

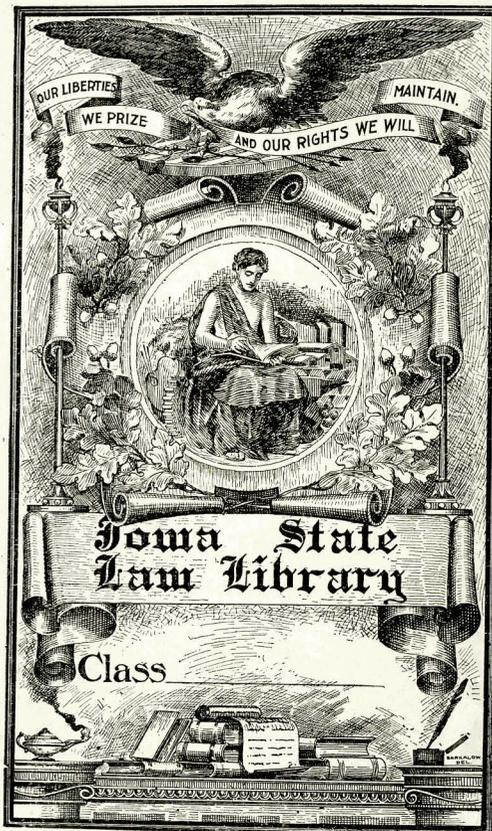
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IOWA / CONSTITUTIONAL CONVENTION ON REPEAL OF THE 18TH AMENDMENT / July 10, 1933

STATE OF IOWA
JOURNAL
OF THE
STATE CONVENTION
on
REPEAL
OF THE
EIGHTEENTH AMENDMENT
July 10, 1933



State of Iowa

Journal
OF THE
State Convention
ON
Repeal
of the Eighteenth
Amendment

HALL OF THE
HOUSE OF REPRESENTATIVES
DES MOINES, IOWA
July 10, 1933

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Joint Resolution

Adopted by the Congress of the United States

SENATE JOINT RESOLUTION NO. 211

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

“Article—

“Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

“Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

“Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

JNO. N. GARNER, *Speaker of the House of Representatives.*
CHARLES CURTIS, *Vice President of the United States and
President of the Senate.*

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D36425 (Replacement)

Joint Resolution

Adopted by the House of Representatives of the State of Iowa

January 10, 1933

Resolved, That the Secretary of State be and he do certify to the several States and to the Congress of the United States, the following proposed Article of Amendment to the Constitution of the United States:

"Section 1. The transportation, importation, or possession of any intoxicating liquor in violation of the laws thereof is prohibited.

"Sec. 2. This Article shall be inoperative unless it shall have been ratified as an Amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Approved and passed at a special session of the General Assembly of the State of Iowa, held at Des Moines, Iowa, on the 10th day of July, 1933.

CLYDE L. HERRING, Governor

ALEX MILLER, Secretary of State

STATE of IOWA

PRESERVE THE CONSTITUTION

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WE, THE UNDERSIGNED, CLYDE L. HERRING, Governor, and MRS. ALEX MILLER, Secretary of State of the State of Iowa,

DO HEREBY CERTIFY, That the Resolution above recited is a true and correct copy of a Resolution adopted at a state convention held in the House of Representatives of the State Capitol, Des Moines, Iowa, July 10th, A. D. 1933.

WE FURTHER CERTIFY, That said Resolution was adopted pursuant to an Act of Congress, submitting to the several States the question of ratification of the proposed Amendment to the Constitution of the United States; in pursuance to an Act of the Federal Congress, the General Assembly of Iowa, known as Senate File No. 477, and in accordance with a call for a state convention issued by the Governor of Iowa on the 14th day of April, A. D. 1933.

WE FURTHER CERTIFY, That the said Resolution was adopted at a convention, now in the custody of the Secretary of State, attested to the adoption of said Resolution and the proposed Constitutional Amendment in a proper and legal manner.

THEREFORE, We certify to the several States and to all concerned, that the State of Iowa, in full compliance with the Constitution of the United States and with the laws of the State of Iowa, has duly ratified and approved as a part of the Constitution of the United States, the following proposed Article of Amendment:

"Section 1. The transportation or importation into any state, territory, or possession of the United States, or the delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

"This Article shall be inoperative unless it shall have been ratified as an Amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Iowa at the Capitol in Des Moines, this 10th day of July, A. D. Nineteen Hundred and Thirty-three.

Clyde L. Herring
Governor

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines, this 10th day of July, A. D. Nineteen Hundred and Thirty-three.

Mrs. Alex Miller
Secretary of State

By James C. Green
Deputy

OFFICERS OF THE CONVENTION

Temporary President

GOVERNOR CLYDE L. HERRING

Temporary Secretary

JAMES C. GREEN
Assistant Secretary of State

Permanent President

SENATOR JOSEPH R. FRAILEY
Fort Madison

Permanent Secretary

GENERAL MAT A. TINLEY
Council Bluffs

Journal Clerk

BYRON G. ALLEN, Pocahontas

Reading Clerk

PHILIP L. SHUTT, Independence

Sergeant-at-Arms

DAN McENIRY, Des Moines

Assistants—I. H. Wilson, L. S. Reinecke, E. A. Franquemont, Geo. T. Irwin, Wade Clark, G. A. Holland, H. N. Hay, Matt Theis, Ralph Lynch, A. B. Southworth, and Ronald Ryan, Des Moines.

Journal of the State Convention
on
Repeal of the Eighteenth Amendment

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JULY 10, 1933.

Pursuant to the law, as provided in Senate File No. 477, Chapter 1, acts of the Forty-fifth General Assembly, the state convention of delegates to determine whether a proposed Amendment to the Constitution of the United States, repealing the Eighteenth Amendment thereto, should be ratified by the State of Iowa, convened at 2:00 o'clock P. M. Monday, July 10, 1933.

The convention was called to order by Governor Clyde L. Herring as temporary president.

Governor Herring announced that James C. Green, Assistant Secretary of State, would act as temporary secretary.

Prayer was offered by Reverend Harry Longley, pastor of Saint Paul's Episcopal Church of Des Moines:

"O God, the Holy Spirit, we turn to Thee in prayer seeking Thy guidance and blessing in this convention.

"Appointed to repeal a social experiment which has failed, we have come with a conscientious purpose to do the bidding of a sovereign people. May this action be blessed with fruits which shall make for a law abiding citizenry, a temperate people, and an honest and sober commonwealth.

"May all things in this state and nation be so ordered and settled upon the best and surest foundations that peace and happiness, truth and justice, religion and piety may be established among us for all generations. All of which we ask in the name of Jesus Christ, the Prince of Peace, our Most Blessed Lord. Amen."

Governor Herring then addressed the convention as follows:

LADIES AND GENTLEMEN OF THE CONVENTION:

This Constitutional Convention has interesting and unusual significance.

It represents one of the steps by which the people of a great Democracy seek, in an orderly manner, to express their will in a matter of government.

Also, it provides the means for the people, by deliberate and thoughtful consideration, to express their decision on a matter which heretofore has not received independent consideration.

I venture to say that not in the memory of any delegate to this Convention has the question here involved been considered alone, divorced from all questions of personalities and politics.

Your presence here then, is evidence of advance in government and in public thought.

It is a wholesome sign that our people have the good sense to separate what has been so controversial a question from other considerations and then determine it solely upon its merits.

It is perhaps timely and appropriate that I, not alone as temporary chairman of this Convention, but also as Chief Executive of this state, should call to your attention some of the factors involved.

Conflicting reasons have been given for the original adoption of the Eighteenth Amendment.

All will agree, however, that its genesis may be found in the action of a great number of earnest and excellent people who believed that its passage and adoption would prohibit the sale of intoxicating liquors.

Their desire was to combat the evils of drunkenness.

They had tried moral persuasion, and the establishment of total abstinence and temperance societies.

The results seemed too slow, however, to satisfy the more ardent and enthusiastic of the reforming group.

Therefore, in their zeal to do good, they substituted a purpose,—that of forbidding the use of intoxicating liquors.

We forgot that character must be developed by moral means and we believed that we could develop character by making men stop drinking, and that we could make men stop drinking by the passage of a law.

We sought to accomplish by prohibition of the act, what we could not accomplish by pointing out its evil consequences.

As was said by former President Taft: "Drinking of liquor is a social practice."

We sought by the Eighteenth Amendment to make this social practice a crime.

It was believed that heavy penalties would prevent indulgence.

It was believed that mere enactment of the prohibitory law would stop drinking by ending manufacture and sale.

Many good citizens, opposed to drunkenness, although believing that the method might not accomplish its purpose, nevertheless thought it would do no harm, and supported prohibition.

It was found to the surprise of some, and to the dismay of others, that the prohibitory law, like other penal laws, would not execute itself and that the law enforcement arm of the government must be set in motion to detect and prevent violation.

Former President Taft had said that he was opposed to prohibition because he believed that it would not prohibit throughout the country, especially in localities where the community did not favor prohibition.

His concern was well founded.

People, otherwise law-abiding, began privately to manufacture and to purchase prohibited liquors.

Law-abiding people refused to lend themselves to the enforcement of the law.

The profits from the illegitimate business became so great as to encourage those violating the law to organize into groups, nation-wide in extent, to furnish a constant source and means of corruption.

Those who believed that the evil consequences which arose were the effect of drinking rather than of the attempt to stop drinking by law, increased their efforts for its enforcement by securing larger appropriations for detection and heavier penalties for violation.

With thousands of other citizens I had mistakenly believed that the prohibitory law should be passed and could be enforced.

I believed so firmly in temperance and was so definitely against the saloon that I was slow to surrender my belief that the Eighteenth Amendment could be made effective.

However, it has been demonstrated beyond reasonable doubt that it does not bring temperance; that it is unenforcible and that its effect has been to increase crime and corruption beyond anything known in the history of our people by reason of the extent to which its ill-gotten profits have financed the underworld.

For many years the opinion has been growing that the evils which followed in the wake of the adoption of the Eighteenth Amendment were worse than the evil which it sought to cure.

Many of us who have been firm advocates of the cause of temperance believed that we saw that cause harmed by the events of the last few years.

These circumstances caused great numbers of people to change their view as to the wisdom of the Eighteenth Amendment.

So definite has that change become that last year the National Convention of the two major political parties recognized in their platforms the necessity for prompt and affirmative action.

As a result, Congress adopted the Amendment calling for repeal of the Eighteenth Amendment to the Constitution and has submitted it to the several states for its ratification or rejection.

Our legislature made the necessary provision for the selection of delegates to this Convention and for the calling of the Convention to consider the question of ratification or rejection of the Amendment.

The campaign which preceded the county conventions and which preceded the state-wide selection of delegates, was an active one on the part both of those who favored retention and those who favored rejection of the Amendment.

The questions were fully discussed by radio, by newspaper, on the platform, from the pulpit and in all of our forums.

The question was considered by the people unobscured by any other issue.

A vote larger than that ever cast at any election, other than a presidential election, indicates the interest of the people and their determination definitely to settle this controversial matter.

Let us hope that throughout the nation it may receive as full, as complete, and as fair consideration as it has received by the people of Iowa.

It is a testimonial to the good sense of our citizens and to their interest in orderly government that they voted in such large numbers and

that the delegates elected to this Convention are men and women of high standing in their various communities.

I am confident that your approach to the consideration of the question before this Convention will justify the confidence which the people of Iowa have reposed in you.

I believe that it is appropriate to say here and now that I construe the results of the June election as a vote for temperance as opposed to prohibition, and that I believe that the people of Iowa favor temperance rather than prohibition.

We are not unmindful that an honored and respected woman of this state has recently been elected head of one of the great national prohibition organizations.

There was a time before her organization adopted prohibition as the solution of the problem, when she battled courageously in the cause of temperance.

It is the hope of many of us who respect her earnestness of purpose and her ability, that she will recognize the expression of the will of the people of Iowa and will again ally herself with the cause of temperance.

In exchange for that support I will pledge to her and her organization my support in opposition to the saloon.

I believe that the people of Iowa are opposed to the return of the saloon and if and when the Eighteenth Amendment shall be repealed, we must adopt the necessary legislation to that end.

One of the matters appropriate to mention to you to aid in your consideration of the question before you today is what legislation may be adopted in the event of your vote to ratify the repeal of the Eighteenth Amendment.

I believe that the people of Iowa through its legislature will, in the event of repeal, adopt practical laws which will secure the enforcement of the declaration of the will of the people and will promote the cause of temperance.

That they may have the benefit of preliminary study to that end, I have considered the appropriateness, in the event of repeal, of appointing a committee of citizens of this state who may be willing, without compensation, to make some study of various manners of liquor control and to give to the legislature the results of their investigation.

The saloon as it was known of old is a thing of the past and this generation will not tolerate it.

Since the enactment of beer legislation in Iowa, our people have demonstrated that they may use the beverage in a sensible, practical manner under proper regulation.

It is my belief that should the Eighteenth Amendment be repealed, we must be prepared by appropriate legislation to take care of certain factors, which I firmly believe will best promote the cause of temperance.

First: The element of *unrestricted* private profit must be taken out of the sale of liquor.

Second: There must be limited sale under strict government regulation and control.

Third: There must be such license fees as will provide to the state

the greatest revenue possible, without, however, being so high as to encourage the practice of bootlegging.

In the event of repeal, it will be well for our legislature to consider whether it may not profitably, both for the cause of temperance and the cause of revenue, center the matter of liquor control in the hands of a state agency and divert all license fees into the public treasury, the amount thereof to replace to that extent the state levy imposed on real estate and other tangible property.

In the event of repeal, our legislature might well consider the plans in operation in the Canadian Provinces and I am informed that those have operated most successfully where a maximum of authority has been conferred upon the licensing boards to issue regulations consistent with the purposes I have outlined above.

They have selected excellent men to administer and have given them broad discretionary powers.

The questions before the people at the time of the election of Governor Horace Boies in 1889 were in many respects identical with those with which we are confronted today.

In his inaugural speech in 1890, he told of the effects of prohibition and of intemperance.

He recognized the propriety of legislation to minimize the evils, and the difference of opinion as to what that legislation should be.

He said that of all the means ever employed to improve the morals of men, that of excessive punishment is the least effective and after discussion of the questions of that day, he said what I may well submit to you, the chosen representatives of the people of Iowa:

Governor Boies said in 1890: "What Iowa needs is practical legislation on this subject. Legislation that is broad enough to meet the views of more than a single class; that is liberal enough to command the respect of all her people; that is generous enough to invite to her borders every class of respectable persons; that is just enough to respect the person and property of every one of her citizens; and wise enough to exercise a practical control over traffic that today is unrestrained in most of her centers of population.

"He who strives for this is not a foe of temperance, is a friend of the state, too grand in its natural advantages, too broad in its diversity of interests, too widely at variance in the education, habits and customs of its people to be appropriated by any single class or sect."

On behalf of the people who have chosen you as their delegates to this Constitutional Convention, I bespeak your careful consideration of the question before you.

Delegate Diamond of O'Brien county moved that the temporary president name a committee of three to act as a Committee on Credentials.

The motion was seconded by Delegate Schaupp of Webster county.

The motion prevailed.

The temporary president appointed as a Committee on Credentials Delegates Diamond of O'Brien county, Shaw of Keokuk county, and Morganthaler of Carroll county.

The committee retired, and, upon returning, the chairman, Delegate Diamond of O'Brien county, presented the following report:

"MR. PRESIDENT: Your Committee on Credentials begs leave to report that they have examined the election returns and the records in the office of the Secretary of State which were kept in pursuance to the provisions of Senate File No. 477, Chapter 1, acts of the Forty-fifth General Assembly, and finds that the persons named in a communication from the Secretary of State and submitted herewith, were duly elected as Delegates to this convention, and are entitled to membership in this body.

"Your committee further recommends that counties which have unofficially designated alternates and from which the officially elected delegate is not present may be represented by the alternate as an honorary delegate without a vote."

The following communication from the Secretary of State, having been made a part of the report of the Committee on Credentials, was, at the order of the temporary president, read into the journal of the convention:

I, MRS. ALEX MILLER, Secretary of State of the state of Iowa, custodian of the files and records pertaining to elections in the state,

DO HEREBY CERTIFY that the attached instrument contains a true and correct list of Delegates elected at a Special Election held on June 20th, 1933, as provided for by an Act of the Forty-fifth General Assembly, known as Senate File 477.

I DO FURTHER CERTIFY that the Delegates herein named were duly elected in full compliance to the laws of the state of Iowa, and that said Special Election was held on June 20th, A. D. 1933 in full compliance to the laws of the state of Iowa.

Adair.....	F. O. Welch	Chickasaw.....	C. A. Upham
Adams.....	Wm. E. Humbert	Clarke.....	W. T. Cleghorn
Allamakee.....	John J. Dunlevy	Clay.....	H. E. Jones
Appanoose.....	Dr. E. E. Bamford	Clayton.....	M. X. Geske
Audubon.....	Ai Miller	Clinton.....	J. A. Lubbers
Benton.....	C. J. Snitkay	Crawford.....	L. W. Powers
Black Hawk.....	Saner C. Bell	Dallas.....	W. P. Kent
Boone.....	Mrs. Paul M. Seifert	Davis.....	O. D. Wray
Bremer.....	Lee O. Peacock	Decatur.....	J. P. Smith
Buchanan.....	Philip Leslie Shutt	Delaware.....	E. E. Annis
Buena Vista.....	F. C. Foley	Des Moines.....	Max Conrad
Butler.....	C. E. Johnson	Dickinson.....	Ira F. Peacock
Calhoun.....	Earl Stotts	Dubuque.....	A. E. Piekenbrock
Carroll.....	Otis P. Morganthaler	Emmet.....	J. O. Kasa
Cass.....	Hugh Reinig	Fayette.....	Fred H. Harms
Cedar.....	L. E. Bees	Floyd.....	Ed. Gayther
Cerro Gordo.....	R. F. Clough	Franklin.....	R. F. Schaefer
Cherokee.....	Wm. H. Smith	Fremont.....	John F. Porterfield

Greene.....	U. K. Willman	Montgomery.....	Paul W. Richards
Grundy.....	Herman B. Koolman	Muscatine.....	Clarence A. Hahn
Guthrie.....	Charles Owen	O'Brien.....	T. E. Diamond
Hamilton.....	Edward P. Prince	Osceola.....	A. B. Callender
Hancock.....	Walter T. Walfrom	Page.....	John P. Nye
Hardin.....	Gilman H. Wisner	Palo Alto.....	Irving J. Weber
Harrison.....	Howard A. Nelson	Plymouth.....	R. J. Joynt
Henry.....	Frank Price	Pocahontas.....	F. K. Hawley
Howard.....	W. C. Sovereign	Polk.....	Wm. C. Harbach
Humboldt.....	D. F. Coyle	Pottawattamie.....	Mat A. Tinley
Ida.....	C. W. Hoyer	Poweshiek.....	Lola G. Landes
Iowa.....	Frank Owen	Ringgold.....	Geo. H. Bartels
Jackson.....	J. O. Ristine	Sac.....	Frank Krejci
Jasper.....	Frank L. Smith	Scott.....	Peter N. Jacobsen
Jefferson.....	John G. Barwise	Shelby.....	John Buman
Johnson.....	Edwin B. Wilson	Sioux.....	William Huisman, Sr.
Jones.....	C. M. Holst	Story.....	M. McLaughlin
Keokuk.....	Robert J. Shaw	Tama.....	F. E. Shortess
Kossuth.....	Geo. D. Moulton	Taylor.....	F. L. Marsh
Lee.....	Joe R. Frailey	Union.....	L. E. Sternberg
Linn.....	Ray J. Mills	Van Buren.....	John G. Shott
Louisa.....	John G. Keck	Wapello.....	C. S. Harper
Lucas.....	C. C. Pickerell	Warren.....	Mark J. Dolan
Lyon.....	M. McLaughlin	Washington.....	T. A. Michels
Madison.....	Elmer Orris	Wayne.....	C. W. Elson
Mahaska.....	B. J. Snyder	Webster.....	John M. Schaupp
Marion.....	Peter W. Visser	Winnebago.....	Grover Campbell
Marshall.....	A. A. Moore	Winneshiek.....	T. F. Schmitz
Mills.....	Walter Breen	Woodbury.....	Donald E. Tremaine
Mitchell.....	Lloyd H. Koch	Worth.....	F. L. Murphy
Monona.....	Matt Riddle	Wright.....	John J. Henneberry
Monroe.....	T. E. Gutch		

I DO FURTHER CERTIFY that such Delegates are entitled to sit in and vote in the Constitutional Amendment Convention called by the Governor to meet in the House Chamber, State Capitol, Des Moines, on July 10th for the purpose of ratifying or rejecting, in behalf of the state of Iowa, a proposed Article of Amendment to the Constitution of the United States, to-wit:

"Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, Des Moines, this 10th day of July, A. D. 1933.

[SEAL]

MRS. ALEX MILLER,
Secretary of State.

By JAMES C. GREEN, Deputy.

Delegate Miss Landes of Poweshiek county moved that the report of the Credentials Committee be adopted, that the accredited list of delegates submitted by the Secretary of State be declared the duly elected delegates to this convention, and that a roll call be had to ascertain the delegates present.

The motion was seconded by Delegate Dunlevy of Allamakee county.

The motion prevailed, the report of the committee was adopted, and the committee was discharged.

The roll was called to ascertain the delegates present:

Those present were, 90.

Bamford of Appanoose	Jacobsen of Scott	Prince of Hamilton
Bartels of Ringgold	Johnson of Butler	Reinig of Cass
Barwise of Jefferson	Jones of Clay	Richards of
Bees of Cedar	Joynt of Plymouth	Montgomery
Bell of Black Hawk	Kasa of Emmet	Riddle of Monona
Breen of Mills	Kent of Dallas	Ristine of Jackson
Buman of Shelby	Koch of Mitchell	Schaefer of Franklin
Callender of Osceola	Koolman of Grundy	Schaupp of Webster
Campbell of Winnebago	Krejci of Sac	Schmitz of Winneshiek
Cleghorn of Clarke	Landes of Poweshiek	Seifert of Boone
Clough of Cerro Gordo	McLaughlin of Lyon	Shaw of Keokuk
Conrad of Des Moines	McLaughlin of Story	Shortess of Tama
Coyle of Humboldt	Marsh of Taylor	Shott of Van Buren
Diamond of O'Brien	Michels of Washington	Shutt of Buchanan
Dolan of Warren	Miller of Audubon	Smith of Cherokee
Dunlevy of Allamakee	Mills of Linn	Smith of Decatur
Elson of Wayne	Moore of Marshall	Smith of Jasper
Foley of Buena Vista	Morganthaler of	Snyder of Mahaska
Frailey of Lee	Carroll	Sovereign of Howard
Gayther of Floyd	Moulton of Kossuth	Sternberg of Union
Geske of Clayton	Murphy of Worth	Stotts of Calhoun
Gutch of Monroe	Nelson of Harrison	Tinley of
Hahn of Muscatine	Nye of Page	Pottawattamie
Harbach of Polk	Orris of Madison	Tremaine of Woodbury
Harms of Fayette	Owen of Guthrie	Upham of Chickasaw
Harper of Wapello	Owen of Iowa	Visser of Marion
Hawley of Pocahontas	Peacock of Bremer	Walfrom of Hancock
Henneberry of Wright	Pickerell of Lucas	Weber of Palo Alto
Holst of Jones	Piekenbrock of Dubuque	Welch of Adair
Hoyer of Ida	Porterfield of Fremont	Willman of Greene
Huisman of Sioux	Price of Henry	Wilson of Johnson

Those absent were, 9.

Annis of Delaware	Lubbers of Clinton	Snitkay of Benton
Humbert of Adams	Peacock of Dickinson	Wisner of Hardin
Keck of Louisa	Powers of Crawford	Wray of Davis

Delegate Bamford of Appanoose county moved that all absent delegates, or those not answering the roll call, be excused.

The motion was seconded by Delegate Hahn of Muscatine county.

The motion prevailed.

The delegates present then took the oath of office in a body as follows:

"I do solemnly swear that I will support the Constitution of the United

States and the Constitution of Iowa, that I will faithfully and impartially perform the duties of delegate in this convention called to consider a proposed Amendment to the Constitution of the United States, according to law and to the best of my ability, so help me God."

Delegate Harbach of Polk county moved that the Honorable Joseph R. Frailey, the delegate from Lee county, be chosen president of the convention.

The motion was seconded by Delegate Tinley, of Pottawattamie county.

Temporary President Herring put the motion, which motion prevailed, and the Hon. Joseph R. Frailey was declared the duly elected president of the convention. Delegates Harbach of Polk county, Tinley of Pottawattamie county, and Clough of Cerro Gordo county were named as a committee to escort the president to the chair.

Delegate Frailey took the following oath which was administered by the temporary secretary, Mr. Green:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, that I will faithfully and impartially perform the duties of the office of president of this convention according to law and to the best of my ability, so help me God."

Delegate Frailey assumed the duties of presiding officer and addressed the convention as follows:

YOUR EXCELLENCY, DELEGATES TO THIS CONVENTION, AND LADIES AND GENTLEMEN:

First of all I want to thank you from the bottom of my heart for the great honor you have bestowed upon me in selecting me President of this Convention. And the honor is all the greater, and the obligation that I owe to you the more precious, when we stop to think that this is the first time, in the history of Iowa, that the people themselves have been the makers and reformers of their own Constitution and, indirectly, of the Constitution of the United States itself.

This is a non-partisan Convention. It represents no faction, no creed and no party. It is a meeting of the delegates of the people. And for that reason, as a citizen of this State, and one who has approved and admired the great things that our Governor has already accomplished and is about to accomplish in his administration, I want to take this opportunity to pay to him a tribute as one of the greatest and most effective administrators who has ever sat in the gubernatorial chair and guided the welfare of his people. It is well that the State of Iowa recognizes, as it does, Clyde L. Herring, as one of her most illustrious sons, who through all the years, in office and out, has been in the very forefront in rendering patriotic services to his fellow citizens.

In the year of grace, 1776, Liberty, for the first time, rang throughout this land of ours. Today, as we are about to solemnly record the mandate of more than a third of a million votes of the men and women of this

State, Liberty again returns to the grand old Commonwealth of Iowa. It is hard to tell whether this is the Christmas Eve of a new Liberalism or a new Declaration of Independence of our people.

We meet here today to rewrite and rededicate, once more, the inexorable scroll of human rights and human liberties. It is the old, old story of the slow, the patient, but the inevitable march of mankind to ultimate freedom. For you may hang men on gibbets and on scaffolds, but you can't hang the truth. You may cast men into prisons and dungeons, but you can't imprison thought. You may crucify men upon a thousand hills of Golgotha, but you can't crucify the gospel of eternal right; and all the persecutions, all the bigotries, all the iniquities of red handed inquisition, yes, and all the whited sepulchres of hypocrisy, that have blighted the hopes and holy aspirations of mankind since first the sun of human history silvered the dawn of the world, can never and will never, place the hosts of wrong upon the everlasting throne of right.

It has indeed been a pathetic and a tragic era that we have just passed through; those sad years from nineteen hundred eighteen to nineteen hundred thirty-two—the Via Dolorosa, the Road of Sorrows, of American rights, American liberties and American Constitutional Government.

In that era we have seen the Constitution of the United States spurned, trampled under foot and spit upon—all in the name of the "noble experiment."

We have seen the first ten amendments to that Constitution—The Magna Charta of America—the one Bill of Rights of the Common People of this Nation, raped, ruined and repudiated.

We have seen trial by jury denied.

We have seen American free men and free women placed twice, yea, thrice in jeopardy for the same offence.

We have seen the persons, houses, papers and effects of the people of America subjected to outrageous and unreasonable search and seizure by the Hessians and Cossacks of Volsteadism.

We have seen men and women sent to prison without indictment and without a jury trial.

We have seen a free press and free speech throttled by intimidation, blackmail and bigotry.

We have seen men and women shot down and murdered in cold blood and that murder condoned and justified by the smug Pharisees of a so-called "Free America".

If in that Tragic Era—the era of nineteen hundred eighteen to nineteen hundred thirty-two, George Washington and Thomas Jefferson, John Adams and James Madison, Benjamin Franklin, and all those other giant souls who dowered their country and the ages with the legacy of liberty in thought, and word and deed, had been with us here in this country of ours as they were in the days of our glorious past, it would have been impossible to elect them to a Constitutional Convention such as this that we are attending today. That great and good man, Bishop James Cannon, who is now under indictment in Washington, D. C., would immediately have sent out a questionnaire to George Washington and Thomas Jefferson, demanding to know at once if they, ever in their lives, had taken a drink, and the good Doctor Clarence True Wilson of the Blue Sunday

League would have interrogated Benjamin Franklin as to whether or not he ever flew his experimental kite in Philadelphia on the Sabbath day. That era through which we have just passed was the age of the moral and political Lilliputians and the land of Lilliput instead of producing giants shackled them by the overwhelming numbers of its pigmies of mediocrity and hypocrisy.

That day and that era is done forever in this country. Its death knell has rung and we are here today at the outraged demand of the people to enact into fundamental law a safeguard for their future that will forever prevent in the days to come any other attempt or subterfuge to rob them of their constitutional heritage and birthright. There are thousands of good men and good women in this State, among them the very highest type of our citizenship, who believe, or have believed in the past, in the potency, effectiveness and idealism of prohibition as it was written into the Constitution of the United States some fifteen years ago. It is true that vast numbers of our citizens who so believed in 1918 do not hold that same belief today. Otherwise, we would not be meeting here today registering its repeal.

We have no quarrel with these good and sincere men and women. As American citizens we accord them the same right that we demand and treasure ourselves and that is the expression of a free and untrammelled opinion.

No matter what our convictions may have been or are now upon this perplexing problem we are all going to live here in the future of this State as neighbors and fellow citizens and we all believe, I love to think and hope, in the fundamental soundness of the doctrine of majority rule.

We are asking today, the aid and assistance of these good neighbors of ours, no matter whether we can see all things precisely alike, in the solution of the problems that lie before us.

Our quarrel is not with them, but with the professional "reformers" who for the purpose of private gain, personal aggrandizement, greed for power and political preferment have led honest and sincere men and women down the pathway of delusion and deceit, into the morass of disappointment in and destruction of all of the ideals in which those people trusted and believed.

Where railroads cross highways there are signs which read. "Stop, Look, Listen." It would be well for our people and their representatives in our government to follow that warning now. To stop and take account of our national strength and our national weaknesses. To look calmly and judicially, and without passion and prejudice, at the momentous changes that have arisen in our body politic, social, political and economic, fanned in this day to a fever heat by a world in turmoil and unrest, that must inevitably affect us and those who will come after us. To listen, not to the words of the traitorous, the querulous, the visionaries, the "reforming" racketeers, and the demagogues, but rather to those, the living and the dead, who through the exercise of patience, courage, loyalty, industry, thrift and devotion, have made this Republic; or, in other words, in listening now and at once, before it is too late, to the real voice of the great and patient American people.

It is time to call a halt. It is time to get back to the beginning of things, back to the real sources of our strength. Back to the Constitution of Washington, Jackson, John Adams, Benjamin Franklin, John Marshall, Andrew Jackson, Abraham Lincoln, Theodore Roosevelt and Woodrow Wilson.

It is time to impress upon our people the lesson that we have learned at so great a cost in this period through which we have just passed. That is, that American Constitutional Government, as our fathers framed that Constitution and as our great sons interpreted it in following in their footsteps, means a free government for all of the people and not a part of them. That it means minority rule and the tyranny and inquisitions of minorities must forever cease in this country of ours. Closely knit and organized minorities, no matter under what high sounding names and titles they may exist, that seek nothing but their own selfish interests at the expense of the great mass and majority of our people have no place in our scheme of government and it has been their insistence and their plots and connivances, more than anything else in our history, that have brought this nation of ours perilously near to destruction. Today, let us hope, that danger is being met and defeated by an awakened people as represented in this Convention.

This has not been, and is not now, a question of bringing back the saloon to Iowa. Nobody wants to bring back the saloon to Iowa. It is not a question of drink and liquor. It is a reaffirmation upon the part of the people of Iowa of the fundamental constitutional principles upon which free government is founded.

We are standing in a new dawn of the second century of this Republic. The fixed stars are fading from the sky, and we grope in uncertain light. Strange shapes have come with the night. Established ways are lost—new roads perplex, and widening fields stretch beyond the vision. The unrest of dawn impels us to and fro—but doubt stalks amidst the confusion, and even on the beaten paths the shifting crowds are halted, and from the shadows the voices of the Nation's sentries cry, "Who comes there"?

In the obscurity of morning tremendous forces are at work. Nothing is steadfast, nothing approved, but amid it all beats the great American heart, unafraid and undismayed, and standing fast by the challenge of his conscience, the American citizen, tranquil and resolute, as were his fathers in the past, watches the drifting of the spectral currents and calmly awaits the full disclosures of the coming day.

The solemn purpose for which we are meeting here today and the action that we are about to take on the ratification of the Twenty-first Amendment to the Constitution of the United States is but the first flush of that new dawn. That new dawn, that we fervently and prayerfully believe, will usher in again the rule of the people themselves. The rule of the people themselves, that is the one and eternal cornerstone of American freedom and liberty. It was this vision and this dream that held up the hands of Washington at Valley Forge and for which Lincoln wandered down the Valley of the Shadow of Death to the deathlessness of martyrdom. And all the way from Plymouth Rock and Jamestown,

down to our last far flung frontiers at San Francisco, Seattle and the Yukon, it was this same spirit of the rule of the people that established this Republic, carved it from the wilderness, conquered it from the Indians, wrested it from England, and at last, at last, stilling its own tumult, consecrated it forever on this American continent, as the ultimate theater of its transcendent achievement.

But throughout all of our history, in its dawns of promise and happiness and its dusks of darkness and despair—like a pillar of cloud by day—of fire by night—that one lodestar of our national might and national majesty has ever stood steadfast, constant and unchangeable—the God guided truth of the Rule of the People.

And the people of Iowa have spoken. What they have said no man or woman can mistake, and we, their delegated representatives, in a spirit of consecration to their voice, will now proceed, in this Constitutional Convention, to record their mandate.

Delegate Piekenbrock of Dubuque county moved that Delegate Tinley of Pottawattamie county be chosen permanent secretary of the convention.

The motion was seconded by Delegate Richards of Montgomery county.

The motion prevailed and Delegate Mat A. Tinley was declared duly elected secretary of the convention.

President Frailey named Delegates Piekenbrock of Dubuque county, Richards of Montgomery county and Bell of Black Hawk county to escort the secretary to the desk.

Delegate Tinley then took the following oath:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, that I will faithfully and impartially perform the duties of the office of secretary of this convention according to law and to the best of my ability, so help me God."

Delegate Joynt of Plymouth county moved that the president appoint a reading clerk and a journal clerk.

The motion was seconded by Delegate Henneberry of Wright county.

The motion prevailed.

The president appointed Delegate Shutt of Buchanan county and Byron G. Allen of Pocahontas county as reading clerk and journal clerk respectively, and they were sworn in by the president.

Delegate Diamond of O'Brien county, moved that Robert's rules of order be adopted as the rules of the convention.

The motion was seconded by Delegate Conrad of Des Moines county.

The motion prevailed.

At the order of the president there was read into the journal of the convention, as follows, a record of the enactment of Senate File No. 477, Chapter 1, acts of the Forty-fifth General Assembly together with the Governor's Proclamation calling a special election and the Constitutional Amendment Convention :

I, MRS. ALEX MILLER, Secretary of State of the State of Iowa, and custodian of the records of the Forty-fifth General Assembly do hereby certify that the attached instrument is a true and correct copy of an Act of the Forty-fifth General Assembly known as Senate File No. 477 as passed and amended by the General Assembly and under which a special election was held on June 20th, A. D., 1933, for the selection of delegates to a State Convention to be convened for the purpose of ratifying or rejecting a proposed article of amendment to the Constitution of the United States.

I FURTHER CERTIFY that the attached instrument contains a true and correct copy of a proclamation issued on the 14th of April, A. D., 1933, calling said special election and the aforesaid State Convention.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 10th day of July, A. D. 1933.

[SEAL]

MRS. ALEX MILLER,
Secretary of State.
By JAMES C. GREEN,
Deputy.

S. F. 477 as Amended.

AN ACT to provide for a state convention to determine whether an amendment or amendments to the Constitution of the United States, as proposed and submitted by the Congress of the United States, shall be ratified, and for the calling of a special election to elect delegates-at-large to such convention, and making appropriations therefor.

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

Section 1. Within sixty days from the date on which the Governor of Iowa shall receive notice of an amendment to the Constitution of the United States proposed by the Congress of the United States for ratification by convention in the several states, it shall be the duty of the Governor of Iowa, by proclamation to call such convention, to be held at the seat of government in Des Moines, Iowa, not later than three months from the date of issuance of such proclamation.

Sec. 2. The proclamation to be issued by the Governor, as provided in Section One (1), shall fix the date and time for the holding of such convention and the date of the holding of a special election for the election of delegates to such convention.

Sec. 3. The date of the special election provided to be stated in the said proclamation shall not be more than thirty (30) days before the date fixed for the holding of such convention.

Sec. 4. Subject to the provisions of this act, each county in the state of Iowa shall be entitled to nominate two persons from among the quali-

fied voters in each county, respectively, to be candidates for the office of delegate-at-large to the state convention, provided, however, that one of such candidates shall be nominated by those favoring the ratification of such amendment, and one nominated by those opposed to the ratification of such amendment. Said delegates shall be nominated as hereinafter provided.

Sec. 5. The nominations for delegates to such convention from each county shall be made at mass convention of the qualified electors of such county in the manner provided for in this act.

Sec. 6. Upon the issuance of a proclamation by the governor of the State of Iowa calling such convention, the qualified voters in each county in the state shall organize themselves into two groups, one of which groups shall consist of those persons favoring the ratification of the amendment proposed by the Congress of the United States, and the other to consist of persons opposed thereto.

Sec. 7. At eleven o'clock A. M., on the fourth Monday following the date of issuance of such proclamation by the governor of the State of Iowa, the group of qualified voters in each county favoring the ratification of such proposed amendment, and the group opposed thereto, shall convene in separate county conventions at the seat of government of such county, at such places as the county auditor of such county shall designate, and such auditor shall publish such designation of places by one (1) publication in two (2) newspapers if there be such two (2) newspapers of general circulation in said county, at least three (3) days prior to said convention, and shall nominate one delegate as a candidate to the convention hereinafter provided for.

Sec. 8. No person shall be nominated at any county convention held under the provisions of this act until he has executed and delivered to the chairman of such county convention a statement signed by him or her and attested by the chairman and secretary of the convention in the following form:

DELEGATE'S STATEMENT.

I,, hereby certify that I am a qualified elector of the State of Iowa; that for more than.....(years) (months) last past I have resided in the.....; that I am favorable to (or opposed to) the ratification of the amendment to the Constitution of the United States of America, proposed by the Congress of the United States on the.....day of..... 19.....

Dated this.....day of..... 19.....

..... For ratification
Chairman, County Convention Against ratification
..... For ratification
Secretary, County Convention Against ratification

Sec. 9. It shall be the duty of the chairman and secretary of each of such county conventions before adjournment thereof to certify the name of the person nominated as delegate to the convention by their respective county conventions to the secretary of state of the state of

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Iowa, which certification and the written statement of the person so nominated shall be delivered to the secretary of state not later than nine o'clock in the forenoon of the third day following the day during which the county convention was held.

Sec. 10. It shall be the duty of the secretary of state, as the certificates of nomination of candidates for election to the office of delegate-at-large to the state convention are filed in his office, as in this Act provided, to list the same alphabetically by counties in two (2) groups, one (1) group to consist of the names of the nominees favoring the ratification of the proposed constitutional amendment, and the other to consist of the names of the nominees opposed thereto.

Sec. 11. The chairman and secretary of each county convention shall select from among the membership of its group in such county one person to act as judge of election, and two persons to act as clerks of election, in each of the several voting precincts in such county; the persons so selected to perform such services without compensation, and the said chairman and secretary of each of such county conventions shall certify to the county auditor the names and addresses of the persons so selected, which certification shall be made not later than nine o'clock in the forenoon of the second day following the date on which such county convention was held. In the event that the judge and clerk or clerks of election, as above provided, shall fail or refuse to act, the chairman and secretary of the respective county conventions are authorized to fill the vacancy thus caused, and if practicable shall certify the names appointed to fill such vacancy to the county auditor. If vacancies occur in the office of the judge or clerk of election, and they are not filled as herein provided, then and in that event, the acting judges and clerks shall fill such vacancies, and the failure of any judge or clerk of election named, as in this act provided, to act at the election, shall in no wise invalidate the election.

Sec. 12. The ballot to be voted at such special election shall be of such measurement and type size as the Secretary of State may designate, and shall be in substantially the following form,

BALLOT FOR VOTING FOR DELEGATES-AT-LARGE TO A STATE CONVENTION

(THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES)

(Here set out proposed amendment)

INSTRUCTIONS TO VOTERS

CANDIDATES FOR DELEGATES-AT-LARGE TO THE STATE CONVENTION

Group of Candidates Favoring Ratification	Group of Candidates Opposing Ratification	Group of Unofficial Candidates * Names to be Written in by Voter if He so Desires
---	---	---

○	○	○
.....
.....
.....

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The use of voting machines at such Special Election is hereby prohibited.

Sec. 13. At the special election to be held for the purpose of electing delegates to the State Convention, as in this act provided, each of the groups of candidates officially nominated shall be voted upon as a unit by placing a cross in the circle at the head of such group provided. However, if any qualified voter shall so choose to do, he may disregard each of the groups of candidates officially nominated as in this act provided, and cast his ballot for any other qualified elector of the State of Iowa. If any such voter shall so determine to disregard the groups of candidates officially nominated and desire to vote for some other elector or electors as candidates, he shall write such elector's name or names, in number not to exceed ninety-nine (99), on the blank lines provided therefor appearing on the ballot in the right hand column designated "Group of Unofficial Candidates—Names to be written in by voter if he so desires"; and shall vote for such candidates whose names are so written in by him as a unit by placing a cross in the circle appearing at the head of such group. The candidates in the group receiving the largest number of votes shall be the delegates to said convention.

Sec. 14. The convention shall be the judge of the election and qualification of its members and shall have power to elect its president, secretary, and other officers and to adopt its own rules.

Sec. 15. The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment. Upon final adjournment the journal shall be filed with the Secretary of State of the State of Iowa.

Sec. 16. If the convention shall agree by vote of the majority of the total number of delegates present to the ratification of the proposed amendment, a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the Secretary of State of the State of Iowa, who shall transmit the certificate under the great seal of the State of Iowa, to the Secretary of State of the United States.

Sec. 17. All the statutes relating to the manner of conducting elections for state and county officers, so far as applicable, shall govern the election of delegates, except the canvass of the vote and certification thereof shall be made in accordance with Section 885 of the Code of Iowa, 1931.

Sec. 18. The expense of holding such election shall be paid by the State Treasurer of the State of Iowa, out of funds in his hands not otherwise appropriated. All bills of necessary and proper expense incurred according to law, shall be submitted to the county auditors in the several counties by claimants with itemized, verified statements of account, which shall be filed with said County Auditors within ten (10) days after the holding of such election, and the several county auditors shall thereupon duly itemize and certify such claims for expense to the auditor of state of the State of Iowa, who shall draw warrants therefor to the persons entitled thereto in the amount found to be due. All the ballots for such special election shall be furnished by the Secretary of State of the State of Iowa and delivered by him to the several county auditors in the state for distribution to each election precinct in their respective

counties at least three (3) days prior to the date of such special election. The cost of printing said ballots shall not exceed a proportionate amount, space and composition considered, of the cost of printing ballots for a general state election. The Secretary of State shall cause said ballots, together with the Governor's proclamation of such special election, to be published in two (2) newspapers of general circulation in each county at least ten (10) days prior to the date of such special election.

Sec. 19. No delegates shall receive any compensation, directly or indirectly, for his services as such delegate.

Sec. 20. If at or about the time of submitting any such amendment, Congress shall either in the resolution submitting the same or by statute prescribe the manner in which the conventions shall be constituted and shall not except from the provisions of such statute or resolution such states as may theretofore have provided for constituting such conventions, the preceding provisions of this act shall be inoperative; the convention shall be constituted and shall operate as the said resolution or act of Congress shall direct; and all officers of the state who may by the said resolution or statute be authorized or directed to take any action to constitute such a convention for this state are hereby authorized and directed to act thereunder and in obedience thereto, with the same force and effect as if acting under a statute of this state.

Sec. 21. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in two (2) newspapers of the state as provided by law.

N. G. KRASCHEL,
President of the Senate.
GEO. E. MILLER,
Speaker of the House.

I hereby certify that this bill originated in the Senate and is known as Senate File No. 477.

BYRON G. ALLEN,
Secretary of the Senate.

Approved April 10, 1933

CLYDE L. HERRING,
Governor.

PROCLAMATION

TO THE CITIZENS OF THE STATE OF IOWA:

The Seventy-second Congress of the United States at its second session adopted a joint resolution proposing an amendment to the Constitution of the United States, which proposed amendment provides, in substance, (1) that the Eighteenth Amendment be repealed; (2) that the transportation or importation into any state of intoxicating liquor for use in violation of the law of that state be prohibited, and (3) that the proposed amendment shall go into effect and become a part of the Constitution of the United States upon being approved by conventions in the several states, as provided by the Constitution.

The Forty-fifth General Assembly of the State of Iowa, by senate file four hundred seventy-seven, provided for the calling of a convention to

consider the ratification of amendments to the Constitution of the United States as proposed and submitted by the Congress for the consideration of conventions in the several states; and, by the terms of said Act, the duty is imposed upon the Governor of the State to call said convention and to fix the date for the election of delegates thereto.

NOW, THEREFORE, I, Clyde L. Herring, Governor of the State of Iowa, in the discharge of the duty imposed upon me and by virtue of the power and authority vested in me by law, do hereby call a convention to act on the amendment to the Constitution of the United States, as proposed by the Seventy-second Congress of the United States, and do hereby proclaim and declare that such convention shall convene in the Chamber of the House of Representatives in the State House at the seat of government in Des Moines, Iowa, at 2:00 o'clock P. M. on the 10th day of July, 1933; and that a state-wide special election be held on the 20th day of June, A. D. 1933, to elect delegates to said convention in the manner provided by senate file four hundred seventy-seven of the Forty-fifth General Assembly; and all qualified electors of the State of Iowa are hereby earnestly urged to attend at their respective polling places on said date to participate in said special election and in the selection of delegates to the convention which will act on the proposed amendment to the Constitution of the United States, to the end that the popular will may be properly and adequately expressed on an important matter affecting our fundamental law.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name as Governor of the State of Iowa, and have caused the Great Seal of the State to be attached hereto, on this fourteenth day of April, in the year of our Lord, Nineteen Hundred Thirty-three, and of this Commonwealth the eighty-seventh year.

CLYDE L. HERRING,
Governor of the State of Iowa.

(SEAL)

Delegate Geske of Clayton county introduced and offered the following resolution and moved its adoption:

RESOLUTION

Whereas, the Congress of the United States has submitted to the various states for ratification or rejection, a proposed Article of Amendment to the Constitution of the United States, to-wit:

"Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress." And,

Whereas, the Congress directed by Resolution submitting the question of ratification or rejection to the States that such action be by state conventions called for that purpose, and

Whereas, the Forty-fifth General Assembly of Iowa, by an Act known as Senate File 477, provided for a special election for the election of delegates to such a convention, and

Whereas, such election was held on June 20th A. D. 1933, and

Whereas, His Excellency, the Governor of Iowa, pursuant to authority vested in him by Senate File 477, and in accordance with law, has called a convention of the delegates elected at said special election to meet in the House Chamber, State Capitol, Des Moines, on July 10th, A. D. 1933, and

Whereas, the duly accredited state convention delegates, elected at said special election, have convened in accordance with the call of the Governor of Iowa, and for the purpose set out in said call, therefore,

Be It Resolved that the state of Iowa, through a convention duly called and organized for the purpose of ratifying or rejecting the aforesaid Article of Amendment to the Constitution of the United States, hereby declares its approval and ratification, in the name of the State of Iowa, of said proposed Amendment; and

Be It Further Resolved that the Governor of Iowa and the Secretary of State of the State of Iowa are directed to forthwith certify this action to the Secretary of State of the United States and to do such other acts as may be necessary or required fully to effectuate the action of this convention.

The motion was seconded by Delegate Coyle of Humboldt county.

On the question, "Shall the Resolution be adopted?" a roll call was demanded.

The ayes were, 90.

Bamford of Appanoose	Hahn of Muscatine	Michels of Washington
Bartels of Ringgold	Harbach of Polk	Miller of Audubon
Barwise of Jefferson	Harms of Fayette	Mills of Linn
Bees of Cedar	Harper of Wapello	Moore of Marshall
Bell of Black Hawk	Hawley of Pocahontas	Morganthaler of
Breen of Mills	Henneberry of Wright	Carroll
Buman of Shelby	Holst of Jones	Moulton of Kossuth
Callender of Osceola	Hoyer of Ida	Murphy of Worth
Campbell of Winnebago	Huisman of Sioux	Nelson of Harrison
Cleghorn of Clarke	Jacobsen of Scott	Nye of Page
Clough of Cerro Gordo	Johnson of Butler	Orris of Madison
Conrad of Des Moines	Jones of Clay	Owen of Guthrie
Coyle of Humboldt	Joynt of Plymouth	Owen of Iowa
Diamond of O'Brien	Kasa of Emmet	Peacock of Bremer
Dolan of Warren	Kent of Dallas	Pickerell of Lucas
Dunlevy of Allamakee	Koch of Mitchell	Piekenbrock of
Elson of Wayne	Koolman of Grundy	Dubuque
Foley of Buena Vista	Krejci of Sac	Porterfield of Fremont
Frailey of Lee	Landes of Poweshiek	Price of Henry
Gayther of Floyd	McLaughlin of Lyon	Prince of Hamilton
Geske of Clayton	McLaughlin of Story	Reinig of Cass
Gutch of Monroe	Marsh of Taylor	

Richards of	Shott of Van Buren	Tinley of
Montgomery	Shutt of Buchanan	Pottawattamie
Riddle of Monona	Smith of Cherokee	Tremaine of Woodbury
Ristine of Jackson	Smith of Decatur	Upham of Chickasaw
Schaefer of Franklin	Smith of Jasper	Visser of Marion
Schaupp of Webster	Snyder of Mahaska	Walfrom of Hancock
Schmitz of Winneshiek	Sovereign of Howard	Weber of Palo Alto
Seifert of Boone	Sternberg of Union	Welch of Adair
Shaw of Keokuk	Stotts of Calhoun	William of Greene
Shortess of Tama		Wilson of Johnson

The nays were, none.

Absent, 9.

Annis of Delaware	Lubbers of Clinton	Snitkay of Benton
Humbert of Adams	Peacock of Dickinson	Wisner of Hardin
Keck of Louisa	Powers of Crawford	Wray of Davis

The Resolution having received a majority of the votes of the convention, it was declared to have been duly adopted.

The president and the secretary, in the presence of the convention, signed the certification to the adoption of the Resolution and the president proclaimed the proposed Amendment to the Constitution of the United States had been duly ratified by the State of Iowa.

The certification attached to the official document and resolution read as follows:

CERTIFICATION

WE, the undersigned President and Secretary, respectively, of the state convention duly called and assembled at Des Moines, Iowa, on July 10th A. D. 1933, for the purpose of ratification or rejection of the aforesaid proposed Amendment to the Constitution of the United States, hereby certify that the foregoing Resolution was adopted by said convention by a vote of 90 ayes, and no nays; 9 absent.

J. R. FRAILEY,
President.
MAT A. TINLEY,
Secretary.

Executed at Des Moines, Iowa, July 10th A. D. 1933.

I, Mat A. Tinley, Secretary of the Constitutional Amendment Convention held at Des Moines, Iowa, July 10th A. D. 1933, hereby certify that J. R. Frailey was the duly elected President of the aforesaid convention.

MAT A. TINLEY,
Secretary.

Executed at Des Moines, Iowa, July 10th A. D. 1933.

I, J. R. Frailey, President of the Constitutional Amendment Convention held at Des Moines, Iowa, July 10th A. D. 1933, hereby certify that Mat A. Tinley was the duly elected Secretary of the aforesaid convention.

J. R. FRAILEY,
President.

Executed at Des Moines, Iowa, July 10th A. D. 1933.

The delegate from Hancock county, Rev. Walfrom, moved that a committee be appointed to deposit the ratification resolution with the Secretary of State.

The motion was seconded by Delegate Jacobsen of Scott county.

The motion prevailed.

The president appointed Delegates Rev. Walfrom of Hancock county, Mrs. Seifert of Boone county and Jacobsen of Scott county, to deliver the official copy of the ratification resolution to the Secretary of State.

The committee retired, and upon returning, the chairman, Rev. Walfrom reported that the committee had officially deposited the ratification resolution with the Secretary of State.

The report was accepted and the committee discharged.

The president announced that the official business of the convention had been completed.

Delegate Hawley of Pocahontas county moved that the convention adjourn sine die.

The motion was seconded by Delegate Shott of Van Buren county.

The motion prevailed and President Frailey declared the convention adjourned sine die.

CERTIFICATION

We, the undersigned President, Secretary and Journal Clerk of the Constitutional Amendment Convention, held at Des Moines, July 10, 1933, do hereby certify that the foregoing, to the best of our knowledge and belief, is a true and correct record of the proceedings of said convention.

J. R. FRAILEY,
President.

MAT A. TINLEY,
Secretary.

BYRON G. ALLEN,
Journal Clerk.

RESULT OF SPECIAL ELECTION

Of June 20, 1933, for election of Delegates to a Constitutional Convention called to act upon a proposed amendment to the Constitution of the United States:

County	For Delegates Favoring Ratification	For Delegates Opposing Ratification	County	For Delegates Favoring Ratification	For Delegates Opposing Ratification
Adair	1,511	2,079	Jefferson	1,961	2,415
Adams	930	2,107	Johnson	5,918	2,475
Allamakee	3,695	987	Jones	3,747	1,227
Appanoose	2,584	2,370	Keokuk	2,673	2,451
Audubon	1,555	1,326	Kossuth	4,506	2,498
Benton	4,795	1,495	Lee	8,259	2,828
Black Hawk	10,631	6,477	Linn	15,172	6,426
Boone	3,788	3,581	Louisa	1,584	1,702
Bremer	3,588	1,223	Lucas	1,596	2,505
Buchanan	2,964	2,446	Lyon	1,933	658
Buena Vista	2,221	2,070	Madison	1,182	2,529
Butler	2,264	2,254	Mahaska	2,384	3,849
Calhoun	2,775	1,960	Marion	2,612	3,749
Carroll	5,353	1,331	Marshall	3,964	4,383
Cass	2,533	2,665	Mills	1,548	2,139
Cedar	3,239	1,498	Mitchell	2,277	1,852
Cerro Gordo	5,075	3,746	Monona	1,880	1,714
Cherokee	2,783	1,547	Monroe	2,279	1,976
Chickasaw	3,564	1,108	Montgomery	1,632	2,801
Clarke	771	1,994	Muscatine	4,978	2,643
Clay	2,061	1,918	O'Brien	2,772	1,906
Clayton	5,891	1,298	Osceola	1,199	532
Clinton	11,626	1,504	Page	1,635	4,389
Crawford	4,457	1,369	Palo Alto	2,823	2,097
Dallas	2,939	3,748	Plymouth	5,446	1,511
Davis	982	1,818	Pocahontas	2,464	1,552
Decatur	1,230	2,311	Polk	23,842	14,354
Delaware	3,206	1,922	Pottawattamie	8,136	3,985
Des Moines	7,132	2,334	Poweshiek	2,216	3,209
Dickinson	1,523	1,540	Ringgold	711	2,505
Dubuque	19,805	1,237	Sac	2,481	1,862
Emmet	1,421	1,847	Scott	17,761	2,377
Fayette	4,759	2,321	Shelby	2,879	1,734
Floyd	2,691	2,052	Sioux	3,265	2,688
Franklin	1,915	1,651	Story	2,817	5,563
Fremont	1,305	1,813	Tama	4,105	2,381
Greene	1,552	2,667	Taylor	1,017	2,902
Grundy	1,678	1,626	Union	1,833	2,678
Guthrie	1,601	2,658	Van Buren	1,303	2,408
Hamilton	1,962	2,784	Wapello	5,647	4,038
Hancock	2,183	1,559	Warren	1,523	3,539
Hardin	2,592	3,139	Washington	2,819	3,383
Harrison	3,482	2,678	Wayne	1,209	2,493
Henry	2,205	2,769	Webster	6,480	3,281
Howard	2,678	1,204	Winnebago	1,082	2,213
Humboldt	1,542	1,412	Winneshiek	4,675	1,334
Ida	2,028	931	Woodbury	14,984	5,462
Iowa	3,124	1,354	Worth	1,172	1,184
Jackson	4,172	825	Wright	2,441	2,832
Jasper	3,318	4,769			
			Total	376,661	249,534

There were also 188 votes cast for unpledged delegates.

