

Watchman & Journal

WEDNESDAY, NOVEMBER 28, 1900.

ARTHUR ROBES, General Editor.

Constitutional Amendments.

Of the four proposals to amend the Constitution the Senate has rejected three—allowing proposals of amendment to be made at the regular biennial sessions; changing time of holding State election from September to November, and meeting of General Assembly from October to January; dividing the State into thirty senatorial districts according to population. The proposal authorizing the Legislature to provide by law for filling vacancies in the office of State Senator and of town Representative was adopted.

All these proposals had merit, all were important—the first of fundamental importance, and the third of almost equal merit, embodying as it did the principle, fundamental in a Republican form of government, of representation on the basis of population. Other strong reasons for its adoption were given by its immediate sponsor, Senator Dunnett. But the first was of primary importance. The fourth is entirely right and proper, but of very little practical consequence, being chiefly a matter of detail.

A vote of the Senate to propose these amendments to the House for its concurrence would not be final. The proceeding was simply initiatory, like the introduction and first reading of a bill. Two stages would have to be traversed before final adoption and incorporation into the Constitution. Each would have to be adopted by both houses of the General Assembly of 1902, and be subsequently ratified by the voters at the March meeting of 1903. The matter of final action, or of action looking to finally, is lodged with the next succeeding Legislature and with the people. It was the office of the Senate to propose, of the next succeeding General Assembly and after that the people to dispose. But the Senate seems to have assumed the right and exercised the power to pass upon the merits of the proposals and to settle finally the fate of three of them, at least for ten years. This looks like sheer usurpation.

The action of the Senate, in the instances specified, seems to be contrary to the spirit of the amendment of 1870 respecting proposals of amendment to the Constitution. Under its construction of its province in the business of initiating amendments, eleven Senators have it in their power forever to defeat even a proposal to change the fundamental law of the State, no matter how strong the demand for a change may be, or how pressing the emergency requiring a change. This is popular government with a vengeance. It is not, however, more inconsistent with Republican principles than the Constitution itself in respect of the basis of representation in the General Assembly. The action of the Senate consists only with the glaring inconsistency of the Constitution, in the matter of representation, which makes the little town of Burlington or Somerset or St. George, with its baker's dozen of voters, the peer in the House of Representatives of Burlington with her 3,000 voters. Dirt, not people, is made the basis of representation; a territorial area varying all the way from a thousand acres to thirty odd thousand, in the two hundred and forty-six municipalities of the State, sends its one Representative up to the General Assembly.

The Constitution is wholly un-republican. It was republican when it was framed and adapted to the requirements of a State of some 80,000 inhabitants, abiding in a wilderness. It is un-republican in its application to the needs and requirements of a community existing a century and a quarter after its adoption. The document, as it exists today, is an anachronism, a beheaded, incoherent, inconsistent, ramshackle affair, which, existing in any State of the South, would excite derision and incur fierce denunciation for its disregard of the commonest principle of popular government. And yet this instrument, this burlesque on popular government, is so sacred in the eyes of some people that they look aghast upon propositions to amend it in order to bring it into harmony with republican principles and with modern times.

The defects of the fundamental law are aggravated many fold by the very injurious political customs which have grown up under it—that one in particular which biennially fills the General Assembly with men for the most part entirely green in the business of legislation, with the consequences that biennially appear, and which were possibly never more clearly apparent than on this closing day of the session of 1900.

Vermont ought to have started out on the twentieth century with an effort at least to whip her rude organic law into nineteenth century shape, and adapt it to the pressing exigencies of the opening of the twentieth century. The precious relic today resumes its

Rip Van Winkle slumbers, Pence abide with it.

The Waterbury Asylum.

The Scripture admonishes the man who having put his hand to the plow looks back. Vermont ought to take this solemn admonition seriously when to its inner consciousness. It is a sinner, in this respect, above any other State in the Union. It is apt to plunge the plow into the "stagnant gleebe" of some new enterprise or reform, with devout zeal, but under the strain of continued and necessary appropriations to carry out or perfect a project resolution has become "sicklied o'er with a pale cast of thought and lost the name of action"—when it has not taken on the form of violent reaction.

Wisely or unwisely—the former, unquestionably—the Legislature embarked twelve years ago in the work of building an asylum for the insane. With difficulty its successors have been persuaded to make the appropriations needed to complete the original plans. A fine institution has a last been built and after some tribulations and vicissitudes of management and administration has been prospering under the judicious direction of Dr. Hutchinson, the present superintendent. A building is now needed for the accommodation of the nurses, and the Legislature is asked for a small appropriation for its erection.

Any member, if he has been a man of many cares or labors, knows from experience that to obtain rest and recuperation, his best course is to get away from contact with care and labor, out of their sight or hearing. A nurse or attendant caring throughout the day for the insane in the asylum at Waterbury goes to rest at night in a room in the ward where the patients have their quarters, possibly in a room adjoining one occupied by a noisy, gibbering unfortunate. Rest is broken or sleep disturbed by the continuation of the incidents of the day. Are attendants thus lodged kept in the best frame of mind or condition of body for the delicate duties of their office? It should be understood that constant association with people bereft of reason or of un-sound mind is essentially disturbing, a constant tax upon the nervous system. After a day of care and labor among these people, in their hours of rest their nurses are entitled to release as complete as possible from the distressing incidents of active duty. The State ought to supply the moderate sum asked for a building in which rest that refreshes can be had.

The State has put its hand to the plow. It should beware of the consequences of looking back.

Grief Stricken.

The local contemporary takes defeat on the free run bill very much at heart. It whines with disappointment and raves with accusation and denunciation. The supporters of the bill had the same time allowed them for its advocacy as the opponents had for opposition. A public hearing was held to give the former the opportunity to make converts, but they did not appear and their voice was not heard, much to the disappointment of a large assemblage gathered to hear what could be said in defence of a bill for the open and legalized sale of liquors for drinking. It was incumbent on them to make good their claims respecting the beneficial effects of the bill on public order and morality. Discretion was the better part of valor, and they shunned publicity. Whining over lack of opportunity to be heard is out of place in view of conspicuous neglect to improve reasonable opportunity.

The principle and purpose of the bill was wrong. It was fundamentally vicious, and no saving amendment could cure its organic and inherent wickedness. No amendment could disguise the main intent and object of the bill which would remain wholly unchanged. So the plea for delay was without sense or reason. The time for decisive action came on Thursday and the majority firmly and reasonably held the minority down to business. They had been maturing their bill since the first week in the session; they had been given an opportunity to be heard which they had not improved, and it was sheer trifling with reason to ask for more time when the hands on the dial of the session were rapidly nearing the hour of final adjournment and measures pertaining to the schools, the highways, taxation and many other matters of public moment were pressing for action.

Kruger in France.

The flame that has been quenched in South Africa has been rekindled on the hospitable soil of France. Paul Kruger, the representative of the lost cause of the people of the Transvaal, has recently landed at Marseilles, and the French have received him with the enthusiasm the leader of a people fighting "for their altars and their fires" always arouses among the populace in any land where demonstrations of the natural impulses of the human heart are not repressed by the absolute power

of an unfriendly government.

In the vivas of the French the pathetic memories of the recent past are recalled. There is revived the recollection of Joubert dead and Cronje a captive at St. Helena, of the glory and infinite heroism of Colenso and Spion Kop, of the bloody actions on the Modder and the desperate defense and final surrender at Paardeberg, four thousand peasant heroes for a week holding at bay forty thousand envying foes.

The inevitable collapse of the defense of their country by the Boers came. The military mastodon crushed the pigmy farmer republics, appropriated their territories, their mines of gold and of diamonds. The Transvaal is a war-stricken waste, the homes of "Merrie England" are in mourning over the enormous cost of the conquest in human life. Poland and the Transvaal, Kosciuszko and Joubert, Pulaski and Cronje, Warsaw and Paardeberg, will henceforth be comparisons in history and romance, in the mournful story that will be told to the end of time of states and peoples remorselessly crushed out of existence under the iron heel of greedy and overmastering powers.

Kruger in France is vividly recalling very recent and dramatic historical incidents partially eclipsed in the swift course of a year of great and startling events.

"Reprehensible Criticism."

Under this head the Brattleboro Phoenix quotes the following paragraph from the Boston Record:

"We venture to suggest to the Vermont Legislature that in passing a resolution calling on Congress to give some special mark of gratitude and reward to Capt. Clark, who brought the Oregon on her famous trip to Santiago, it is, according to Hobson, afflicting a terrible thrust at Admiral Sampson, and doing much to subvert the last of his life and bring his gray hair in sorrow to the grave. His admirers have taken the ground that any praise for his subordinate is a distraction and contumely for him. Possibly the Vermont legislators are not aware of the fact, but they ought to be very careful how they continue in their present reprehensible course towards Sampson."

To this the Phoenix says: "The reprehensible course in this matter is the above editorial comment of a paper which makes pretensions of enterprise, honesty and fairness. Capt. Clark brought the Oregon at sailing speed 14,000 miles, and when the long journey was over the big battleship was ready for duty. The official record awards the chief honor of the naval battle which resulted in the destruction of Cervera's fleet to the Oregon. Starting from a poor position, she distanced all of the American vessels except the fleet cruiser Brooklyn, and actually exceeded her own trial record speed. Capt. Clark had kept himself and men on short rations of water that the boilers might be filled with fresh instead of salt water, and picked coal had also been placed at hand for just such an emergency as arose. The Oregon was an important factor in destroying four of the Spanish cruisers, and but for the consummate skill with which she was handled the Vicaya and Colon would have had a good chance to escape.

Sampson, Schley, the late lamented Philip, and Higginson, the Massachusetts man who was 40 miles away from the scene of the great battle, were made rear admirals, and Wainwright of the little Gloucester was honored. But Clark, with all of his conspicuous service, actually ranks lower, through the promotion of others, than he did before the Spanish-American war. Is it 'reprehensible' at least to ask that he be honored as highly as Philip and Higginson?"

The position of the Phoenix is very well taken, but the extract from the Record shows in every word and syllable that it is a most ironical joke on Sampson and distinctly favorable to Capt. Clark. The editor of the Phoenix should have been reprimanded for the reception of the Record's very evident joke.

24,000,000 Feet of Lumber.

Hon. S. L. Griffith of Danby says that the lumber business has materially improved since the national election. He is selling lumber now at the same rates he did last year and has more orders coming in daily than he can fill. He already has contracted for eight million feet. His winter cut, aside from what will be put in at the mills owned in company with others, will amount to over sixteen million feet. Mr. Griffith expects to clean up this year. He is done to dispose of all his property there. The Arlington mill is a new property for Mr. Griffith and has been recently purchased about 5,000 acres of well timbered land in the town of Sunderland, his supply of timber will not be exhausted at present.

For weeks past the ultimate appointment of Col. Emery of Chelsea as tax commissioner has been discounted, and unless unforeseen complications ensue at the last, the appointment has been generally accepted as settled. Col. Emery is a gentleman of much versatility of ability in many lines, with unusual experience and knowledge of State affairs, gained from a former and two successive terms in the General Assembly where he has been a conspicuous success as a legislator, and unquestionably he will make a most creditable record in this office.

(continued from page one.)

State Capitol.—Mr. Hawley of Fairfax moved to reconsider the vote by which H. 369, removal of the State Capitol, was dismissed. Motion lost, yeas 47, nays 88.

Bill introduced.—H. 441, providing that town clerk shall report to superintendent on education, under each, number of legal schools and per cent on grand list used for school tax, including expenses for repairs, construction and furniture; appointment of education shall verify statements annually on or before June 1st each year, upon oath, and shall forward same to superintendent of education, who shall forward same to the State Treasurer, who shall annually remit to the town treasurer the amount due. A legal school shall be at least 125 school days.

Adjourned. Saturday, November 24.

The bill establishing a forestry commission and the constitutional amendment making a new appropriation for State Senators were entirely unopposed, and passed in the Senate several days ago, and every effort to locate them has proven unavailing. This has necessitated their re-adoption.

The Senate has passed the insurance commissioners bill—providing salary instead of fees—also the bill creating the office of State Auditor.

The joint committee on final adjournment is composed of Senators Leland and Pike, and Messrs. Abell, White and Mayo of the House.

A tremendous pressure of outside statements is being exerted on the Senators to defeat Mr. Hale's revenue bill, and from the standpoint of "personal work" no stone is being left unturned to obstruct its passage. It is hardly probable, however, that the bill will be defeated.

I would seem as if the entire city of Brattleboro were in a state of commotion. English—were flooding the corridors of the Capitol Monday, the hope of influencing action on the water bill.

Several informal negotiations will be held for tax commissioner until Senator Clemen's accounting bill is disposed of. It is definitely predicted that the bill will be defeated.

The General Assembly has added \$100 to the compensation of Probate Judge Carleton, district of Washington, and all the people of the district say Amen.

SENATE—MORNING. Bills introduced.—S. 155, by committee on State and county affairs, amending Section 472, V. S., as amended by No. 74 of the acts of 1898, relating to insurance commissioners. Provides for the employment of clerks, and increases the salary of \$1,000 per annum in lieu of fees now received.

S. 154, by committee on agriculture, to amend the act relating to the appointment of a commissioner by the Governor to receive \$3 per day and expenses and perform the duties of a commissioner, now performed by the board of agriculture. Ordered to lie and be printed.

Passed.—S. 94, relating to commitment to hospital at Waterbury. S. 128, relating to the appointment of a clerk to the board of directors of a public utility. S. 130, relating to the maintenance of high schools. S. 148, to amend the act relating to the appointment of a clerk in the adjutant general's office. H. 94, granting relief to the town of Plymouth. H. 112, providing for the employment of a clerk in the Vermont Reports. H. 229, relating to the construction of highways. H. 360, relating to amount a savings institution may leave to a single person. H. 434, relating to sale of encumbered property of deceased persons. H. 438, relating to real estate acquired by savings banks. H. 450, relating to dog licenses.

HOUSE—MORNING. Passed.—H. 228, shortening the open trial season of the State at an instance at the six-month trial, was adversely reported. Mr. Fullam of Ludlow: The law compelling the return of small trout amounted to nothing, and he felt sooked. Mr. Gilmore of Swan denied this. There was no reason and no general denial for the repeal of the six-month law. Mr. Porter of Wilmington, Mr. Axtell of Waterbury, Mr. Smith of Montpelier, Mr. Norton of Waterbury, Mr. Churchill of Brandon favored the bill. Opposed by Mr. Thrall of West Rutland, Mr. Smith of Hall's Cross, Mr. Whiting of Waterbury. Motion to dismiss was lost, also a further motion to strike out the six-month repealing provision. Ordered to third reading.

Chester A. Arthur Memorial.—The speaker at special session, on the erection of a memorial tablet, marking the birthplace of Chester A. Arthur: Field of Springfield, Porter of Wilmington, Mr. and Mrs. Sheldon. Mr. and Mrs. Perry & Seibner—Water Co. of Barre was called up by Mr. Gale of Guilford. He explained the Barre water situation. A general debate followed, ending in the passage of the bill.

House of Representatives at Washington a bill known as the "Groul" bill to tax the manufacturers of oleomargarine ten cents per pound when colored to imitate butter, and reduce the tax of two cents per pound thereon to one-fourth of one cent per pound when not colored in imitation therefore.

It is resolved by the Senate and House of Representatives of the General Assembly of Vermont that we hereby approve said bill and we hereby request our entire delegation in Congress to do their best to secure its passage.

Antietam Battle.—A joint resolution, providing that the necessary expenses of the trustees appointed to attend to the erection of the monument on Antietam battlefield, be paid by the State. Adopted.

Bills introduced.—H. 490, gives examinee of teachers rights to issue permits on application of superintendent of any town. Also by committee on Military Affairs to pay Vermont soldiers in the late war with Spain.

H. 493, by committee on claims substitution for H. 45, to pay towns of Berlin for taxes paid over 1890, and to reimburse the State for such payment from city of Montpelier.

Support of government.—H. 496, making provision for support of government. Recommends a sum not exceeding \$75,000 for fiscal year 1900 and 1901 to pay debtors of the General Assembly.

A sum not exceeding \$300,000 for balance of fiscal year 1900 and 1901, and sum not exceeding \$475,000 for fiscal year 1901 and 1902, and sum not exceeding \$300,000 for the period from the end of the fiscal year in 1902 to December 1, 1902, for purpose of paying auditors' orders.

A sum not exceeding \$115,000 for balance of fiscal year 1900 and 1901; not exceeding \$200,000 for fiscal year 1901 and 1902, and not exceeding \$85,000 for the period from the end of fiscal year 1903 to Dec. 1, 1902, for support of penal institutions and insane.

A sum not exceeding \$100,000 for the credit of the State a sum not exceeding \$80,000 for purpose of defraying the expense of government and paying appropriations to be made.

Monday, November 26. The Senate in the House were about half filled as that body came together at nine o'clock this morning, but late members continually arrived in until nearly all the members were present.

The morning session of the Senate began at the same hour, with a full attendance. There was an evident feeling throughout each body of imminent impending events—large numbers, and the atmosphere swarmed with "assistants" legislators who were very evidently anxious over results in certain cases of interest to themselves.

The joint resolution adopted by the House in the early morning that "the sum of blank dollars be appropriated to pay the expenses of the committee on the insane" was a very interesting subject, and it is believed that the House will have been very broad. The legislation here named, but probably it is all right.

The House swept out of existence the bill incorporating the village of Chester so quickly that it didn't have time to go. This did the certain work of months ago for nothing, and the people of that village are to be pitied.

The bill which passed the Senate against the sale or giving away of cigarettes to minors was adversely reported by the House committee, but was passed by a tremendous majority notwithstanding. This makes a law of it. Glory be!

In the Senate the final adjournment resolution was passed at 9:40. Senator Baldwin opposed action looking toward adjournment tomorrow morning. In answer to an interrogation from his Senate colleague he said that he didn't believe that Divinity could be so much in a hurry to adjourn the Senate, or how long it would take to dispose of it.

Representative White's bicycle sidepath bill, introduced in the Senate at an impromptu time, and was wiped off the face of creation at one blow. The Senate also killed the bill taxing certain church property, and the House bill defining a legal fee.

Mr. Carrier of Troy: If a teacher was satisfactory she should be allowed to have her permit renewed. Moved to amend to grant this right.

Mr. Clark of Glover and Mr. Lewis of Norwich opposed the amendment. Disagreed to.

Mr. McIntyre of Danby moved that the bill be amended allowing three permits to one person. Lewis of Norwich, Stevens of Richmond and Taylor of Hardwick: The amendment should not pass.

Amendment lost. Mr. Taylor of Moretown moved to amend by inserting a proviso to require that a satisfactory examination be passed.

The bill was then read the third time and passed. Read third time and passed.—Passed, H. 493, adjusting taxes overpaid by Berlin and to collect same from Montpelier.

Support of government.—H. 496, making provision for support of government, read third time and passed.

Mining and quarry rights.—Mr. Mayo of Northfield called up H. 461, relating to mining and quarry rights. Various amendments offered by Mr. Mayo were adopted and the bill passed.

State school tax.—H. 314, providing for a tax of ten cents on the dollar for the support of public schools was read third time and passed.

SENATE—AFTERNOON. Insane poor.—H. 448, making appropriation for the support of the insane poor, was reported favorably with this amendment: That the insane poor be kept at Brattleboro. Senator Dunnett moved that Sec. 2, making appropriation for the Brattleboro Retreat be struck out.

Senator Dunnett: That institution is practically a State institution, keeping the insane poor if the State needs it, as it does at this time. If the State wants its insane poor properly kept it will have to make this appropriation. The speaker then gave a brief history of the hospital and hoped the amendment would be defeated.

Senator Dunnett said that there are certain things that could be said of various institutions in the State as of the Brattleboro Retreat and so on which we could make an appropriation of \$50,000 for the insane poor. We have no title in any of these institutions. There is no sense in putting money into old property that does not belong to the State. The money goes into effect which is before the assembly we will have room enough, as this will do away with keeping a lot of homeless insane people.

Constitutional amendment.—A proposed amendment to the Constitution dividing the State into thirty senatorial districts. Senator Stanton opposed the amendment. It is a proposal to divide the State into thirty senatorial districts. It is a proposal to divide the State into thirty senatorial districts. It is a proposal to divide the State into thirty senatorial districts.

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Senator Royce favored the amendment. It is well known that the House of Representatives is a body of men who are not to be trifled with. It is well known that the House of Representatives is a body of men who are not to be trifled with. It is well known that the House of Representatives is a body of men who are not to be trifled with.

The Senate is more truly the popular branch and a representative body of the people, as the Senators are elected more in accordance with the population. The State will be divided into senatorial districts. It is a proposal to divide the State into thirty senatorial districts. It is a proposal to divide the State into thirty senatorial districts.

Senator Dunnett: In his mind if this purpose prevails it will operate in a way that is not to the benefit of the people. It is to be a representative government the Senators should be elected according to population. No injustice would be done to the people. It is a proposal to divide the State into thirty senatorial districts. It is a proposal to divide the State into thirty senatorial districts.

They were allowed to amend the Constitution they would not necessarily do it. The Governor and a majority of the committee thought it would be advisable.

The proposed amendment was lost, yeas 13, nays 16. Those Senators who voted in the affirmative were: Baldwin, Cutworth, DeBoer, Dunnett, Gates, Hill, Leavenworth, Leland, Pike, Pollard, Royce, Smith, Varney, Walker, Forster, Stanton, Varney, Walker, 16.

State finances.—S. 157, to systematize State finances and reduce State expenses, was reported favorably with amendments.

Passed.—H. 448, making appropriation for the support of the insane poor. To equalize taxation.—S. 29, to equalize taxation, was read a third reading.

State expenses.—S. 158, to reduce the State expenses for the insane poor. Senator Cutworth moved to strike out Sec. 1 of the bill, which places duties of trustees and supervisors under one board.

Senator Dunnett offered the amendment. He could see no reason why the duties of supervisors cannot be performed by the trustees of the insane hospital. It would save the expense of that board. The amendment was lost and the bill was passed.

Sale of encumbered property.—H. 434 to regulate sale of encumbered property of deceased persons. Senator Cutworth submitted amendments which were agreed to. Senator Cutworth proposed that it give too much power to the hands of probate court. Ordered to lie.

Normal schools.—Joint resolution authorizing normal school commissioner to ascertain upon what terms normal schools may be leased and report at the next session of the general assembly was adopted.

Passed.—H. 253, relating to foreign surety and fidelity insurance companies. Adjourned.

HOUSE—AFTERNOON. Bills introduced.—H. 502, makes maximum dividend of Savings banks three and one-half per cent.

Passed.—H. 167, appropriation for State Normal school. H. 227, shortening open trial season and repealing six inch law. H. 318, amending statutes relating to opening of lands taken for highway purposes.

H. 343, relating to currency when demanded. H. 470, regulating appeals in criminal cases. H. 478, forbidding resumption of military service. H. 479, authorizing State superintendent of education to issue circulars of educational information. (Yeas 71, nays 53.)

Trustee Process.—H. 123, reducing amount in trustee process from \$500 to \$100. Senator Hatcher.—H. 197, providing for the construction of a fish hatchery at Swanton. Appropriation reduced to \$1,000, and bill passed. Yeas 11, nays 9.

Passed.—H. 183, relating to regulation of births, marriages, divorces and deaths. S. 118, relating to electric lines and wires on highways. S. 130, relating to prisoners who refuse military service. H. 479, authorizing State superintendent of education to issue circulars of educational information. (Yeas 71, nays 53.)

Chester A. Arthur.—Joint resolution adopted. Appropriating \$200 to ask his replacement. Chester A. Arthur. Resolves bill eight o'clock.

HOUSE—EVENING. Normal schools.—Joint resolution, authorizing normal school commissioners to secure leases of normal school properties for use of State Normal school. Passed.—H. 306, relating to transportation of bicycles as baggage. (One bicycle to each passenger allowed as baggage.) S. 124, relating to the State Normal school. S. 135, authorizing domestic mutual fire insurance companies to accumulate a reserve. S. 156, authorizing compilation of laws relating to public institutions.

Tuesday, November 27. SENATE—MORNING. Passed.—H. 414, to suppress truancy, slightly amended.

H. 345, relating to the practice of medicine in a city. H. 125, relating to board of prison commissioners.

Final adjournment.—Senator DeBoer called up a joint resolution relating to final adjournment of the Senate on Monday at eight o'clock. Senator Baldwin, who knew if the work could be finished at the proposed hour, Senator Dunnett, who thought it only knew how limited the debate would be, but if we worked under inspiration we could get through. The resolution was ordered to lie.

Passed.—H. 105, relating to fishing through the ice, with amendment. H. 129, for support of Soldiers' Homes.

S. 156, accounting. S. 157, to systematize State finances and reduce State expenses, was reported favorably with amendments.

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