, 1146
 Amendments offered.....315, 399,
 427, 443, 522, 523, 565, 695, 705, 710, 755, 756, 865,
 867, 915, 924, 937, 1086, 1097, 1138, 1139, 1162, 1220, 1274, 1281, 1361,
 1362, 1372, 1373, 1374, 1460, 1461, 1462, 1479, 1480, 1499, 1546, 1567
 Resolutions offered.....8, 1175
 Motions made.....
 127, 270, 271, 333, 352, 353, 399, 413, 421, 443, 469,
 470, 522, 523, 565, 704, 705, 706, 710, 711, 803, 816,
 848, 884, 915, 1097, 1138, 1139, 1162, 1220, 1274, 1281, 1361,
 1362, 1372, 1373, 1374, 1460, 1461, 1462, 1479, 1480, 1499, 1546, 1567
 Leave of absence granted.....198, 757, 993, 1177
 Raised point of order.....1292, 1303, 1342

HIGHWAYS—

Constitutional amendment relating to, text of.....	11
Resolution asking opinion by Attorney General.....	108
Opinion of Attorney General John Fletcher on constitutional amendment	202
Opinion of group of lawyers on constitutional amendment.....	208

HILL, LAFE—Senator Sixty-fourth District.

Bills introduced.....	S. F.
33, 94, 102, 151, 152, 155, 162, 175, 177, 279, 280, 310,	323
Committee assignments.....	4, 118, 920
Petitions presented.....	263, 411, 501, 661, 715, 738, 758, 1269
Amendments offered.....	652, 1142, 1143, 1145, 1160, 1223, 1361
Resolutions offered.....	920
Motions made 152, 484, 620, 621, 622, 623, 652, 687, 688, 724,	
725, 953, 954, 962, 963, 987, 1111, 1112, 1113, 1127, 1134,	
1142, 1143, 1144, 1159, 1160, 1163, 1219, 1220, 1221, 1223, 1224,	
1250, 1251, 1257, 1258, 1259, 1260, 1261, 1262, 1409, 1455, 1464,	1465
Leave of absence granted.....	1187, 1177

HOLDOVER SENATORS—

List of.....	2
Allowed to retain old seats.....	6

HOUSE—

Committee to notify appointed.....	4, 1560, 1606
Committee from received.....	4, 26, 333, 420, 636, 1606

HOUSE FILES—

Index to.....	1652
---------------	------

ICKIS, FRANK D.—Senator Fifth District.

Bills introduced.....	S. F. 37, 110, 185, 192
Committee assignments.....	18, 104, 118, 169, 1302, 1494
Petitions presented.....	293, 553, 635, 775, 1071, 1109
Amendments offered	
.....714, 754, 819, 990, 991, 1099, 1101, 1116, 1399, 1408, 1449	
Motions made.....	26, 104, 233, 234, 249, 281, 362, 455,
789, 790, 818, 819, 858, 961, 962, 1097, 1099, 1100, 1101,	
1102, 1103, 1115, 1116, 1184, 1185, 1262, 1263, 1375, 1376, 1408, 1449	
Leave of absence granted.....	500, 993, 1224
Presided at session of Senate.....	7

INAUGURATION—

Resolution for joint committee on.....	9
Senate members of committee appointed.....	9
Inaugural address of Governor Dan W. Turner.....	86
Bill to defray expenses of introduced (S. F. 53).....	141

IRWIN, H. L.—Senator Twenty-second District.

Bills introduced.....	S. F. No. 247, 248, 273, 348
Committee assignments.....	118, 431, 1195, 1205, 1247, 1494, 1513
Petitions presented.....	
224, 378, 379, 501, 529, 606, 636, 869, 948, 970, 993, 1285	
Amendments offered.....	318, 1108, 1145, 1527
Motions made.....	954, 955, 986,
1089, 1040, 1078, 1305, 1306, 1361, 1375, 1421, 1527, 1528, 1566, 1567	
Leave of absence granted.....	
.....320, 380, 354, 379, 395, 679, 1295, 1268, 1285	
Raised point of order.....	919, 1410
Appointed teller.....	8

GENERAL INDEX

1705

JEWELL, JAMES H.—National Commander of the G. A. R.

Invited with official party to attend joint convention.....	28
Escorted to Speaker's rostrum in joint convention.....	73
Addressed joint convention.....	79

JOINT CONVENTION—

To hear biennial message of Governor Hammill and canvass vote	26
To complete canvass of vote and hear inaugural address of Governor Dan W. Turner.....	82
To celebrate Lincoln's birthday.....	334
In honor of Pioneer Lawmakers.....	421

KENT, JOHN W.—Senator Fourth District.

Bills introduced.....S. F. No. 71, 124,	335
Committee assignments.....118,	1513
Petitions presented.....853, 1243,	1285
Resolutions offered.....	281
Motions made.....	520
Leave of absence granted.....606,	993

KIMBERLY, D. W.—Senator Twenty-first District.

Bills introduced....S. F. 35, 68, 69, 156, 195, 284, 285, 334,	336
Committee assignments.....118,	1155
Petitions presented..149, 430, 500, 553, 607, 635, 642, 716, 737, 758	
Amendments offered.....269, 270, 318, 736,	1068
Resolutions offered.....	1175
Motions made.....121, 269, 363,	
389, 638, 639, 659, 835, 924, 996, 997, 998, 1092, 1346,	1551
Appointed to escort President Pro Tempore Wm. E. McLeland to the chair	16
Leave of absence granted.....	1156

KLEMME, WILLIAM H.—Senator Forty-second District.

Bills introduced.....S. F. 29, 101,	164
Committee assignments.....4, 118, 921,	1332
Petitions presented.....274, 372, 396, 431, 500,	642
Amendments offered.....	1145
Committee report submitted by.....	5
Motions made...4, 160, 161, 237, 480, 521, 695, 1065, 1138, 1374,	1377
Eighty-second birthday observed.....	404
Leave of absence granted.....	606
Explained vote.....272,	455

KNUDSON, IRVING H.—Senator Thirty-seventh District.

Bills introduced.....S. F.	
No. 112, 116, 117, 133, 160, 254, 265, 304, 305, 307, 349	
Committee assignments.....4, 118, 500, 1205,	1281
Petitions presented.....355, 642, 662,	1243
Amendments offered.....409, 440, 705, 1357,	1465
Committee report submitted by.....	4
Resolutions offered.....	281
Motions made.....4, 245, 246, 440, 541, 627, 628, 705,	
975, 1255, 1272, 1273, 1292, 1344, 1374, 1439, 1440, 1465, 1467,	1468
Leave of absence granted.....852,	869
Made point of order.....	709
Remarks by.....	542

LANGFITT, JOHN N.—Senator Sixteenth District.

Committee assignments.....119, 564,	1332
Leave of absence granted.....25,	
.....184, 230, 263, 274, 294, 410, 1109, 1146, 1205,	1268

LEONARD, ARTHUR—Senator Sixth District.

Bills introduced.....	S. F. 53,	150
Committee assignments.....	9,	85, 119
Petitions presented.....	410, 528, 640, 680, 793, 807, 853,	1243
Amendments offered.....		821
Resolutions offered.....		9
Motions made.....	85, 175, 450, 625, 1293, 1384, 1420, 1423, 1506,	1507
Special seat assignment.....		6
Leave of absence granted.....	82, 223, 230,	569

LIEUTENANT GOVERNOR ARCH W. McFARLANE—

(See also President of the Senate.)

Canvass of vote for.....	73,	83
Certificate of election.....		84
Took oath of office.....		85
Authorized to act as chairman of the committee of the whole.....		1567
Presented with traveling bag.....		1604
Addressed the Senate.....		1604

LINCOLN'S BIRTHDAY—

Resolution for observance of.....		129
Joint convention in honor of.....		334

LONGWORTH, NICHOLAS—

Committee appointed to draft resolutions on death of.....		1281
---	--	------

LOWE, WESLEY C.—Senator Eleventh District.

Bills introduced.....	S. F. No. 106,	169, 228
Committee assignments.....	1,	119, 124
Petitions presented.....		
.....	274, 354, 378, 431, 606, 662, 679, 1109, 1205,	1243
Amendments offered.....		178-179, 198
Motions made.....		196, 363, 481
Leave of absence granted.....		1167

MacDONALD, LEW—Senator Forty-sixth District.

Bills introduced.....	S. F. No. 65,	190, 276, 338
Committee assignments.....	4,	119, 124, 169, 1240
Petitions presented.....		185, 223,
.....	230, 238, 250, 329, 396, 456, 697, 717, 853, 948, 1071, 1110	
Amendments offered.....		
.....	401, 451, 465, 570, 924, 937, 991, 1000, 1067, 1481, 1533,	1544
Resolutions offered.....		1239
Motions made.....	9, 16, 398, 399, 401	
.....	451, 465, 477, 488, 570, 571, 707, 790, 880, 1000, 1010,	
.....	1011, 1012, 1013, 1066, 1067, 1077, 1078, 1141, 1227, 1259, 1361,	
.....	1379, 1386, 1424, 1508, 1509, 1515, 1528, 1529, 1533, 1544, 1548, 1549	
Leave of absence granted.....	75,	272, 634
Explained vote.....		455, 1610

McLELLAND, WM. E.—Senator Twenty-eighth District.

(See also President Pro Tempore.)

Bills introduced.....	S. F. No. 163,	208, 270
Committee assignments.....		119, 1302
Petitions presented.....		430,
.....	456, 489, 528, 634, 642, 662, 680, 697, 716, 738, 758,	852
Amendments offered.....		312, 656, 1265, 1279, 1280
Motions made.....		126, 133,
.....	188, 190, 197, 228, 235, 248, 261, 412, 495, 523, 569,	
.....	646, 647, 667, 1000, 1001, 1046, 1093, 1269, 1279, 1280, 1524,	1539
Elected President Pro Tempore.....		16

GENERAL INDEX

1707

MEMORIALS—

Mills, J. H., committee appointed.....	124
Resolution relating to.....	125
Remarks on by Senator Fralley.....	126
Savage, Arthur C., committee appointed.....	564
Stuckslager, Willard C., committee appointed.....	630
Legel, John G., committee appointed.....	921
Dean, Herbert E., committee appointed.....	982, 992
Campbell, Mrs. Ed H., committee appointed.....	1240
Hour set for memorial session.....	1242
Longworth, Nicholas, committee appointed.....	1251
Brucé, James E., committee appointed.....	1332
Frudden, A. F., committee appointed.....	1333
Memorial session held.....	1333

MILEAGE—

Committee on appointed.....	7
Report of committee on.....	19

MOEN, T. E.—Senator Forty-ninth District.

Bills introduced.....	S. J. R. No. 2, 172, 231, 298, 330, 331
Committee assignments.....	6, 119, 371, 982, 992, 1029, 1153, 1569
Petitions presented.....	274, 320, 329, 372, 396, 411, 430, 456, 529, 554, 607, 635
Amendments offered.....	523, 1536, 1543
Resolutions offered.....	186, 291, 569, 992, 1239
Motions made.....	361, 362, 523, 564, 565, 706, 982, 1037, 1038, 1039, 1051, 1052, 1209, 1210, 1211, 1212, 1236, 1302, 1303, 1369, 1370, 1401, 1439, 1451, 1458, 1459, 1536, 1543
Remarks by on death of H. E. Dean.....	992
As chairman of committee on committees announced standing committees.....	109
As chairman of committee on committee announced sifting committee.....	949

MYERS, O. P.—Senator Twenty-ninth District.

Bills introduced.....	S. F. No. 58, 91, 103, 114, 149, 168, 186, 187, 188, 243, 244, 262, 263, 264, 296, 314, 328
Committee assignments.....	119, 949
Petitions presented.....	379, 395, 410, 430, 501, 634, 642, 661, 680, 716, 792, 823, 1268
Amendments offered.....	352, 354, 540, 850, 851, 911, 988, 999, 1054, 1058, 1092, 1126, 1145, 1201, 1203, 1212, 1216, 1217, 1283, 1359, 1363, 1389, 1428, 1447, 1495, 1503
Motions made.....	352, 513, 514, 540, 681, 879, 987, 988, 999, 1000, 1087, 1092, 1126, 1127, 1200, 1201, 1212, 1216, 1217, 1218, 1363, 1388, 1389, 1390, 1427, 1428, 1431, 1432, 1445, 1447, 1503, 1510

OATH OF OFFICE—

By Walter H. Beam as secretary of the Senate.....	1
By newly elected Senators.....	3
By officers.....	4
By pages.....	17
By committee clerks.....	21
By Governor Dan W. Turner.....	86
By Lieutenant Governor Arch W. McFarlane.....	86
By new appointed clerks.....	148

OFFICERS AND EMPLOYEES OF THE SENATE—

Permanent officers elected.....	3
Pages appointed by Lieutenant Governor.....	17
Report of committee on additional help.....	77
Clerk of enrolled bills appointed.....	143
Certain employees presented with chairs.....	1604

PAGES—

Appointed by Lieutenant Governor Arch W. McFarlane.....	17
PATTERSON, GEO. W.—Senator Forty-seventh District.	
Bills introduced.....S. F. 1, 2, 3, 4, 5, 6, 7, 64, 65, 132, 134, 241	
Committee assignments...8, 7, 120, 169, 939, 949, 992, 1029, 1153	
Petitions presented..379, 411, 501, 516, 554, 607, 662, 679, 716, 737	
Amendments offered.....227, 706, 868, 1266, 1338, 1456, 1486	
Resolutions offered.....	138, 293
Motions made....227, 228, 324, 568, 688, 689, 706, 744, 745,	
802, 916, 917, 1162, 1194, 1195, 1198, 1207, 1208, 1304, 1315,	
1338, 1402, 1403, 1405, 1448, 1444, 1485, 1489, 1489, 1546, 1550, 1551	
Leave of absence granted.....	634, 993
Explained vote.....	1608
Raised point of order.....802, 803, 916, 961, 1291, 1314, 1316	
PENN COLLEGE CHOIR—	
Sang for the Senate.....	1291
PETITIONS, RELATING TO—	
Abolishment of the office of Commerce Counsel.....	716, 716, 717
Artisans' liens.....	993
Amusement tax.....	
274, 314, 355, 379, 398, 411, 430, 431, 457, 501, 516,	
528, 529, 554, 606, 607, 635, 641, 642, 697, 717, 948,	1205
Appointments to the state board of education.....	641
Auto drivers' license law..238, 430, 456, 457, 500, 501, 516, 517,	
528, 529, 553, 554, 635, 636, 642, 662, 680, 697, 776, 777	
Baker Institute and KTNT.....	636, 716, 738
Bovine tuberculosis...500, 634, 635, 662, 716, 775, 808, 948,	1285
Cemetery improvement.....	355
Child welfare.....	149
Cigarette and tobacco tax.....	320,
329, 372, 456, 553, 642, 681, 1242, 1243, 1268, 1269, 1285,	1286
Commerce counsel.....	775, 793
Compensation of court reporters.....	662, 1088
Congressional redistricting.....	853
Conservation.....	606, 680
County agents.....	501
County assessor.....105, 223, 230, 238, 274, 320, 354, 355,	
395, 411, 501, 634, 635, 662, 697, 775, 777, 807, 1071,	1243
Depositors' debentures.....	634, 635, 716
Educational qualifications of barbers (S. F. No. 49).....	372, 378, 396
Encouragement of investments in farm land.....	554, 607
Fire protection for state institutions (S. F. 129).....	185, 224, 410
Fish and game laws.....	
25, 75, 149, 239, 329, 354, 378, 379, 411, 431, 456,	
489, 501, 528, 529, 554, 607, 635, 636, 640, 641, 642,	
643, 661, 662, 678, 680, 681, 697, 715, 716, 738, 758,	775
Four-H Club aid.....	853
Vocational education..680, 697, 1088, 1109, 1110, 1146, 1177, 1243,	1269
Workmen's compensation law.....	869
Gasoline standardization.....	642
General sales tax.....	1205
Gasoline tax.....25, 75, 105, 148, 149, 354,	411
Hours and wages of workmen employed on public works.....	948
Income tax.....223, 230, 238,	
282, 379, 457, 500, 529, 635, 640, 641, 661, 662, 681,	
697, 775, 776, 777, 792, 793, 807, 808, 823, 852, 948,	970
Inspection of motor fuel.....	500
Investigation of State University.....	685, 662, 948
Iowa products preference bill (S. F. 166).....	378, 379, 395, 396
Levee commissioners.....	489

GENERAL INDEX

1709

License for peddlers.....	430,	970
Lawyers' bills.....		1333
Liquor laws.....	869,	920
Mileage of public officers.....	457,	607, 697, 793
Military training.....	25,	75,
81, 149, 184, 185, 223, 250, 275, 282, 298, 329, 354,		
372, 378, 379, 395, 398, 410, 411, 430, 431, 457, 500,		
501, 516, 517, 528, 606, 607, 635, 636, 640, 641, 642,		
680, 696, 697, 716, 737, 757, 758, 775, 776, 777, 792,		852
Sheriff's fees.....		792
Appropriations.....		643
Length of legislative session.....		777
Minimum wage for school teachers.....	184, 516, 553, 554,	680
Moscow dam.....		320, 329
Motor vehicle laws.....	25, 75, 329, 489,	661
Municipal bands.....		210, 920
Municipally owned public utilities.....	457, 553, 681, 758,	994
Natural resources.....		143
Old age pensions.....	184, 757, 792, 808, 948, 992, 1110,	1177
Oleomargarine tax.....	223, 500, 635, 642, 662, 680,	758
Osteopathy.....	274, 319, 395,	808
Outdoor advertising.....		
199, 223, 224, 230, 238, 250, 282, 298, 320, 355, 396,		792
Park development.....		149
Park boards.....		993
Pipe lines.....	431, 635, 662, 697, 776, 852, 853,	1285
Police chiefs and fire chiefs.....		636, 681
Primary road fund.....	149, 169, 181, 184, 185, 224, 230, 238,	
250, 274, 282, 293, 378, 379, 395, 396, 410, 411, 430,		
431, 456, 457, 489, 500, 501, 516, 517, 528, 529, 553,		
554, 606, 607, 634, 635, 636, 640, 642, 661, 662, 663,		
679, 696, 697, 715, 716, 717, 737, 757, 776, 777, 823,		1146
Proposed normal school at Tabor.....	372, 776, 807, 808,	853
Public utilities.....	635, 970, 1071,	1088
Radio broadcasting.....		823
Regulation of public utilities.....		500
Regulation of trucks and busses.....	411, 634, 635,	
636, 640, 641, 642, 661, 662, 663, 679, 680, 681, 696,		
697, 715, 716, 717, 737, 738, 757, 758, 775, 776, 777,		
792, 793, 807, 808, 823, 852, 853, 869, 920, 948, 970,		
993, 994, 1071, 1088, 1109, 1110, 1146, 1177, 1205, 1243, 1269,		1285
Secondary road laws.....		105
Spirituous liquors for dentists.....		457
Soldiers' relief.....		410
Tax on busses and trucks.....		293
Taxes, compulsory reduction of.....		1285
Teachers' certificates.....	636, 640, 641, 661, 793,	970
Teachers' oath of allegiance.....		697, 777
Transportation of consolidated school pupils.....		823
Uniform text books.....		320
Veterans' relief.....		149
Vending machines, tax on.....		948

PIONEER LAWMAKERS—

Resolution for joint convention in honor of.....	177
Joint convention in honor of.....	421
Addresses at joint convention in honor of.....	592

PRESIDENT OF THE SENATE ARCH W. McFARLANE—

(See also Lieutenant Governor.)

Called Senate to order at opening session.....	1
Appointed pages.....	17
Appointed tellers.....	8

Made rulings.....	167, 261, 271, 446,	
455, 570, 571, 663, 709, 784, 802, 803, 859, 885, 916,		
919, 961, 1064, 1127, 1150, 1153, 1175, 1279, 1291, 1292, 1309,		
1312, 1314, 1315, 1316, 1338, 1341, 1343, 1367, 1409, 1410, 1494,	1575	
Signed bills.....	152, 178, 261, 284, 326, 353,	
358, 404, 431, 488, 498, 520, 568, 629, 666, 692, 703,		
718, 773, 796, 821, 849, 882, 921, 950, 971, 1015, 1072,		
1089, 1111, 1147, 1176, 1206, 1225, 1270, 1294, 1303, 1334, 1339,		
1360, 1368, 1422, 1463, 1474, 1490, 1516, 1553, 1563, 1578, 1603,	1605	
Appointed special committees.....	4, 6, 7, 8, 9,	18
Presided at joint convention.....		26

PRESIDENT PRO TEMPORE W. E. McLELAND—

(See also McLeland, William E.)

Election of.....		16
Addressed the Senate.....		16
Presided at sessions of Senate.....		
82, 104, 259, 395, 541, 574, 624, 667, 748, 761, 800,		
917, 1049, 1063, 1089, 1091, 1138, 1143, 1186, 1255, 1440, 1461,	1513	
Presided at joint convention.....		82
Made rulings.....		1063

PROOF OF PUBLICATION—

Of Senate File No. 29.....		121
Of House File No. 71.....		224
Of House File No. 63.....		224
Of House File No. 145.....		275
Of House File No. 338.....		502
Of House File No. 247.....		607
Of Senate File No. 310.....		697
Of House File No. 468.....		853
Of House File No. 482.....		853
Of House File No. 421.....		994
Of House File No. 338.....		1014
Of House File No. 553.....		1110

QUIRK, L. T.—Senator Forty-eighth District.

Bills introduced.....	S. F. No. 178, 179, 180, 181, 183,	184
Committee assignments.....		120
Petitions presented.....	75, 81, 149, 223, 354, 379, 395, 411, 430, 457,	
517, 529, 641, 662, 680, 696, 757, 776, 793, 807, 823,	869	
Amendments offered.....		
.....282, 524, 525, 537, 565, 567, 1145, 1222, 1399,	1411	
Resolutions offered.....		1239
Motions made.....	537, 623, 1005, 1006, 1222, 1411,	1461
Leave of absence granted.....	143, 823,	1156

REDUCTION OF EXPENDITURES—

Resolutions for committee to investigate.....		136
Appointment of committee.....		169
Appointment of interim committee under S. J. R. No. 12.....		1562

RESIGNATION—

Of Doris Cruisenberry as committee clerk.....		104
Of Helen Hovde as committee clerk.....		224

RESOLUTIONS—

Index to.....		
---------------	--	--

RETRENCHMENT AND REFORM COMMITTEE—

Report of.....		137
----------------	--	-----

RIGBY, CHAS. L.—Senator Twenty-fourth District.

Bills introduced.....	S. F. 1,	2,	3,	4,	5,
6,	7,	45,	134,	282,	286,
288,	289,	290,	291,	292,	340
Committee assignments.....	6,	18,	120,	169,	630,
949,	1513				
Petitions presented.....	379,	457,	516,	529,	635,
662,	758,	920,	1243		
Amendments offered.....	189,	272,			
310,	314,	428,	450,	468,	693-695,
707,	769,	867,	984,		
1054,	1097,	1206,	1266,	1302,	1442,
1456,	1486,	1495,	1510,	1559,	1602
Resolutions offered.....	291,	569,	1105		
Motions made.....	189,	198,	404,	450,	452,
468,	521,	538,	540,	618,	707,
725,	726,	749,	768,	769,	
783,	785,	786,	981,	982,	983,
984,	986,	989,	990,	1013,	
1014,	1021,	1022,	1023,	1024,	1097,
1137,	1139,	1206,	1207,	1302,	
1446,	1447,	1485,	1486,	1488,	1490,
1491,	1510,	1539,	1559,	1602,	1603
Leave of absence granted.....	199,	1177			
Explained vote.....	311-312				

RITCHIE, W. R.—Senator Fiftieth District.

Bills introduced.....	S. F. No. 154,	176,	203
Committee assignments.....	120		
Petitions presented.....			
250,	293,	481,	516,
554,	606,	662,	715,
775,	869,	920,	1088
Amendments offered.....	1331		
Motions made.....	142,	293,	618,
619,	633		
Leave of absence granted.....	198,	274,	379,
395,	489		

ROCKNE, KNUTE—

Committee appointed to draft resolutions on death of.....	1155
Resolution on death of.....	1175

RULES—

Rules of 43d General Assembly amended and adopted temporarily..	6
Report of committee.....	157
Rules amended and adopted.....	188-191
Joint rules adopted.....	248
Amendment to proposed.....	1315, 1330

SEATS—

Assignment and drawing of.....	6
Assignment of seats in press gallery.....	7
Exchange of.....	1442, 1475, 1516, 1562, 1572

SECRETARY OF THE SENATE—

See Beam, Walter H.

SENATE FILES—

Index to.....	
---------------	--

SIFTING COMMITTEE—

Rule relating to.....	190
Authorization and appointment of.....	949
Report of.....	1107, 1203, 1240, 1264, 1284, 1306, 1442, 1456, 1516

SPECIAL ORDERS MADE—

On House Concurrent Resolution No. 8.....	266
On Senate File No. 65.....	295
On Senate File No. 1.....	317
On Senate File No. 8.....	365
On House File No. 123.....	551
On House File No. 4.....	551
On House File No. 242.....	564
On House File No. 151.....	664
On Senate File No. 121.....	753

On Senate File No. 10.....	950
On House File No. 124.....	1068
On Senate File No. 132.....	1110
On Senate File No. 115.....	1293

STANLEY, F. C.—Senator Fourteenth District.

Bills introduced.....S. F. No. 89, 170, 236, 250, 251, 294, 309, 321	
Committee assignments.....1, 8, 120,	1513
Petitions presented.....184, 641, 661, 680, 697, 715, 737, 793	
Amendments offered.....705, 822, 924, 991, 1036, 1076, 1080	
Motions made.....7,	
190, 310, 481, 521, 647, 648, 705, 761, 762, 837, 1003,	
1035, 1036, 1070, 1076, 1080, 1183, 1184, 1189, 1190, 1191, 1218, 1291	

STATE UNIVERSITY

Communication from Governor Dan W. Turner relating to.....	144
Resolution for investigation of.....	191, 246, 309
Senate members of investigation committee.....	371
Bill for funds for investigation expense (See H. F. No. 242, indexed on page.....)	
Motion relating to examination of accountant before committee of the whole.....	1546, 1567
Motion relating to investigation expense by state officers....	1556, 1572
Senate sits as committee of the whole to examine accountant....	1568
Committee of lawyer Senators appointed to conduct examination of accountant.....	1568
Investigation committee filed report.....	1502
Text of investigation committee's report.....	Appendix
Departmental expenses incident to investigation.....	

STEVENS, ROY E.—Senator Thirteenth District.

Bills introduced.....S. F. No. 92, 126, 212, 232	
Committee assignments.....	120, 949, 1205, 1562
Petitions presented.....	411
421, 553, 642, 662, 697, 716, 776, 792, 1088, 1109, 1243, 1285	
Amendments offered.....	911, 922, 1135, 1162, 1233, 1369, 1544
Motions made.....	685, 686, 836,
837, 1000, 1001, 1002, 1003, 1135, 1162, 1368, 1369, 1438, 1439, 1544	
Leave of absence granted.....	143, 456, 489, 500
Explained vote.....	941

STODDARD, BERTEL M.—Senator Thirty-second District.

Bills introduced.....S. F.	
10, 13, 27, 28, 36, 41, 49, 222, 223, 317, 318, 319	
Committee assignments.....	6, 120, 169, 630, 949, 1240, 1347, 1569
Petitions presented.....25, 105, 223, 230, 293, 319, 320, 355, 395,	
456, 489, 500, 529, 606, 607, 635, 640, 737, 920, 1110, 1177	
Amendments offered.....	318, 394, 409, 466, 522, 525,
551, 633, 709, 771, 788, 800, 806, 814, 815, 938, 969,	
1062, 1069, 1080, 1096, 1116, 1145, 1236, 1254, 1383, 1452, 1545, 1564	
Resolutions offered.....	9, 291, 269, 637, 1239
Motions made.....	9, 159, 175,
176, 253, 351, 354, 377, 409, 466, 512, 513, 522, 552,	
564, 570, 638, 690, 691, 709, 766, 767, 771, 784, 786,	
788, 789, 800, 801, 814, 815, 851, 917, 938, 950, 978,	
979, 980, 981, 986, 991, 1062, 1068, 1078, 1080, 1089, 1096,	
1097, 1116, 1125, 1126, 1140, 1208, 1236, 1227, 1229, 1230, 1231,	
1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1245, 1246, 1253,	
1254, 1293, 1339, 1344, 1374, 1375, 1376, 1377, 1378, 1379, 1380,	
1381, 1382, 1383, 1384, 1385, 1386, 1387, 1413, 1414, 1415, 1416,	
1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1435,	
1436, 1450, 1451, 1452, 1453, 1503, 1504, 1505, 1506, 1507, 1523,	
1524, 1525, 1532, 1545, 1556, 1558, 1559, 1564, 1565, 1569, 1574, 1576	
Leave of absence granted.....	274, 993
Raised point of order.....	3, 1064, 1314

GENERAL INDEX

1713

TABOR, GEO. W.—Senator Twenty-third District.

Bills introduced.....	S. F. No.	72
Committee assignments.....	4	121
Petitions presented.....	456,	679
Amendments offered.....	1145	
Motions made.....	183, 254, 255,	678

TELLERS—

Appointed for joint convention.....	8
-------------------------------------	---

TOPPING, CLYDE H.—Senator Ninth District.

Bills introduced.....	S. F. No.	30
Committee assignments.....	7, 121, 982,	1206, 1302, 1560
Petitions presented.....	663,	792, 1071
Amendments offered.....	402, 459,	695,
	774, 789, 1102, 1144, 1145, 1159, 1160, 1161, 1162, 1280, 1449,	1498
Motions made.....		
	6, 159, 160, 302, 303, 399, 402, 446, 459, 569, 606,	
	654, 748, 774, 789, 978, 982, 1044, 1045, 1059, 1102, 1145,	
	1155, 1159, 1160, 1161, 1162, 1163, 1275, 1280, 1374, 1449, 1456,	1498
Leave of absence granted.....		198

WENNER, EDW. J.—Senator Thirty-eighth District.

Bills introduced.....	S. F.
	56, 115, 133, 136, 136, 137, 138, 139, 140, 141, 142,
	143, 144, 145, 146, 147, 245, 260, 325, 326, 332, 333, 352
Committee assignments.....	8, 85, 121, 1302, 1568
Petitions presented.....	184, 185, 230, 238, 320, 355, 395, 411, 430,
	606, 641, 663, 680, 696, 775, 792, 807, 923, 970, 1243, 1286
Amendments offered.....	526, 705, 817, 924, 937, 1049,
	1102, 1139, 1144, 1145, 1159, 1160, 1161, 1162, 1280, 1369, 1514, 1547
Motions made.....	104, 326, 446, 506, 527, 538, 653, 682,
	683, 705, 713, 799, 814, 817, 818, 833, 837, 838, 839,
	840, 841, 842, 843, 844, 845, 846, 847, 883, 884, 923,
	952, 953, 1014, 1027, 1028, 1044, 1049, 1102, 1139, 1150, 1159,
	1160, 1161, 1162, 1249, 1250, 1254, 1255, 1256, 1280, 1291, 1299,
	1311, 1312, 1336, 1345, 1369, 1403, 1513, 1514, 1515, 1525, 1540, 1547
Leave of absence granted.....	198, 274, 852, 1177
Raised point of order.....	1175
Explained vote.....	456

WHITE, H. C.—Senator Forty-fifth District.

Bills introduced.....	S. F. 15, 16, 34, 55, 57,	125
Committee assignments.....	121,	169
Petitions presented.....	274, 319, 641, 776, 852, 1164,	1243
Amendments offered.....	183, 867, 1063, 1097, 1145,	1266
Motions made.....	3, 8, 168, 147, 256,	
	257, 280, 409, 535, 576, 774, 1063, 1097, 1174, 1175, 1209,	1414
Assigned seat formerly occupied by.....		6
Leave of absence granted.....		1071

WILLETT, JAMES W.—Former National Commander of the G. A. R.

Escorted to the speaker's rostrum in joint convention.....	73
--	----

WILSON, GEO. A.—Senator Thirtieth District.

Bills introduced.....	S. J. R. No. 3,
	S. F. 42, 43, 48, 59, 60, 61, 62, 63, 109, 165,
	176, 191, 210, 237, 238, 239, 240, 303, 311, 329, 339, 354
Committee assignments.....	9, 121, 564, 1281
Petitions presented.....	143,
	149, 355, 378, 395, 410, 411, 554, 636, 642, 663, 679,
	716, 717, 737, 757, 776, 808, 948, 993, 1110, 1177, 1205, 1242

Amendments offered.....	140, 262, 401, 510, 511, 577,
723, 763, 785, 846, 918, 938, 952, 964, 981, 1081, 1086,	
1090, 1091, 1140, 1220, 1277, 1297, 1389, 1456, 1495, 1528, 1545, 1554	
Resolutions offered.....	1105
Motions made.....	24, 139, 177, 190, 394, 401, 429, 509,
510, 511, 512, 515, 520, 521, 552, 577, 624, 639, 653,	
654, 683, 687, 714, 723, 736, 763, 783, 785, 806, 846,	
847, 848, 849, 868, 918, 938, 952, 959, 964, 981, 989,	
1007, 1008, 1009, 1010, 1025, 1064, 1081, 1087, 1090, 1091, 1140,	
1156, 1175, 1176, 1185, 1188, 1189, 1191, 1192, 1220, 1259, 1275,	
1277, 1278, 1281, 1292, 1297, 1298, 1299, 1307, 1308, 1309, 1333,	
1334, 1345, 1374, 1389, 1400, 1411, 1436, 1437, 1451, 1459, 1494,	
1498, 1502, 1513, 1528, 1529, 1538, 1545, 1554, 1570, 1572, 1603, 1604	
Leave of absence granted.....	456
Presided at session of Senate.....	1417
Raised point of order.....	455, 859, 1127, 1341, 1409

State of Iowa

1931

Report of

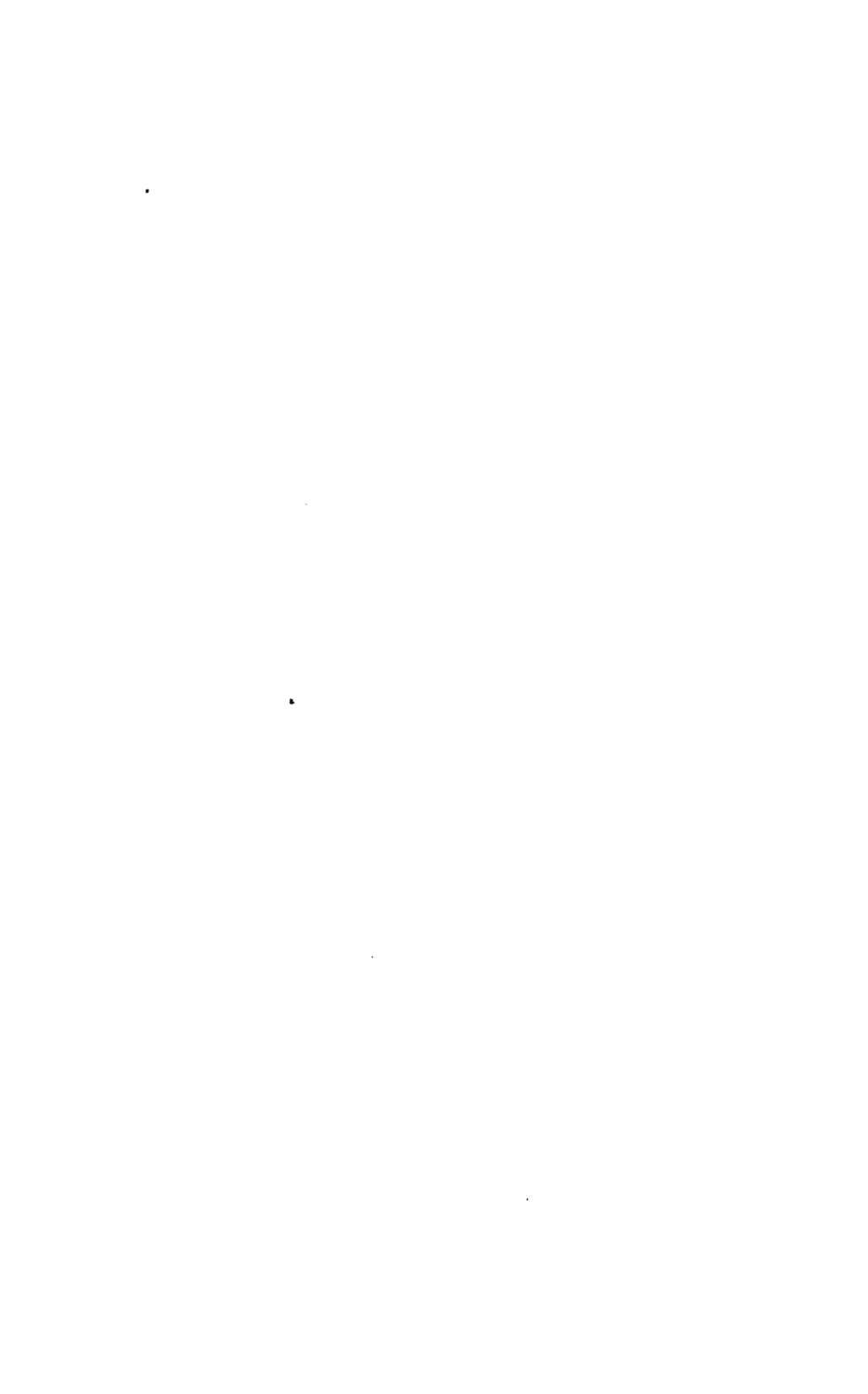
**State University of Iowa
Investigation Committee**

Together with

MINORITY REPORT

Authorized by House Concurrent Resolution No. 8
44th General Assembly

Published by
THE STATE OF IOWA
Des Moines



Report of University Investigation Committee

To the Governor of Iowa and the Senate and House of Representatives of the Forty-fourth General Assembly of Iowa:

The mandate of the Legislature in House Concurrent Resolution number eight providing for the appointment of the Committee was to thoroughly investigate the conditions of the management and administration of the affairs of the State University of Iowa, "both by the officials and employees thereof and the State Board of Education." It was made the duty of the Committee to investigate charges and claims of mal-administration of the affairs of the University which had been made "and also all other matters in connection therewith as they may arise, and in connection with the administration of the State Board of Education and the institutions under its control, and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa."

The Committee believes that its task has been a most difficult one inasmuch as they have been called upon to conduct an investigation of the affairs of the State University of Iowa covering a long period of years. This has made necessary the inquiry into scores of activities, ranging from building enterprises and financial affairs to inter-collegiate athletics. Approximately seventy-five (75) witnesses have been examined, over four hundred (400) documentary and photographic exhibits have been introduced, books and records over many years of time have been studied and the Committee has been busily engaged in hearing testimony and receiving evidence in daily sessions for a period of six (6) weeks. The transcript of testimony covering the sessions of this Committee contain more than six thousand (6000) typewritten pages and a copy of same is filed herewith in the offices of the Chief Clerk of the House of Representatives and the Secretary of the Senate of the Forty-Fourth General Assembly, and by this reference all of the testimony contained in said transcript is hereby made a part of this report.

Some of the people who have been interested in this investi-

gation have been under the erroneous impression that the Committee was sitting as a sort of legislative grand jury to make a presentment charging the stealing of specific items of money or property and are disposed to measure the success of the investigation in accordance with the report of this Committee as to whether or not it has discovered evidence of such specific larceny. Contrary to this impression, it is the view of the Committee that their chief duty was to investigate matters generally pertaining to the administration and management of the affairs of the University; to ascertain and determine whether it was in accordance with good business practice or was lax in any respects, and to justly weigh and criticise what they found amiss and make recommendations for betterment. This investigation has not been intended to be and should not be considered as inimical to the best interests of the University, in which the members of this Committee have the same interest as other citizens of this State.

Though finding laxity in many things, we begin by disclaiming the purpose to charge any specific crime or offense against the Board or other executive officers. We make herein no finding or presentment of larceny of any specific items of money or property. We report no basis for criminal prosecution of any person. The criticisms hereinafter contained are confined to the methods followed in the administration and management of the business and affairs of the University. Obviously where that is lax, there is more opportunity for misappropriation, particularly by subordinates, than where the highest standard of business practice has been applied.

In response to the mandate from the General Assembly, the Committee begs leave to submit the following report of its findings, based upon the investigation made:

FINDINGS

I

The Committee deems it necessary to refer to certain statutes, not for the purpose of presenting findings of law or of presenting the Committee's view of their interpretation (which it does not consider is within its province), but as a basis for its findings as to the performance of duty upon the part of those whose acts are under investigation. The duties of officials and employees and

of the Board of Education, in respect to management and administration of the affairs of the University cannot be intelligently reported without some reference to laws prescribing the duties of officials and employees entrusted with such management and administration.

a. The principal powers and duties of the Board of Education are now defined in Section 3921 of the 1927 Code, and prior to 1924 were defined by Section 2682-f of the 1913 Code Supplement.

The Finance Committee is selected by the Board from outside the board membership, and certain duties are conferred upon it by law, principally with respect to loaning funds of the institution and (as a Committee) attending each institution monthly for the transaction of its business and the performance of its duties. (1927 Code, Sections 3926 and 3932; 1913 Code Supplement, Sections 2682-s and 2682-k.) In addition to the prescribed statutory duties, the Finance Committee "shall make such investigations and reports and perform such *ministerial* duties as the board by resolution may direct." The statutes also provide that the Finance Committee may make any recommendations to the Board it may deem proper. 1927 Code, Section 3924; 1913 Supplement, Section 2682-h.

The present statutes, in existence since the 1924 Code has been in effect, forbids the purchase of real estate "save upon the order of the Board made at a regular meeting or one called for that purpose." 1927 Code, Section 3922. The following section (3923) requires that the acts of the Board "relating to the management, purchase, disposition or use of lands and other property" shall be entered of record, which shall show the members present and how each voted upon each proposition.

The corresponding provision of Section 2682-h of the 1913 Supplement (in effect prior to the 1924 Code), did not require the recorded vote of each member of the Board on such matters unless a roll call was demanded, but indicates the necessity for Board action on all such matters, and that such action must be "entered of record." Complete records are required to be kept by the Secretary (1927 Code, Section 3925; 1913 Supplement, Section 2682-h). "All acts of the Board relating to the management, purchase, disposition or use of lands or other property of said educational institutions, shall be entered of record, and shall show who are present and how each member voted upon each proposition when a roll call is demanded."

b. The Committee reports that real estate has been purchased

and paid for with State funds without any other action entered of record by the Board of Education than is indicated herein. Board Minute Book 4, page 360, contains the following, adopted in April, 1923:

“Purchase of Land. The balance on hand June 30, 1923, of income from tuitions and fees is to be expended for additional land under the directions of the Finance Committee.”

In 1918 (Volume 3, page 187, of the Board minutes), is found the following:

“Condemnation of Land. Upon the recommendations of President Jessup, the Finance Committee was instructed to purchase certain lands which will be needed by the University, but if the properties cannot be bought at reasonable prices, condemnation proceedings are to be commenced.”

There is a similar minute to that last quoted, under date of November 22, 1923 (Board Minutes 4, page 543), viz:

“Purchase of Additional Land. It was moved and seconded that the Finance Committee be instructed to purchase certain properties for the use and benefit of the State University provided satisfactory prices can be secured and if the prices are considered too high, the said committee was authorized to commence condemnation proceedings.”

No further designation or description of the “certain properties” appears anywhere in the records of the Board.

From time to time the Secretary of the University (W. H. Bates) at the direction of the Finance Committee, at meetings attended often only by W. R. Boyd, negotiated for the purchase of many parcels of real estate, for which in the aggregate several hundreds of thousands of dollars were paid. One such transaction is referred to, the Finance Committee minutes bearing date March 7, 1924 (all members of the Finance Committee present at this meeting). The Record is as follows:

“President Jessup and Secretary Bates submitted a list of the property which the University wishes to acquire by purchase together with appraisals made by the appraisal committee of the Iowa City Association of Realtors.”

The list contains a description of parcels, for which the following prices were to be paid, viz: \$7,950, \$4,600, \$3,850, \$5,480, \$3,600, \$4,950, \$7,600, \$5,600, \$2,450, \$4,000, \$4,500, \$11,500, \$10,350, \$2,800, \$17,221, \$16,500, \$1,200, \$24,000, \$26,000, \$9,000, \$6,600, \$19,780, \$3,500, \$2,800, \$7,250. At another Finance Com-

mittee meeting (6 Finance Committee minutes, 576-7), Mr. Bates was authorized to negotiate for the purchase of other parcels at prices as follows: \$5,600, \$3,250, \$1,100, \$20,000, \$14,300, \$14,000, \$10,000, \$3,600, \$5,000, \$3,750, \$2,500, \$14,750, \$10,000, \$300, \$11,500.

And at the meeting last mentioned the purchase by Secretary Bates of parcels at prices indicated below, was approved by the Finance Committee, viz: \$5,600, \$9,000, \$20,780, \$3,500, \$2,800, \$16,500, \$17,221, \$2,800, \$7,960, \$4,600, \$8,500 (Tr. 1863).

The 1926 Biennial Report of the Board of Education, page 17, refers to "the expensive methods we have been compelled to work under when buying additional land for the State University," and appears to recognize the fact that the prices thus paid were more than moderate. Many of the parcels purchased have not been utilized as sites of buildings erected for the use of the University. Some thirty-five are rented to tenants, and after deducting the cost of repairs and maintenance, afford a very inadequate return upon the capital invested. Many of the parcels so purchased, because they consist of small tracts, are unsuitable as sites for University buildings without the purchase of contiguous tracts. Legislative authority for an expansion of the University campus to embrace all the lands so purchased, has not been granted, and it is the finding of the Committee that the funds expended for the purchase of scattered parcels of real estate not required as sites for any buildings or improvements authorized by legislative act or appropriation, was at least in excess of the powers conferred upon the Finance Committee, and was not done in the manner required by the statutes referred to for authorized purchases.

c. In connection with the foregoing paragraph, the Committee further reports: More than \$500,000 paid for real estate was paid, not out of legislative appropriations for the purchase of real estate but out of student tuitions and fees.

"The secretarial officer" of each institution is required by statute to make a report in such detail and form as the Board of Education prescribes, which must set forth "the funds available each fiscal year" from all sources, for (1) erection, equipment, improvement and repair of buildings; and (2) the interest on endowment and other funds, tuition, state appropriations, laboratory and janitor fees, donations, rents and income from all sources affecting the annual income of the support funds. This report shall also show under separate headings how the funds were expended. (Doubtless

this requirement refers to the funds available for the preceding biennial period.) Code, Section 3937.

With these reports before it, the Board of Education is by statute required to report to the Governor and the Legislature all facts, observations and conclusions which the Legislature should consider. And this report must itemize receipts and expenditures, and must submit the report of the executive officer or summaries thereof: *“and shall submit budgets for biennial appropriations deemed necessary and proper to be made for, (1) the support of the several institutions, and (2) for the extraordinary and special expenditures for buildings, betterments and other improvements.”* Code, Section 3938.

These reports are similar to the reports which are required of other State agencies having the management of other funds or property of the State. Code, Section 246. An essential feature of the State policy is this system of required budgets in order that the Legislature may decide as to the needs of each institution or agency, and appropriate accordingly. The budgets to be submitted by the institutions under the control of the Board of Education must distinguish between what is budgeted as required *“for the extraordinary and special expenditures for buildings, betterments and other improvements,”* and what is required *“for the support”* of the several institutions.

When tuitions and other fees are paid to one of the institutions under the management of the Board of Education, the funds so augmented belongs to the State and is *“available”* only for a purpose authorized by the State through its Legislature. The Legislature has indicated that such income is classed with *“the support funds.”*

A tuition fee is recognized in Code, Section 4273 as a payment *“to cover the costs of instruction”* received by the student who pays the tuition charge.

The Committee finds that the investment of funds paid for tuition in real estate was not contemplated by the statutes, and that tuitions being in their nature *“support funds”* should not be diverted to capital investment purposes without express legislative authority.

The Committee also recommends that the practice of taking notes for tuition from students be permanently discontinued.

d. In addition to the purchase of real estate without proper record in the Minutes of the Board, the Committee finds that the Finance Committee at a meeting at which only W. R. Boyd, the

President, was present, a residence property was purchased from W. J. McChesney, Treasurer of the University. The record of this purchase is made in the Minutes of the Finance Committee of December 19, 1924, and states that the purchase was made upon the recommendation of President Jessup. The minutes of said meeting of December 19, 1924, state that the purchase is made in accordance with the resolution of the Committee adopted June 19, 1924, but no record of such meeting of June 19, 1924, appears in the Minute Book of the Finance Committee. The deed to the McChesney property is dated June 19, 1924, and is recorded on July 24, 1924.

The statute in effect on December 19, 1924, prohibited the purchase of real estate from any member of the Board, or Finance Committee, or any officer of any institution. Section 3922, Code of Iowa, 1924, effective October 28, 1924.

In addition to this prohibited purchase of real estate from the Treasurer of the University, the title to the property is defective. The deed is signed by W. J. McChesney for himself and by W. J. McChesney as trustee for Cornelia McChesney. While it does not appear that they are husband and wife, such is the fact. The property purchased was occupied as the home and homestead of W. J. McChesney and his wife and although W. J. McChesney had been appointed as Trustee for his wife by the District Court, no order of court was obtained authorizing W. J. McChesney to execute the deed in behalf of his wife and to release her dower and homestead rights, and, therefore, the same did not convey valid title to the real estate. The Committee recommends that steps be taken immediately to perfect the title to this real estate.

The consideration paid by the University of Iowa for this property was \$20,000.00. The deed was executed on July 19, 1924. On or about the month of November, 1922, Mr. McChesney filed in the office of the Treasurer of State a verified statement in the settlement of his father's estate that the value of the property was not in excess of \$10,000.00. It was appraised at about the same time for inheritance tax purposes but the inheritance tax appraisers appraised it at \$14,000.00. Mr. McChesney testified that he had received an offer of \$25,000.00 from a sorority shortly before he sold the property to the University. Mr. Bates or Mr. Cobb testified that the McChesney house was not suitable for a fraternity or sorority occupation and gave this as a reason for the differential in rental between the McChesney house which is rented and has been rented

to Mr. McChesney since its purchase at \$100.00 a month, and an adjoining house which is rented to a fraternity at \$200.00 per month.

In addition to this, abstracts of title to many of the properties purchased have not been filed with the Auditor of State who, under the statute, is the custodian thereof, and although a diligent search was made at the business office of the University, complete abstracts have not been found.

II

(a) For about twenty (20) years J. M. Fisk has been the head of the Building and Grounds Department of the University of Iowa. His previous experience was as an electrical engineer and manager of an electric light plant where some construction work was done under his management. A considerable percentage of the new construction of buildings at the University and all, or practically all, of the remodeling of buildings, large and small, has for many years been done under his supervision. He furnished to the Committee a list of buildings "built or added to" at the University between 1910 and 1930, containing fifty-three separate structures, constructed at a total cost of \$8,670,637.96. Of these it was stated, "The University Grounds and Building Department has done work in the amount of \$2,796,535.70," exclusive of the Memorial Union building.

He also furnished the Committee another list showing that what was called "the job cost system" was begun November 27, 1923, since which date 9,843 jobs at a total cost of \$1,666,934.76 were executed, and that there are now 110 jobs in process, the total cost of which is \$51,616.56. It was indicated there might be some overlapping of some of these jobs with the list of fifty-three buildings first above referred to. No information was furnished of the number or cost of similar jobs between 1910 and November 27, 1923. The Committee finds that State funds have been expended for construction carried on by Mr. Fisk's department to the extent of not far from \$5,000,000.00, the bulk of which was expended during the past seven or eight years.

(b) At the business office of the University, where the principal books of account are kept, an accurate statement of the cost of construction carried on under Mr. Fisk's department is obtainable only by a detailed examination of the vouchers and perhaps the underlying warrants or checks paid for labor and material, a task which could not be completed without more time than was at the

disposal of the Committee. The accounts are kept on vouchers and are not posted into ledger accounts, grouping the expenditures upon a particular work of construction in the manner in which similar expenditures would be shown upon a complete set of books kept by a private contractor, builder or capitalist who desired to accurately show on his ledger his capital investment in lands and buildings. No complete statement in any ledger was therefore, accessible, in which all costs of acquiring sites and erecting buildings appear for ready inspection. More complete information was obtainable as to the cost of the construction work carried on in Mr. Fisk's department and differentiating that cost from costs of that done under contract from such records as were kept by Mr. Fisk than from those at the business office.

(c) Much the largest and costliest building constructed at the University is the new general hospital, for which plans were drawn by architects employed by the Board. Originally a contract was let to construct this building in all details to contractors who signed contracts and furnished bonds for completion in accordance with the plans. The extent to which the Building and Grounds department has figured in carrying on the actual work of construction is illustrated by the fact that, even as to this building, Mr. Fisk furnished the Committee a list of numerous items, large and small, built under his direction, in completing this structure, at an aggregate expenditure of \$190,228.14. This includes certain large items, among them the following: "All work in new hospital main kitchen, \$35,934.68;" "Painting door frames, window frames and general painting at new hospital, \$12,240.25;" "Any wall painting in new hospital ordered by Neff, \$15,797.64." Even as to buildings let to the low bidder, parts of the structure—sometimes the footings or basement, sometimes the painting or other portion of the construction work planned—has in fact been built under Mr. Fisk's supervision, without any systematic check by the architect upon that portion of the undertaking.

(d) The painting of the New Hospital was included in the general contract let to a building firm—Elliott and Company. The general contractor sublet the painting to one Roy Anderson, who was induced to surrender his sub-contract for painting after performing a small part thereof, for a consideration of \$4,000 (\$500 for work done and \$3,500 by way of bonus). The arrangement included abandonment by Anderson of a nearly finished contract on another building (the Nurse's Home), nearing completion. Mr. Fisk thereafter proceeded to complete both contracts. The architect

at the direction of a committee of the Board of Education eliminated the painting work from the contract and the net result was that the State paid \$3,500 to cover the estimated profit and expense of Anderson. No new advertisement for bids was had and as the painting cost far exceeded \$10,000, the committee reports that the acts done were in contravention of Section 3945.

(e) At the request of the committee, the firm of Proudfoot, Rawson, Souers and Thomas, of Des Moines, Iowa, who were the architects for the Board, furnished (Exhibit 160) a list of twenty-one buildings for which said firm prepared the plans under their last five years' contract, expiring in 1928. They list seven buildings as erected under the superintendency of Mr. Fisk and fourteen built by contract (which includes the Field House and Stadium, paid for largely from funds borrowed by the athletic council). As reported heretofore, the committee finds that portions of the work upon the buildings listed by the architects as built by contract were in certain instances taken over and done by Mr. Fisk. A representative of the firm of architects testified that in such cases the architects treated the further work of construction as done by the "owners" and hence as not requiring further supervision from the architects unless called for. The committee finds that this resulted in at least the case of constructing the building known as the Addition to the Men's Dormitory in material changes in the plans in process of construction. The list furnished by Mr. Fisk includes many more buildings than were designed by the architects and as to such structures constructed under Mr. Fisk's management and not designed by the firm of architects referred to, any plans for their construction were prepared by someone in Mr. Fisk's department and no letting was had or bids taken preliminary to the work of construction undertaken under Mr. Fisk's supervision.

(f) With respect to three of the seven buildings listed by the architects (Exhibit 160) as built by Mr. Fisk in accordance with plans drawn by the architect (Addition to Men's Dormitory, West Approach to Old Capitol, Addition to Chemistry Building) plans were prepared and bids were taken but no contract let. Subsequent to such advertising for bids the plans with respect to these three buildings were revised and material changes made in the structure or improvement. As to one, the basement floor was eliminated. Subsequent to such revision, Mr. Fisk's department proceeded to construct a building. The committee reports that the revisions so made were of a character and extent to require a re-advertisement for bids under the provisions of Section 3945, 1927 Code.

Both with respect to work done by Mr. Fisk on the New Hospital and the construction of the three buildings last referred to, the committee reports there has not been compliance with the requirements of the law. The amount of the cost of many structures and improvements built without the required advertising for bids, exceeded \$10,000 and hence should have been advertised for letting to the lowest responsible bidder upon the plans finally adopted before the Board of Education was authorized to proceed with the work of construction. While the Board could reject bids and proceed with the construction or improvement, the committee finds that after a letting is accepted, or plans are materially revised, a new advertisement for bids is required before there would be authority to proceed with the work of construction. 1927 Code, Section 3945.

(g) The officials have in certain cases taken the initial step for the construction of public improvements required by statute (Chapter 23, 1927 Code) in giving published notice of a hearing upon a proposal to construct a public improvement costing \$5,000 or more. Complete compliance was however made in no case. The statute requires that upon the completion of the improvement "the executive officer or governing board" shall file with the budget director a verified report showing among other things the location and character of the improvement; the total actual cost of the completed improvement; by whom, if any one, the construction was supervised; by whom final inspection was made; whether or not the improvement complies with its contract plans and specifications. No such reports are on file or appear ever to have been prepared.

It also appears, and the committee reports, that in the case of construction carried on by the Building and Grounds Department, in those instances where plans were drawn by the architect employed by the Board, the usual practice of issuing "blue orders" for alterations and changes in the improvement as planned was not followed where the construction was carried on by Mr. Fisk, and no record made of inspection, either during the progress of the work or when finally completed. The result is that Mr. Fisk has been able to report that he has effected savings in building operations carried on by him below the cost if let to the low bidder, and there is no record from which it may be ascertained whether the reported savings are due to cheaper construction by elimination or alteration of matters required by the plans and specifications upon which the bids

were taken. In the construction of the Addition to the Men's Dormitory, built by Mr. Fisk, The Master Builders' Association made inspections during the progress of the work and have furnished the committee with estimates purporting to show that, taking into account the cheaper construction of the building as constructed, instead of a saving as reported by Mr. Fisk, the cost to the State was more than if built by letting the contract to the low bidder.

(h) Without definite basis of comparison, except in respect to the building known as the Addition to the Men's Dormitory, it is not possible for the committee to report the extent in dollars and cents of the advantage or disadvantage to the State by reason of the large amount of construction done by the department of Buildings and Grounds of the University, instead of by public letting to the low bidder. Mr. Fisk appears to have been permitted a wide discretion in carrying on the work of construction and in altering plans and substituting methods of his own of executing the work. It was common practice for Mr. Fisk to report that he could complete the work to advantage over the contract bid, and thereupon the bids would usually, if not always, be rejected and Mr. Fisk directed to proceed to build. In fact, for a period of seven or eight years, the University or the State, through Mr. Fisk, has carried on an extensive business, such as is ordinarily carried on by a building contractor. When a building contractor chooses to engage in that business he is under the pressure of necessity in respect to organizing his business, of adopting methods and providing equipment adequate to accomplish results. A contractor could hardly hope to keep down his costs who did not keep a system of books adapted to the business in which he was engaged. He hazards losses, even though he hopes for profits. Penalties will be imposed upon him if he does not comply with the plans and specifications. The cost of the construction carried on by Mr. Fisk appears upon no system of account books in the business office such as a contractor would keep, and is entered there only on a disbursement voucher system designed to account for the disbursement of legislative appropriations, tuitions and fees. The committee reports that the books of account of the business office were not adapted to the keeping of an accurate and easily accessible record of the business of building construction such as was carried on by Mr. Fisk. That the construction of large structures undertaken by Mr.

Fisk required an organization personnel that the committee believes was not available. That a failure to comply with the requirement of the statute for reporting the total actual cost of completed improvements costing \$5,000 or more, with other information, viz: whether the improvement as completed, complied with its contract plans and specifications, and its actual cost, makes it impossible for any one to accurately estimate the net results in cost to the State of the methods adopted. The single instance of the Addition to the Men's Dormitory, with respect to which more accurate information on these points is available, including Mr. Fisk's estimate of a large saving, opposed by the calculation made by inspectors for the Master Builders' Association of a substantial sum lost over cost if let to the low bidder, leads the committee to report as its findings: That contracts for building construction should be let to the low bidder with the right of course to reject all bids and readvertise, but without authority of the officials and employees of the Board of Education to engage in the name of the State in an ambitious building business as has been done at the State University. The character of the accounting, together with the fact that the primary business of the University is teaching and not building construction, are considerations which lead the committee to report that the practice of undertaking construction is ill-advised.

(i) The practice was followed in some cases of inserting in the plans and specifications provisions requiring the successful bidder to enter into a contract agreeing to purchase specified material from "the owner." In the case of the addition to the Men's Dormitory this included a specified quantity of lumber which the successful bidder would be required to buy at a fixed price. This price, although quoted by one material dealer to Mr. Fisk of the Building and Grounds department, was in fact higher than the same lumber had been quoted to him by another material dealer from whom it was actually purchased by Mr. Fisk and later used in the construction of the building built under his supervision. An addendum to the specifications for the New Hospital required the contractor to purchase his sand "from the University" at the price of \$1.85 per cubic yard. As elsewhere reported in these findings, J. P. Langford or the City Sand Company (a corporation organized by J. P. Langford) was the tenant of a small parcel of land and sand pumping equipment which had been purchased in the name of the University from Langford, leased back to Langford with a pro-

vision in the lease that sand would be furnished to the University at not more than the prevailing market price and at the rate of ten cents a yard under the amount charged to other customers. The committee reports that provisions inserted in the specifications, such as are herein referred to, were improper, and that the general effect of such provisions was to put the University and its officials in the business of buying material.

III

One of the matters of investigation involves the "management and administration" by the Board of Education, Finance Committee, and officials, including the University Treasurer, respecting the claim, if a valid claim exists, against the First National Bank of Iowa City (depository of University funds) for interest at the rate of two and one-half per cent upon the average daily balance of funds in the depository bank, contributed by the Rockefeller Foundation and the General Education Board, referred to in the record generally as "the Rockefeller funds."

(a) Two and one-quarter millions of dollars of Rockefeller funds were contributed to match an equal amount appropriated by the legislature to be employed to construct and equip the new general hospital and other buildings of the medical group. These moneys were payable at the rate of \$450,000 per year, beginning with July 1, 1923. The first \$450,000 was in fact remitted in two equal installments, \$225,000 about December 26, 1923, and \$225,000 in the early part of January, 1924. Subsequent payments were advanced about August of each of the years 1924, 1925, 1926 and 1927. Drafts came to the office of the President of the University, were by him sent to the business office, and from thence to W. J. McChesney, Treasurer of the University. All officials who have been witnesses before the committee agree that there was a plan to use the funds from the State appropriation, available commencing July 1, 1923, at the rate of \$450,000.00 per year, before using the Rockefeller funds, permitting the investment of the Rockefeller funds at interest until the principal was needed to complete the medical building program. The contract for the principal building (the New Hospital) was not let until May 25, 1926, hence there was no reason to anticipate when the first of the Rockefeller funds reached the Treasurer about the first of 1924, an early call upon the principal for disbursements in payment for buildings. The greater part of the Rocke-

feller funds from the time they were received, were in fact available for investment until 1928, or, roughly, for four years from the date the first \$450,000.00 was advanced.

(b) All the officials examined upon the point agree that the Rockefeller moneys constituted trust funds, the principal of which was expendible for the special purpose for which it was contributed but which was in the meantime available for investment and the committee finds such to be the character of the funds.

(c) The issue at this point has to do with the position taken by the officials in endeavoring to relieve the First National Bank of its obligation, if any, to pay interest upon an uninvested balance which, equal to an average amount of \$227,000.00, remained uninvested in the First National Bank of Iowa City, during the period that the remainder of the funds available for investment (over and above said average amount of \$227,000.00) was invested in government securities.

(d) The committee finds that the officials were not in any manner derelict in their duty because they chose government securities as the medium of investment rather than put the funds available for investment out at interest in banks of the State. Though often mentioned in the course of the investigation, this question seems to the committee beside the point. The investment should of course have been made on order of the Board and by the Finance Committee, rather than by the Treasurer. The Statute provides it shall be made "by the Finance Committee *on order of the Board.*" 1927 Code, Section 3926. Had the method of the statute been followed the Board would have ordered the whole or a part invested, and if a part, the balance would have gone into the designated depository at interest as a matter of routine. If the designated depository declined to act longer as depository, another could be selected.

(e) Had the investment been ordered under the plain letter of the statute, the Board of Education would have ordered the whole or some designated part of the investible funds in bonds of the United States and directed any balance not invested to be held awaiting its employment for building purposes and thereupon the portion not invested would automatically have borne interest at the rate fixed by law and the resolution of the Board of Education, viz: two and one-half per cent. The portion thus invested would have appeared, if the law was observed, upon a register (kept by the Secretary as required by law) as an investment made by the Finance Committee and ordered by the Board. Sub-paragraph 4, 1927 Code,

3926. It was not for the Treasurer, who was also an executive officer of the depository bank, to determine whether the funds should be kept in substantial part uninvested at all times. His position as an officer of the depository bank having an adversary interest disqualified him from exercising discretion in the matter. The law did not contemplate that the Treasurer should decide.

(f) An anomalous condition exists in that W. J. McChesney, the University Treasurer is also the president of and acts for the depository bank, and necessarily, in dealings between himself as Treasurer and the bank in which he acts for it, he acts in a dual capacity, and the interests respectively represented are adversary. Apparently there was no actual order of the Board of Education in regard to this investment. Mr. McChesney mentions a talk with the President of the University and Mr. Boyd of the Finance Committee, in which Mr. McChesney (apparently then acting for the bank) stated (Tr. 4108-9): "I want it distinctly understood that our bank will not take this money and pay two and one-half per cent because we are not large enough," and in which he refused to be responsible for its distribution among Iowa banks, and in which he recommended (Tr. 4110): "If I am to be responsible for these funds, I will insist that government securities be purchased." Apparently the point to which these remarks were addressed was not whether to invest a part or all, but whether all should be kept in the depository bank. He further says that it was understood the securities would have to be purchased in the name of the First National Bank as it was desired to obtain the securities and leave them for safekeeping with the Federal Reserve Bank of Chicago, of which the depository bank in Iowa City was a member bank. Mr. McChesney also related (Tr. 4111) a declaration on his part at the time that he wanted it distinctly understood he would at all times "carry along a substantial balance." The inference, to say the least, was not clear that he was bargaining for a change in the matter of the obligation of the depository bank to pay interest upon the balance so uninvested, even if it was competent to change the obligation as to interest by any such declaration.

(g) The committee finds that there was no contract entered into by which it was agreed in advance upon the part of the State or the Board of Education (even if the obligation to pay interest could be thus changed) that any uninvested balance with which W. J. McChesney, acting either as Treasurer or for his bank, decided to leave uninvested and of which the First National Bank of Iowa

City had the benefit, should not draw interest at the rate of two and one-half per cent upon daily balances. The committee finds that the fact that the moneys invested in United States securities produced interest upon the investment has no bearing upon the question of whether the uninvested balance of which the First National Bank of Iowa City had the benefit, should not pay interest at the rate of two and one-half per cent upon daily balance. This may not apply to funds reinvested from time to time upon the maturity of securities in which funds were previously invested, and which funds could not always be immediately reinvested to good advantage, but does, we find, apply to any balance withheld from investment pursuant to a policy or plan of retaining a substantial part of the fund uninvested, of which the depository bank had the same benefit it had from deposits generally. The argument that a loss might be sustained in the sale of securities because of some unexpected demand for the funds for disbursements for building costs, does not appear to be applicable to the facts of the situation as shown in the record. There was no apparent difficulty in anticipating for weeks or perhaps even months ahead the amounts which would probably be required for payment upon building contracts. It was known that the invested funds must be converted into money at some stage. This did not imply any imprudence in buying the securities bought. It would be just as prudent to invest the whole amount available for investment.

(h) The First National Bank of Iowa City did not follow any such policy in regard to its own investible funds but kept its surplus as the evidence shows, throughout the whole period, largely invested in government securities, upon which it apparently earned a rate of return equal to the return upon the invested Rockefeller moneys and had the benefit for that purpose of the balance which Mr. McChesney elected not to invest in those securities earmarked as the property of the University. The evidence shows that except for the cash reserve by law required to be kept the remainder of the depository bank funds were profitably invested; and that the funds so invested were augmented by the uninvested balance of the Rockefeller funds. The same proportion of the uninvested balance as of other funds in the bank was therefore invested and produced earnings for the bank.

(i) It was to the interest of the State and the University to enforce any obligation of the First National Bank of Iowa City to pay interest upon the daily balance of State funds in its hands. Unless the facts were so clear that reasonable minds could not differ, the

question should have been submitted to the Department of Justice of the State. Instead of asserting an obligation an effort has been made to foreclose the question by a record of the Board of Education which would exonerate the depository bank from liability. The first resolution to that effect, presented upon the recommendation of President Jessup and upon the basis of the letter of W. H. Cobb, dated March 21, 1929, before a Board meeting in April, 1929, proposed a waiver of interest upon the ground that the services of W. J. McChesney as Treasurer in attending to the investment of the funds without brokerage charges and safety deposit charges were of a value equal to, or in excess of, the amount of interest waived. Six months later after the matter had been called to the board's attention another resolution was adopted, declaring that no obligation to pay interest ever accrued as to that part of the Rockefeller funds which remained uninvested, because in advance of the time the funds were placed in the depository bank there was an agreement that interest would not be paid upon the uninvested balance. There is an obvious inconsistency between the positions thus taken at different dates, and agreement only as to the results sought to be accomplished. In view of the inconsistent positions taken, there is a suggestion that those who were concerned with the details of the transaction were more anxious as to the result to be accomplished than they were scrupulous as to the accuracy of the grounds recited to bring about that result.

After all evidence bearing on the Rockefeller Fund had been introduced, the Committee adopted a resolution requesting an opinion from the Attorney General as to the liability of the First National Bank of Iowa City for the payment of interest on the average daily balance of the Rockefeller money on deposit, and the following is a copy of the opinion received from the Attorney General in response to the request of the Committee:

“April 14, 1931.

Honorable H. B. Carroll,
Chairman, Investigating Committee of the
State Board of Education,
BUILDING

Dear Senator:

I am in receipt of your communication of the 11th instant, requesting the opinion of this Department upon the question of whether the State of Iowa is entitled to receive interest on daily balances in the bank on what is commonly known as the Rockefeller Foundation Fund.

In your Resolution requesting the opinion you do not give

to me the facts which you have discovered with reference to conditions under which this Fund was deposited in the bank. Hence, I am basing this opinion upon facts which I have gathered from the institution records on file with the Board of Education.

From the records which I have gone over in the office of the Board of Education, and from the report of the Budget Director's office as to average daily balances in the bank, I am satisfied that the State of Iowa is entitled to interest upon the daily bank balances in this Fund.

Yours very truly,

John Fletcher,
Attorney General."

JF:HWG

Subsequent to the request of the aforesaid opinion from the Attorney General, the committee places at the disposal of the Attorney General's office a complete file of the transcript of testimony taken before the investigating committee, a part of which contains testimony concerning the deposit of funds known as the Rockefeller Foundation funds in the First National Bank of Iowa City by the Treasurer of the State University of Iowa. We urge that the Attorney General make a study of this testimony, as well as the report of this Committee, and that if then, in his opinion, the interest on said deposit in the First National Bank of Iowa City is due the State of Iowa we suggest that he take steps to recover the same in the name of the State.

IV

The law requires that the Secretary keep a register containing a complete abstract of each loan *and investment* and showing its actual condition. Sub-paragraph 4, Sec. 3926, Code, 1927. The Secretary of the Finance Committee failed to keep any register in his office. At the business office of the University at Iowa City is kept a register of mortgage loans only. No register containing an abstract of investments such as the Rockefeller funds, and showing the actual condition of the investment, was kept. When through the business office the Rockefeller funds were turned over to W. J. McChesney as Treasurer, no immediate entry upon even the books of account appears to have been made. It was stated by W. H. Cobb, University Auditor, that there were reports made by the Treasurer of the business office from time to time. The earliest of these reports that could be produced in writing is quite informal, bears date in April, 1926, considerably more than two years following the receipt of the first of the Rockefeller moneys. The information contained in this

report and in subsequent reports made at irregular intervals appears to be spread upon the general ledger kept at the business office of the University. This, the committee reports, was not a register containing an abstract of each investment, showing the condition of the investment and required by law to be kept by the Secretary of the Finance Committee. In fact, it appears that the usual practice of the Finance Committee is in disregard of Section 3926 of the Code, enjoining upon that committee the duty of loaning and investing funds. Its duties appear to be delegated to W. J. McChesney as Treasurer of the University. Nor does W. J. McChesney as Treasurer keep a register or record of investments. It is not the function of this committee to make comparisons between the practice which prevails and the method required by law. We report that the law is not observed in the particulars pointed out in this report. Upon a single sheet of paper kept in a drawer at the First National Bank of Iowa City was entered by the cashier of the bank the only record of the Treasurer with regard to the investment of the Rockefeller funds. More than two years after the first moneys were received (at which date \$1,350,000.00 had been advanced), an informal statement was sent to Mr. Cobb by the bank, apparently compiled from the sheet of paper kept in a drawer at the bank. In the meantime no order had been made upon the Board records in regard to the investment of the funds, and none by the Finance Committee. Except for Mr. Boyd, the other members of the Finance Committee appear to have participated in no official action in regard to the investment.

V

The statute, Section 3933, 1927 Code, Section 2682-m, 1913 Supplement provides:

“The members of the Finance Committee shall devote their entire time to the work of said institutions.”

W. R. Boyd is a member of the Finance Committee and its chairman, which position he has held since July 1, 1909. Mr. Boyd is a director and the president of the Perpetual Savings and Loan Association of Cedar Rapids, which position he has held since 1918 or 1919. As president of said association he originally received a salary of \$600.00 per year, which five or six years ago was increased to \$1,800.00 a year and remains at that figure now. As a director he serves upon a considerable proportion of the committees designated by the Secretary of the

association for the appraisal of properties upon which the association's loans are secured. Each year he appraises several hundred separate parcels for loans, making a personal inspection, together with other committee members, of each parcel for which an application is pending with the association. He stated that the appraisals in which he participates are usually made by him and one other director starting at eleven to half past eleven, usually on Friday of each week, and completing the appraisal in an hour to an hour and a half. For his convenience the appraisal work is sometimes done on Thursday or Saturday instead of Friday, and there are usually several appraisals to be made at each week-end, and that the average number of properties so appraised is about five per week. The properties are located in different parts of Cedar Rapids, and the work of appraisal consists of an inspection of the property, including the interior of the houses. He signs all checks drawn upon the association funds, releases of mortgages and certificates for stock. He presides at weekly meetings of the Board, which are usually held at four o'clock on Friday and take about an hour. He also presides at special meetings, which are held at night and that often last for hours. That if the date for the meetings interferes with his duties on the Finance Committee, the date is often changed to Thursday or Saturday. That the special meetings are usually for the purpose of checking up on delinquents and discussion of what ought to be done, the special meetings being held perhaps six times a year. At the board meetings each loan application is passed upon. The association has aggregate assets of close to \$6,000,000, the pay-ins being around \$60,000.00 per month, with an equal sum going out in dividends or credits on the stock. That the foregoing outlines his performance of duties for the building and loan association except that he has considerable voice in the determination of the institution's policies, and that it is for that reason that he was asked to take the presidency. The association owns a central building, where its business is carried on, and Mr. Boyd occupies an office in the basement below the main floor, where the association's business is transacted. That office is his headquarters when in Cedar Rapids. At one time he sold some preferred stock in a Cedar Rapids corporation, having previously published advertisements calling the attention of the public to the stock which he had for sale, and fixing the hours he might be found at his office. That the time occupied in giving attention to this was only a few minutes in the case of each of a

few prospective purchasers. He is also a member of the Board of Directors of a Farms Company, owning twenty-three thousand acres of land (whose preferred stock was the subject of the advertisements referred to) but remembers to have attended but one of the meetings of the Board. He may also be vice-president of this company. Mr. Boyd is also a member of the Board of Directors of a Cedar Rapids bank having about \$3,000,000.00 or \$4,000,000.00 of aggregate footings. In this bank he serves on the examining committee every three months and was called upon to serve upon the loan committee once. As a member of the examining committee he checks with his fellow members all of the assets of the bank at the periods indicated and signs the official report of his action as a member of the committee. He is also upon the Board of Cornell College at Mt. Vernon, Iowa, and chairman of the Building Committee of a dormitory, but took this position upon the condition that meetings would be held only at night, and has given very little time to it.

The committee reports the facts as it finds the facts to be with regard to the employment of W. R. Boyd in work other than that of the institutions under his management. They find that he receives a salary as president of the Perpetual Building and Loan Association of Cedar Rapids as compensation for the services rendered by him as above described, to which a part of his time is given each week. The committee finds that the time so given to work other than that of the institutions is a relatively small amount of time in proportion to that devoted to the work of the institutions.

VI

In the spring of 1924, J. M. Fisk suggested to President Jessup of the University and President Baker of the Board that he, Mr. Fisk, desired the purchase on behalf of the University of property owned by Charles Schmidt, consisting of a small parcel of land abutting upon the Iowa River and certain machinery and equipment owned by Schmidt and employed by him in pumping sand from the bed of the river and conveying in barges to the site of his sand washing plant, where it was put in condition for sale to builders. Mr. Fisk states that Mr. Baker and Mr. Jessup told him to see if he could make a deal with Mr. Schmidt, nothing being said at first about the price. Mr. Fisk obtained a price quotation of \$17,000, and was then told to take an option at that

price and submit it to President Jessup and President Baker for further action if they should decide to close the deal. Schmidt then increased his asking price to \$20,000.00.

One J. P. Langford, connected with W. J. Block Company of Davenport, retailers and wholesalers of coal and of sand, was intimately known to Mr. Fisk and Fisk informed Langford of the pending deal and suggested to Langford:

“Now we have made an offer and it has been rejected and perhaps you can buy it for us and we can in turn rent it to you.”

That he did this because he still thought that the State should acquire the property. After Langford was authorized to obtain the option, he came back to Fisk with an option at \$18,000 and this was shown to Fisk and Secretary W. H. Bates. Fisk called Mr. Bates into the negotiations because “I certainly wanted a partner to the transaction when I went to see Mr. Schmidt.” Fisk promised Langford nothing for his services in getting the option and imagined Langford spent his own \$10.00 for the option. Mr. Fisk explained that he thought that at that stage that the University should have the property and explained that he wanted his department to operate the same for the institution.

He explained that the President (Mr. Jessup) and Mr. Baker and perhaps Mr. Schoentgen did not want him to run it himself and hence it was necessary to arrange for someone else to run it. Mr. Fisk also stated that the sand pump was an eyesore to the community, was very noisy and had a great nuisance value. That while the land upon which the plant was located was shown in the deed as only one-tenth of an acre, the filling in along the river bank from the operations enlarged the area (apparently by encroachment upon the river) so that a survey now shows six-tenths of an acre. That no one, Doctor Jessup, Mr. Bates, Mr. Schoentgen or Mr. Baker raised any question of the propriety of the University's carrying the deal through.

That the plan of renting it out was an alternative to taking Mr. Fisk's own time to run the business.

The real estate and plant equipment was on the day of purchase leased to J. P. Langford, at the rate of \$200 per month.

Adjacent properties were purchased about the same time from Peter Wyjack and Milo Dimity, one for \$2,500 and the other for \$5,000. Of the entire \$18,000 paid, \$15,000 was allocated as the purchase price of the small parcel of land and \$3,000 for the equip-

ment. The former owner, Charles Schmidt, paid \$1,300 for the property; at the time of his purchase the property was improved with a dwelling house, which had been removed before the sale to Langford and the University, and it was the opinion of Charles Schmidt that the ground itself taking into consideration the filling that had been done at the time it was acquired by the University, might have been worth \$600 or \$800. Charles Schmidt considered that the \$18,000 paid was for his sand plant, equipment and the business.

The machinery and equipment was later sold to J. P. Langford for \$1,500.

The committee finds and reports that the plan of purchasing this sand plant and property was ill-advised and that the State should not have been entangled in the name of the University in a commercial enterprise of this character. That the price paid for the property was grossly out of proportion to its actual value.

J. M. Fisk was the moving spirit in the venture and the fact that his superiors with whom he consulted did not veto his plans to acquire the property should be considered as it throws light upon Fisk's building construction program. The head of the Building and Grounds Department was apparently subject to little or no restraint in his ambition to put the University into business enterprises. The want of business acumen displayed by Mr. Fisk in this transaction suggests grave doubt as to the wisdom of the action of officials in permitting him to exercise the wide discretion which he has enjoyed in carrying on building operations and in the purchase of coal for the use of the University.

VII

Certain charges against officials and employees relating to administration of State property are next referred to.

(a) While J. M. Fisk was at the head of the department of Buildings and Grounds, commencing with the year 1920, he engaged in the construction of several small apartment buildings and remodeling of one residence into an apartment building. During the time that these structures were being erected, he was carrying on an extensive program of building construction for the University. Most of his own building was done by day's work, and many of the employes engaged by him were chosen from the force of workmen then engaged under his supervision in the services of the State. In most cases they were relieved from University work and by him

assigned to his private construction jobs. Afterwards when their tasks in his service were completed they were taken back into the State service if there was at the time State work in their respective trades. Mr. Fisk himself drew the plans for his own buildings and gave his own work some supervision during its progress. Mr. Fisk admits that while constructing the first of these apartment buildings in 1920, he had the dealer from whom he purchased lumber from which the interior trim was to be fashioned, deliver this lumber at the University carpenter shop where it was processed or milled for use as baseboards, window trim and door trim and from the University shop he conveyed the finished trim to his own building then under construction. Mr. Fisk stated that most of the work in the University shop (which was done with the University equipment) was done at night by himself with the assistance of one man, a University workman named Kemr and that on November 22, 1920, he delivered Kemr a check of \$25.00, in compensation for his services.

(b) Mr. Fisk also stated that for use in his private construction he obtained small amounts of material used in the wiring of houses and for plumbing, from the University stores and supplies at the department in charge of Roy J. McGinnis (his own subordinate), which he paid for either directly to Mr. McGinnis or upon bills rendered from the University business office. It appears that no entry was made upon any book of account of the charge but that checks were given either to McGinnis or to the University office for all merchandise referred to by Mr. Fisk in his testimony.

(c) Mr. Fisk also stated that lumber from government cantonments was purchased to the extent of eighteen carloads, some of which was immediately used in construction work then in progress and a part stored in a yard from which it was drawn from time to time for University work as occasion required. Some of this lumber was used in concrete form work incident to the construction of some of the University buildings.

(d) Mr. Fisk asserted that he thought it was his right to use machinery of the University in getting out the trim for his own private building projects under the circumstances. And that with reference to the use of some of the form lumber from the University lumber yard, a cement mixer and engine belonging to the State in the construction of a retaining wall upon the property of W. H. Bates, University Secretary, that while not remembering the incident, (testified to by anyother witness) he saw no reason why if his attention had been called to it, he would not have directed the use of the lumber and the mechanical equipment as a matter of accomo-

dition to the secretary of the University, and that in substance he saw no impropriety in doing so.

(e) Roy J. McGinnis is employed in the department of Buildings and Grounds and is a subordinate of J. M. Fisk. McGinnis is, and since 1915 has been, the chief electrician for the University. His ordinary day is from seven-thirty to four-thirty but he is subject to call at any time during the twenty-four hours. As chief electrician, he is in charge of the stores and supplies pertaining to his department. He engages upon his own account in handling electrical supplies to the extent as stated by him of handling them "in a small way." He did not contradict other testimony that he has delivered such supplies as he deals in from the University storehouse where the same class of material belonging to the State is stored. He also states that he has purchased a small amount of material through the University for his own use and has given the privilege of doing so to a few others, besides Mr. Fisk. Mr. McGinnis justifies this upon the ground that it is a standard privilege for clerks in stores to be permitted the privilege of purchasing from the store. Mr. McGinnis also testified that he had some years ago engaged in wiring houses in private contract but not very often.

(f) The practices referred to in the foregoing paragraphs are reported by the committee as improper practices in handling the material of the University. The impropriety is apparent whether any loss has been suffered or not. These stores are not carried or equipment owned, for commercial purposes or to engage in competition with commercial dealers. If Mr. Fisk or Mr. Bates is entitled to accommodation in that respect, others are entitled to the same privilege. The example of favoritism is itself a ground for condemnation of the practice. This is particularly true in the case of Mr. McGinnis and Mr. Fisk, both of whom are in the same department. Obtaining for private University stores and supplies from a subordinate, (assuming the same are always fully accounted for) except in some emergency, is obviously bad business practice. Carrying on a private business at the employer's store, in the same line of merchandise or materials carried in University stores, is also open to grave challenge and should not be permitted.

VIII

It was impossible in view of the shortness of the time to thoroughly go into the activities of the purchasing department of the University. However, the purchasing agent was called and testified

that when he called for bids upon supplies to be purchased for the hospital and for other departments of the University that he opened those bids as they came in but that he proceeded to let the bids to the lowest responsible bidder.

This is subject to criticism because it opens the door to favoritism and gives an opportunity to convey information to privileged bidders. Mr. Humeston, purchasing agent at the University, denied that he had ever given such advantage to favored sellers of supplies, but his testimony was somewhat in conflict with one of the members of the Iowa State Medical Association's investigating committee which within the last two years conducted an investigation pertaining to the purchase of supplies and equipment for the University Hospital.

The Committee recommends that the purchase of all supplies be on sealed bids and that such bids designate the hour at which the bids will be opened and that said bids be opened at that hour, strictly in accordance with the provisions of section 1170 of the code of Iowa, 1927.

What has been said above refers only to purchases made by the Purchasing Agent of the University.

Prior to 1930 all coal was purchased by the Department of Grounds and Buildings and during the year 1930 official action was taken requiring that coal be purchased by the University Purchasing Agent, but, in fact, this official order has not been adhered to and coal is still being bought through and by the Department of Grounds and Buildings as shown by purchases made as late as March, 1931.

During the progress of the inquiry and while investigating the purchase of supplies, coal, etc., the testimony of several witnesses was introduced pertaining to the connection of Arch W. McFarlane with the sale of coal to the University. From the standpoint of the University there was no evidence presented to the Committee which would show anything wrong or improper on the part of the University or any of its officials in the many purchases of coal through the brokerage firms known as the Arch W. McFarlane Fuel Company or the O'Hagan Coal Company, in both of which organizations Lieut. Governor Arch W. McFarlane has served as an officer.

Under the mandate and authority given this Committee by the Forty-fourth General Assembly, this Committee is authorized and empowered to investigate the administration of the State University of Iowa and the institutions under the Board of Education. Therefore, to make findings pertaining to Lieut. Governor Arch W.

McFarlane's personal activities or the activities of the companies with which he has been associated would be beyond the sphere and jurisdiction of this Committee and the Committee having knowledge of the introduction of House Resolution No., respectfully refers the members of the House of Representatives to the testimony pertaining to Arch W. McFarlane in the transcript of testimony, which transcript is on file with the Chief Clerk of the House of Representatives.

IX

For a number of years the University has made a practice of employing attorneys to handle various legal matters in connection with the purchase of real estate and the management of the University. Statements submitted by Mr. Cobb, auditor of the University, show that sums aggregating several thousands of dollars have been paid from various funds of the University for this purpose. Nothing in the record shows that the employment of such attorneys was made by the executive council of the State of Iowa, upon request of the attorney general as provided by statute, Section 152 of the Code of Iowa 1927.

The Committee recommends that this practice be abolished and that all legal matters be referred to the attorney general's office, or when practical, to the staff of the University's own College of Law and that no outside counsel be employed, except when in strict accordance with the statutes cited above.

X

On account of the shortness of time, it was impossible for the Committee to fully investigate the resignation of several outstanding members of the faculty of the College of Medicine in May of 1927, or to investigate the causes which led up to their severing connections with the institution.

The records of the statements made by these members of the medical faculty at the time an investigation was conducted by the faculty committee of the State Board of Education were destroyed, according to the testimony of Henry C. Schull, a member of the Board and of the committee. This destruction of the shorthand notes and transcript of testimony taken was done in accordance with an agreement between the witnesses and the said faculty committee.

Mr. Schull testified that the only criticism which could attach to

President Jessup in connection with the matter, might possibly be that he (the President) "stood behind Dr. Dean (the Dean of the Medical College) too long."

In the judgment of the committee, the medical college and University Hospital are both now under careful, competent and skilled management, according to testimony of representatives of the Iowa Medical Association, and according to the published report of their special investigating committee.

XI

For many years the State University of Iowa has been a member of the Western Intercollegiate Conference commonly known as the "Big Ten." This conference was organized Feb. 8, 1896 for the purpose of producing "fair competition" in athletics.

From time to time since the organization of the conference, committees representing the member institutions have met to formulate rules and regulations governing their athletic relations. These rules have frequently been liberal enough to be termed, in many instances, "gentlemen's agreements."

In an effort to further the cause of fair competition the conference employs a commissioner of athletics, Major John L. Griffith, whose salary and office expense is borne equally by the Universities of Iowa, Minnesota, Wisconsin, Illinois, Chicago, Northwestern, Purdue, Indiana, and Michigan.

According to the testimony of Major Griffith the conference has for many years been confronted with the problem of subsidizing and proselyting and for that reason a conference of six representatives from each of the 10 institutions in the intercollegiate conference was called into session during the month of January, 1927. This meeting became known as the meeting of the "Committee of Sixty."

At this conference the University of Iowa was represented by President Walter A. Jessup, Professor Pelzer, Rush Butler, Doctor Belting and Mr. Ingwerson. At this meeting the Committee of Sixty did prepare a set of rules and regulations which, according to testimony of Director Griffith, were but slightly amended by the Faculty Conference, or governing board of the big ten organization, and were then prepared and distributed as a guide to the conduct of faculty members, students and alumni and friends of the various member institutions and become known as the "gentlemen's agreement."

According to the testimony of Director Griffith, "in the spring of 1929, it appeared clear that certain institutions in the conference were not successfully administering the rules proposed in the Committee of Sixty, and later adopted by the faculty conferences, relative to aid given athletes." For that reason the conference, through its director began an investigation into the affairs of four or five institutions which were apparent violators. In the usual course of events the offending institutions were forewarned of apparent discrepancies and in the case of University of Iowa considerable correspondence was sent from Major Griffith's office to Dr. Paul E. Belting and President Walter A. Jessup of the State University of Iowa.

The rules, or gentlemen's agreements, under which athletic relations were maintained by the member institutions of the Conference in the spring of 1929, were published and distributed and read in part as follows:

"No scholarships, loans or remissions of tuition shall be awarded on the basis of athletic skill."

Also the following:

"And no financial aid shall be given to students by individuals, organizations, alumni, or otherwise, with the purpose of subsidizing them as athletes, or promoting the athletic success of a particular university."

The Committee further understands that it was permissible, under the conference agreements, for the University to administer loan funds to students, including athletes, if the same were administered officially by institution and no preference given to students because of athletic skill. For that reason, the Committee finds that there was no violation or irregularity in the fact that athletes in attendance at the University of Iowa were permitted to sign tuition notes at the business office, since this practice was extended to the benefit of athletes and non-athletes alike.

The Committee finds that the suspension of athletic relations with the University of Iowa, which was voted by the Faculty Committee of the Western Conference at the meeting in Evanston, Illinois, on May 25, 1929, (and in this connection it should be remembered that the University was never ousted from the Conference and never lost its membership in that organization) was rather specifically due to the fact that the faculty committee believed that certain individuals in executive and business office positions at the University were aware of an illegal alumni fund being at that time administered by W. W. Mercier with the knowledge, consent and

urge of University officials. This, according to Major Griffith and Director Stagg of the University of Chicago was borne out in the documentary "Cobb to Mercer letter." The original fell into the hands of conference officials, and a copy of the same has since been filed with the Committee.

The letter above mentioned sets forth the fact that tuition notes given by many athletes were long past due at the time the letter was written, and the Auditor of the University, Mr. Cobb, therein called the attention of Mr. Mercer, alumni administrator of illegal loan funds, to the fact that the business office of the University expected the alumni organization to make good the payment of the notes.

This, the Committee finds, was a direct cause of the suspension of athletic relations with the University of Iowa under the Conference rules, which read in part, as follows:

"That if any Conference member does not observe the Conference rules in full, the other Conference members will not schedule athletic contests with that member." (Chi. Tr. 28.)

The actual suspension or severance of athletic relations was made in accordance with the following rule:

"Members of the Conference shall sever athletic relations with any member that does not conform in full to the Conference rules." (Chi. Tr. 29.)

The Committee further finds that the reporting of possible irregularities relative to proselyting and subsidizing of athletes by coaches, directors, faculty members, high school coaches, alumni, students and friends of Big Ten Conference institutions was in accordance with the procedure adopted for the administration of the affairs of the Conference in their effort to promote fair competition between rival institutions.

The Committee further finds that the source of such information as is received by the Conference Director, Major Griffith, remains a confidential matter between the Director, representatives of the Faculty Conference, and the person or persons sending such information to the "clearing house" or office of the Conference Director.

The testimony discloses that Mr. Mercer, prior to the suspension of the University of Iowa from the Conference, consulted with Dr. Belting, the Director of Athletics at the University, and President Jessup. It was disclosed that the funds administered by Mr. Mercer were loan funds intended only for the use of athletes, but that this practice has since been discontinued by

him and his associates and the notes taken by them and the cash on hand delivered to responsible University authorities who administered the regular student loan funds of the institution.

After the severance of athletic relations, the University of Iowa made application for reinstatement to the Faculty Conference on two different occasions, and that between the time of this severance of relations and the first application to reinstate, President Jessup presented to the Conference, through Major Griffith, evidence of the so-called "Belting Fund." This fund is one which was set up in the First National Bank at Iowa City by a transfer of some \$1,500 from the athletic department funds, gained through gate receipts, etc., the transfer being made through the business office of the University to an account in said bank. This fund was not known of at the time of Iowa's suspension and was not one of the causes for such suspension.

According to the testimony of Dr. Belting, who subsequently resigned his official position at the University upon the request of President Jessup, and the testimony of Mr. Simmons, who was then his assistant, this transfer of funds was made by Dr. Belting and the business office because of the inference drawn from the statement made by President Jessup to Dr. Belting that "You've got to get the money." This suggestion by the President came about while the University Director of Athletics and the President were discussing the necessity of making possible the taking up of student tuition notes made by athletes and then held in the university office.

Shortly before this disclosure by President Jessup to the Conference, Dr. Belting's resignation had been requested by the President and accepted by the Athletic Board of the University. The Committee finds there was apparent grounds for this request for the resignation of the Athletic Director, but also finds that Dr. Belting has suffered an injustice which unfairly causes him to bear the burden for violations of Conference regulations which he is but little, if any, more responsible for than those with whom he was associated in the affairs of the University. In the testimony of at least three witnesses the Committee finds that Dr. Belting inherited a bad situation at the University, relative to the proselyting and subsidizing of athletes, when he assumed his duties as Athletic Director in 1924 quoting the testimony of Major Griffith, Dr. Belting made a strenuous effort to correct evils at the University of Iowa.

The suspension of the University of Iowa was rescinded by official action taken by the Faculty Conference at their meeting in February, 1930. This followed a fall sport schedule in which several athletes at the University participated—athletes who had during the spring of 1928 and the fall of 1929 been the unwitting beneficiaries of the so-called "Belting Fund," and 14 of these athletes were later disqualified by the University.

There is conflicting testimony as to whether or not the University of Iowa might have been made an institution in good standing in the Western Conference without the disqualification of the aforesaid athletes. However, the rules of the Conference set forth that no student shall be eligible for competition in intercollegiate athletics who has been a violator of the strict rules or ethics of the Conference relative to proselyting or subsidizing.

The Committee finds that the fourteen students and athletes at the University of Iowa who were disqualified from participation in intercollegiate athletics were, in a sense, sacrificed that the University might be reinstated on the schedules of other Conference institutions. We find that though these students participated in what might be termed an illegal fund set up for the purpose of subsidizing athletes and to protect the business office of the institution from criticism for carrying large and long-time tuition loans, that they did so violate the rules unwittingly. These students, according to Mike Farroh, Irvin Nelson, and Oran Pape, when informed of the necessity for paying their tuition notes at the business office received the suggestion of university officials that they might secure loans for the payment of their tuition by applying at the First National Bank in Iowa City, and to W. J. McChesney of that institution, for loans with which to meet their obligations at the business office.

It is conceded by the officials and faculty of the University of Iowa and the officials of the Intercollegiate Conference who testified before the Committee, that the fourteen students who borrowed from the so-called "Belting Fund" at the First National Bank, and were later declared ineligible for further competition in intercollegiate athletics, were not knowingly guilty of the infraction of Conference rules governing amateur athletics.

It is the hope of this Committee that the University of Iowa and the Western Intercollegiate Conference will see fit to clear the names of these boys from the public's belief and the inference that they were wittingly the recipients of an illegitimate subsidy set up and administered by officials of the University of Iowa.

XII

In making the findings and recommendations above set out, we have in each instance referred to testimony in support thereof. Without going into the details of the testimony, prompting and supporting same, we desire to make the following additional findings and recommendations.

(a) That the office of the Treasurer of the University of Iowa be made a part of the business office and that the Treasurer devote his entire time in performing his duties and that he have no connection in an official way with any banking institution.

(b) That all sums received from tuitions be used only for educational support.

(c) That the bookkeeping system in use at the University is properly adapted to the expenditure of appropriations, or other fixed sums, but it is not, however, adapted to the efficient recording of business details connected with the commercial enterprises of the institution, viz: building operations, handling of dormitories, cafeterias, launderies, bakeries, etc.

(d) That some other and more economical method be used in the matter of employing services of architects for the preparation of designs, plans and specifications for buildings to be erected, remodeled or repaired for the institution under the State Board of Education.

(e) That the functions of the Department of Grounds and Buildings should be limited to the upkeep and maintenance of the properties of the institution, and that the large force of employees maintained for new construction work should be eliminated and only a sufficient force be retained for the maintenance, repairs and minor alterations of the properties of the institution.

(f) That the further expansion of the campus be suspended and the building of additional structures be limited to absolute necessity until the financial condition of the state of Iowa improves and the people of Iowa receive some relief from the present tax burden.

(g) We believe that the legislative branch of our government should not be hampered by the activities of departmental or institutional lobbies, which too frequently seek to influence legislative action in the matter of appropriations, statutory regulations of administration, and in the conducting of legislative inquiry in the affairs of the various departments of state government.

(h) That as the educational institutions are administered at the

present time there is too much delegation of power and too many of the functions of the Board performed by the Finance Committee.

Changing the plan of administering the educational institutions is too large and important a matter for the Committee to pass on in the short period of time within which they have to prepare this report, the Committee suggest that the Governor of Iowa, the present Board of Education and the retiring members of the Board give the matter some study and make recommendations for changes in the matter of the administration of the educational institutions of the state.

(i) For the guidance of future General Assemblies, we recommend that Committees of Inquiry set up as fact-finding bodies should not be hampered by provisions for opposing counsel, because they very nature of such a condition inevitably forces the position of prosecution and defense. The process under such an arrangement consumes considerably more time and brings in unessential evidence and testimony of no material value to a fact-finding body, thereby making the conduct of such an inquiry more laborious, expensive and difficult than is essential or necessary.

We believe that inquiries of the sort conducted by this Committee would be more beneficial and successful in the ascertaining of reliable information if the Legislature would permit part of the hearings to be conducted in executive session, at the discretion of the Committee in the same manner as the State Board of Education conducted its investigation of the conditions leading up to and resulting in the resignation of prominent men connected with the medical faculty, in 1927.

Throughout the investigation this Committee has been embarrassed and hampered by the failure of the Forty-fourth General Assembly to finally act upon the appropriation bill which accompanied the investigation resolution, and we believe that a legislative committee entrusted with an inquiry should not be so hampered and that sufficient funds should be provided for the payment of legislative expenses.

It has been the purpose and intent of the Committee at all times throughout the investigation to conduct same in a fair and impartial manner, to do no injustices to any state institution, or employee thereof, to not unduly criticise or put in a wrongful light the usefulness of many public servants who have rendered service to the state and its educational institutions. Rather, it has been our purpose to carry out the mandate of the Forty-fourth General Assembly for a thorough and impartial investigation within the time allotted

to us, to summarize and report the facts now to be found in the Committee's transcript of testimony taken before the Committee, and to make such recommendations as we believe will be helpful to those responsible for legislation, administration, and operation of the affairs of state educational institutions.

All members of the Committee are sincerely interested in the best interests and future welfare of the University of Iowa, and it is our chief concern and desire that this investigation will have a wholesome effect on the future welfare and usefulness of the University. We believe that a proper public attitude toward this inquiry and the recommendations of this Committee will serve to improve conditions relative to the administration of the affairs of the University and other institutions under the management of the State Board of Education, will result in economies to the people of the State of Iowa, and that it will eventually be to the best interests of the institutions and people of the state.

Respectfully submitted,

H. B. CARROLL
BYRON G. ALLEN
GEO. E. MILLER
FRANK C. BYERS

I concur in the foregoing report, except as to paragraph "h" of Division XII, in regard to the reorganization of the present legal setup of the Board of Education and Finance Committee. I recommend the following :

THE PLAN OF MANAGEMENT

In the course of the investigation, the committee found it difficult to locate responsibility for many of the irregularities found to exist, not so much because of conflict of authority as outlined in the statutes, but because of a lack of centralization of both authority and responsibility. That which is "everybody's business is nobody's business," has, I believe, been clearly demonstrated. The present system of government of our educational institutions is complex and cumbersome, and instead of providing for a central office from which the affairs of the several institutions is directed and controlled we have a system by which it is impossible to determine from the general office of the board much about the real condition or situation with reference to the various schools. Furthermore, I find that while the state board of education is composed

of nine members and the finance committee of three members, the business of the university, in the way it is carried on, has been directed and dominated by three individuals, viz., the President of the University, the Chairman of the Finance Committee, and the President of the State Board of Education. Other than these three, and perhaps a very few others, no one seems to have anything but the most superficial knowledge of the affairs of the institution, or of what has been done, much less to know how it has been done.

The legislature has, twice within the last ten years, found it necessary to investigate the management and conduct of the affairs of the University, and practically all of the time between the investigations, complaints have been rife as to conditions alleged to exist. These complaints, while centered about the university, have to a less extent, been directed at other institutions and at the board and the finance committee. They have, in my opinion, to a considerable extent, worked to discredit the present system of management of the educational institutions of the state. I believe that whatever of success has been attained under the present system is due rather to the high standing and qualifications of the active members of the board under which the system was inaugurated and has been maintained than to the system itself, which, in my opinion, is cumbersome, involved, and fundamentally weak. Equal success with much greater economy and much less complaint and abuse has resulted from the more simple, efficient and practical form of organization of the Board of Control than that of the State Board of Education.

We therefore recommend that the law be so amended as to place the management and control of our educational institutions under a single board of three or five members who shall devote their entire time to duties of their offices and whose compensation shall be such as to enable the services of the most capable and able men to be obtained. That the handling of the finances of the various institutions be through the office of the treasurer of state on a plan similar to that now in vogue with reference to institutions under the management of the Board of Control, and that a comprehensive and uniform system of accounts be provided for the several institutions under the State Board of Education.

Respectfully submitted,

H. B. CARROLL.

Minority Report

To the Senate and House of Representatives of the Forty-Fourth General Assembly of the State of Iowa:

Your Joint Committee, appointed pursuant to House Concurrent Resolution Resolution No. 8, duly organized for the purpose of taking testimony in the manner provided for by said Resolution on the 23rd day of February, 1931, and thereafter did continue its sessions and deliberations from day to day and concluded the taking of testimony on April 11, 1931.

The mandate of the Legislature in said Resolution was that the Committee thoroughly investigate the conditions and management of the affairs of the State University of Iowa, "both by the officials and employees thereof, and the State Board of Education." It was made the duty of the Committee to investigate the charges and claims of mal-administration of the affairs of the University and also other matters in connection therewith as they may arise, and in connection with the administration of the State Board of Education and the institutions under its control, and make written report of its findings and recommendations to the Governor and the Forty-fourth General Assembly of the State of Iowa.

There appeared before said Committee during the investigation approximately seventy-five witnesses, which included members of the Board of Education, President, members of the faculty and employees of the State University and others, whose testimony was taken down in shorthand by the reporters and daily transcribed. The transcript of the record, exclusive of four hundred four exhibits offered, consists of eight volumes, containing six thousand twelve pages, which transcript is submitted herewith and is hereby made a part of this report by reference. In addition to other matters and rumors which were investigated, the Committee also investigated twenty-one charges made by Verne Marshall of Cedar Rapids, Iowa, which were read into the record and are found on pages 21 to 32 of Volume I of the transcript.

The Committee in its investigation conducted hearings at the State University at Iowa City. While there it had occasion to examine the records of the business office, the buildings and grounds of that great educational institution, the progress, growth and expansion of which has been unusual.

From the testimony thus adduced, and the exhibits offered during the hearing, two members of said Committee submit the following minority report:

FINDINGS

1.

We fail to find from the evidence that there was any larceny of any property of any kind or character belonging to the State University or the State of Iowa by any members of the Board of Education, members of the faculty or employees of the University.

2.

That it has been the policy of the Board of Education and the Finance Committee and the officials of the State University, in the development of the expansion program of the University, to purchase real estate out of the funds derived from tuition and fees paid by students.

3.

That it has been the policy of the Board of Education and the officials of the University of Iowa to permit the Superintendent of Buildings and Grounds of the University to build, construct and repair certain buildings on the campus, and that in the carrying out of this construction program it has been necessary to carry a large number of employees upon the payroll and that this construction program has brought about criticism from the Master Builders Association of the State of Iowa and others.

4.

That the Superintendent of Buildings and Grounds of the University has purchased large amounts of building material in the construction and expansion program of the University, and that as a result thereof the University has been placed in competition with those engaged in private enterprise.

5.

That a few employees of the University have occasionally used the workshops, machinery and tools of the University in matters pertaining solely to the private business of such employees.

6.

That a few employees have purchased through the departmental stores of the University materials and merchandise for their own private use, although the employees did pay for the same out of their own private funds.

7.

That there are some thirty-five residences purchased by the University in its expansion program now occupied by tenants. That in the extension of the heating mains, for the purpose of providing heat for the various dwellings, the facilities of the heating plant were extended to a private property belonging to the Dey Estate, and that the tenants of said properties pay to the University the cost of the heat so furnished.

8.

That in the construction program of the University, since 1924, the state has paid out in architect fees vast sums of money, in excess of \$150,000.00, but the evidence shows that the fees were lower than the established architectural rate.

9.

That in the development and expansion of the University, the Rockefeller Foundation and General Education Board contributed for the erection of the medical and hospital units at the University the sum of \$2,250,000.00, which said sum was equalled by an appropriation made by the Legislature of the State, and as a result there is now situated upon the campus a medical school and hospital second to none in the great middle west.

10.

That the Treasurer of the University, W. J. McChesney, is President of the First National Bank of Iowa City, and that, as Treasurer, he receives no salary, and his books and records are kept by the University auditor and secretary in the business office of the University.

11.

That the Finance Committee did purchase of W. J. McChesney, Treasurer of said University, a residence property, the legal title of which appears defective, but that the said W. J. McChesney has entered into a bond with the state in the sum of \$20,000.00 conditioned upon the correction of said title.

12.

That the funds donated by the Rockefeller Foundation and the General Education Board were paid in advance of the time needed for the construction of said medical and hospital units, through the requests and solicitations of W. R. Boyd of the Finance Committee and W. A. Jessup, President of the University, and that the greater portion of said funds were, pending the time of the use thereof in said construction program, through arrangements made by W. R. Boyd and W. J. McChesney, Treasurer of the University, invested by the said Treasurer through the Federal Reserve Bank of Chicago in government bonds and securities, which resulted not only in the conservation of the principal sum thus donated, but in the accumulation of interest for the benefit of the University the sum of \$161,808.30, and that in the investment of said funds the said W. J. McChesney, as Treasurer, retained in the First National Bank of Iowa City, Iowa, a portion of said funds which were uninvested, and which portion so uninvested, from the time of the receipt thereof up until the time the same were expended, would have earned, with interest at $2\frac{1}{2}\%$, on an average 90% daily balance, a sum amounting to approximately \$28,762.00.

It is further found, however, that at the time of the receipt of this fund the general banking conditions of the State of Iowa, due to the depression, were not the best, and that as a result of the investment by the Treasurer of that portion of the funds so invested in government bonds and securities the University has benefited to the extent of \$2,941.49 over what it would have benefited had said funds been invested in banks and interest paid thereon at the rate of $2\frac{1}{2}\%$. (That as to whether the University or the State of Iowa is entitled to interest upon that portion of the funds kept by the Treasurer in the First National Bank at Iowa City, Iowa, and which were not invested, at the rate of $2\frac{1}{2}\%$, this Committee makes no finding.)

13.

That the accounts of the business office of the University have been audited yearly since 1924 by auditors of the Budget Director's department of the State of Iowa, and by a firm of certified public accountants, namely Arthur Young and Company of Chicago, Illinois.

14.

That the University is a member of what is known as the Big Ten Conference in athletics. That during the year 1929 the University was suspended from its athletic relations with said Conference because of the claim of alleged violations of the rules of said Conference respecting the payment of tuition of athletes, and that as a result of such suspension, in order for said University to be reinstated in said Conference in its athletic relations, certain athletes, through no fault of theirs, were disqualified and suspended from further athletic participation; that action was taken upon the part of University officials with said Conference seeking to have said athletes so disqualified reinstated so as to be eligible for further athletic participation, which efforts proved to be of no avail; that the President of the University was not responsible for the suspension of the University from the Big Ten, nor for the disqualification of the athletes; that changes were brought about in the athletic department correcting what was claimed to be a violation by the University of the rules of said Conference respecting the payment of tuition of athletes. That said University has complied with the rules of said Conference, has been reinstated in its athletic relations with said Conference, and a harmonious athletic situation now prevails at said University.

15.

That the books and records of the business office of said University are kept upon what is known as the voucher system, and that in the carrying on of the instructional program of the University, together with the construction program in the development and expansion of the University, as hereinbefore referred to, the system of book-keeping thus prevailing has resulted in confusion to those not entirely familiar with the system, and misunderstandings have arisen as a result thereof, notwithstanding the audit so made by the Budget Director's department and the certified public accountants.

16.

We find that none of the charges made against the President of the University have been sustained by the evidence.

17.

That the institutions under the Board of Education have been developed to a high point of efficiency and are a credit to the state.

SUGGESTIONS AND RECOMMENDATIONS

1.

That the policy of the Board of Education in entering upon a construction and building program with the superintendents of buildings and grounds or any other employees thereof in charge of construction and building should be discontinued, except where the cost of construction or building is less than \$10,000.00, and that all construction, painting or repair of buildings, where the cost thereof is in excess of \$10,000.00, should be let by contract under competitive bidding in the manner provided by law.

2.

That the policy of purchasing additional real estate in the expansion program of the institutions under the Board of Education, from tuition and fees, be discontinued during the present economic depression and until such time as the same has been approved by the Legislature of the State of Iowa.

3.

That the Board of Education be requested to suggest, in its next biennial report, any changes or recommendations for changes in the law, if any, to be made respecting the formation of, and the duties of the Board of Education and the Finance Committee; that the Board be requested to make its suggestions and recommendations, if any, respecting the employment by the Board of full time architects at a fixed salary, whose duty shall be to prepare plans and specifications for all buildings or improvements at the institutions; and that said Board be further requested to make a report respecting

in any way the administration of the affairs of the Board of Education and the institutions thereunder.

4.

That the use of the workshop, machinery or tools of said institution for private purposes be prohibited.

5.

That the purchasing power and facilities of the institutions should be used exclusively for the benefit of the institutions under the control of the Board of Education.

6.

That the Attorney General's department of the State of Iowa should be consulted in all matters of a legal nature pertaining to the affairs of said institutions where the same is practical. That in the case of the employment of private attorneys, the same should have the approval of the Attorney General of the State.

7.

That the primary object of the institutions under the control of the Board of Education is the teaching and instruction of students and not the construction of buildings or improvements, and that the best policy for the state to follow in carrying out its primary objective is to continue to cultivate the goodwill and cooperation of those engaged in private business.

Respectfully submitted,

W. S. BAIRD

L. H. DORAN