

JOURNAL

OF THE

SENATE

OF THE

46th General Assembly

OF THE

STATE OF ILLINOIS

Convened at the Capitol in Springfield January 6, 1909,
and Adjourned *sine die* June 4, 1909.



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MONDAY, JANUARY 18, 1909, 10:00 O'CLOCK A. M.

Senate met pursuant to adjournment.

Hon. Robert S. Hamilton, President, *pro tempore*, of the Senate, presiding.

Prayer by the Rev. W. N. McElroy.

The Journal of Thursday, January 14, 1909, was being read, when, on motion of Mr. Hurburgh, the further reading of, the same was dispensed with and it was ordered to stand approved.

A message from the Governor by James Whittaker, secretary to the Governor:

Mr. President—I am directed by the Governor to lay before the Senate the following communication:

GOVERNOR'S BIENNIAL MESSAGE.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,
SPRINGFIELD, JANUARY 18, 1909.

Gentlemen of the Forty-Sixth General Assembly:

In compliance with the Constitutional provision requiring the Governor, at the commencement of each session and at the close of his term of office, to give to the General Assembly information by message, of the condition of the State and to recommend such measures as he may deem expedient, I submit the following matters for your consideration:

DEEP WATERWAY.

The Forty-Fifth General Assembly (1905), enacted a statute providing for the appointment of an Internal Improvement Commission. The act imposed upon the commission the duty of investigating "the various problems associated with a projected deep waterway from Lake Michigan to the Gulf of Mexico and the reclamation of lands subject to overflow or inundation."

The law creating the commission also provided that a report of its investigations and conclusions should be submitted to the General Assembly. The report so submitted was a comprehensive showing of the present condition and future possibilities of development of Illinois waterways.

The subject to which the report chiefly devotes attention is the practicability of establishing water communication between the Great Lakes and the Gulf of Mexico. This it demonstrates to be entirely feasible. It gives an outline of the work necessary to construct a waterway of depth and other dimensions suitable to the highest commercial uses.

The Federal rivers and harbors act of June 13, 1902, appropriated the sum of \$200,000 "For making such surveys, examinations and investigations as may be required to determine the feasibility of and prepare and report plans and estimates of cost of a navigable waterway fourteen feet in depth from Lockport, Illinois, * * * * to St. Louis, Missouri."

The survey thus provided for, so far as it related to the Mississippi river, was conducted by the Mississippi River Commission, whilst that from Lockport to the mouth of the Illinois river was conducted by three United States Army engineers.

The reports of the Mississippi River Commission and of the United States board of engineers submitted to Congress in 1905, show the practicability of a fourteen-foot channel from Chicago to St. Louis, but do not limit the attainable depth to that figure. On this subject the report says:

"In a future not remote, larger volumes of water may be needed for sanitary purposes, and channels deeper than fourteen feet will then become practicable in the open alluvial section of the Illinois river."

The Federal reports are based upon the minimum flow of water called for by the Chicago sanitary district act, or 600,000 cubic feet per second, whilst the actual capacity of the Chicago sanitary district canal is forty per cent greater than that called for by the act, or 840,000 cubic feet per second. When, therefore, the requisite volume of water from Lake Michigan is available, under the terms of the Chicago sanitary district act, it will permit of a correspondingly greater depth in the proposed waterway between Chicago and St. Louis.

These matters will be found exhaustively discussed in the report of the Internal Improvement Commission transmitted by me to the Forty-fifth General Assembly April 10, 1907.

No argument is needed to demonstrate the commercial importance of a waterway between the Great Lakes and the Mississippi. It was recognized in the act creating the Sanitary District of Chicago, which provided that the Chicago drainage channel should also be a ship canal and should be subject to the control of the Federal Government for purposes of navigation "whenever the general government shall improve the Desplaines and Illinois rivers for navigation" and has been alluded to in numerous enactments, Federal and State, and in historical documents from the period of discovery onward.

The feature of main interest to Illinois in the report of the Internal Improvement Commission is the discussion of the possibilities of water power development in the proposed extension of the waterway between Lockport and Utica. This power is estimated by the commission at approximately 140,000 gross electrical horse power. For the sake of conservatism, however, this was estimated, in its calculations showing the relation of revenue derivable from water power to the cost of waterway construction, at 100,000 electrical horse power. At the market price of \$25.00 per horse power per annum, this would provide a net annual income to the State of from \$2,500,000 to \$2,750,000. As the total estimated cost of construction of this division of the waterway and the development of all water power possibilities incident thereto is \$18,652,986, it is estimated by the Internal Improvement Commission that this revenue will repay the cost of waterway construction and water power development in from fourteen to seventeen years from the inception of the work. The work itself can be completed in from four to five years and it is believed a revenue from water power will be afforded at the end of the third year. When, therefore, the report of the Internal Improvement Commission made evident the fact that the water power could be made to dig the waterway, the Forty-fifth General Assembly submitted to the voters the constitutional amendment providing for the issuance of \$20,000,000 in bonds, which was adopted at the last general election.

The vote on the amendment was 675,898 for and 193,296 against—a majority of 482,602, the largest ever recorded in favor of any proposition submitted to the voters of this State.

In this connection, attention is directed to the fact that the calculations of the Internal Improvement Commission with reference to revenue from water power sources were based upon the assumption that all water power to be developed would belong to the State and this assumption was made the basis of the discussion before the General Assembly of the proposed submission to the voters of the constitutional amendment referred to.

Shortly after the submission of the amendment however, it was found that a private corporation, the Economy Light & Power Company, had begun the construction of a dam at Dresden Heights, on the Desplaines river four hundred feet from the point where the Desplaines and Kankakee join to

form the Illinois, for the utilization of the water power there to be developed, and had entered into contracts for the completion of the work before July 1, 1908, the date at which preventive legislation, in the absence of an emergency clause, would become effective.

The situation at Dresden Heights was called to the attention of the General Assembly by me in a special message dated November 6, 1907, and the attempt on the part of this private corporation to forestall State action was met by the adoption by the General Assembly on November 27, 1907, of a joint resolution denying the validity of its pretended rights and by the passage of an emergency measure directing the Governor and the Attorney General to take such other steps as might be necessary to remove obstructions from the Desplaines and Illinois rivers.

The Economy Light & Power Company based its claims upon certain contracts entered into by the Canal Commissioners of the State with Harold T. Griswold and his assigns. The company as assignee of Griswold, and in its own right, asserted the right to construct a dam across the Desplaines river at Dresden Heights with a view to the utilization of the water-power to be created at that point by the construction of the deep waterway and began to construct such dam. Apart from any question as to future water-power, this act was a breach of public right.

On December 12, notice to stop work was given to that company. On December 30, 1907, an information on behalf of the State was filed in the Circuit Court of Grundy county, where the proposed dam was to be located and where the work was begun; and a temporary injunction was issued by the court (Judge Samuel C. Stough presiding) stopping the work, which has remained discontinued. Evidence was thereupon taken. The hearing of the case began April 20, 1908, Hon. Julian W. Mack, of the Cook County Circuit Court temporarily sitting as Judge of the Grundy Circuit.

It was averred on behalf of the State that the contracts held by the defendant were void, for several reasons:

That they were beyond the power of the Canal Commissioners to grant;

That they were against the laws of the State, in granting rights in perpetuity in some of the canal property, and for terms of more than 20 years in other of the canal property;

That they were in substance contracts leasing water-power and lands and lots connected therewith, which were the property of the canal, and were in violation of the statute requiring public advertisement and letting to the highest bidder and limiting such contracts to 20 year terms;

That these contracts were so framed as illegally to assume to confer authority to dam the Desplaines river at its mouth and perpetually to maintain a dam across it, and to permit the dam to be attached to—and perpetually maintained attached to—the tow-path bank, and to permit the 90 foot reserve strip of canal land bordering the canal and the other canal lands bordering the river to be perpetually flooded for several miles up stream from the proposed dam;

That they were so framed as to permit the tow-path bank of the Illinois and Michigan Canal to be used as a retaining wall and part of the company's dam, and a line of power-poles and wires 25 miles long to be maintained on the tow-path, and the canal itself to be partially filled in at this place;

That the contracts illegally assumed to lease portions of the old lateral canal known as the "Kankakee Feeder," which formerly fed the waters of the Kankakee river into the Illinois and Michigan canal, and authorized the company to convert it into a feeder of its water-power pool (and so appropriate the waters of the Kankakee river also), and to excavate and remove portions of the feeder and the piers of the State aqueduct, which formerly conveyed the feeder over the river, and use these materials upon the works of the company, and to turn back from the Desplaines river the tributary stream known as the Kankakee cut-off, and make it run backward into the Kankakee river as an outlet for high waters from the water-power pool.

That the contracts further operated to encumber certain riparian lands of the State; that these lands at first had been advertised for sale and then withdrawn from sale and then encumbered by these contracts without notice and then re-advertised for sale, subject to the encumbrance, in such a way that no one but the company or person holding the contracts would bid, and were sold illegally to the holder of the contracts.

The State further claimed that by virtue of the canal statute of Feb. 26, 1839, which provided that:

"Land situated upon streams which had been meandered by the surveys of public lands by the United States shall be considered as bounded by the lines of those surveys and not by the stream;"

(L. 1839, p. 177, section 2, cl. 11.)

the bed of the stream at the site of the proposed dam remained the property of the State.

The State further maintained that the Desplaines river at the place in question and above was a navigable stream and that the erection of the dam would interfere with the public right in the stream, obstruct its use, and constitute a nuisance.

The company denied the contentions of the State, insisted that the contracts by the Canal Commissioners were valid; that the river was not navigable, and that it had the right to build the proposed dam and maintain the works so authorized.

June 27, 1908, the hearing was concluded and a decree was entered dismissing the information of the State without prejudice to the right of the State to claim in any future proceedings that the provisions of the lease of Griswold of September 2, 1904, relating to the making of a renewal at the expiration of the term of said lease, are void and of no effect.

This decree was accompanied by an opinion in which the court held that the perpetual features of the contracts were void and limited the company's rights thereunder to a term of 20 years from September 2, 1904.

The State carried the case by appeal to the Supreme Court of the State, where it is now pending. Notwithstanding the dissolution of the temporary injunction sued out by the State, work upon the company's dam has not since been renewed.

The adoption of the constitutional amendment brings before the General Assembly at its present session the consideration of plans for carrying on the constructive work involved in this great public undertaking, and a bill, prepared at the instance of the Internal Improvement Commission, providing for the creation of a commission to be placed in charge of this work, will be submitted for your consideration.

It is proposed to construct a navigable channel, fourteen feet in depth through earth cuttings, which, as has been stated, is sufficient to accommodate the present volume of water, but to construct the locks with 24 feet depth over the miter sills and rock divisions of the route at a depth of twenty feet, so as to meet the largest future demands of deep draft navigation and to accommodate the larger volume of water which will be ultimately available.

As a navigable waterway, the completed channel will be under Federal control for navigation purposes, and it is hoped that the State may be able to secure Federal aid in the construction of locks, thus decreasing materially the construction cost to the State.

Federal action, if taken at the present session, must be taken before the fourth of March, next. Since it is improbable that the Illinois General Assembly will be prepared to act on so important a matter at an earlier date, no delay is likely to result from awaiting such action as may be taken in this matter by the Federal government at the present session of Congress.

I am advised by the Internal Improvement Commission that this work should be so planned and prosecuted as to insure the building of the waterway and water power out of the proceeds of the State bond issue, and the building of the locks as far as that money will suffice for their construction.

This work I am informed by the commission can proceed in advance of the building of the locks, the sites for which can be shut off from the channel and water power construction by temporary dams of timber or other suitable construction. By pursuing this method the water power and channel construction need not wait upon the building of the locks.

In my judgment, it is of great importance, however, that the State take definite action at the present session of the General Assembly. Throughout the United States public interest has been aroused and attention is at present directed to the improvement of the navigable waterways of the country, and numerous waterway associations have been formed with a view to promoting State and Federal activity in carrying forward the work of construction and development. The attitude of the representatives of the Federal Government is now more friendly to a broad policy of waterway development than ever before and should Illinois show a disposition to enter vigorously upon the work of waterway construction, it cannot but affect favorably the Federal situation.

The decisive endorsement given to this undertaking by the people furnishes one of the strongest reasons for prompt action by the General Assembly. This is also prompted by other considerations. If, for any reason, the sole ownership of the water power to be developed, which has been assumed to vest in the State, should be questioned, it is of the greatest importance that the State should avail itself of the very earliest opportunity to invest itself with the title thereto by such prompt legislative and legal action as may be necessary to effect that end.

Aside from the water power, the commercial advantages which are to accrue to our State from such a policy cannot be over-estimated. They afford in themselves ample reason for the prompt consideration of this subject by your Honorable Body.

The main line of development for the domestic waterways of the United States is the line which unites the Great Lakes to their eastern and southern outlets, through the Mississippi to the Gulf of Mexico and through the St. Lawrence river to the Gulf of St. Lawrence and the Atlantic Ocean. Illinois occupies a most favorable position on this great trunk line of the waterway and its development in response to the demands of domestic commerce will favor the industries of no State more than those of Illinois.

As pointed out in the report of the Internal Improvement Commission, our position with reference to the great subsidiary branches of this waterway is equally advantageous. All the waters which drain the western slopes of the Alleghenies, from northern Alabama and Georgia to Western New York, come to our shores through the Tennessee and Cumberland and Ohio, with their many navigable tributaries. The Missouri, draining the eastern slopes of the Rocky Mountains and the great plains from Kansas to the Canadian northwest; the Winnipeg basin in the far north, drained southward through the Minnesota and Upper Mississippi, and all possible water routes between the valleys of the St. Lawrence and the Mississippi trail our borders. On-half the waters of the United States gravitate to the shores of Illinois and our State is the natural focus of a waterway system continental in its scope.

It seems furthermore to be now an established fact that the Canadian government is seriously considering the construction of the Georgian Bay canal which will give to Canada a deep waterway from the lakes to the Atlantic seaboard, affording to our northern neighbor and its mother country a great advantage over the United States in the matter of commerce between the Atlantic and the inland lakes. There should be a speedy beginning on the part of the United States and the states interested in the construction of the Lakes-to-the-Gulf Waterway, in order that this country may stand upon an equality in all commercial advantages with Canada and Great Britain.

Our State, therefore, should take a leading part in the present movement for waterway development and set an example of prompt and vigorous action which will command the attention and elicit the coöperation of the other states and the national government.

It will be necessary to conduct the waterway construction work with scrupulous economy in order to complete it within the amount made available by the bond issue authorized by the people. The magnitude of the undertaking and its great cost emphasize the necessity for its prompt execution. The item of interest alone upon the bonds when issued will amount at 3 per cent to \$600,000, or at 4 per cent to \$800,000 per annum. Every year's delay after the issuance of the bonds, therefore, means the imposition upon the tax-payers of the State of an additional burden of taxation amounting to 12 to 16 per cent of the present taxation for State purposes.

Other and higher considerations urge the completion of the work without unnecessary delay. The benefits to follow the building of this great waterway and the development of water-power incident to its construction are of such a momentous character that the interests of the people demand the laying aside of all differences, bias or prejudice, on the part of the members of the General Assembly, in an effort to frame a law under which the work can proceed with celerity, while affording the amplest guaranty of the honest and efficient conduct of the enterprise.

Only through the enactment of such a law can we meet the high expectations of the people or carry to successful and speedy completion this great enterprise. The accomplishment of this work will be a monument to our State and furnish a worthy example for other states to emulate in meeting the demands imposed upon them in this great era of waterway development.

STATE CHARITABLE INSTITUTIONS.

With the beginning of the present State administration (1905-9), a comprehensive policy was adopted for the improvement of the State charitable service. The scheme of improvement included:

1. The enactment of a civil service law, applicable to the State charitable institutions.
2. The reorganization of the medical, nursing, attendance and teaching service therein.
3. The physical rehabilitation of buildings and equipment, including the construction of new buildings at existing institutions and the creating and construction of new institutions as required; and
4. The inauguration of modern, economical methods of purchase and of general business administration.

CIVIL SERVICE.

The civil service law passed by the Forty-fourth General Assembly became effective November 1, 1905. From that date to December 1, 1908, the Civil Service Commission received 10,684 applications. Of those making application, 8,292 were notified to appear for examination. One thousand seven hundred twenty-seven applications were withdrawn or rejected for cause, the remainder being still on file in the office of the Civil Service Commission awaiting future notification of examinations. One thousand two hundred nine examinations were held in 43 different cities. In those tests, 4,965 applicants were examined and 3,394 passed. There have been 4,550 appointments under the law. Because of the change in the method of appointment, it was necessary at first to make a number of temporary appointments from applications, as is provided for under the law. Many of these resigned before they could be examined, particularly attendants, domestics and laborers.

Since November 1, 1905, there have been 918 discharges for cause, on written statements specifying the charges made.

The Forty-fifth General Assembly amended the law giving the Civil Service Commission the right to investigate removals and making it mandatory to order an investigation when the commission was satisfied an injustice had been done the employé.

During the year 1908, 279 discharges occurred and four employés were ordered reinstated after an investigation by the commission.

The most noticeable improvements in the service have taken place in the medical, engineering and nursing branches. Young men have been appointed in the medical service who have had practical experience as internes in the leading hospitals of the State.

When the law became effective in 1905, there was one chief nurse and fourteen graduate nurses in the State charitable institutions. On December 1, 1908, there were seven chief nurses and twenty-nine graduate nurses in the different institutions. In 1905, there was one graduate nurse in the hospitals for the insane. On December 31, 1908, there were five chief nurses and ten graduate nurses in the hospitals for the insane and the Asylum for Feeble Minded Children. The appointment of these nurses has benefited the attending service materially, as the chief nurses act as instructors to the attendants in the training schools for nurses and attendants, being assisted by the graduate nurses. For the first time, the State's charges have had trained nurses in the various hospitals.

In the engineering service, competent chief engineers and assistants have been placed in charge of the State's plants.

Specially equipped instructors and teachers have been appointed in the schools, with the view of teaching the feeble minded and the insane some useful and diverting occupation.

While the commission found it difficult at first to obtain satisfactory applicants for the service, the advantages of training in nursing and attendance now afforded in the State institutions has attracted a larger number and the commission is now in a position to fill all demands upon it.

The commission has been unable to obtain competent teachers of the deaf in Illinois. The commission has tried for three years to fill the positions at the School for the Deaf with competent teachers who reside in this State. There is no training school for teachers of the deaf in this State that will supply sufficient teachers for the Illinois School for the Deaf; consequently these positions must be filled by non-residents. The commission believes it should be given authority to open important technical positions at its discretion to persons who are not residents of Illinois.

Believing that Civil Service has demonstrated its value to the public service in the institutions, I recommend its extension to other branches of the service and to that end I commend to your careful consideration the recommendations of the State Civil Service Commission, as set forth in its report.

MEDICAL, NURSING AND ATTENDANCE SERVICE.

For the reorganization of the medical service, a Psychopathic Institute has been established at Kankakee. This institute affords to the physicians in the State hospitals in the insane group thorough instruction in the nature, diagnosis and treatment of nervous and mental disorders, and scientific research into their causes and prevention. The institute has been established at a cost of \$25,000 for installation and maintenance for two years. It has the best laboratory equipment the markets of the world afford. Attendance of from six weeks to three months per annum is compulsory upon physicians in the service of State hospitals for the insane and of the institution for the feeble-minded. Today, the entire medical service is administered by a uniform system which seeks the greatest efficiency in each institution. There is no like system in operation anywhere that offers superior advantages.

For the education of the nurses and attendants who come into most intimate contact with the patients, compulsory courses of instruction have been provided in training schools for nurses and attendants which are now in operation in the hospitals for the insane and the institution for the feeble minded. Nurses from the training schools of general hospitals have assisted our institution officials in inaugurating the new system and a movement is already well under way to establish reciprocity between our hospitals for the insane and general hospitals, so that, by an interchange of nurses, the wards of the State will receive the best possible care and the public outside State institutions will have a more competent nursing service than would be possible in any other way. Women nurses are superseding men wherever feasible.

In the matter of attendance upon the chronic insane and the duller feeble-minded, the State is indebted to the Chicago School of Civics and Philanthropy for the free training in handicraft given by it last summer to selected attendants from our hospitals for the insane and our institution for the feeble-minded.

Two agencies of great efficiency which have been introduced into the insane hospital service, are the water treatment of the insane and industrial re-education. The water treatment reduces to a minimum chemical and mechanical restraint and is an efficient curative process in many forms of acute insanity and other forms of physical disease. Industrial re-education, now well advanced, provides employment for hitherto idle insane patients at light manual work which diverts their minds from hallucinations and delusions. There is some economy in such employment, but the chief reason for the employment of patients is its medical value.

Psychopathic hospitals have been established at four of the seven hospitals for the insane, namely those at Kankakee, Watertown, Bartonville and Anna, in new buildings erected on modern lines and providing curative treatment. At the fifth hospital (Elgin) the appropriation was too small to complete the building, but psychopathic work is done on existing wards pending the receipt of additional funds. At the sixth hospital (Jacksonville), psychopathic work is done on the wards. At the seventh (Criminal Insane) like work is done on the wards, as a new institution is to be erected.

The value of this hospital service lies in the fact that in insanity, as in other forms of disease, cures are most frequent in the early stages. In the psychopathic hospitals immediate treatment is given to each individual case as soon after admission as observation and other methods determine the nature of the particular form of insanity and what the treatment should be.

I am informed that from five to seven per cent of admissions to hospitals for the insane recovered under the old system, many curable cases lapsing into chronic insanity. Under the new hospital system, according to eminent medical authority, from forty to seventy per cent of acute curable cases may be cured.

PHYSICAL REHABILITATION AND NEW BUILDINGS.

Surveys made by the State Architect and a consulting engineer showed the necessity for a physical overhauling of the older institutions and for the erection of new buildings to increase capacity and for other purposes. The report of the State Architect and the engineer, covering all institutions, indicated the need of an expenditure of \$2,669,961, to place existing buildings and equipment on a satisfactory basis. In view of the large sum found to be necessary to complete this work, a conference of the State Board of Charities, the superintendents of the various State charitable institutions and the Governor was held to eliminate therefrom all items of expenditure not immediately required to procure and maintain safe, sanitary and healthful conditions in the institutions and to absorb into customary appropriations all such items as could be so recommended. The elimination left as urgently needed for extraordinary purposes the sum of \$637,380, which was recommended to the Forty-fifth General Assembly as extraordinary appropriations necessary to the comprehensive scheme of rehabilitation proposed. The Forty-fifth General Assembly appropriated as extraordinary funds \$331,916. Much of the work recommended by the State Architect and much even of that urged as indispensable to the maintenance of safe, sanitary and healthful conditions in these institutions remains to be done.

The reports of the various institutions show in detail the great extent to which the physical condition of the buildings and their equipment have been improved with the funds available. These details are too extensive to be recited here. They are set forth in the reports referred to in which you will find a vast amount of information which may aid you in your discussion of this subject.

NEW FORM OF PUBLIC CHARITY ADMINISTRATION.

In supplying the needs of the charitable institutions, those changes were first effected which brought the quickest improvement of conditions surrounding the wards of the State. The original program, however, covered every branch of the service, and included the consideration of the need of a coördinated business administration, and in October, 1907, the State Board of Charities authorized its president to appoint a committee of business and professional men to advise it in this important matter. In their twentieth biennial report will be found recommendations embodying the suggestions of this committee.

Expert opinions were collected from twenty-five sources and the conclusions reached have been passed upon and amended by a committee of citizens, including eminent men in business, finance, medicine, law and the church. The final recommendations, briefly stated, include:

1. A central system of administration by a paid board of three men covering the charitable, penal, reformatory and correctional State institutions.

2. A central system of visitation, inspection, investigation and recommendation, maintained by the State Board of Charities (non-salaried) increased from five to seven members, with its powers of visitation, inspection, investigation and recommendation extended to the two prisons and the reformatory, its present auditing service transferred to the State Auditor and its few executive and administrative powers transferred to the new administrative board.

The purpose of the proposed administrative and inspection system, is:

To provide humane and scientific treatment and care and the highest attainable degree of individual development for the dependent wards of the State.

To provide for delinquents and prisoners such wise conditions of modern reformatory education and training as will restore the largest proportion of them to useful citizenship.

To promote the study of the causes of dependency and delinquency, or mental, moral and physical defects, with a view to cure and ultimate prevention; and

To secure the highest attainable degree of economy in the business administration of the institutions consistent with the objects above enumerated.

The Board of Charities and eminent persons associated with the board have given this subject careful study and in reaching their conclusions have investigated the best methods of charity administration in this country and in Europe and the recommendations submitted are worthy of the earnest consideration of the General Assembly.

FUTURE NEEDS OF THE INSANE.

Insanity presents the most serious numerical problem confronted by the State in the care of its wards. At the close of the fiscal year, 1908, the wards of the State, in State as distinguished from county institutions, numbered 17,921. Of these 9,985 or 56 per cent were insane wards.

From 1878 to 1908 the insane population in Illinois State and county institutions increased from 2,576 to 12,084, or an increase of 369 per cent. During the same period, the population of the State increased from 2,968,200 to 5,617,700, an increase of 89 per cent. At first glance, this is an appalling comparison. It indicates that insanity is increasing at an alarmingly greater rate than is the population. I am informed that, in all probability insanity is increasing, not only in Illinois but throughout the United States, at a greater rate than the population, but that the great disparity in the rates of increase for Illinois exists because in recent years, the people of the State are placing more and more confidence in our public institutions and are committing to, and, when able, are paying for the care of their insane in State hospitals, instead of sending them to private institutions or keeping them in homes.

The growth of insane population in public institutions places two great responsibilities upon the State:

First—To provide curative treatment in State hospitals for all the insane in public institutions, and,

Second—To address itself to energetic measures for prevention.

Our State is making an earnest effort to meet the first of these responsibilities. At the end of the fiscal year 1904, there were 1,139 insane in county almshouses. At the end of the fiscal year 1908, there were 365 insane in county almshouses; a reduction during the four years of 774. These figures do not include Cook county, which has a hospital for the insane. At the end of the fiscal year 1908, forty-six of the ninety-eight counties, outside of Cook county, having almshouses, had been relieved entirely of their insane.

The appropriations requested for new buildings at State hospitals contemplate sufficient room to clear all almshouses outside of Cook County of their insane, and to care for the normal net increase of cases directly committed, numbering 317 per annum.

THE PROGRESS MADE BY ILLINOIS.

In seeking to secure the most efficient treatment and care of the public insane, Illinois proceeded first to take over acute cases into State hospitals, when necessary leaving so-called incurable cases in county almshouses. Next it created the Illinois Asylum for the Incurable Insane at South Bartonville and moved chronic insane from State hospitals and from county almshouses into that institution, so far as its capacity would permit. The last General Assembly enacted measures which place this part of the insane service on the highest plane yet attained. These measures provided for the curative treatment of all the public insane in the State in State hospitals and made the Bartonville Asylum a district hospital to receive all forms of insane cases, changing its name from "Illinois Asylum for Incurable Insane" to "Illinois General Hospital for the Insane."

In working out the problem of the public care of the insane, it is apparent that the time has come for the State to plan for a new hospital. I recommend that \$100,000 be appropriated by your Honorable Body to locate and purchase a site of about 1,000 acres and to prepare plans and specifications for buildings.

AT LEAST FOUR YEARS WORK REMAINS.

There is not space in this message to enumerate at length the needs of the feeble-minded, the wards in our institutions for the blind, for our delinquent boys and girls or our deaf.

Nor am I able to call the attention of the General Assembly to the various needs of the Soldiers' and Sailors' Home at Quincy, the Soldiers' Widows' Home at Wilmington, or the Soldiers' Orphans' Home at Normal. All will be found set forth in the reports of the institutions referred to, to which I direct your attention. I desire, however, to call your attention to the request of the Soldiers' and Sailors' Home at Quincy for an appropriation for the erection of an electric light plant. I am informed that there is very great need of this, as, with the present lighting facilities, the veterans are frequently unable to read after nightfall.

The appropriation for an electric light plant has been twice defeated in the appropriation committees of the General Assembly. The erection of an electric light plant by the State for this institution would be economical and would contribute to the comfort of the veterans.

At a conference at Springfield on December 22, last, attended by the State Board of Charities, the superintendents and trustees of the several institutions and myself, all items needed to complete the work of regenerating our public charity equipment and service were discussed. The conference deemed it impracticable for the State to attempt to do the remaining work in two years. Therefore an agreement was reached to endeavor to complete the program during the next four years, with the assistance of two General Assemblies.

APPROPRIATIONS ASKED FOR NEXT TWO YEARS.

The conference agreed upon the items which, in the judgment of those attending the meeting, were essential to proper progress during the next two years. The Board of Charities, acting as a clearing house for the

institutions, will provide your Honorable Body with the several items making up the totals asked for each institution.

A growing State such as ours must expect to increase its expenses from year to year, as its population and public activities and obligations expand. The average daily population of our State charitable institutions in 1905 was 12,695. For the fiscal year 1908 the average population was 14,172; an increase of 1,477 or 11.63 per cent over that of 1905. The average per capita cost for maintenance in the State charitable institutions for the year ending June 30, 1908, was \$165.96 net. To provide for this increase of 1,477 at a per capita cost of \$165.96 for maintenance requires an expenditure of \$245,113 per annum. To provide for the housing of this increase at a per capita cost of \$500.00 per bed, an expenditure of \$738,500 is necessary. A total increase of \$983,613 is required to provide new buildings and maintenance for one year for the actual increase of population noted.

Because of the criticism to which the administration of the State charitable institutions has been subjected and the unfounded aspersions which have been cast upon the service, I have been led to deal with this subject at greater length than I would otherwise have done. I venture to assert that no public charitable institutions in this country, or elsewhere, have made greater progress during the past four years than that which has been witnessed in those of our own State, in the betterment of their equipment, the reorganization of their service and in the improved care bestowed by them upon the unfortunate wards of the State.

INQUIRY INTO THE CONDITION OF THE BLIND.

I direct your attention to the report of the commission appointed by the State Board of Charities on July 16, 1908, to make inquiry into the condition of the blind. From statistics gathered, the report of the commission shows that blindness is on the increase in Illinois at a greater rate than the population of the State because of inadequate laws, and that from forty to forty-five per cent of all cases of blindness are preventable. The largest amount of blindness comes from what is known as "blindness of new born," and this disease is usually preventable.

It is recommended in the report of the commission:

First—That a census of the blind in Illinois be taken and that steps be taken to improve their condition.

Second—That more effective laws be enacted for the prevention of blindness; and

Third—That the adult blind be removed from the School for the Blind at Jacksonville to the Industrial Home for the Blind at Chicago; that the aged and infirm blind be cared for at the Chicago home, and that such increase in equipment and facilities of the Chicago institution be provided as is necessary to accomplish this purpose and to aid blind persons to become wholly or partially self-supporting.

I call your attention to the report of this commission and solicit for its recommendations the careful consideration of your Honorable Body.

EPILEPTIC COLONY.

The Forty-first General Assembly created the Illinois State Colony for Epileptics in 1899. Succeeding Legislatures have not appropriated funds to establish this institution. Experts state that epilepsy is nearly as widespread as insanity. The obligation of the State to assume the care in special institutions of its unfortunate people suffering from this disease has been recognized and acted upon by Ohio, New York, Massachusetts, Pennsylvania, New Jersey, Kansas, Texas, Indiana and Missouri. Two other states, Virginia and North Carolina, have taken steps to provide similar institutions.

The most recent census of the State Board of Charities, (November, 1908) shows that there are 913 epileptics in the State charitable institutions. The census of epileptics in the almshouses, taken during the summer of 1908, shows the presence of 129. In all there are 1,042 epileptics in our public

institutions. Of this number, 677 are in hospitals for the insane, all of them a source of injury to the insane patients and eleven of them not insane at all but kept among the insane because there is no other place for them. Appeals for State care for epileptics are constant.

The establishment of a new institution for improvable epileptics and the erection of buildings at two of the existing hospitals for the insane for insane epileptics is recommended. The idea is to remove epileptics from other hospitals for the insane to the two having epileptic colonies.

I approve this plan and commend the consideration of it to your Honorable Body.

TUBERCULOSIS.

I call your attention to the increase of tuberculosis. This dread disease is reaping a harvest of ten thousand lives annually in Illinois. The battle to wipe it out is worldwide. I recommend to the Forty-fifth General Assembly the creation of a State Sanatorium for Consumptives.

The General Assembly enacted a law permitting cities and villages to create local sanatoria and authorizing them to make the necessary tax levy therefor. Experts differ as to the more efficient method of dealing with this disease, whether by a State sanatorium or by local sanatoria, or by both.

The present law did not go into effect until last July. In the short interval elapsing since that time, adequate opportunity has not been afforded to cities and villages to establish local sanatoria under the law. While the State Board of Health will again strongly recommend the establishment of a State Sanatorium for Consumptives, it may be that a longer time is necessary to afford a fair test of the measure creating local sanatoria, a view which is entertained by the State Board of Charities.

CONDITION OF THE STATE TREASURY.

The Auditor's report covering the last biennial period ending September 30, 1908, gives the following summary of receipts and disbursements of funds in the State treasury covering said period:

FUND.	Amount in State treasury Oct. 1, 1906.	Amount received from Oct. 1, 1906, to Sept. 30, 1908, inclusive.	Amount disbursed from Oct. 1, 1906, to Sept. 30, 1908, inclusive.	Amount in treasury Sept. 30, 1908.
Revenue.....	\$4,990,041 32	\$14,697,077 73	\$16,332,679 71	\$3,354,439 34
State school.....	292,709 84	1,991,563 55	2,103,143 19	181,130 20
Unknown and minor heirs.....	7,020 07	214 00	6,806 07
State Game protection.....	32,064 89	293,152 03	319,632 87	5,584 05
State Fish protection.....	1,279 46	12,487 96	6,242 89	7,524 53
State Food Commissioners.....	213 00	3,350 00	2,917 99	645 01
Aggregate State funds.....	\$5,323,328 58	\$16,997,631 27	\$18,764,830 65	\$3,556,129 20
Local bond funds.....	225,898 07	2,591,210 79	2,513,974 62	303,134 24
Totals.....	\$5,549,226 65	\$19,588,842 06	\$21,278,805 27	\$3,859,263 44

WARRANTS DRAWN ON THE TREASURY.

On the 1st day of October, 1906, there were treasurer's warrants outstanding, amounting to.....	\$ 76,863 87
During the two years ending Sept. 30, 1908, warrants were drawn on the several funds aggregating.....	21,290,737 72
Total.....	\$21,367,601 59
Of the above the State Treasurer paid, prior to Oct. 1, 1908.....	21,278,805 27
Leaving warrants outstanding Oct. 1, 1908.....	\$88,796 32

The following estimate of demands on the State treasury to July 1, 1909, so far as the same pertains to the general revenue fund, is made by the Auditor of Public Accounts, showing the balance in the State treasury October 1, 1908, the receipts from October 1, 1908, to the present date, and an estimate of the probable receipts up to July 1, 1909.

RESOURCES:

Amount in State treasury Oct. 1, 1908.....	\$3,354,439 34	
Received from Oct. 1, 1908, to Jan. 1, 1909	1,545,214 59	
Estimated receipts from the Secretary of State to July 1, 1909.....	200,000 00	
Estimated receipts from Insurance Department to July 1, 1909...	200,000 00	
Estimated receipts from inheritance tax to July 1, 1909.....	200,000 00	
Estimated receipts from Illinois Central R. R. to July 1, 1909.....	560,000 00	
Estimated receipts from miscellaneous sources to July 1, 1909....	75,000 00	
Estimated receipts from taxes year 1908.....	4,980,000 00	
		\$11,114,653 93

LIABILITIES.

Unpaid appropriations Oct. 1, 1908.....	\$7,079,547 82	
Outstanding warrants Oct. 1, 1908, drawn on General Revenue Fund.....	77,029 54	
Total.....	\$7,156,577 36	
Deduct appropriations that will probably lapse by virtue of law..	300,000 00	
Total net estimated liabilities.....		6,856,577 36
Probable balance unappropriated revenue July 1, 1909.....		\$4,258,076 57

The estimate of receipts on account of State taxes for the year 1908 is placed by the Auditor of Public Accounts at \$4,980,000. This is the estimated net amount that will probably be collected for that year. It is improbable that the entire amount will be paid into the State treasury on or before July 1, as final settlements of many of the collectors will not be made until after that date.

As appears from the foregoing statement, the probable balance of unappropriated revenue in the State treasury on July 1, 1909, will be \$4,258,076.57. The deduction of \$3,000,000, which is deemed by the State Auditor a reasonable working balance, leaves \$1,258,076.57 available to meet appropriations to be made by the present General Assembly. The receipts from miscellaneous sources for the two years beginning July 1, 1909, are estimated by the Auditor of Public Accounts at \$5,500,000, making a total of \$6,758,076.57, derivable from sources other than taxation. As the amount of revenue which can be raised at the present rate of taxation upon the present property valuation of the State is, approximately, \$12,500,000, it is apparent that if the appropriations made by the present General Assembly shall exceed \$19,000,000, either the assessed valuation of property or the rate of taxation will have to be increased for the next biennial period over those obtaining for the past four years.

INTEREST ON PUBLIC FUNDS.

The law providing for the payment of interest on the public funds into the State treasury, enacted at the last session of the General Assembly and approved March 7th, went into effect on July 1, 1908. The retiring State Treasurer, Hon. John F. Smulski, has paid the interest on public funds received by him as State Treasurer into the State treasury. The amount of interest so turned into the State treasury up to September 30, 1908, the end of the last quarterly period, was \$153,158.55. It is estimated that by the close of the term of office of the retiring State Treasurer this amount will be brought up to \$180,000.

Prior to January 1, 1905, the amount of interest received on balances to the credit of other State departments and institutions was \$614.38. With the beginning of my administration, the policy was adopted of requiring State departments and institutions to collect interest on funds deposited to their credit in various banks. Since the adoption of this policy, interest has been received from this source amounting approximately to \$66,720.

REVENUE COMMISSION.

The admitted inequalities of the present State revenue system led to the recommendation in my biennial message of 1907 of the appointment of a Revenue Commission. In the session following, a measure providing for the appointment of such a commission was enacted. Unfortunately the pro-

visions of the bill requiring the appointment upon the commission of members of the General Assembly were found to be unconstitutional and, solely upon this ground, it became necessary to veto the measure.

Under the defective measure passed by the General Assembly, it was provided that the work of the proposed Revenue Commission should be: An investigation of the system of assessments and taxation for State and local purposes; a complete compilation of laws now in force in Illinois bearing upon the subject of taxation; the hearing of complaints and obtaining information showing the inequalities of the present system; an inquiry into systems of taxation in other states; and a report to the Governor with drafts of bills embodying the recommendations of the commission, to be transmitted by the Governor to the General Assembly.

I am thoroughly convinced of the necessity for revenue revision and again urge upon the General Assembly the consideration of the question of appointing a Revenue Commission with duties similar to those embodied in the measure referred to.

The cause of present inequalities in our revenue system is due, to some extent, to conditions in this State which have outgrown the present law. To meet these conditions, many of the provisions of the present revenue act have been amended from time to time with the result of introducing conflict into its provisions, making many sections of the law susceptible of misconstruction by assessing officers.

In addition to this, since the original law was passed, several of its sections have been held unconstitutional by the Supreme Court while others have been declared so by the Attorney General.

For these reasons, I think the entire law should be revised.

An additional reason for revision is that, in recent years, new interests have developed in the State that have brought into existence a large class of property which can hardly be reached for purposes of taxation under the present revenue laws. On this account, the revision of the laws, should any be made, should include provisions to cover this defect.

It is furthermore evident that measures must be adopted whereby the State revenues may be increased to meet the growing demands for State expenditures.

I submit for the consideration of the General Assembly the question of the adoption of the policy of segregating State from local taxes by providing for a system of State licenses and for the taxation of corporate capital and earnings to provide a revenue for the support of the State government.

Policies similar to this have been adopted by New York, Massachusetts, Pennsylvania, New Jersey, Connecticut, Michigan, Wisconsin, California and Washington. The financial report of the State of New York, in which the policy of segregating State from local taxes has been most completely carried out, shows that the system has yielded sufficient revenue to maintain the State government without resorting to the levying of a direct tax on the property of the State for that purpose.

PRIMARY ELECTIONS.

The first practical test of the present primary election law was made at the primaries held on August 8th, last. As was anticipated, the test disclosed certain defects in the law. Chief among these defects, was the opportunity afforded members of one party to vote at the primary elections, and thus in a measure to control the nominations of another.

No defect more grave than this could be found under a system of party government and the law should be amended so as to preserve to members of each party the exclusive right to select their party candidates. The baneful consequences following a violation of this obvious principle of party government reach far beyond party organizations. They affect the principle of majority rule. Everybody is aware of the effect produced by the nomination of weak or unworthy candidates in the resulting apathy of party voters. The foisting of such candidates upon a majority party through the participation of members of a minority party in its primary elections, must frequently result in the election of candidates representing the minority.

not the majority, of the voters. If, on the other hand, candidates thus nominated by the aid of members of the minority party with a view to their subsequent defeat, be elected, the public service suffers.

So long as such a practice is allowed to continue, political organizations will be the easy prey of combinations of the worst elements of all parties, for it plays directly into the hands of the men who traffic in political offices and in legislation and administration for other than the public benefit. Any amendment to the present law which will curtail or destroy such evils, cannot fail to be a move in the right direction. In my judgment, there is no way to escape the conclusion that, so long as ours remains a government by party, the autonomy of the party must be preserved and the participation of members of one party in the selection of the candidates of another must be prohibited.

To this end, provisions permitting candidates before the primaries to have watchers at the polling places and prohibiting members of one party from voting at the primaries of another should prove effectual. I recommend the enactment of a corrupt practices act, prohibiting unlawful practices and undue expenditure of money in the conduct of primary elections.

With the correction of the defects made manifest in the last primary campaign, our present nominating system will be a great improvement over the old system, which, in any event, has been repudiated by popular vote. I therefore urge upon the General Assembly, the early consideration of amendments to the present primary election law.

RAILROAD AND WAREHOUSE COMMISSION.

The Railroad and Warehouse Commission has become one of the most important departments of the State government. It was originally created by statute enacted in 1871. There were then only nineteen railroad companies reporting to the commission with a total mileage of single track main line of 3730 3-8 and a total of all description of tracks of 5,066½ miles. For the year ending June 30, 1908, 150 steam railroad companies and 51 electric interurban railroad companies reported with an aggregate single track mileage (main line and branches) of 13,332.24, and a total of all description of tracks of 23,045.57 miles.

The total capital represented by the nineteen railroad companies reporting to the commission in the year 1871 was \$307,521,422.00. The total capital represented by the 192 railroad companies reporting to the commission last year was \$5,574,720,000.00.

In 1889 the commission was given partial jurisdiction over the crossings of one road by another, but only when objection was made by either party interested. This jurisdiction was further extended in 1907 to include all crossings and conditions. Under both these statutes the commission has adopted a uniform policy of separation of grades, wherever the same is practicable and feasible. This policy was adopted to protect the lives and property of the people.

In the year 1885 the commission was directed by statute to make "a schedule of reasonable maximum rates of charge for the transportation of passengers, and freights and cars" for each of the railroads operating in the State and from time to time, as often as circumstances might require, to change and revise the same. In pursuance of this requirement the commission has held many meetings to act on petitions for changes in the schedule made by both shippers and railroads, and has issued ten supplements containing such changes as were authorized after exhaustive hearings, at which all parties interested were given opportunity to present their arguments.

On December 8, 1906, the Illinois Central Railroad Company filed a petition for a modification of Rule 23 of the Commissioners' Classification and schedules of rates, relating to switching charges, which action was later followed by other railroads. Copies of this petition and notice of hearing were served on all the Shippers' Associations and Traffic Bureaus in the State, who joined issue with the railroad companies. Extended hearings were had nearly every month during the two years since the date of filing

and the railroad companies and shippers were represented by the best legal talent in the State. A mass of testimony was presented, both oral and documentary, which developed the existence of conditions, more especially in what is known as the Chicago switching district, which were inequitable.

On September 16, 1908, an order was entered of record by the commission establishing a boundary for the Chicago switching district and defining different switching services and making what the commission considered a reasonable maximum rate for each class of service. This order was to be effective October 1, 1908, but at the solicitation of the railroad companies the time was extended to November 1, 1908. On October 30, 1908, several bills for an injunction were presented to the U. S. Circuit Court at Chicago by a number of railroads doing business in the State, and an order entered by the court restraining the commission from enforcing its order as to such railroads until the case could be heard before the court. In this proceeding will probably be tested the authority and jurisdiction of the commission.

The commission has received complaints as to exorbitant charges made by the express companies operating over the railroads of our State, in some cases equalling the value of the property, but as the statute requiring the commission to make a schedule of reasonable maximum rates does not specifically name express companies as coming within its purview, the commission has not exercised that authority. If it be thought proper to place express companies under the jurisdiction of the commission its authority should be made perfectly clear by appropriate action by the General Assembly.

The first Board of Railroad Commissioners (1871) in making report to the Governor made special mention of the necessity and desirability of the control of stock and bond issues by the commission, and after explaining at some length the conditions as they believed them to exist at that time they used the following language:

"These additional issues of stock or 'stock dividends' as they are called, are made upon the pretext usually that they 'represent' earnings of the road which have been capitalized in improving its condition and enlarging its capacity for business. The truth is that in the cases alluded to, the earnings have been capitalized years before they were made."

They close their statement by adding:

"Thus it will be seen that the fictitious capital and not the real money employed in the construction of the roads, is mainly benefited by a practice of the theory of capitalizing earnings."

"The commissioners are not prepared to recommend a remedy for these alarming evils, but have been impelled to the foregoing earnest suggestions as to the actual workings of railroad construction and transportation in their bearings upon the business and prosperity of the people of the State, by the vital importance of early and effective action by the Legislature."

That these conditions are no less true today than they were when the above report was written thirty-seven years ago is abundantly proven by the case of one of our railroads, whose indebtedness a few years ago was approximately \$80,000.00 per mile of road and the same mileage is now carrying an indebtedness of nearly \$124,000.00 per mile.

In my judgment a statute should be enacted specifically providing that interurban railroads are to be considered railroads within the meaning of the statute, and that all laws applicable to railroads shall be applicable to interurban roads (so-called) whether operated by steam or any other motive power.

The Railroad and Warehouse Commission should be given power to prescribe by rules and regulations the method of installing telegraph and telephone wires, and more especially trolley wires, and the conditions of their crossing over each other and over the railroad tracks. The high voltage carried by some of these wires is a constant menace to life if not properly protected. The supervision ought also to be extended to wires carrying power for commercial purposes.

The commission should be given power to compel railroad companies to construct and maintain physical connections with each other at crossings and junctions for the interchange of business. Complaints have been frequently made that traffic is required to be moved long distances and at considerable loss of time and expense for lack of connections at junction points.

The commission should have authority to establish joint through rates for the movement of freight over two or more railroads. The present method of charging the sum of the local rate for each of the railroads involved makes, in many cases, an exorbitant charge. All railroad companies should also be compelled by law to file their tariffs with the Railroad and Warehouse Commission, and no increase of rates be permitted to become effective in less than thirty days from the date of filing notice of such increase.

The Railroad and Warehouse Commission should also be given authority to compel all railroad companies operating in the State to provide reasonable facilities at all stations on their lines for the transaction of business, and no railroad should be permitted to discontinue station or track facilities without the consent of the commission.

STATE GRAIN INSPECTION DEPARTMENT.

From 1871 when our State, for the first time in this or any other country, assumed control of the classification into standard grades of the grain arriving at the principal primary markets within the State, the work of the Grain Inspection department has been carried on with hardly any change until within the last two years. Up to that time, it was the custom to inspect the grain in the cars on the track. This method, which left the determination of the grade of grain to a single inspector, subject to an appeal involving delay, has, especially in recent years, proved unsatisfactory.

The essential elements of satisfactory grain inspection are uniformity and accuracy. Under the old system, neither uniformity nor accuracy could be obtained. To remedy the defect of the old system, the department, about two years ago, began an investigation of the systems of inspecting grain in Minneapolis, Duluth and Buffalo, where modern and progressive systems of grain inspection had been adopted with great success. Under the system thereafter adopted by the Illinois Grain Inspection Department, grain is no longer inspected on the track, but all of the grain received from the twenty-three railroads engaged in the Chicago grain carrying trade, is inspected at a central point by three expert inspectors who pass judgment on representative samples drawn from the cars by experienced grain examiners.

The result has been eminently satisfactory. The new method has overcome the former lack of uniformity in inspections which formed one of the chief causes of complaint on the part of shippers of grain and tended to bring the State Grain Department into disrepute.

The new system has met with the approval of both shippers and grain dealers, as well as of the railroads, because of the fairness, promptness and finality of its inspections which have done away with delays in unloading and releasing cars arising from the appeals taken from former unsatisfactory inspections. The result has been a harmonious and friendly relationship between these interests heretofore unknown in the history of the department.

The business of grain inspection is steadily increasing. During the period 1901-1904 there were inspected at the Chicago grain inspection office 805,395,470 bushels, while during the period 1905-1908 there were inspected 996,693,477 bushels; an increase of 191,298,007 bushels.

Along with the great increase of business has gone on a steady improvement in the accuracy and uniformity of inspections. This is shown by a comparison of the number of reinspections demanded under the old system with those demanded under the new. Formerly the reinspection of 300 to 400 cars per month was necessary, while at present the average number of reinspections has been reduced to fifty per month.

Altogether, the work of the Grain Inspection Department has been greatly improved in all its features and is giving greater satisfaction to all interested in grain inspection than ever before. The transition from the old system, like every change of method, has aroused some criticism, but this has occurred in few instances and is in no way directed at the general excellence of the new method, which is admittedly a great improvement upon the old method.

ANTI-PASS LEGISLATION.

In my last biennial message, I called the attention of the General Assembly to the subject of legislation prohibiting the issuance or use of railroad passes. The national government has prohibited the use of such passes in interstate transportation and various states have adopted measures modeled on the lines of the national law for the abolition of the use of railroad passes on their intra-state railways.

I therefore again recommend the enactment of a measure prohibiting the use of railroad passes, modeled after the national law.

ILLINOIS CENTRAL RAILROAD CASE.

On February 10, 1851, the General Assembly passed an act incorporating the Illinois Central Railroad Company and granted to the company 2,595,000 acres of land to aid in the construction of the road. Subsequently, the company sold the greater portion of the land granted and realized therefrom a sum in excess of \$30,000,000.

In consideration of the grants, privileges and franchises conferred by the State upon the company, it was agreed that the company should pay into the State treasury on the first Mondays of June and December of each year a sum equal to at least seven per cent of the gross receipts of the company, and for the purpose of ascertaining the amount of the gross receipts, the company was required by its charter to keep an accurate account, and to furnish a sworn copy thereof to the Governor of the State, who was authorized to verify the same.

An investigation of the accounts of the Illinois Central Railroad Company conducted by the Executive office in the years 1906-7 led to the filing by the Attorney General of a bill for accounting against the company in which claims were made on behalf of the State to certain sums alleged to be due from the railroad company under its obligation to pay into the treasury of the State seven per cent of its gross receipts.

The claims of the State are based upon the charge that for many years past the railroad company has failed to include in its reports numerous items of gross receipts, amounting in the aggregate to many millions of dollars. In the bill filed, these are enumerated, and include the following items:

Receipts of Cairo bridge	\$ 7,497,720
Receipts of Dubuque bridge	3,155,696
Receipts from investments	61,902,358
Receipts from express	5,000,000
Receipts from restaurants, hotels, etc.	1,500,000
Receipts from Chicago real estate	68,133
Receipts for use of equipment by foreign lines	5,000,000
Receipts from grain elevators in Chicago	788,374
Receipts from grain elevators in Cairo	97,185
Receipts from interest on loans and deposits.....	3,000,000

It is claimed that certain amounts were deducted by the company from the gross receipts without any authority of law, and particularly that there was deducted:

On account of drayage	\$ 2,000,000
On account of switching	5,000,000
On account of rebates	10,000,000

It is claimed that the company should have collected for services performed the following sums:

For carrying coal and supplies for non-charter lines.....	\$10,000,000
For freights diverted from charter lines.....	2,000,000
For mileage books delivered in payment of newspaper advertising, etc..	1,295,000
For use of equipment by non-charter lines.....	3,000,000
For use of Chicago terminals by non-charter lines.....	2,140,000
For use of other terminals by non-charter lines.....	1,500,000

It is claimed in behalf of the State that in the division of earnings between the charter and non-charter lines the railroad company adopted numerous fraudulent schemes and devices which have resulted in defrauding the State out of several millions of dollars, and, finally, it is claimed that there is now due the State not less than \$15,000,000.

The suit was begun in the Supreme Court under the constitutional provision conferring upon that Court original jurisdiction in all "cases relating to revenue."

In behalf of the railroad company a motion was filed to dismiss the case for want of jurisdiction and at the April term, 1907, the motion to dismiss was sustained by a divided court. The court in its opinion sustaining the motion to dismiss said:

"As to whether this court as a matter of fact has original jurisdiction of the subject matter of this case or not, the members of this court are not all of the same opinion, but it is the view of the majority, however, that this motion should be allowed and the State allowed to prosecute this suit in the Circuit or Superior Courts. Accordingly the case will be dismissed. The State will have the right to withdraw its bill in this case without prejudice to the right of complainant to maintain suit elsewhere."

The bill was thereupon, withdrawn by the Attorney General and immediately filed in the circuit court of LaSalle county to the June term, 1907, where the case is now pending.

The bill as filed in the circuit court of LaSalle county was later amended, so as to include certain irregularities reported subsequently to the filing of the bill by the accountants employed by the Executive Department to investigate the accounts of the railroad company. Demurrer was filed by the railroad company to the amended bill and arguments were heard upon the demurrer beginning November 18th and ending December 6, 1908, when the case was taken under advisement by the presiding Judge, Hon. Samuel C. Stough.

The labor involved in the preliminary investigation and in the preparation for trial of this suit has been enormous, but from the facts brought to light during the investigation and the preparation of the suit it is believed that the judicial determination of the proper basis for and method of accounting by the railroad company are of such importance to the State that the results will justify all the labor and expense which have been involved.

Of the appropriation of \$100,000 made by the General Assembly to the Governor for the conduct of the investigation, \$13,368.15 has been expended, all of which has been paid to the firm of certified accountants in charge of the work, leaving a balance on hand of \$86,631.85.

It is likely that there will be such a disposition of the case now pending before the circuit court of LaSalle county that it will be known before the adjournment of the present General Assembly whether any additional expenditure will be required for the continuation of the investigation by the Executive office.

INSURANCE.

We have in the State of Illinois, of domestic and foreign origin, more than seven hundred insurance companies, collecting a little more than seventy-five millions of dollars annually in premiums. The business touches every household and enters into every financial and business relation.

Changes in the laws governing this subject should be very carefully and judiciously considered, and no existing condition should be disturbed unless there is a well defined and evident necessity for such change.

LIFE INSURANCE.

In my message to the Forty-fifth General Assembly, I took occasion to call attention to a number of important matters which, in my opinion, required at that time the attention of the Legislature, the chief and most important of which was the subject of life insurance.

Fourteen bills relating to this subject were proposed by the Insurance Department pursuant to the recommendations of the message, embracing a number of highly important changes in, and additions to, the life insurance code of this State.

These measures all became laws and have now been effective for approximately one year. Their operation has been highly beneficial to the insuring public and satisfactory to the companies.

No better evidence of the thorough and efficient work done on these laws could be produced than this action by the New York companies.

FIRE INSURANCE.

(a) All the laws upon our Statute books should, as far as possible, be so framed as to be easily understood and to need little interpretation. Where, by reason of frequent amendment or otherwise, any law has become involved or obscure, it should be re-written, so that its purpose may be made evident and compliance with its provisions simple.

Section 6 of the amended Act of 1869, relating to the organization of mutual fire insurance companies is, as I indicated in a former message, uncertain in meaning and would seem to permit the organization of mutual companies with a capitalization of \$10,000 and no further liability upon the part of members, while stock companies, organized under the same act, issuing the same form of contracts and upon substantially the same plan, must have a capital of \$100,000.00.

Formerly the law regulating mutual fire insurance companies provided for an additional or contingent liability not less than three times, nor more than five times, the cash payment mentioned in the policy contract.

It does not seem to have been the legislative intention to abandon entirely the contingent liability of the membership of these mutual companies.

The law, as it stands, is in several ways obscure and should be revised so as to provide for a substantial contingent liability for members of mutual fire companies, sufficient in amount and under such conditions as to ensure the safety of this form of indemnity against fire loss.

(b) The subject of fire waste is one of first importance to the people of this State. The losses by fire in Illinois during the past year (1908), as computed by what appears to be competent authority, amounted to more than fifteen millions of dollars, and only about sixty per cent of this enormous loss was covered by insurance.

It is probably true that we cannot in this country expect as low a loss ratio as in older countries, but we certainly should not find the fire losses to be more than \$3.00 per capita in Illinois, against 45 cents in France and 60 cents in England.

The best way to secure a low fire insurance rate is by having a good risk, and the recent efforts of the fire insurance companies to reduce the fire waste by the organization of a fire prevention bureau should be recognized and encouraged, and such assistance as is found possible rendered by the State. Inspection, enforcement of proper building regulations, and prompt and vigorous prosecution for the crime of arson, are all proper means to this desirable end. The enactment of a law creating the office of fire marshal should receive your favorable consideration.

Such an office, clothed with proper power of inspection, would do much in a very short time to decrease the cost of insurance by reducing the fire waste. This has been done in Maine, Maryland, Massachusetts, Minnesota, Mississippi, New Hampshire, North Carolina, Ohio, Alabama, Connecticut, District of Columbia, Kentucky, Louisiana, Pennsylvania, South Carolina, Virginia and Washington, and the experience has been such as fully to warrant the conclusions above expressed. As the services of the fire marshal and his as-

sistants would be paid for by the companies, the creation of this office would involve the imposition of no additional burden upon the tax-payer, while affording to the public generally, no less than to the insured, a greater protection against fire loss than under the present system.

(c) *Lloyds.*

If State supervision of the business of insurance is to be effectively accomplished, its purpose contemplates all forms of the business and all persons engaged in it should come within the operation of the insurance laws.

An unfortunate wording of a portion of section 22 of the general law governing fire insurance companies rendered the act void, by the decision of the Supreme Court, so far as it relates to Lloyds unincorporated associations and individual underwriters. They are not under State supervision and are not under legal obligation to make financial statements to the Insurance Department or to disclose the condition of their business, and persons representing them as agents are not licensed.

The operation of these concerns has in many instances been a disgrace to the State and is constantly a menace to the insuring public. A proper law should be passed prescribing the conditions upon which they may be authorized to do business in the State and providing a penalty for its violation. All forms of this business, and all persons engaged in it, should be brought under the supervision of the State Insurance Department.

(d) Section 8 of the fire insurance law, as amended in 1891, relates to the investment of the funds of domestic companies. Some portions of the act are obsolete, and some forms of investment provided for which are not now known to the commercial world. Some of the terms used are of very uncertain meaning.

The law should be revised and fashioned upon the lines indicated by the act of 1907 regulating the investments of domestic life insurance companies.

FRATERNAL INSURANCE SOCIETIES.

The remarkable growth and development of the fraternal insurance business, the amount of indemnity in force, the number of societies, and the variety of plans, in operation and proposed, for the conduct of this business, call for careful consideration by the General Assembly.

These fraternal societies should be encouraged and assisted in every way possible consistent with safety and soundness. Our act of 1907 provided for the examination of fraternal societies by the State Insurance Department, and for greater publicity of their business and financial affairs.

There should be further legislation providing that expense and mortuary funds should be separately levied and accounted for and a severe penalty provided for violation thereof by the use of mortuary funds for expense purposes.

There should also be established by law some test of solvency, so that the Insurance Department may intervene before a failing society becomes hopelessly bankrupt or in a condition where the membership declines to pay further assessments and all claims of the beneficiaries of deceased members are thereby lost.

I am informed by the Superintendent of Insurance that the rates hitherto charged by fraternal societies have not been adequate and that the assessment charges have been insufficient to furnish sound indemnity.

The more conservative of the societies recognize this and I am advised are considering legislation in the several states looking to the correction of this infirmity in their plan of operation.

They should be encouraged in this effort, but with higher rates and greater assessments will come increased responsibility and such legislation should be provided as will safeguard the increased assets.

The more nearly the fraternal societies approach the plan of insurance and the premium charges of legal reserve companies, the more nearly must the legislation applicable to both branches of this business coincide.

GEOLOGICAL SURVEY.

In my inaugural message, I recommended the organization of an efficient Geological Survey. The Forty-fourth General Assembly passed the necessary legislation creating such a bureau and appropriated \$25,000.00 per annum for its support. The Forty-fifth General Assembly, after reviewing the work accomplished, added a special appropriation of \$15,000.00.

The general object of the Geological Survey is to make studies of the geological and mineral resources of the State with a view to their efficient and economical development.

Illinois now ranks third in its mineral industries, the total output of our mines in 1907 being \$152,122,648.00. Any legislation touching so extensive an industry must be based upon exact knowledge. This it is the province of the Geological Survey to furnish.

The work is of particular importance at the present time in view of the aroused public interest in the conservation of our natural resources. Mineral resources differ from others in that they are stored products. Within certain limits, the fertility of a worn-out soil may be restored, deforested areas may be replanted, one year's water supply is followed by another; but such products as coal, gas and oil, once taken out, cannot be replaced. They should, therefore, be conserved with special care.

The study of lands subject to overflow, provided for by the special appropriation made by the Forty-fifth General Assembly, has been undertaken in cooperation with the Internal Improvement Commission of the State and the United States Department of Agriculture. Surveys have been made of the Kaskaskia river from Cowden to Chester; of the Big Muddy from Benton to Murphysboro, and of portions of the Sangamon, Little Wabash and Embarrass, and it has been estimated that over \$100,000,000.00 will be added to the land values of the State if the lands subject to overflow in all Illinois river valleys can be reclaimed and protected.

Besides extensive studies related to our most important mineral product, coal, in which we rank as a producing State second only to Pennsylvania, many other minor mineral products have been made the subject of investigation by the commission, such as oil, natural gas areas, deposits of fire-clay and clays especially suitable for paving brick, silica deposits, material for the manufacture of Portland cement, limestone for building and other construction purposes and for use in the treatment of the extensive areas of acid soils of which 6,000,000 acres are found in twenty-three counties in the southern part of the State.

The importance of these studies may be illustrated by the direct bearing they have upon the improvement and development of our coal mining industry. Our present coal mine equipment is idle approximately forty per cent of the time. The coal studies of the Geological Survey Commission have been devoted to an investigation of methods for more thorough sampling for the prevention of depreciation and improved schemes for the storage of coal, for the securing of smokeless combustion and various other matters affecting the more thorough and economical consumption of coal, with a special view to the broadening of the markets for the Illinois product.

The great fuelless states to the northwest are bound, as their population and industries grow, to demand more coal. Whether this is to be supplied from Illinois or from competing fields will depend largely on the extent to which our local producers understand the demands of the northwest and are able so to prepare and ship their coal as to meet those demands.

In addition to this phase of the coal studies of the commission, preliminary studies have been made of the occurrence of gas and dust in the mines of the State and their relation to mine accidents. A thorough study of this subject should be made, through the Geological Survey, with a view to decreasing the great loss of life and property in our mines.

The necessity for a wise conservation of our natural resources has been recently brought prominently before the nation by President Roosevelt. At the conference at the White House in May last, the desirability of a more orderly planning of our development and for the cooperation of the states

and the Nation in a definite program to that end were discussed. It is clear that any general policy with regard to the use of our soils, waters, minerals, plants and animals, must be based on exact knowledge of their character, extent and distribution. Fortunately Illinois already has accumulated much of this preliminary information and in its Agricultural Experiment Station, Engineering Experiment Station, Soil Survey, Water Survey, Geological Survey, Natural History Survey, Fish Commission, Game Commission, Internal Improvement Commission, Highway Commission and similar organizations, is exceptionally well equipped to study this problem in its broadest aspects. Only minor gaps exist and they may be easily closed. In order to insure the best possible correlation of the work of these commissions, and, acting on the request of the President for a local body to cooperate with the National Conservation Commission, I have recently constituted the heads of several of the State bureaus, together with representatives of certain important outside organizations, a State Conservation Commission. A temporary organization has been effected and permanent plans will be later laid before you. Illinois is in the lead in this great movement and is already receiving large benefits from intelligent study of its resources. It is of the highest importance that this leadership be maintained.

The extent and importance of the work of the Geological Survey can be seen from what has been said. The faster this work can be done, the sooner the State will reap the benefit.

At the rate permitted by the present annual appropriation, it will necessarily be many years before the whole State can be covered. I therefore submit to the General Assembly the consideration of the question of devoting to this work such additional appropriations as you may deem desirable and as the finances of the State will permit. In the great era of creative work upon which we are now entering, the development of our water power, the reclamation of our swamps, the protection of our soil and the reduction of waste in our mining and manufacturing, the best aid of science is needed at every point, and this should be made available as far as possible through the liberal maintenance of the Geological Survey Commission and other agencies which are engaged in the work of conserving our natural resources.

EDUCATIONAL COMMISSION.

The educational system of Illinois involves the control of 13,042 city, village and rural schools, employing 28,524 teachers and attended by 988,078 pupils. In the management of the public schools of this State, the services of 45,000 school officers are employed and in their maintenance \$32,227,605.06 is annually expended.

A general revision of the law under which this important branch of the public service is now administered is highly desirable on account of the confusion into which the school laws of the State have fallen by reason of their multiplicity and lack of uniformity and consistency. As stated in my previous message, the school laws of Illinois now include the general school law, containing 301 sections, thirty-seven special charters, eight supplemental acts and twenty-one additional acts. Moreover, besides the statutes and charters which constitute the substantive school law of the State, there are four hundred court decisions construing them. The necessity for simplifying and coordinating the various parts of the law is manifest.

To the Educational Commission created by an act approved May 25, 1907, was assigned the task of revising and codifying the school law and of recommending such improvements in the school system as might seem advisable. It has revised, simplified, condensed and codified the general school law so that the thousands of school officers who have frequent occasion to use it may find it clear and explicit where it has been ambiguous or contradictory. In the opinion of those who are best informed upon the subject, this revision of the school laws is the necessary preliminary to any general improvement of our educational system.

The commission has also, after exhaustive studies, proposed certain recommendations in regard to improving the public school system of the State. Among these are the creation of a State Board of Education, a new plan for the certification of teachers, the township system of school organization and a minimum salary law for teachers.

Both the revision and the recommendations of the commission will be presented in detail in a report of the commission to your Honorable Body. They should receive your most careful consideration. Such improvements in the school law and the school system should be made as will meet the educational needs of the State and secure the general approval of our citizens.

THE STATE UNIVERSITY.

The needs of the State University are respectfully commended to your attention. The University has already become one of the largest institutions of learning in the United States. It should be our aim to make it one of the best. The University should be so complete in its organization and equipment as to supply every facility for the acquirement of higher education which can be found in any similar institution in the country.

The University is the foundation of our educational system. Without the work which it performs in the way of advancing our knowledge and training our citizens, it would be impossible to develop a sound system of public education.

Many branches of the instruction afforded by our State University are of the most immediate practical importance. This is notably the case with respect to the work of the College of Agriculture and the Agricultural Experiment Station which have revolutionized farming methods in this and other states. Much the same benefit has been conferred upon the engineering work of the country through the means of education afforded along engineering lines by the Engineering College and the Engineering Experiment Station. These are now doing for engineering what the Agricultural College and Experiment Station have been doing for agriculture.

The College of Education strongly supplements the work of our normal schools. The Courses in Commerce afford to those who seek training for business careers a liberal education along related lines, such as trade and commerce, domestic and foreign, and the course of industrial development.

The work of the Graduate School, for the establishment of which the last General Assembly made the first appropriation, has promoted original research and investigation of all subjects which are of interest to the people of the commonwealth and has raised the University to the plane occupied by the great universities of this and other countries.

The Chemical Laboratory is turning out trained men for our chemical industries. No more striking example can be found of the advantage of the application of science to industrial processes than has been afforded by Germany in the up-building of its chemical industries. That country has obtained a practical monopoly in certain important branches of industry by the development of its scientific laboratories. We can break that monopoly, in Illinois at any rate, by the wise fostering of this most important department of the University.

Excellent work is being done also by the State Water Survey in testing our water supplies and investigating the best methods of making them available for public and industrial purposes.

The report of the State University will present to the General Assembly a request for appropriations to enlarge the present university library which, as the report states, is entirely too small to meet the requirements of such an institution. The present library ranks only with those of smaller colleges of the better types.

To accomplish the large aims of this great institution adequate appropriations are necessary and the recommendations contained in its report are well worthy your careful consideration.

STATE HIGHWAY COMMISSION.

The work of the State Highway Commission shows a steady increase since its formation three years ago. That there has been a very general interest aroused in all sections of the State concerning road improvement is shown by the large number of public meetings to which the commission has been invited to send speakers. In 1906, 48 meetings were attended; in 1907, 111; in 1908, 128. In addition to public meetings very many requests have been received from local officials concerning road and bridge improvement. In 1908 there were 228 road inspections made; 173 bridge inspections; and 137 conferences to which representatives of the commission were sent to confer with local officials on matters pertaining to road and bridge work.

The majority of the public meetings attended were Farmers Institutes, invitations being received from nearly every county in the State for a speaker on the institute program.

The commission furnishes without charge to the local officials estimates, plans and supervision for bridge construction, thereby enabling the various communities to secure properly designed bridges at a price considerably less than has hitherto been paid in many instances for structures very much poorer in design. This one feature alone has saved to the taxpayers of the State many times the total appropriation made for the commission.

Particular emphasis has been laid upon the advisability of constructing all small bridges entirely of concrete, replacing cheap steel and worn out wooden bridges with this form of construction, thereby eliminating future cost of maintenance.

The maintenance of earth roads has received special consideration from the commission, and the use and advantage of the earth road drag has been explained in bulletins of which more than 100,000 have been distributed. It has been estimated that 15,000 road drags have been brought into use since the commission first drew the attention of local road authorities to the effectiveness of this form of earth road maintenance, and 15,000 miles of road have been thus maintained during the past year. Much study has been given by the commission to some cheap form of construction to render earth roads in good condition throughout the year. Special attention has been given to the effect of oil for this purpose. The results of the experiments of the commission will determine whether the cost of this work will be prohibitive and whether the results obtained will be worth the expense.

The commission has received many requests for experimental work of various kinds but has been able to undertake only a small part of the work requested. The character of the work undertaken by the commission in local road construction and improvement has been in every instance at the request of the local authorities, and carried out as nearly as possible in accordance with their desires.

THE STATE FOOD COMMISSION.

The passage by the national government in 1907 of a food inspection law, led to the revision of food inspection laws by a number of states. Our State, which occupies the foremost place in the manufacture and sale of food products, was among the first to enter upon such revision. The revision answered a double purpose. It improved the body of the law by bringing its requirements up to modern standards of food inspection and increased the facility of its administration by conforming the provisions of the State to those of the national law.

The result has been complete and harmonious coöperation between the State and federal food authorities since the passage by the last General Assembly of the new State food inspection law.

During 1908, the State Food Commission has published and distributed among manufacturers and dealers in food products 5,000 copies of its last annual report, 20,000 copies of the new State food law, 50,000 bulletins, setting forth the work accomplished by the department and 15,000 copies of the new rulings and tentative standards adopted by the department. In

this way, the trade has been made familiar with the provisions of the new law and the very general disposition to comply with its requirements has been gratifying.

Within the past year also the State food inspectors have taken over 6,000 samples of foods. All these have been subjected to chemical analysis with the result that 4,200 were found to be pure and 1,800 either adulterated, misbranded or in some other particular failing to conform to the food law.

Prior to the passage of the new national and State food laws, food adulteration had become very general. Lack of jurisdiction of the states beyond their own borders and the ease with which adulterated and misbranded foods could enter a state under the provisions of the interstate commerce law, made it nearly impossible to prevent the flooding of the markets with such food products. The conforming of standards, State and national, and the coöperation of Federal and State food departments, have greatly simplified the duties and furthered the work of both. The detection of adulterations and the fixing of legal liability therefor has now become merely a question of analysis by the chemist and a comparison of the samples with the labels and standards fixed by both national and State food laws. On the other hand, conformity with the requirements of the law on the part of manufacturers and dealers has been equally simplified, and they are complying more generally than ever before in the State's history with the law's requirements.

It is estimated that eighty-five per cent of the manufacturers and packers of food products are not only complying with the provisions of the law themselves, but are rendering the department substantial aid in securing its enforcement against those who seek to evade its provisions. This means the eventual withdrawal from the market of all food products containing chemical preservatives or made from impure, inferior and unwholesome ingredients and a corresponding improvement in health conditions.

The report which the commission will submit to the General Assembly contains recommendations in regard to an increase in the working force of the department and calls attention to the fact that Illinois is not only the foremost manufacturer of food products but is the chief distributing point of food products as well, and that while the volume of work of our food department is as great as that of any other state, New York employs forty-five, Pennsylvania thirty-six and Ohio twenty-nine, while Illinois employs but twelve inspectors. The report shows that New York appropriates for this purpose \$225,000, Pennsylvania \$175,000 and Ohio \$95,000, whilst Illinois appropriates but \$37,500. The report therefore urges the appointment of at least thirty inspectors and fifteen chemists with the necessary increase of appropriation, in order thoroughly to meet the demands upon the department.

I trust that the General Assembly will give these questions the consideration which their merit and importance require.

FISH COMMISSION.

During the past two years, the State Fish Commission has made great progress in the work of stocking Illinois rivers and lakes with high-class food fishes. Twenty-five million fertilized eggs were received by the commission during 1908 from the United States Food Commission, sixty-six per cent of which were successfully hatched out and distributed in Illinois waters.

A new hatchery has been erected at Havana, fully equipped for the hatching of the finer varieties of native fish.

The important service rendered to the State by the Illinois Fish Commission is evident from the volume of business transacted by the fisheries along the Illinois river, which is second only to the Columbia river in the extent of its fish industries. During the two years just passed, there have been shipped from nineteen towns on the Illinois river more than 34,000,000 pounds of edible fish, worth more than three quarters of a million dollars.

The Supreme Court has declared unconstitutional certain provisions of the law, passed at the last session of the General Assembly, relating to fish and game including the section requiring the payment of a license fee by any person desiring to fish in any of the waters of the State. The commission has been deriving a portion of its revenue from such licenses and the law should be so amended as to provide sufficient funds for the maintenance of the department.

BUREAU OF LABOR STATISTICS.

The increasing interest taken by the State in the regulation of conditions surrounding labor has resulted in the gradual imposition of additional duties upon the Bureau of Labor Statistics.

The last General Assembly enacted a law requiring employers of labor to report to the bureau all fatal accidents and all non-fatal accidents involving a loss of thirty days employment or more, which data the bureau is required to tabulate and publish in yearly reports.

The present biennial report of the Bureau of Labor Statistics presents the results of an investigation of establishments employing women, covering thirty-seven industries and eighty-six establishments, employing 2,500 female employes out of a total of 13,000 employed in such establishments.

The report also shows that there was received at the different free employment offices during the year 1908, 45,373 applications for employment, of which 34,736 were placed in positions at a cost to the State of eighty-five cents per capita.

The report on the coal industry shows that Illinois continues to hold her place as the second coal producing State in the country. There are now in operation in Illinois 922 coal mines, employing 71,000 men and producing, last year, 49,500,000 tons the value of which at the mines was nearly \$51,000,000. Compared with the record of 1882, the first year after the passage of the State mining law providing for reports, the number of mines has increased 31 per cent, employes 249 per cent, production 347 per cent and the value 273 per cent.

Since the passage of the law enacted at the last session of the General Assembly requiring employers of labor to report accidents occurring to their employes, 3,012 accidents, of which 622 were fatal and 2,390 were non-fatal, have been reported.

In view of the unusual number of accidents which have occurred in the coal mines of our State during the past year, I have directed the chairman of the Mining Board to order a number of the State Mine Inspectors to any mine where a serious accident may occur to make a joint investigation of the causes thereof and to submit a joint report thereon. Such reports will furnish data upon which to base remedial legislation. These reports will be submitted to the appropriate committees of the General Assembly. It is my earnest hope that some means may be found to afford more adequate protection to human life and limb in our coal-mining industry.

DEPARTMENT OF FACTORY INSPECTION.

Under the law enacted by the Forty-fifth General Assembly, the Illinois Department of Factory Inspection was made a distinct and separate department of the State government.

Various bills amendatory of the factory inspection law were submitted to the General Assembly at the same session. Of these, two were enacted into law, an act relating to the manufacture of butterine and ice cream, and an act providing for the protection and safety of persons employed in and about of the construction, repairing, alteration or removal of buildings, viaducts and other structures. Other bills submitted by the department failed of passage. This failure led in two instances to the presentation of resolutions, one of which provided for the appointment by the Governor of a commission to investigate the most advisable method or methods of providing for the health, safety and comfort of employes in factories, mercantile establishments, mills and workshops, known as the Hazardous and Dangerous

Machinery Commission; the other for the appointment by the Governor of a commission to investigate the causes and conditions related to diseases peculiar to certain occupations, known as the Occupational Diseases Commission.

These commissions will report to your Honorable Body at the present session the result of their investigations and will, no doubt, accompany their report with such proposed bills as they deem necessary to remedy existing abuses.

Other matters which will be submitted to you by the State Factory Inspection Department are, the enactment of a law relative to public buildings and places of amusement, requiring additional safeguards against fire and panic, especially in buildings occupied by moving picture devices, which are at present without statutory regulation; the amendment of the law relative to fire escapes, requiring the installation of modern equipment and mechanical devices for the prevention of fire; the enactment of a law for the supervision of the manufacture of clothing, for the better protection of those employed in such work and for the safeguarding of the public health against contagion, and a law for the regulation of the employment of women and their hours of labor.

All proposed legislation and other matters coming under the jurisdiction of the Factory Inspection Department you will find discussed at length in the report of the department. The report also presents in detail the work accomplished during the past two years. Some of the more important features follow:

In the last two years the Factory Inspectors' Department has inspected 135,209 establishments under the child labor law; the percentage of child labor to the number of adults is 1.2 per cent. This is the greatest reduction shown in any industrial state. Through the enforcement of the child labor law during the past two years the school attendance has been considerably increased, the inspectors having dismissed from the factories several thousand children who have been returned to the school room. Two years ago children between fourteen and sixteen, who were dismissed from factories, because of the failure to have proper school papers, or working certificates on file, or who had been working more than the legal limit of eight hours a day were not under the control of the school authorities, as the compulsory school attendance law's maximum limit was fourteen.

During the last regular session of the General Assembly this age limit was raised to sixteen, so that today all children under fourteen must attend inspected 801 establishments where ice cream and butterine are manufactured; all these establishments required re-inspections, because alterations school, and all children between fourteen and sixteen must either attend school or go to work. This has been a great benefit, and has increased the school attendance by many thousands.

During the past eighteen months the Department of Factory Inspection has along the line of sanitation had to be made in all except four. This has brought about an exceptionally clean and healthy condition in the manufacture of ice cream.

The act providing for the protection of metal polishers has been so uniformly enforced throughout the State during the past few years by the Department of Factory Inspection, that only a few months ago, the Polishers' Journal—the official organ of the National Metal Polishers' Union—printed an editorial setting forth the condition of the metal polishers in the United States in detail, and in such editorial appears the statement that "metal polishers are better protected today in Illinois than in any other state in the Union." The death rate of metal polishers in Illinois has been reduced 60 per cent in the last year through the enforcement of this law.

The death rate in Illinois in the structural iron workers' trade two years ago was 31 per annum. Through the enforcement of the law for the protection of the structural iron workers, the death rate has been reduced more than two-thirds.

STATE BOARD OF HEALTH.

I call your attention to the advantages of the enactment of a law providing for better methods of registration of vital statistics, such as will be in conformity with those adopted by leading states and in accordance with the provisions of the Census Bureau of the United States Government. The value of such statistics is lost, unless they be accurate, complete and uniform with similar data with which they are constantly subject to comparison. Inasmuch as fifteen of the states, representing approximately one-half the population of the nation, have adopted the methods of uniform registration employed by the Census Bureau, it is important that Illinois should employ similar methods. At present Illinois is not classed by the United States Census Bureau with the registration states.

There is also need for the revision of one section of the act to regulate the practice of medicine. Through a decision rendered by the Supreme Court, the State Board of Health is without jurisdiction over those physicians and other practitioners who were licensed prior to the enactment of the present medical practice act, July 1, 1899. This decision renders the board powerless to revoke the licenses of any one of the large majority of those now in practice within the State, however justifiable such action would be. An amendment to the medical practice act giving the board jurisdiction over all those now licensed by the State, was introduced in the Forty-fifth General Assembly, at the instance of the State Board of Health. The bill passed the House, but was amended in the Senate so as to limit the board's authority to those licensed since July 1, 1899. I recommend that the desired amendment be now enacted so that the people may be adequately protected, and so that the authority of the State Board of Health may be uniform in its application to all practitioners.

I further recommend the continuation of the appropriation made by the Forty-fifth General Assembly for the free distribution of antitoxin for the treatment and prevention of diphtheria. The distribution of antitoxin has proven most effectual as a means of preventing the spread of this deadly disease. During the past two years, free antitoxin in Illinois has unquestionably saved the lives of many hundreds who would otherwise have perished. It has also brought about the prompt suppression of the disease when serious epidemics must otherwise have occurred.

Two hundred stations outside of Chicago, have been established by the State Board of Health, for the distribution of antitoxin. Through these agencies 11,352 packages of the antitoxin, prepared in syringes ready for use, have been distributed to physicians in all parts of the State. The aggregate cost of the antitoxin distributed has been less than \$13,000.00. I am informed by the State Board of Health that if this had been purchased at ordinary current prices by individual families, it would have cost \$48,000.00.

Reports made by physicians to the State Board of Health show that during the year ending September 30, 1908, 2,552 patients were treated with the antitoxin and 4,211 treatments were administered. Of the 2,552 patients, 180 died, a death rate of 7.05 per cent. Medical statistics show that the death rate from diphtheria, previous to the introduction of the antitoxin treatment, was forty per cent of the ordinary cases, while in the most serious cases there were no recoveries. In addition, the antitoxin has been used as a preventive and has been administered for this purpose to 2,250 persons who were not suffering from diphtheria but had been exposed to the disease, 1,272 residing in the same houses with diphtheria patients, 642 in the same rooms and 141 occupying the same beds. Out of the 2,250 persons thus treated for preventive purposes, but 37 afterwards contracted the disease.

THE LIVE STOCK COMMISSION.

The Forty-fifth General Assembly enacted legislation giving the Board of Live Stock Commissioners jurisdiction over animals suspected of being affected with any disease that might render their carcasses unfit for human consumption. This is the first legislation conferring upon the commission powers which are to be exercised in the protection of the public health. It

has resulted in a great enlargement of the work of the commission and necessitates the employment of a much larger force in disposing of the increased volume of business. A detailed account of the work of the commission will be found in its report, but special attention is called to a few important features.

Bovine tuberculosis, which for years worked unchecked among the dairy and breeding herds of the State, and which is now attacking other classes of animals brought in contact with diseased cattle, is yielding and may be eradicated with the intelligent use of tuberculin and the prevention of new infection by closing the channels through which it is brought into the State.

The commission has, with the aid of the State Veterinarian, made tuberculin tests of all cattle belonging to the State at the various State institutions, aggregating nearly 1,000 head. All reacting animals have been destroyed and the depleted herds built up by the purchase of healthy cattle after their subjection to the tuberculin test. No cattle, except such as show entire freedom from tuberculosis are now admitted to any of the State institution herds. The pressing necessity for work of this character is manifest from the fact that in some of the institution herds as many as sixty per cent of the cattle were found to be affected with tuberculosis.

An outbreak of foot and mouth disease in several of the other states during the month of November, 1908, made it necessary to quarantine against the localities where the disease was known to exist and to prohibit the importation therefrom of all animals which were subject to infection. This emergency disclosed the inadequacy of existing laws for the protection of the live stock of the State. Amendatory legislation will be submitted by the commission to the General Assembly during the present session and should receive your favorable consideration.

A bill for the inspection of slaughter houses throughout the State was introduced in the Forty-fifth General Assembly, but failed of passage. Legislation of this character is of great importance. Under the present law, the beneficial effects of inspection are almost entirely confined to the great packing centers where government inspection is maintained and the markets supplied by them. One of the consequences of this limitation upon inspection is that cattle known to be infected with disease are freely taken to private abattoirs, where they may be slaughtered without inspection, and sold in the local markets for human food. The conditions at some of these private abattoirs are intolerable. At many of them, twenty-five to fifty head of cattle are slaughtered weekly. The products of these animals which are not utilized are allowed to remain undisturbed until the next animals are slaughtered and, in the summer time, when all kinds of insects abound, they carry and disseminate this infected material. Such conditions should not be allowed to continue. The same necessity for cleanliness exists here as in the great packing centers and the public is as much entitled to protection against infection from this source as from any other.

Measures correcting the defects referred to should be enacted at the present session.

STATE ARCHITECT.

The report of the professional work for the State of Illinois undertaken by the State Architect during the last two years shows that plans and specifications for all of the buildings and improvements for which the last General Assembly made appropriations were completed in due time. Nearly all of the buildings thus planned, as well as the proposed improvements, are entirely completed and the buildings occupied. Others are now nearing completion and the few remaining ones are well under way. In addition to this new work, the buildings which the last report described as unfinished have been fully completed.

The State was extremely fortunate in its building operations during the past year. The decided decrease in the cost of building materials, due in large part to the financial disturbance of a year ago, made it possible to erect buildings of a higher type of construction, as well as of larger size

than would have been the case under ordinary circumstances. An unusual and thoroughly active competition among contractors, together with this low cost of material, resulted in the building of all of the hospitals, as well as other structures requiring high class fireproof construction, without diminishing the desired size or needed capacity of the buildings.

Unusual interest must attach also to the extensive rehabilitation in the physical condition of the State charitable institutions undertaken and accomplished during the last year. A decided improvement has been effected in connection with the heating and ventilating of many of these buildings. The danger of destruction or loss by fire has been materially lessened by supplying additional fire-escapes, creating new exits and installing improved water supply systems and apparatus for extinguishing fires. The sanitary conditions of all the buildings have been greatly bettered by a thorough overhauling of the plumbing and complete cleaning and refinishing of all plaster and wood surfaces.

It is important to observe that a part of this work at the institutions was accomplished by the inmates and patients, thus furnishing them with healthy exercise and desirable productive occupation while at the same time securing for the State a saving in the cost of labor.

Among the important buildings erected and improvements made during the last two years are the following:

<i>State Training School for Girls—Geneva—</i>	
Four cottages	\$ 80,000 00
<i>St. Charles School for Boys—St. Charles—</i>	
Two cottages	40,000 00
Hospital building	15,000 00
<i>Illinois Soldiers' and Sailors' Home—Quincy—</i>	
Hospital building	17,500 00
Two cottages	115,000 00
<i>Illinois General Hospital for the Insane—Peoria—</i>	
Two hospital buildings	100,000 00
<i>Department of Justice—Springfield—</i>	
Completing Supreme Court building	450,000 00
<i>Illinois Northern Hospital for the Insane—Elgin—</i>	
Farm cottage	25,000 00
Woman's cottage	25,000 00
Industrial building	10,000 00
Hospital building	25,000 00
<i>Illinois Western Hospital for the Insane—Watertown—</i>	
Hospital building	100,000 00
<i>Illinois Eastern Hospital for the Insane—Kankakee—</i>	
Hospital building	70,000 00
<i>Illinois Asylum for Feeble-Minded Children—Lincoln—</i>	
Gymnasium	20,000 00
Heating system	10,000 00
<i>Illinois Central Hospital for the Insane—Jacksonville—</i>	
Tuberculosis hospital	6,000 00
Additions and alterations to hospitals	25,000 00
<i>Illinois School for the Blind—Jacksonville—</i>	
New boilers and boiler house alterations	15,000 00
Hospital building	6,000 00
<i>Illinois Southern Hospital for the Insane—Anna—</i>	
Hospital building	50,000 00
<i>State Militia—Illinois National Guard—Camp Logan—</i>	
Three barracks buildings	25,000 00
<i>Southern Illinois Penitentiary—Menard—</i>	
New dining hall and kitchen	20,000 00
<i>Illinois State Normal University—Normal—</i>	
Auditorium and manual arts building	100,000 00
<i>Eastern Illinois State Normal School—Charleston—</i>	
Dormitory building	100,000 00

Southern Illinois Normal School—Carbondale—

Model school building	\$ 50,000 00
<i>Seventh Regiment Armory—Illinois National Guard—Chicago...</i>	150,000 00
<i>Illinois Naval Reserve—Chicago—</i>	
Boat house	12,000 00
<i>University of Illinois—Urbana—</i>	
Physics laboratory building	250,000 00
Natural history building	150,000 00

I desire again to call the attention of the General Assembly to the urgent necessity for a revision of the statute creating the office of State Architect, defining his duties and fixing his compensation, to which I had occasion to call attention in my special message of October 8, 1907. No final action in this matter was taken by the General Assembly before its adjournment. The feature of the law in which revision is sought is that relating to percentage of compensation. It is not proposed to change the salary of the State Architect. The percentage allowed to the State Architect under the present law is one and one-half per cent, which I am informed is entirely inadequate to meet the necessary expenditure for high class architectural service, such as the work of the State demands.

The State Architect has submitted to me a statement showing that the net cost to an architect for services rendered in private practice averages more than 3 per cent of the cost of the work. The cost to the office of the architect of the school board of Chicago for preparing plans and specifications and for general supervision exceeds 3 per cent of the cost of the building. The cost to the architect under whose supervision the Federal government printing office was built for draughtsmen and office expenses, amounted to 6 6-10 per cent of the cost, exclusive of the cost of experts in heating, ventilation, plumbing, electrical installation and the architect's salary. In England 5 per cent of the cost of the work is paid the architect for expenses, and for other work usually done in this country by an architect the owner pays 2 per cent additional to a surveyor. In the state of New York the State Architect receives a salary of \$7,500 and the expenses of his office are unlimited, being paid from special appropriations. As only in New York and Illinois the office of State Architect really exists, no further comparison can be made.

The building of modern fire-proof structures, such as are now being erected for State purposes, requires the highest class of architectural skill. The compensation offered by the State should be sufficient to attract such skill to the State's service. This cannot be secured and permanently retained when the compensation is inadequate. The State should be protected in the construction of its public buildings by the best professional supervision.

To this end, the Executive Department should be afforded the means of employing and retaining the services of a skillful architect. The value of retaining such services must be apparent. In the course of his official experience, a State Architect becomes familiar with the conditions obtaining in the State institutions and makes a study of their needs. He is thus enabled to adopt a uniform style of building for similar institutions throughout the State, which permits the construction work to be carried on more economically and efficiently than could otherwise be done. It is manifest, for instance, that had the Executive Department been obliged to employ different architects in the erection of the many buildings covered by the above statement, it would have resulted in lack of uniformity of construction, great additional labor and a largely increased expenditure of the public money.

Moreover, the State Architect, in the course of his official experience, acquires an acquaintance with building contractors and is thus enabled to secure a much keener competition among them than it would be possible to secure under other circumstances, with great advantage to the State.

Owing to the inadequacy of compensation, the State Architect, whose report will be filed with the present General Assembly, tendered his resignation more than six months ago, but at my urgent solicitation, continued in the State's service until December 31st. His work has been performed in the most efficient manner, with scrupulous honesty and at financial sacrifice and it is unfortunate that the State has not been able to retain his services.

The General Assembly should provide such compensation as will enable the State to procure and retain the services of a competent, experienced and thoroughly reliable official in this important office.

NATIONAL GUARD.

The organization of the National Guard is at this time the same as that of the United States Army, comprising divisional, brigade and regimental organization. Its equipment is nearly the same as that of the regular army, and should be made the same.

During the present administration an armory building has been erected to house the Seventh Infantry, at a cost of \$150,000.00, this amount being used for the building alone, the ground site having been donated to the State. A boat-house has been erected for the Naval Reserve at a cost of \$7,500.00, and the ground on which the Second Infantry armory is located has been purchased for \$35,000.00.

The National Guard has been incorporated as a part of the national forces and the United States is exerting every effort to perfect its efficiency.

During the summer of 1907, a battalion of the Fourth Infantry, U S. A., was detailed to participate in the annual encampment of the Guard at Springfield and was of great benefit to the troops there encamped. It was the first time that a battalion of the Federal troops had been assigned to any State to assist in training the National Guard. Three regiments, the First Infantry, the Fourth Infantry, the Eighth Cavalry, and a detachment of the Signal Corps from this State took part in the army maneuvers at Fort Benjamin Harrison, Indianapolis during the past summer, and acquitted themselves with great credit to the State.

Rifle practice has been greatly encouraged and the officers and men are becoming proficient in the use of the arm furnished by the United States Government.

Before being commissioned, the officers of the Guard are required to pass a very rigid examination and boards for this purpose are convened monthly.

The Illinois National Guard is recognized by the War Department as one of the most efficient organizations of its kind in the United States and it is entitled to the earnest and liberal support of the citizens of Illinois.

The efficiency of the National Guard was signally demonstrated during the recent riots at Springfield, a detailed account of which is contained in the report of the Adjutant General. A situation entirely beyond the power of the local civil authorities and which threatened to culminate in the loss of many lives and the destruction of much property, was quickly brought under control with the arrival of the first companies of the National Guard. From the moment the rioters were brought face to face with the troops, the disturbance abated and normal conditions were speedily restored. The National Guard can be depended on to meet such emergencies. Its effective work in restoring order will result in permanent good, however, only when followed up by the successful prosecution, by the civil authorities, of participants in the destruction of life and property.

INCREASED APPROPRIATIONS.

The increased work imposed upon various institutions and departments by the growth of the public business, has led many of them, in their reports, to submit to the General Assembly requests for additional appropriations. I call the attention of your Honorable Body to this matter, which should receive careful consideration at your hands.

EXECUTIVE EXPENDITURES.

For a statement of expenditures made by me for this department from funds subject to my order, your attention is directed to the biennial report of the Auditor of Public Accounts for the period ending September 30, 1908. Vouchers for all such expenditures have been filed in the Auditor's office.

CHARLES S. DENEEN.

The foregoing message was ordered to be placed on file.

At 10:05 o'clock, a. m., on motion of Mr. Jones, the Senate adjourned.

TUESDAY, JANUARY 19, 1909, 10:00 O'CLOCK A. M.

Senate met pursuant to adjournment.

Hon. Robert S. Hamilton, President *pro tempore* of the Senate, presiding.

Prayer by the Rev. G. W. Dungan.

The Journal of yesterday was being read, when, on motion of Mr. Hurburgh, the further reading of the same was dispensed with and it was ordered to stand approved.

Mr. Humphrey moved that a committee of three be appointed to wait upon Lieutenant Governor John G. Oglesby and escort him to the Chair, which motion was adopted and the President *pro tempore* of the Senate, appointed as such committee, Senators Humphrey, Curtis and Burton.

Whereupon the committee escorted to the Chair the Lieutenant Governor, John G. Oglesby, and thereupon the President *pro tempore*, Honorable Robert S. Hamilton, made the following remarks:

The office of Lieutenant Governor seems to be an enviable position. To be elected by the people of the State of Illinois to act as the presiding officer of the Senate is indeed a great honor and I have the pleasure, this morning, of introducing to this Senate, Lieutenant Governor John G. Oglesby, who by virtue of his office becomes the President of the Senate. Gentlemen of the Senate, Lieutenant Governor John G. Oglesby.

Whereupon, Hon. John G. Oglesby, Lieutenant Governor and President of the Senate, assumed the duties of the Chair and made the following remarks:

It is with a profound appreciation of the responsibilities that will devolve upon me in this position that I now enter upon the duties of your presiding officer. I recognize that Illinois is looking to this General Assembly for work, not words or speeches from me. If mistakes are made, I will find comfort in the thought that the recognition of them will mean their avoidance in the future.

I shall feel at liberty in time of need, to call for advice and counsel upon the experience and learning of the distinguished members of this body who have devoted their abilities to the service of the State.

I trust the relations between the Senators and the presiding officer will be harmonious, and that together we will work for the general good of the commonwealth, as has been in the past the record of the Senate.

Permit me to express the opinion that in the contemplated legislation that may come before the Senate, it is of importance that full and candid consideration should be given to the proper recommendations of the Chief Executive of this State. The information to be derived therefrom and the result of the deliberate convictions arrived at by the Governor of the State in the discharge of his duty and the responsibilities of his office imposed by the Constitution should receive full recognition from you.

Neither should it be forgotten that it was the design of the Constitution of Illinois that the legislative branch of the State government should be as free from dictation and untrammelled in the exercise of its duties as the Chief Executive; and it is essential and imperative to the welfare of the people of the State that independence of each branch of the State government should at all times be maintained.

In the discharge of my duties as your presiding officer, I ask your aid, your assistance and your forbearance, and I feel I can take no better example to follow than of that able statesman, whose name is synonymous with fairness and justness, my distinguished predecessor, the Hon. L. Y. Sherman.

A message from the House by Mr. McCann, Clerk:

Mr. President—I am directed to inform the Senate that the House of Representatives has adopted the following preamble and joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION No. 6.

Resolved, by the House of Representatives, the Senate concurring herein, that the two Houses meet in joint session in the House of Representatives on Monday, the 18th day of January, A. D., 1909, at 12:00 o'clock, Meridian for the purpose of witnessing the inauguration of Governor, Lieutenant Governor and the other State officers elect of the State of Illinois.

Adopted by the House January 18, 1909.

B. H. McCANN,

Clerk of the House of Representatives.

By unanimous consent, on motion of Mr. Jones, the following resolution from the House of Representatives received January 14, 1909 was taken up for consideration and unanimously concurred in.

HOUSE JOINT RESOLUTION No. 5.

Resolved, By the House of Representatives, the Senate concurring herein, That on Tuesday, the 19th day of January, instant, at 11:00 o'clock a. m. each House shall by itself, and in the manner prescribed by sections 14 and 15 of the Revised Statutes of the United States, name a person for Senator in the Congress of the United States, from the State of Illinois, for a term of six years, from the fourth day of March, A. D., 1909, and on Wednesday, the 20th day of January, instant, at 12:00 o'clock Meridian, the members of the two Houses shall convene in joint session in the Halls of the House of Representatives and in the manner prescribed by law declare the person who has received a majority of the votes in each House, if any person has received such majority, duly elected Senator to represent the State of Illinois in the Congress of the United States for the term aforesaid; and if no person has received such majority, then proceed as prescribed in said law in joint assembly to choose a person for the purpose aforesaid.

Adopted by the House January 14, 1909.

B. H. McCANN,

Clerk of the House of Representatives.

On motion of Mr. Dunlap, five thousand copies of the Governor's Biennial Message, transmitted to the Senate on yesterday, was ordered printed for the use of the Senate.

The President of the Senate laid before the Senate the following communication, which was read, ordered spread upon the Journal, and on motion of Mr. Jones, ordered referred to the Committee on Charitable, Penal and Reformatory Institutions, when formed.

Dr. W. F. Drewry, Petersburg, Va., President.
 Mr. William C. Graves, Springfield, Ill., First Vice President.
 Dr. Thos. C. Fitzsimmons, Carbondale, Pa., Second Vice President.
 Dr. W. P. Spratling, Baltimore, Md., Permanent Editor Transactions.
 Dr. J. F. Munson, Sonyea, N. Y., Secretary-Treasurer.

THE NATIONAL ASSOCIATION FOR THE STUDY OF EPILEPSY AND THE CARE AND
 TREATMENT OF EPILEPTICS.

SONYEA, N. Y., Jan. 11, 1909.

Honorable John G. Oglesby, Lieutenant Governor, Springfield, Illinois:

MY DEAR SIR—Enclosed herewith please find a memorial adopted by the National Association for the Study of Epilepsy and the Care and Treatment of Epileptics, at Indianapolis, Indiana, Nov. 10, 1908, and addressed to the Senate of the Illinois Forty-sixth General Assembly, recommending an appropriation to establish an epileptic colony in Illinois under an existing law.

May I ask you to honor our National Association by presenting this memorial to the body over which you preside and by recommending that it be printed in your Journal? I further earnestly request you to assist in all consistent ways, the energetic movement in your State to establish an epileptic colony. Our association believes this to be the best and the most economical form of care available for the unfortunate class in question. At the same time, the colony provides the most favorable conditions for scientific study looking to the more efficient treatment of the disease and the cure of the victims.

Thanking you for such aid as you can see your way to give, I am,

Very respectfully yours,

J. F. MUNSON,

*Secretary National Association for the Study of Epilepsy and the
 Care and Treatment of Epileptics.*

Enclosure.

INDIANAPOLIS, IND., November 10, 1908.

*To the Honorable, the Senate of the Forty-sixth General Assembly of the
 State of Illinois:*

GENTLEMEN—The National Association for the Study of Epilepsy and the Care and Treatment of Epileptics, in Eighth Annual Convention assembled, respectfully petitions your Honorable Body to appropriate sufficient funds to establish an epileptic colony in Illinois, under the provisions of a statute enacted by the Forty-first General Assembly of your State. We feel justified in making this petition, because the manifest humanity of the colony system is reinforced by experience, in many American states and abroad, which experience has proved that the colony plan is the most practical and the most economical method of meeting the great human problem of the proper treatment and care of the epileptic. A most significant verification of this statement is found in the decision by the New York State Legislature to create a second epileptic colony, on the basis of the success of its present epileptic colony at Sonyea, and of the agitation in the State of Ohio to create a second epileptic colony on the basis of the success of the first epileptic colony at Gallipolis.

MANIFESTATIONS OF EPILEPSY.

Epilepsy is a common disease. It is as old as written history. Its victims have suffered for ages. In dark and ignorant periods of the world even death has been meted out to epileptics, because of a misunderstanding of the nature of their ailment. This disorder is so common that most of you, gentlemen, have seen its victims fall rigidly and violently, gradually pass into severe muscular spasms, sleep a little and then arise and walk away. This is a common type among the many types. Those who study epilepsy more closely note the changes before and after seizures—changes in the intellectual and moral natures of the victim, irritability, violence, murderous violence, untidiness; and the gradual mental deterioration as the disease progresses.

The epileptic is dangerous to himself and to others. Often he commits most horrible and brutal crimes apparently without motive, without responsibility, and without even knowledge of the revolting acts. The seeming most harmless epileptic may in an instant become dangerous.

To himself, also, the epileptic is a constant menace. The seizure usually occurs without sufficiently definite warning to permit preparation for the attack. The patient falls like a stone, without the least possibility of saving himself, for he is unconscious. Severe wounds, burns and all manner of injuries are the result in and out of public institutions. The confirmed epileptic is apt to bear many scars as the marks of his disease.

Epilepsy, also incapacitates its victim for the ordinary occupations of life. He cannot be employed in positions of responsibility. Everywhere he is barred from employment. The shock of seeing him fall and go into convulsions is too great for the sensibilities of other employés and customers. He is barred also from social intercourse with his equals. He dare not go to public meetings. Each case, no matter how slight its manifestations usually are, is apt to tear off its disguise at any moment with resulting unpleasantness and danger.

EPILEPSY NEARLY AS WIDESPREAD AS INSANITY.

The disease is far more general than is supposed. Careful census made in various places show that epilepsy is at least nearly as widespread as insanity. Perhaps it is more common. The average figures run from one epileptic to five hundred population to one to three hundred. Take the census of the city or county you live in and see what a tremendous amount of suffering this means in your locality.

And the horror of it is that epilepsy is in a large measure a preventable disease. Heredity plays the most important role in its causation, as it does in insanity, yet our laws practically license marriage to any one of sufficient age. Until this is changed, no great lessening of the number of epileptics can be expected.

There is a great epileptic population now living which must be treated and cared for. Their condition today is far better than a few years ago. Their needs have been studied and are gradually being supplied by commonwealths and religious organizations.

PUBLIC CARE OF THE EPILEPTIC.

The first special public institution for epileptics was established so recently as 1867, at Bielefeld in Western Germany. This was called the Bethel Colony. In 1888 a colony was founded in England by private philanthropy. In 1892, Ohio opened its institution at Gallipolis. From these beginnings, the movement has grown splendidly. In Germany there are 50 institutions having special provision for epileptics. Switzerland has 3, Holland 2, Belgium also makes provision for epileptics. England now has 9 institutions of which 4 or 5 are of some size. Australia has an institution. In this brief summary reference is made to sane epileptics. Everywhere, as in Illinois, insane epileptics are provided for as insane persons and only too often the real injustice of sane epileptics confined with insane persons is met.

Following the lead of Ohio, which in its institution cares for both sane and insane epileptics, New York was the second American state to found an epileptic colony. This was at Sonyea, in 1894. This institution is for sane epileptics. Following New York, Massachusetts, New Jersey, Kansas, Missouri, Texas, Indiana and Pennsylvania have been added to the list. Virginia and North Carolina have made provision for epileptic colonies.

Michigan and Minnesota have institutions for feeble minded and epileptics.

In the Province of Ontario, there is an institution for epileptics.

In the United States today there are the following state colonies with the populations as stated:

STATE.	POPULATION.
Ohio	1,377
New York	1,337
Massachusetts	700
Pennsylvania	600
New Jersey	266
Kansas	400
Texas	246
Missouri	150
Indiana	87
	5,103

The reasons which are given in the foregoing are sufficient to prove that the epileptic is best off removed from ordinary society. It is a strange, yet fortunate thing, that epileptics are remarkably sympathetic to the needs of each other and the devotion with which one epileptic will watch another through a seizure safeguarding him as far as possible, is often beautiful to see. This is another of the many reasons which make it desirable that epileptics live together.

Medical science has as yet failed to discover the cause of the disease, probably because each case is a problem in itself. Cures are not numerous. Segregating epileptics in special institutions has contributed much to our knowledge of the disease, and has advanced especially our knowledge of the symptomatology and treatment of the condition. Where a few years ago, the epileptic was stupefied with sedatives and made to live a living death now under colony regimen, sedatives are used as little as possible, and an effort is made to find the best treatment for each case. Strangely enough, the same agents which are so beneficial in combating tuberculosis are of the greatest benefit in these cases. Work in the fresh air and good wholesome and carefully chosen food are better than medicine. Colonies with their large farms, provide this to advantage and are thoroughly proven to be the most satisfactory method of treating and caring for this disease.

Segregation in special institutions has another great advantage. It prevents the propagation of the disease by the marriage and intermarriage of epileptics. The great advantages of this are lessened in some states, by the fact that the colonists are voluntary inmates of the colony and can not be held against their will except in cases where their condition is immediately dangerous to themselves or to others.

ECONOMIC SIDE OF THE QUESTION.

The economic side of the question is also of importance. The epileptic is not generally capable of self-support and is often a charge on his family. In an institution, where there are many like him, special provision can be made to utilize his work to the fullest extent. This, of course, should be the case with every public charge. Each should return to the State for his treatment and care as great an equivalent in work as is possible. Because of this work the public cost of maintaining the epileptic is less than the cost of maintaining the insane. The average earnings of the epileptics in the Craig Colony at Sonyea, N. Y., is \$35.00 per annum.

The general statements made in this memorial are based on a mass of facts and figures too voluminous to present to your Honorable Body in so brief a paper. Let us reiterate that the public care of epileptics in colonies is shown by experience to be in every way for their interests and for the interests of the general public.

Therefore the National Association for the Study of Epilepsy and the Care and Treatment of Epileptics presents this memorial to the duly chosen representatives of the people of the State of Illinois and respectfully petition the Forty-sixth General Assembly to complete the good work planned by the Forty-first General Assembly by appropriating sufficient funds to build, equip and maintain until the next Legislature, a State Colony for Epileptics.

We hereby direct Dr. J. F. Munson, secretary of this organization, to trans-

mit a copy of this memorial to the Governor and to the presiding officers of the Senate and the House of Representatives of the State of Illinois, not later than the 10th of January, 1909, with letters to the presiding officers, respectfully requesting that the memorial be read, printed in the respective Journals and referred to the proper committee.

NOTE.

The foregoing memorial was offered on November 10th, 1908, by Dr. Everett Flood, of Massachusetts, and unanimously adopted by the association.

At 10:26 o'clock a. m., on motion of Mr. Jones, the Senate took a recess until 10:55 o'clock a. m.

10:55 O'CLOCK A. M.

Senate reconvened.

Mr. Jones, rising to a question of privilege, sent the following telegram to the Secretary's desk, which was read and ordered spread upon the Journal of the Senate.

PEORIA, ILL., Jan. 19, 1909.

Hon. John G. Oglesby, Senate Chamber:

Business matters delay me here. Congratulations to my successor, and good wishes to you and the Senate.

(Signed) L. Y. SHERMAN.

11:00 O'CLOCK A. M. SPECIAL ORDER.

In pursuance of the joint resolution—House Joint Resolution No. 5—adopted by the Senate and House of Representatives of the Forty-sixth General Assembly of the State of Illinois, and the requirements of the statutes of the United States, the President announced that the time had arrived for the consideration of the special order, being the naming by the Senate, by a *viva voce* vote, of a person for Senator in the Congress of the United States from the State of Illinois, for the term of six years from the 4th day of March, A. D. 1909, as provided by sections 14 and 15 of title 2, chapter 1, Revised Statutes of the United States for 1873 and 1874.

The President of the Senate announced that nominations for United States Senator were in order.

Mr. McKenzie placed in nomination Hon. Albert J. Hopkins of Aurora, Kane county, Illinois.

Mr. Isley placed in nomination Hon. Lawrence B. Stringer of Lincoln, Logan county, Illinois.

Mr. Brown placed in nomination Hon. George Edmund Foss of Chicago, Cook county, Illinois.

Mr. Clark placed in nomination Hon. William E. Mason of Chicago, Cook county, Illinois.

Mr. Hearn seconded the nomination of Hon. Lawrence B. Stringer.

Mr. Humphrey seconded the nomination of Hon. Albert J. Hopkins.

Mr. Schmitt seconded the nomination of Hon. George Edmund Foss.

Mr. Breidt seconded the nomination of Hon. George Edmund Foss.

Mr. Dailey seconded the nomination of Hon. Albert J. Hopkins.

Mr. Henson seconded the nomination of Hon. George Edmund Foss.

SENATE BILL No. 48.

A bill for an Act to amend section one of an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime and providing for a system of parole and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, as amended by Act approved May 10, 1901, in force July 1, 1901.

Passed by the House May 4, 1909.

B. H. McCANN,

Clerk of the House of Representatives.

A message from the House by Mr. McCann, Clerk:

Mr. President—I am directed to inform the Senate that the House has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL No. 169.

A bill for an Act to provide for the purchase of a safe for the Insurance Department, and making appropriation therefor.

Passed by the House May 4, 1909 by a two-thirds vote.

B. H. McCANN,

Clerk of the House of Representatives.

READING BILLS OF THE SENATE THE SECOND TIME.

On motion of Mr. Curtis, the consideration of Senate Bill No. 294, a bill for "An Act to consolidate in the government of the city of Chicago the powers now vested in the local authorities having jurisdiction within the territory of said city, to make additional provisions concerning parks and local improvements, and to provide revenue," together with the amendments thereto, reported from the Committee on Chicago Charter, April 28, 1909, on the order of reading bills of the Senate the second time, was made the special order for Tuesday, May 11, 1909, immediately after the reading of the Journal.

Senate Bill No. 343, a bill for "An Act to regulate and limit the hours of employment of females in any manufacturing, mercantile or mechanical establishment, laundry, hotel or restaurant, in order to safeguard the health of such employes, to provide for its enforcement and a penalty for its violation."

Was taken up and read at large a second time.

Mr. Jones offered the following amendments to the bill:

AMENDMENT No. 1.

In the title strike out all after the words "for an Act" and insert in lieu thereof the following: "To regulate and limit the hours of employment of females in any mechanical establishment, or factory or laundry in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation."

AMENDMENT No. 2.

Strike out all after enacting clause in section 1 and insert in lieu thereof the following: "That no female shall be employed in any mechanical establishment or factory, or laundry in this State, more than ten hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of any day."

AMENDMENT No. 3.

On page 2, section 2, line 6, after the word "day" strike out the words "or week."

Pending discussion, on motion of Mr. Henson, the consideration of the bill and pending amendment was postponed to and made a special order for Thursday, May 6, 1909, immediately after the preceding special order.

Senate Bill No. 339, a bill for "An Act to amend section two of an Act entitled, 'An Act to authorize the judges of the circuit courts to appoint shorthand reporters for the taking and preservation of evidence, and to provide for their compensation,' approved May 31, 1887, in force July 1, 1887,"

Having been printed, was taken up and read at large a second time.

Mr. Dunlap offered the following amendments to the bill, which were adopted:

AMENDMENT No. 1.

In line 11, page 2, strike out the words "eight dollars" and insert in lieu thereof "ten dollars."

AMENDMENT No. 2.

In line 16, page 2, strike out the word "fifteen" and insert in lieu thereof the word "eight."

And the question being, "Shall the bill, as amended, be ordered engrossed and printed for a third reading?" it was decided in the affirmative.

Senate Bill No. 261, a bill for "An Act to amend sections 1, 6 and 10 of an Act entitled, 'An Act to create a State Board of Pardons and to regulate the manner of applying for pardons and commutations,' approved June 5, 1897, in force July 1, 1897, and to enlarge the duties and compensations of said board," which was recalled from the order of third reading to the order of second reading for the purpose of amendment, May 4, 1909, was taken up.

Mr. Burton offered the following amendments to the bill, which was adopted:

AMENDMENT No. 1.

Amend the title of Senate Bill No. 261 by striking out after the word and figures "July 1, 1897" in the third line of said title of said printed bill the words, "and to enlarge the duties and compensations of said board."

AMENDMENT No. 2.

Amend section 10 of Senate Bill No. 261 by striking out everything after the word "salary" in line 1 of section 10 of the printed bill and inserting in lieu thereof the following: "of thirty-five hundred dollars (\$3,500) per annum payable in equal monthly installments, together with the actual expenses of any member incurred while traveling in the performance of his official duties as a member of the board of pardons or of the board of parole, and such salary shall be full compensation for acting as members of both of said boards, any provision in any existing Act to the contrary notwithstanding."

The question then being, "Shall the bill, as amended, be engrossed and printed for a third reading?" it was decided in the affirmative.

The following voted in the negative are: Messrs.

Andrus,	Dailey,	Ettelson,	Jandus,	McElvain,
Bailey,	Dellenback,	Hamilton,	Landee,	Olson,
Barr,	Downing,	Helm,	Lish,	Potter,
Breidt,	Dunlap,	Humphrey,	Lundberg,	Schmitt,
Clark,				Nays—21

The question then being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote: Yeas, 21; nays, 24.

The following voted in the affirmative: Messrs.

Andrus,	Dailey,	Ettelson,	Humphrey,	McElvain,
Bailey,	Dellenback,	Funk,	Landee,	Olson,
Barr,	Downing,	Hamilton,	Lish,	Potter
Breidt,	Dunlap,	Helm,	Lundberg,	Schmitt,
Clark,				Yeas—21

The following voted in the negative: Messrs.

Baker,	Burton,	Hay,	Jandus,	Pemberton.
Ball,	Cruikshank,	Hearn,	Jones,	Stewart,
Billings,	Gardner,	Henson,	McCormick,	Tossey,
Broderick,	Gibson,	Holstlaw,	McKenzie,	Womack.
Brown,	Glackin,	Hurburgh,	Manny,	Nays—24

Mr. Potter offered the following amendment to the bill, as amended, which was adopted:

Amend section 4, by striking out all of said section after the word "board" in line 6, down to and including the word "prescribed" in line 18.

Mr. Dunlap offered the following amendment to the bill, as amended, which was adopted:

Amend section 4, by striking out of lines 21 and 22 the words "during good behavior" and by inserting in lieu thereof the following: "Two for two years and three for four years and thereafter their successors shall when appointed hold office for four years and until their successors are appointed and qualified."

Mr. Hamilton offered the following amendment to the bill, as amended, which was adopted:

Amend Senate Bill No. 448, as amended, by striking out the word "may" in line 31, section 4, paragraph b, and inserting in lieu thereof the words "shall have the power to" also by striking out all after the word "administration" in line 32, and preceding the word "in" in line 39.

Mr. Jandus offered the following amendment to the bill, as amended, which was adopted:

Amend Senate Bill No. 448, as amended, by inserting in section 4, immediately after the word "persons" in line No. 4, of said paragraph, the words "no more than three of said persons shall belong to or be affiliated with the same political party."

On motion of Mr. Pemberton, the further consideration of the bill on the order of second reading was postponed to and made a special order for Tuesday, May 11, 1909, immediately after the preceding special order.

The President of the Senate announced the next special order to be the consideration of Senate Bill No. 343, a bill for an Act to regulate and limit the hours of employment of females in any manufacturing, mercantile or mechanical establishment, laundry, hotel or restaurant, in order to safeguard the health of such employes, to provide for its enforcement and a penalty for its violation.

Which was read at large May 5, 1909.

The pending question being, "Shall the following amendments offered by Mr. Jones, January 5, 1909, be adopted?"

AMENDMENT No. 1.

In the title strike out all after the words "for an act" and insert in lieu thereof the following "to regulate and limit the hours of employment of females in any mechanical establishment, or factory or laundry in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation."

AMENDMENT No. 2.

Strike out all after enacting clause in section 1 and insert in lieu thereof the following: That no female shall be employed in any mechanical establishment or factory, or laundry in this State, more than ten hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of any day.

AMENDMENT No. 3.

On page 2, section 2, line 6, after the word "day" strike out the words "or week."

On motion of Mr. Jandus, the foregoing amendments were ordered to lie on the table.

The question then being, "Shall the bill be ordered to a third reading?" and the ayes and nays being demanded, it was decided in the negative by the following vote: Yeas, 19; nays, 24.

The following voted in the affirmative: Messrs.

Andrus,	Brown,	Downing,	Henson,	McKenzie,
Ball,	Clark,	Gardner,	Humphrey,	Pemberton,
Barr,	Criukshank,	Gibson,	Jandus,	Potter,
Broderick,	Dailey,	Gorman,	Lish,	Yeas—19

The following voted in the negative: Messrs.

Bailey,	Dunlap,	Hamilton,	Landee,	Olson,
Billings,	Ettelson,	Hearn,	Lundberg,	Rainey,
Breidt,	Funk,	Helm,	McCormick,	Schmitt,
Burton,	Glackin,	Hurburgh,	McElvain,	Stewart,
Dellenback,	Hall,	Jones,	Manny,	Nays—24

By direction of the President of the Senate the bill was ordered placed on file in the order of Reading Bills of the Senate the Second Time.

The President of the Senate announced the next special order to be the consideration of Senate Bill No. 465, a bill for "An Act to provide for the construction of a deep waterway, or canal, from the water power plant of the Sanitary District of Chicago, at or near Lockport, to a point in the Illinois river, at or near Utica, and for the development and utilization of the water power that may be created from the water flowing through said waterway, and to create a commission to carry out the provisions of this Act."

Which was read at large a second time, May 4th, 1909.

The pending question being, "Shall the amendments offered by Mr. McKenzie, on May 5, 1909, be adopted?"

On motion of Mr. Schmitt, the further consideration of the bill and pending amendments was postponed to and made a special order for Tuesday, May 11, 1909, immediately after the preceding special order.

Mr. Juul, from the Committee on Judiciary to which was referred a bill, Senate Bill No. 461, for "An Act to amend an Act entitled, 'An Act to revise the law in relation to mortgages of real and personal property,' approved March 26, 1874, as amended by subsequent Acts."

Reported the same back with the recommendation that the bill do not pass.

The report of the committee was concurred in, and the bill on motion of Mr. Juul was ordered to lie on the table.

Mr. Juul, from the Committee on Judiciary to which was referred a bill, Senate Bill No. 497, for "An Act to regulate and limit the hours of employment of females in any mechanical establishment, or factory or laundry in order to safeguard the health of such employes; to provide for its enforcement and a penalty for its violation."

Reported the same back with amendments thereto, and recommended that the amendments be adopted, and that the bill as amended do pass.

Under the rules the bill was ordered to a second reading, and to be printed with the amendments.

Mr. Hurburgh, from the Committee on Appropriations, to which was referred a bill, Senate Bill No. 56, for "An Act making an appropriation to meet a deficiency in the expenses for returning fugitives from justice."

Reported the same back with the recommendation that the bill do pass.

The report of the committee was concurred in, and the bill was ordered to a second reading.

Mr. Henson, from the Committee on Labor, Mines and Mining to which was referred a bill, Senate Bill No. 411, for "An Act to amend section 22 of an Act entitled, 'An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein,' approved April 18, 1899, in force July 1, 1899; as amended by Acts approved May 13, 14, 1903, in force July 1, 1903; as amended by Acts approved May 12, 13, 16, 1905, in force July 1, 1905; and as amended by Acts approved May 17, 18, 25, 27, 1907, in force July 1, 1907."

Reported the same back with the recommendation that the bill do pass.

The report of the committee was concurred in, and the bill was ordered to a second reading.

Mr. Cruikshank, from the Committee on Fish and Game to which was referred a bill, House Bill No. 117, for "An Act to amend an Act entitled, 'An Act to regulate the catching of whitefish, trout, herring, chubs, longjaws, blackfins, perch, and other rough fish in the waters of Lake Michigan under the jurisdiction of the State of Illinois,' approved May 17, 1907, in force July 1, 1907, by adding thereto two new sections to be known as section 8a and section 8b."

Reported the same back with the recommendation that the bill do pass.

The report of the committee was concurred in, and the bill was ordered to a second reading.

Mr. Ettelson, from the Committee on License and Miscellany to which was referred a bill, Senate Bill No. 370, for "An Act to amend section one of an Act entitled, 'An Act relating to nurses and providing for their registration,' approved May 2, 1907, in force July 1, 1907."

The question then being, "Shall the bill, as amended, be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate Bill No. 463, a bill for "An Act to amend sections 3 and 4 of an Act entitled, 'An Act to provide for the visitation of children placed in family homes,' approved May 13, 1905, in force July 1, 1905, as amended by Act approved May 25, 1907, in force July 1, 1907,"

Having been printed, was taken up and read at large a second time, And the question being, "Shall the bill be ordered engrossed and printed for a third reading?" it was decided in the affirmative.

Senate Bill No. 337, a bill for "An Act making an appropriation for the State Board of Agriculture and county and other agricultural fairs,"

Was taken up and read at large a second time, together with the following amendment thereto, reported from the Committee on Appropriations, May 18, 1909:

Amend section 1, page 2, by striking out lines 23, 24 and 25.

The question being, "Shall the report of, and the amendment reported from said committee be adopted?" it was decided in the affirmative.

The question then being, "Shall the bill, as amended, be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate Bill No. 490, a bill for "An Act making an appropriation for county fairs or other agricultural societies of the State of Illinois,"

Was taken up and read at large a second time, together with the following amendment thereto, reported from the Committee on Appropriations, May 18, 1909:

Amend section 1, line 2 of the printed bill by striking out the words and figures "sixty thousand (\$60,000)" and insert in lieu thereof the words and figures "forty thousand (\$40,000)" respectively.

The question being, "Shall the report of, and the amendment reported from said committee be adopted?" it was decided in the affirmative.

The question then being, "Shall the bill, as amended, be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate Bill No. 497, a bill for "An Act to regulate and limit the hours of employment of females in any mechanical establishment, or factory or laundry in order to safeguard the health of such employes, to provide for its enforcement and a penalty for its violation,"

Was taken up and read at large a second time, together with the following amendment thereto, reported from the Committee on Judiciary, May 12, 1909:

Amend printed bill by striking out the word "ten" in line 3 and insert the word "eight." Also strike out the word "ten" in line 5 and insert "eight" in lieu thereof.

On motion of Mr. Jones, the amendment was laid on the table.

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Having been printed, was taken up and read at large a third time, And the question being, "Shall this bill pass?" it was decided in the negative by the following vote: Yeas, 25; nays, 17.

The following voted in the affirmative: Messrs.

Bailey,	Curtis,	Hay,	Landee.	Olson.
Barr,	Dunlap.	Helm,	Lundberg,	Pemberton.
Billings,	Ettelson,	Henson.	McCormick,	Schmitt.
Brown,	Funk.	Isley,	McKenzie,	Stewart.
Clark,	Gibson,	Jones,	Mannv.	Womack,
				Yeas—25

The following voted in the negative: Messrs.

Ball,	Downing,	Hall,	Holstlaw.	Lish,
Droderick,	Gardner,	Hamilton.	Jandus,	Potter.
Burton,	Glackin,	Hearn,	Juul.	Tossev.
Dailey,	Gorman,			Nays—17

By unanimous consent, Mr. Jones presented the following communication which was read and ordered spread upon the Journal:

RESOLUTION ADOPTED BY THE WOMEN'S TRADE UNION LEAGUE OF CHICAGO.

WHEREAS, To establish the principle of limitation upon the hours of women's work would be a great social gain in Illinois and a first step in securing a fair working day for women workers in this State, and

WHEREAS, The eight-hour bill cannot pass the Legislature at this session, now, therefore, be it

Resolved, That the Women's Trade Union League of Chicago does hereby endorse and recommend for enactment into law of the substitute bill introduced by Senator Jones, which is a duplicate of the Oregon law of 1903, and has been held to be constitutional by the Supreme Court of the United States, and be it further

Resolved, That we urge upon all friends of labor and social welfare an united support of this substitute bill."

Senate Bill No. 497, for "An Act to regulate and limit the hours of employment of females in any mechanical establishment or factory or laundry in order to safeguard the health of such employes, to provide for its enforcement and a penalty for its violation,"

Having been printed, was taken up and read at large a third time, And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas, 42.

in force July 1, 1895, of which section 1 was amended by Act approved

Andrus,	Cruikshank,	Gibson,	Isley,	Mannv.
Bailey,	Curtis,	Glackin,	Jandus,	Olson.
Ball,	Dailey.	Gorman,	Jones,	Pemberton.
Barr,	Cruikshank,	Hay,	Juul,	Potter.
Breidt,	Downing.	Helm,	Landee,	Rainey.
Bronderick.	Dunlap.	Henson,	Lundberg,	Schmitt.
Brown,	Ettelson,	Holstlaw.	McCormick,	Stewart.
Burton,	Funk.	Humphrey,	McKenzie,	Tossev.
Clark,	Gardner,			Yeas—42

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the passage of the bill.

Senate Bill No. 508, for "An Act to amend section 6 of an Act entitled, 'An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions of policies of life insurance companies, organized under the laws of this State, or doing business herein,' approved May 20, 1907, in force January 1, 1908,"