

State of Iowa  
1960



# *Your Iowa . . . and Nation*

## **CLASS ROOM GUIDE POST**

**THE UNITED STATES FLAG**

**THE GOVERNMENT OF IOWA**

**THE CONSTITUTION OF IOWA**

**THE BIRTH OF AMERICANISM**

**THE DECLARATION OF INDEPENDENCE**

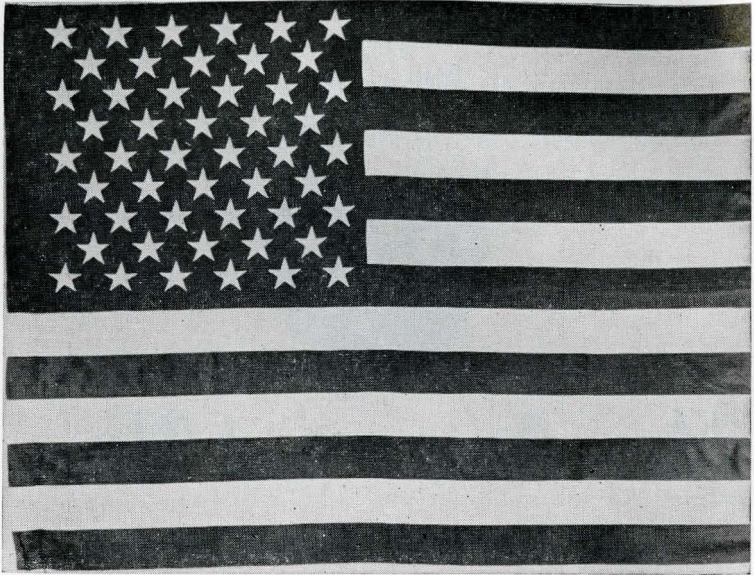
**THE CONSTITUTION OF THE UNITED STATES**

**LINCOLN'S GETTYSBURG ADDRESS**

Reprint From The  
IOWA OFFICIAL REGISTER

Copies available for classroom study on  
request of the teacher

Address S. E. TENNANT, Editor  
Iowa State Printing Board—State House, Des Moines, Iowa



## The Flag of the United States

On June 14, 1777, the Second Continental Congress adopted a resolution that brought into being the U. S. Flag: "Resolved, That the Flag of the United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field representing a new constellation."

The action of the Continental Congress came almost a year after the Declaration of Independence. The Flag with thirteen stripes and thirteen stars continued to be used as the national emblem until Congress passed the following act, which President Washington signed:

"That from and after May 1, 1795, the flag of the United States be fifteen stripes, alternate red and white; and that the union be fifteen stars, white in a blue field."

This action was necessitated by the admission of the States of Vermont and Kentucky to the Union. The flag of 1795 had the stars arranged in three rows of five each instead of in a circle, and served for 23 years.

With the admission of more new states, however, it became apparent that the 1795 flag would have to be further modified; hence in 1818 a law was passed by Congress providing:

"That from and after the fourth day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white; that the union have twenty stars, white in a blue field.

"That on the admission of every new state into the Union,

one star be added to the union of the flag; and that such addition shall take effect on the Fourth of July next succeeding such admission."

Iowa was admitted to the union as the 29th state.

Alaska made the 49th star, and Hawaii added the 50th, July 4, 1960.

### The Stars and the States

The stars in the flag represent the states in order of their admissions.

- |                           |                           |
|---------------------------|---------------------------|
| 1. Delaware, 1787.        | 26. Michigan, 1837.       |
| 2. Pennsylvania, 1787.    | 27. Florida, 1845.        |
| 3. New Jersey, 1787.      | 28. Texas, 1845.          |
| 4. Georgia, 1788.         | 29. <b>IOWA, 1846.</b>    |
| 5. Connecticut, 1788.     | 30. Wisconsin, 1848.      |
| 6. Massachusetts, 1788.   | 31. California, 1850.     |
| 7. Maryland, 1788.        | 32. Minnesota, 1858.      |
| 8. South Carolina, 1788.  | 33. Oregon, 1859.         |
| 9. New Hampshire, 1788.   | 34. Kansas, 1861.         |
| 10. Virginia, 1788.       | 35. West Virginia, 1863.  |
| 11. New York, 1788.       | 36. Nevada, 1864.         |
| 12. North Carolina, 1789. | 37. Nebraska, 1867.       |
| 13. Rhode Island, 1790.   | 38. Colorado, 1876.       |
| 14. Vermont, 1791.        | 39. North Dakota, 1889.   |
| 15. Kentucky, 1792.       | 40. South Dakota, 1889.   |
| 16. Tennessee, 1796.      | 41. Montana, 1889.        |
| 17. Ohio, 1802.           | 42. Washington, 1889.     |
| 18. Louisiana, 1812.      | 43. Idaho, 1890.          |
| 19. Indiana, 1816.        | 44. Wyoming, 1890.        |
| 20. Mississippi, 1817.    | 45. Utah, 1896.           |
| 21. Illinois, 1818.       | 46. Oklahoma, 1907.       |
| 22. Alabama, 1819.        | 47. New Mexico, 1912.     |
| 23. Maine, 1820.          | 48. Arizona, 1912.        |
| 24. Missouri, 1821.       | 49. Alaska, 1959.         |
| 25. Arkansas, 1836.       | 50. Hawaii, July 4, 1960. |

### United States Flag Etiquette

When the flag is draped down, the blue field always must be at the left. \* \* \* The flag must never be used as a drape, nor as background for some ornament. \* \* \* The correct shield does not have any stars—just a plain blue field at the top, and seven white and six red stripes.

\* \* \*

### The Pledge of Allegiance

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

\* \* \*

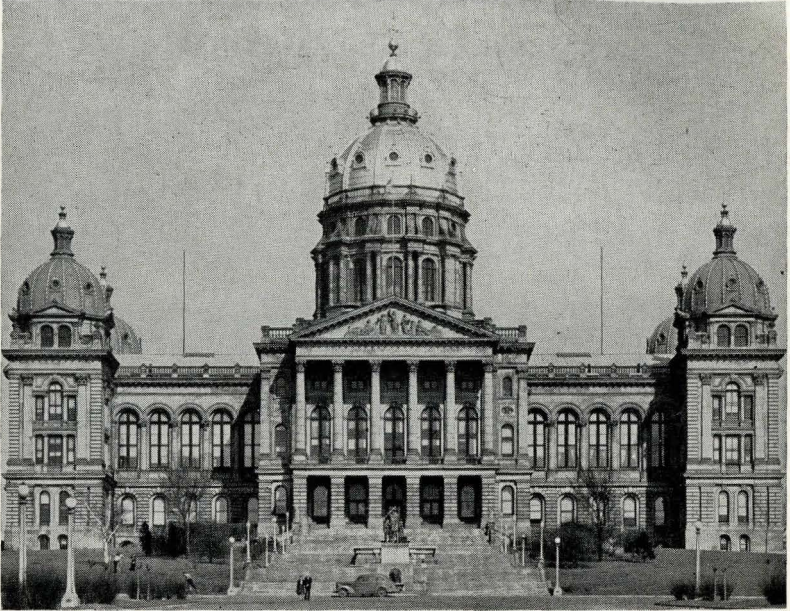
### The American's Creed

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a Democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its Constitution; to obey its laws; to respect its Flag; and to defend it against all enemies.

*(The creed was written by William Tyler Page, Clerk of the U. S. House of Representatives, in 1917. It was accepted by the House of Representatives April 3, 1918.)*

## The Capitol Building



The cornerstone of this impressive-looking building was laid on September 29, 1873, in the twenty-seventh year of Iowa's statehood.

The towering central dome is covered with 22-carat gold leaf and the four smaller domes have dotted lines of gold, like seam marks, adding further attractiveness to the structure.

On the first floor of the Capitol are the offices of the Governor, Secretary of State, Auditor, Treasurer, Attorney General, Secretary of Agriculture and the Supreme Court Chambers.

On the second floor will be found the law library and the House Chamber to the north and Senate Chamber to the south.



State Historical Building

## Stepping Stones Along the Way

Iowa is Indian for "This is the Place," or "The Beautiful Land." Centuries of wilderness and four glacial epochs prepared the soil of Iowa.

Upper Mississippi River and Iowa discovered June 17, 1673, by Marquette and Joliet, 181 years after Columbus found America.

Iowa, favorite Indian hunting land, purchased with Louisiana, 1803.

Black Hawk purchase, 1833, opened eastern Iowa to white settlers.

Second purchase, 1837; central Iowa, 1842; northwest Iowa, 1851.

In four years, 1833-1836, Iowa grew rapidly and became a territory.

Capitals—Burlington, 1838; Iowa City, 1841; Des Moines, 1857.

First Settlement—Lee County, 1820; Burlington, 1832; Dubuque, 1833.

School opened in Lee County, 1830; first newspaper, Dubuque, 1836.

Gen. Robert Lucas of Ohio, appointed governor of territory, 1838.

Ansel Briggs of Jackson County, elected first governor of the state, 1846.

First locomotive into Iowa at Davenport, 1854; railroad across Iowa, 1867.

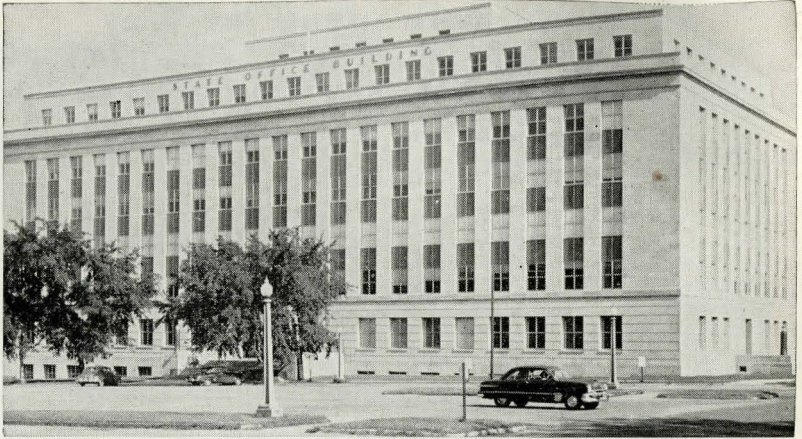
State capitol built, 1873-1886; state historical building, 1899-1904; state building, 1951.

Iowans in the wars: Civil War, 72,252, Iowa population 674,913; Spanish-American, 5,859, Iowa population 2,058,069; World War I, 114,213, Iowa population 2,358,066; World War II, 262,838, Iowa population 2,538,268; Korean conflict, 70,500, Iowa population 2,621,073.

Iowa's First Century of Statehood ended December 28, 1946.

### Iowa Chronology

- 1673—Iowa first seen, Mississippi explored, taken over for France.
- 1762—Louisiana, including Iowa, ceded by France to Spain.
- 1788—Julien Du Buque commenced mining lead ore with the Indians.
- 1799—Jean Faribault traded with the Indians near present state capital.
- 1800—Louisiana returned to France from Spain by secret treaty.
- 1803—United States bought Louisiana from Napoleon for \$15,000,000.
- 1804—Indiana territory established to include what is now Iowa.
- 1805—Pike explored the Mississippi; Lewis and Clark the Missouri.
- 1805—Louisiana territory organized with St. Louis the capital.
- 1808—First American military post in Iowa established at Fort Madison.
- 1812—Iowa became a part of Missouri territory, newly formed.
- 1816—Fort Armstrong established on Rock Island.
- 1821—Iowa left out when Missouri was admitted as a state.
- 1834—First Fort Des Moines established near Montrose, Lee County.
- 1834—Iowa attached to Michigan territory; two counties formed.
- 1836—Wisconsin territory formed; Belmont, Wisconsin, the capital.
- 1838—Iowa a territory July 4; population, 22,859; Burlington capital.
- 1843—Fort Des Moines II established at Raccoon forks.
- 1846—Iowa became the 29th state, December 28; population, 102,388.
- 1846—Town of Fort Des Moines platted; in 1856 became a city.
- 1857—New constitution adopted; progress, freedom, home rule.
- 1866—First railroad into Des Moines; stages and steamboats out.
- 1898—Grand monument erected to Iowa's soldiers and sailors.
- 1915—Extension of Capitol Grounds to 93 acres under Governor Clarke.
- 1950—Iowa population, 2,621,073.
- 1960—Iowa population 2,739,461 (estimated); land area 55,586 square miles; railroads 9,500 miles; hard-surfaced roads and highways 12,949 miles; interstate highway system estimated 150 miles open to traffic by end of 1959; colleges, 25; schools, 11,600; newspapers, 447; radio stations, 60; television stations 13; 91 state parks and preserves; 72 natural lakes and 24 artificial lakes; 900 miles of inland streams, 600 miles of boundary streams; approximately 3,700 industries and manufacturing plants.



**State Office Building**  
Located on Capitol Grounds—Tunnel connects two buildings



**Office and Laboratory Building**  
At East Seventh and Court. Purchased by State in 1949.

# The Government of Iowa

Prepared for the Iowa Official Register by the State Historical Society of Iowa.



HE government of the State of Iowa is based upon a constitution adopted by the people and upon statute laws enacted from time to time by the General Assembly. Iowa has had two state constitutions, the first approved in 1846, the second one in 1857. The present constitution has been amended a number of times.

**The Electorate**—All men and women who have lived in Iowa for six months and in the county in which they claim residence for sixty days are entitled to vote if they are citizens of the United States and are twenty-one years of age or over. Persons convicted of infamous crimes and those declared idiotic or insane are, however, disfranchised. The right of women to vote in Iowa is based upon the nineteenth amendment to the United States constitution.

## Election of Federal Officials

Federal elections occur each four years, on the first Tuesday after the first Monday in November of even years. The Constitution provides that the only elected Federal officials are the President, Vice-president, U. S. Senators and U. S. Representatives. All other officers are appointive—practically all by the President. U. S. Senators serve a term of six years; House members serve terms of two years.

## Election of State Officials

Each two years in Iowa, the people elect their Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture and Attorney General.

The Fifty-eighth General Assembly provided that "the terms of the presently elected Commerce Commissioners \* \* \* are hereby extended through June 30, 1963. Within sixty (60) days after convening of the regular session of the General Assembly in 1963, the Governor shall appoint, with the approval of two-thirds ( $\frac{2}{3}$ ) of the Senate in executive session, successors for the Commerce Commission.

The Superintendent of Public Instruction is named by a state Board of Public Instruction, consisting of one member from each Congressional district and one appointed at large by the Governor.

The Justices of the Supreme Court are elected for terms of six years. District Judges are elected for terms of four years.

In 1960 a Clerk of Courts, Auditor and Sheriff will be elected for four years; the Treasurer and Recorder two years. Then in 1962 and thereafter all will hold office four years. The County Attorney to be elected every two years.

Members of the Senate are elected for four years; House members for two years.

Elections in Iowa occur in even-numbered years.

Legislature meets biennially on the second Monday of January of odd numbered years.

**House of Representatives**—The House of Representatives consists of one hundred eight members, elected for two years. Each of the ninety-nine counties is entitled to one representative and each of the nine counties having the largest population elects an additional representative. Any person who has resided in the state for one year and has the qualifications of a voter is eligible for election as a representative. Women were admitted to the General Assembly by an amendment to the state constitution adopted in 1926. The House of Representatives elects a speaker and other officers.

**Senate**—The Senate consists of fifty members, elected by districts for a term of four years. A senatorial district contains from one to three counties, according to population, and elects one senator. According to the constitution, approximately one-half the senators are to be elected at each alternate biennial election, but due to changes in the districts,

the terms of twenty-one senators now expire at the end of each alternate legislative biennium and those of twenty-nine in the intervening years. Senators must be twenty-five years of age and have the other qualifications required of representatives.

**Governor**—The supreme executive power of the state is vested in the governor. It is his duty to see that the laws are enforced, to supervise the official business of the state, to make recommendations to the General Assembly, and to appoint various officers and boards. He has the power to call special sessions of the Legislature and veto acts passed by the General Assembly, but a majority of two-thirds of each house may pass a bill over his veto. To qualify as governor, a person must have been a citizen of the United States and a resident of the state for at least two years and must be thirty years of age or over at the date of election.

Inauguration of the governor is the first Thursday following the convening of the Legislature.

**Lieutenant Governor**—The lieutenant governor succeeds the governor in the case of his death, resignation or disability. His chief function is to act as president of the Senate.

**Appointive Officers**—In addition to the executive officers mentioned, all of whom are elected, there are a number of appointive officers, including the comptroller, the superintendent of banking, the insurance commissioner, the labor commissioner, the adjutant general, the commissioner of public health, the industrial commissioner and commissioner of public safety, all appointed by the governor, usually with the approval of the senate. The governor also appoints, with the approval of the senate, the members of a number of administrative boards, including the state board of regents, the board of control of state institutions, the state tax commission, the board of parole, the state board of conservation, the liquor control commission, the state highway commission and the unemployment compensation commission.

**Executive Council**—The executive council is an ex-officio board made up of the governor, secretary of state, auditor, treasurer and secretary of agriculture.

### The Judicial Department

The judicial department of the State of Iowa is vested by the constitution in a supreme court, districts courts and municipal and superior courts as the General Assembly shall provide.

**Supreme Court**—The supreme court consists of nine justices, elected for terms of six years, approximately one-third being elected at each regular biennial election. The senior in time of service is chief justice for six months until each judge has served in that capacity. The supreme court appoints a reporter of the supreme court who is also the code editor, and a clerk. Both appointments are for four years.

**Attorney General**—The constitution also provides for an attorney general who is elected at the regular biennial election for a term of two years. He represents the state in legal matters, gives advice to state officers, and has, in addition, administrative functions.

**Judicial Districts**—The State of Iowa is divided by law into twenty-one judicial districts, composed of from one to nine counties. Each district elects from two to six judges, being at present seventy-two district judges in the state. One of the district judges presides over the district court sessions in each county. A county attorney and a clerk of the court are elected by the voters in each county.

**Inferior Courts**—The General Assembly has provided also for other inferior courts. Each township is authorized to elect two justices of the peace who hear cases involving minor offenses and hold preliminary hearings on more serious charges. Municipal courts, superior courts, police courts and mayor's courts are authorized in cities and towns under various restrictions. Municipal courts are optional in cities having a population of five thousand or more and superior courts in cities with



four thousand or over. Both municipal and superior court judges are elected for four-year terms.

**Municipal Courts**—If a city of the first class has neither a municipal nor a superior court, the council shall appoint a police judge in commission governed and city manager cities and may provide for the election of a police judge in such cities under the general law. In all municipalities having none of these special courts, the mayor acts as the police judge.

**Jury Trials**—Jury trials are the rule for serious cases, but under certain conditions may be waived or denied. Petit juries consist of twelve persons who must be "electors," except in some courts of restricted jurisdiction where the number of jurors may be six persons.

### Local Government in Iowa

**County Officials**—The State of Iowa is divided into ninety-nine counties, the boundaries of which may not be changed unless the change is approved by the voters of each county concerned. A board of supervisors consisting of three, five or seven members is the chief administrative agency in the county. They appoint a county engineer. In addition, an auditor, who is the clerk of the board of supervisors, a sheriff, county, attorney, recorder, treasurer, coroner and clerk of the district court are elected by the voters. A county superintendent of schools is chosen every three years by a county board of education. The county assessor is chosen by the board of supervisors, county board of education and the mayors of the various towns in the county, for a term of four years. They likewise fix his salary.

**Local Functions**—The Iowa county is a quasi-political corporation which collects municipal, school, county and state taxes, enforces state laws, has charge of poor relief and certain other welfare activities, and shares with the state highway commission the management of the roads and bridges in the county. Townships, which in earlier days were effective units of local government within the counties, have lost almost all their functions, except for the election of justices of the peace in which many townships default.

**City Government**—The laws of Iowa also authorize the incorporation of cities and towns. These municipalities derive their authority from the General Assembly and have only the powers specifically granted to them. Four cities and towns are governed by special charters granted before the adoption of the present constitution which forbids such acts of incorporation. Seven cities have the commission form of government; several have adopted the city manager plan by popular election; and a few others have a city manager by ordinance. Members of the commission are elected by the voters. The city manager in cities adopting that plan by popular vote is appointed by the commission.

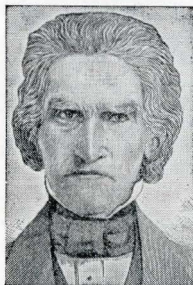
**Municipal Classes**—All other municipalities are under the general law. They are classified according to population into cities of the first class, having over 15,000 population; cities of the second class, having from 2,000 to 15,000 population; and towns having less than 2,000 population. All these municipalities have the mayor-council form of government, both the mayor and the members of the council being elected by the voters for two-year terms. A treasurer, assessor and park commissioners, and in some cities a police, superior or municipal court judge, are also elected.

**Tax Sources**—Taxation is probably the most important governmental power. The present tax system of Iowa is based largely on property, sales, income and corporation taxes, although there are taxes on inheritance, and sales or license taxes on gasoline, cigarettes and beer.

**Tax Levies**—Property is assessed by the county assessors. Assessments are subject to revision by local boards and by the state tax commission. The various mill levies for state, county, school and municipal purposes are computed by the county auditor on the assessed valuation and the tax money is paid to the county treasurer who distributes it to the proper fund. Levies for county, school or municipal purposes are, in most cases, limited by state law. In larger cities, city assessors function.

## Territorial Governors

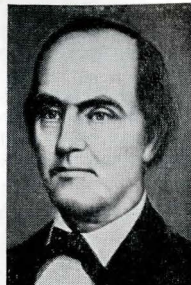
By Presidential Appointment



**Robert Lucas**  
1838-1841



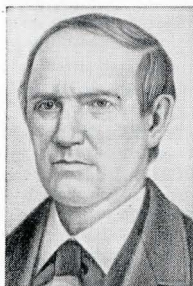
**John Chambers**  
1841-1845



**James Clarke**  
1845-1846

## Governors of Iowa

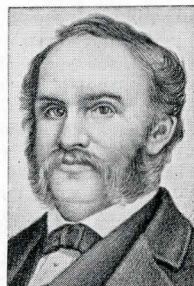
By Election



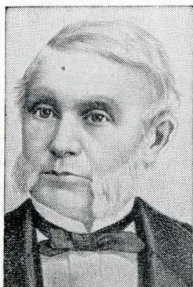
**Ansel Briggs (D)**  
1846-1850



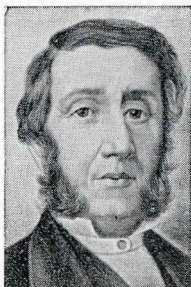
**Stephen Hempstead (D)**  
1850-1854



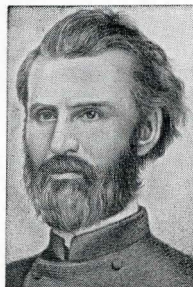
**James W. Grimes (W)**  
1854-1858



**R. P. Lowe (R)**  
1858-1860



**Saml. J. Kirkwood (R)**  
1860-1864 1876-1877



**W. M. Stone (R)**  
1864-1868

GOVERNORS OF IOWA—Continued



Sam Merrill (R)  
1868-1872



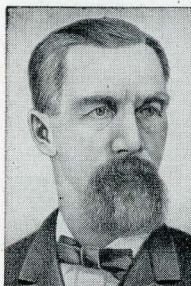
C. C. Carpenter (R)  
1872-1876



J. G. Newbold (R)  
1876-1878



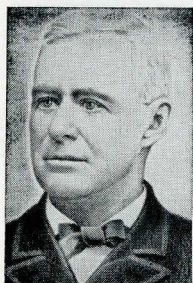
John H. Gear (R)  
1878-1882



Buren R. Sherman (R)  
1882-1886



Wm. Larrabee (R)  
1886-1890



Horace Boise (D)  
1890-1894

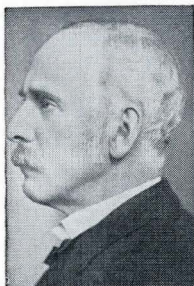


Frank D. Jackson (R)  
1894-1896



F. M. Drake (R)  
1896-1898

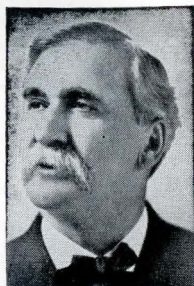
GOVERNORS OF IOWA—Continued



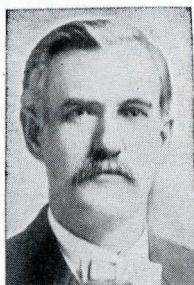
L. M. Shaw (R)  
1898-1902



A. B. Cummins (R)  
1902-1908



Warren Garst (R)  
1908-1909



B. F. Carroll (R)  
1909-1913



Geo. W. Clarke (R)  
1913-1917



W. L. Harding (R)  
1917-1921



Nate Kendall (R)  
1921-1925



John Hammill (R)  
1925-1931



Dan W. Turner (R)  
1931-1933

GOVERNORS OF IOWA—Continued



Clyde Herring (D)  
1933-1937



Nels Kraschel (D)  
1937-1939



George Wilson (R)  
1939-1943



B. B. Hickenlooper (R)  
1943-1945



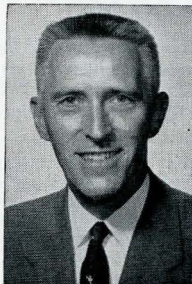
Robert D. Blue (R)  
1945-1949



W. S. Beardsley (R)  
1949-1954



Leo Elthon (R)  
1954-1955



Leo A. Hoegh (R)  
1955-1957



H. C. Loveless (D)  
1957-

## PRESIDENTS OF THE UNITED STATES

Year Chosen	NAMES	Where From	Terms of Office	Politics
1789	George Washington	Virginia	8 years	Federalist
1796	John Adams	Massachusetts	4 years	Federalist
1800	Thomas Jefferson	Virginia	8 years	Republican
1808	James Madison	Virginia	8 years	Republican
1816	James Monroe	Virginia	8 years	Republican
1824	John Quincy Adams	Massachusetts	4 years	Republican
1828	Andrew Jackson	Tennessee	8 years	Democrat
1836	Martin Van Buren	New York	4 years	Democrat
1840	Wm. H. Harrison	Ohio	1 month	Whig
1841	John Tyler	Virginia	3 years, 11 months	Whig
1844	James Knox Polk	Tennessee	4 years	Democrat
1848	<sup>2</sup> Zachary Taylor	Louisiana	1 year, 4 months, 5 days	Whig
1850	Millard Fillmore	New York	2 years, 7 months, 26 days	Whig
1852	Franklin Pierce	New Hampshire	4 years	Democrat
1856	James Buchanan	Pennsylvania	4 years	Democrat
1860	<sup>3</sup> Abraham Lincoln	Illinois	4 years, 1 month, 10 days	Republican
1865	Andrew Johnson	Tennessee	3 years, 10 months, 20 days	Republican
1868	Ulysses S. Grant	Illinois	8 years	Republican
1876	Rutherford B. Hays	Ohio	4 years	Republican
1880	<sup>4</sup> James A. Garfield	Ohio	6 months, 15 days	Republican
1881	Chester A. Arthur	New York	3 years, 5 months, 15 days	Republican
1884	Grover Cleveland	New York	4 years	Democrat
1888	Benjamin Harrison	Indiana	4 years	Republican
1892	Grover Cleveland	New York	4 years	Democrat
1896	<sup>5</sup> William McKinley	Ohio	4 years, 6 months, 10 days	Republican
1901	Theodore Roosevelt	New York	3 years, 5 months, 20 days	Republican
1904	Theodore Roosevelt	New York	4 years	Republican
1908	William H. Taft	Ohio	4 years	Republican
1912	Woodrow Wilson	New Jersey	8 years	Democrat
1920	<sup>6</sup> Warren G. Harding	Ohio	2 years, 5 months	Republican
1923	Calvin Coolidge	Massachusetts	1 year, 7 months	Republican
1924	Calvin Coolidge	Massachusetts	4 years	Republican
1928	Herbert Hoover	California	4 years	Republican
1932	Franklin D. Roosevelt	New York	4 years	Democrat
1936	Franklin D. Roosevelt	New York	4 years	Democrat
1940	Franklin D. Roosevelt	New York	4 years	Democrat
1944	<sup>7</sup> Franklin D. Roosevelt	New York	2 months, 22 days	Democrat
1945	Harry S. Truman	Missouri	3 years, 9 months, 8 days	Democrat
1948	Harry S. Truman	Missouri	4 years	Democrat
1952	Dwight D. Eisenhower	New York	4 years	Republican
1956	Dwight D. Eisenhower	Pennsylvania	4 years	Republican

<sup>1</sup>Died in office April 4, 1841. Vice President Tyler succeeded him.

<sup>2</sup>Died in office July 9, 1850. Vice President Fillmore succeeded him.

<sup>3</sup>Assassinated, April 14, 1864. Vice President Johnson succeeded him.

<sup>4</sup>Assassinated, September 20, 1881. Vice President Arthur succeeded him.

<sup>5</sup>Assassinated, September 14, 1901. Vice President Theodore Roosevelt succeeded him.

<sup>6</sup>Died in office August 2, 1923. Vice President Coolidge succeeded him.

<sup>7</sup>Died in office April 12, 1945. Vice President Truman succeeded him.

### The "Iowa Corn Song"

The "Iowa Corn Song," familiar all over the United States by use at Shrine, Legion and other conventions, is a genuine favorite with Iowa people. It was first used in 1912 by Za-Ga-Zig Temple Shriners of Des Moines at a convention in Los Angeles.

George E. Hamilton was with the group bound for the west, and put down a chorus to the music of the old song, "Traveling." Later, John T. Beeston, leader of the Shrine band, took Hamilton's chorus and scored it for a singing band, with solo cornet accompaniment. It was copy-righted by Beeston in 1921.

The chorus is a pepper-upper and the raising of the right arm, when singing the last line, adds the touch that sells it everywhere.

*We're from Ioway, Ioway;  
State of all the land,  
Joy on every hand;  
We're from Ioway, Ioway.  
That's where the tall corn grows.*

# CONSTITUTION OF THE STATE OF IOWA

## INTRODUCTION

Iowa was organized as a separate Territory by an act of Congress approved on June 12, 1838, but it was not until 1844 that steps were taken to secure admission into the Union. A constitutional convention met at Iowa City in October, 1844. The Constitution drafted by this convention was twice submitted to the voters of the Territory of Iowa and twice rejected by them, largely because of dissatisfaction with the boundaries of the proposed State.

A second constitutional convention met at Iowa City in May, 1846. The Constitution drafted by this convention was ratified by a majority of 456 votes at an election held on August 3, 1846, and Iowa was admitted as a State on December 28, 1846.

The Constitution of 1846, however, contained a number of provisions which were found to be unsatisfactory in practice. One of these was the prohibition of banking institutions. As a result of this dissatisfaction, the legislature in 1855 provided for an election on the question of calling a convention to revise or amend the Constitution of 1846. The vote was 32,390 for a convention and 14,162 against a convention. Delegates were elected on November 4, 1856, and the convention met at Iowa City on January 19, 1857.

The delegates drafted a new constitution which was submitted to the people at an election held on August 3, 1857, and ratified by a vote of 40,311 to 38,681. This Constitution went into effect by proclamation of the governor on September 3, 1857.

The Constitution of 1857 has, since that time, remained the fundamental law of the State of Iowa; but it has been amended a number of times.

## THE CONSTITUTION<sup>1</sup>

WE, THE PEOPLE OF THE STATE OF IOWA, grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, do ordain and establish a free and independent government by the name of the STATE OF IOWA, the boundaries whereof shall be as follows:

Beginning in the middle of the main channel of the Mississippi River, at a point due East of the middle of the mouth of the main channel of the Des Moines River, thence up the middle of the main channel of the said Des Moines River, to a point on said river where the Northern boundary line of the State of Missouri—as established by the Constitution of that State—adopted June 12th, 1820—crosses the said middle of the main channel of the said Des Moines River; thence Westwardly along the said Northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersects the middle of the main channel of the Missouri River; thence up the middle of the main channel of the said Missouri River to a point opposite the middle of the main channel of the Big Sioux River, according to Nicollet's Map; thence up the main channel of the said Big Sioux River, according to the said map, until it is intersected by the parallel of forty-three degrees and thirty minutes North latitude; thence East along said parallel of forty-three degrees and thirty minutes until said parallel intersects the middle of the main channel of the Mississippi River; thence down the middle of the main channel of said Mississippi River to the place of beginning.

## ARTICLE I. BILL OF RIGHTS

**Section 1.** All men are, by nature, free and equal, and have certain inalienable rights—among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

**Sec. 2.** All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right, at all times, to alter or reform the same, whenever the public good may require it.

**Sec. 3.** The General Assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates for building or repairing places of worship or the maintenance of any minister, or ministry.

<sup>1</sup>The text of the Constitution was taken directly from the original manuscript copy preserved in the office of the Secretary of State. Compiled, edited, and documented by Benjamin F. Shambaugh and Ruth A. Gallaher, of the State Historical Society of Iowa. All words, phrases, and sections which have been eliminated from the Constitution or rendered inoperative by amendment appear in *italic*. Material added to the Constitution by amendment is enclosed within brackets. Besides being indicated in their proper place in the text, the amendments are also printed in full chronological order following the Constitution.

**Sec. 4.** No religious test shall be required as a qualification for any office, or public trust, and no person shall be deprived of any of his rights, privileges, or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion; and any party to any judicial proceedings shall have the right to use as a witness, or take the testimony of, any other person not disqualified on account of interest, who may be cognizant of any fact material to the case; and parties to suits may be witnesses, as provided by law.

**Sec. 5.** Any citizen of this State who may hereafter be engaged, either directly, or indirectly, in a duel, either as principal, or accessory before the fact, shall forever be disqualified from holding any office under the Constitution and laws of this State.

**Sec. 6.** All laws of a general nature shall have a uniform operation; the General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms shall not equally belong to all citizens.

**Sec. 7.** Every person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech, or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury, and if it appears to the jury that the matter charged as libelous was true, and was published with good motives and for justifiable ends, the party shall be acquitted.

**Sec. 8.** The right of the people to be secure in their persons, houses, papers and effects, against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

**Sec. 9.** The right of trial by jury shall remain inviolate; but the General Assembly may authorize trial by a jury of a less number than twelve men in inferior courts; but no person shall be deprived of life, liberty, or property, without due process of law.

**Sec. 10.** In all criminal prosecutions, and in cases involving the life, or liberty of an individual the accused shall have a right to a speedy and public trial by an impartial jury; to be informed of the accusation against him, to have a copy of the same when demanded; to be confronted with the witnesses against him; to have compulsory process for his witnesses; and, to have the assistance of counsel.

**Sec. 11.** All offenses less than felony and in which the punishment does not exceed a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a Justice of the Peace, or other officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; *and no person shall be held to answer for any higher criminal offense, unless on presentation or indictment by a grand jury*<sup>2</sup> except in cases arising in the army, or navy, or in the militia, when in actual service, in time of war or public danger.

**Sec. 12.** No person shall after acquittal, be tried for the same offense. All persons shall, before conviction, be bailable, by sufficient sureties, except for capital offenses where the proof is evident, or the presumption great.

**Sec. 13.** The writ of habeas corpus shall not be suspended, or refused when application is made as required by law, unless in case of rebellion or invasion, the public safety may require it.

**Sec. 14.** The military shall be subordinate to the civil power. No standing army shall be kept up by the State in time of peace; and in time of war, no appropriation for a standing army shall be for a longer time than two years.

**Sec. 15.** No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

**Sec. 16.** Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act, or confession in open Court.

**Sec. 17.** Excessive bail shall not be required; excessive fines shall not be imposed, and cruel and unusual punishment shall not be inflicted.

<sup>2</sup>See amendment 3 of those adopted in 1884.



**Sec. 18.** Private property shall not be taken for public use without just compensation first being made, or secured to be made to the owner thereof, as soon as the damages shall be assessed by a jury, who shall not take into consideration any advantages that may result to said owner on account of the improvement for which it is taken.

[The General Assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains and ditches and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of the State, by special assessments upon the property benefited thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.]<sup>3</sup>

**Sec. 19.** No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in case of fraud; and no person shall be imprisoned for a militia fine in time of peace.

**Sec. 20.** The people have the right freely to assemble together to counsel for the common good; to make known their opinions to their representatives and to petition for a redress of grievances.

**Sec. 21.** No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

**Sec. 22.** Foreigners who are, or may hereafter become residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and descent of property as native born citizens.

**Sec. 23.** There shall be no slavery in this State; nor shall there be involuntary servitude, unless for the punishment of a crime.

**Sec. 24.** No lease or grant of agricultural lands, reserving any rent, or service of any kind, shall be valid for a longer period than twenty years.

**Sec. 25.** This enumeration of rights shall not be construed to impair or deny others, retained by the people.

[**Sec. 26.** No person shall manufacture for sale, or sell, or keep for sale, as a beverage any intoxicating liquors whatever, including ale, wine and beer. The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions thereof.]<sup>4</sup>

## ARTICLE II.

### RIGHT OF SUFFRAGE

**Section 1.** Every *white*<sup>5</sup> male<sup>6</sup> citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State six months next preceding the election, and of the County in which he claims his vote sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.

**Sec. 2.** Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest on the days of election, during their attendance at such election, going to and returning therefrom.

**Sec. 3.** No elector shall be obliged to perform military duty on the day of election, except in time of war, or public danger.

**Sec. 4.** No person in the military, naval, or marine service of the United States shall be considered a resident of this State by being stationed in any garrison, barracks, or military or naval place, or station within this State.

**Sec. 5.** No idiot, or insane person, or persons convicted of any infamous crime, shall be entitled to the privilege of an elector.

**Sec. 6.** All elections by the people shall be by ballot.

[*The general election for state, district, county and township officers shall be held on the Tuesday next after the first Monday in November.*]<sup>7</sup>

<sup>3</sup>The material between the brackets was added by an amendment adopted in 1908.

<sup>4</sup>This amendment was proposed by the General Assembly in 1880; readopted in 1882; ratified at a special election held on June 27, 1882; and certified adopted on June 28, 1882. On April 21, 1883, the Supreme Court of Iowa, in deciding *Koehler and Lange v. Hill*, held, that owing to certain irregularities, the amendment had not been legally submitted to the voters and hence was not a part of the Constitution—60 Iowa 543.

<sup>5</sup>The word "white" was eliminated by an amendment adopted in 1868.

<sup>6</sup>The word "male" remains in this section of the State Constitution, but it was rendered inoperative by the Nineteenth Amendment to the Constitution of the United States, adopted in 1920. The General Assembly of Iowa ratified the Nineteenth Amendment on July 2, 1919.

<sup>7</sup>This section was added by an amendment adopted in 1884. It was repealed in 1916.

[**Sec. 7.** The general election for state, district, county and township officers in the year 1916 shall be held in the same month and on the same day as that fixed by the laws of the United States for the election of presidential electors, or of president and vice-president of the United States; and thereafter such election shall be held at such time as the General Assembly may by law provide.]<sup>8</sup>

### ARTICLE III.

#### OF THE DISTRIBUTION OF POWERS

**Section 1.** The powers of the government of Iowa shall be divided into three separate departments—the Legislative, the Executive, and the Judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any function appertaining to either of the others, except in cases hereinafter expressly directed or permitted.

#### LEGISLATIVE DEPARTMENT

**Section 1.** The Legislative authority of this State shall be vested in a General Assembly which shall consist of a Senate and House of Representatives; and the style of every law shall be, "Be it enacted by the General Assembly of the State of Iowa"

**Sec. 2.** The sessions of the General Assembly shall be biennial, and shall commence on the second Monday in January next ensuing the election of its members; unless the Governor of the State shall, in the meantime, convene the General Assembly by proclamation.

**Sec. 3.** The members of the House of Representatives shall be chosen every second year, by the qualified electors of their respective districts, *on the second Tuesday in October, except the years of the Presidential election when the election shall be on the Tuesday next after the first Monday in November,*<sup>9</sup> and their term of office shall commence on the first day of January next after their election, and continue two years, and until their successors are elected and qualified.

**Sec. 4.** No person shall be a member of the House of Representatives who shall not have attained the age of twenty-one years, be a *free white*<sup>10</sup> *male*<sup>11</sup> citizen of the United States and shall have been an inhabitant of this State one year next preceding his election, and at the time of his election shall have had an actual residence of sixty days in the County, or District he may have been chosen to represent.

**Sec. 5.** Senators shall be chosen for the term of four years at the same time and place as Representatives; they shall be twenty-five years of age, and possess the qualifications of Representatives as to residence and citizenship.

**Sec. 6.** The number of senators shall not be less than one third, nor more than one half the representative body; and shall be so classified by lot, that one class, being as nearly one half as possible, shall be elected every two years. When the number of Senators is increased, they shall be annexed by lot to one or the other of the two classes, so as to keep them as nearly equal in numbers as practicable.

**Sec. 7.** Each house shall choose its own officers, and judge of the qualification, election, and return of its own members. A contested election shall be determined in such manner as shall be directed by law.

**Sec. 8.** A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

**Sec. 9.** Each house shall sit upon its own adjournments, keep a journal of its proceedings, and publish the same; determine its rules and proceedings, punish members for disorderly behavior, and, with the consent of two thirds, expel a member, but not a second time for the same offense; and shall have all other powers necessary for a branch of the General Assembly of a free and independent State.

**Sec. 10.** Every member of the General Assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent

<sup>8</sup>This section was added by an amendment adopted in 1916.

<sup>9</sup>Although there has been no specific repeal of any part of this section, the dates of election have been changed, first by the amendment of 1884, and later by the amendment of 1916.

<sup>10</sup>The words "free white" were stricken from this section by an amendment adopted in 1880.

<sup>11</sup>The word "male" was stricken from this section by an amendment adopted in 1926.

entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

**Sec. 11.** Senators and Representatives, in all cases, except treason, felony, or breach of the peace, shall be privileged from arrest during the session of the General Assembly, and in going to and returning from the same.

**Sec. 12.** When vacancies occur in either house, the Governor, or the person exercising the functions of Governor, shall issue writs of election to fill such vacancies.

**Sec. 13.** The doors of each house shall be open, except on such occasion as in the opinion of the house, may require secrecy.

**Sec. 14.** Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

**Sec. 15.** Bills may originate in either house, and may be amended, altered, or rejected by the other; and every bill having passed both houses, shall be signed by the Speaker and President of their respective houses.

**Sec. 16.** Every bill which shall have passed the General Assembly, shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but, if not, he shall return it with his objections, to the house in which it originated, which shall enter the same upon their journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a majority of two thirds of the members of each house, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within three days after it shall have been presented to him, Sunday excepted, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by adjournment, prevent such return. Any bill submitted to the Governor for his approval during the last three days of a session of the General Assembly, shall be deposited by him in the office of the Secretary of State, within thirty days after the adjournment, with his approval, if approved by him, and with his objections, if he disapproves thereof.

**Sec. 17.** No bill shall be passed unless by the assent of a majority of all the members elected to each branch of the General Assembly, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the journal.

**Sec. 18.** An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws, at every regular session of the General Assembly.

**Sec. 19.** The House of Representatives shall have the sole power of impeachment, and all impeachments shall be tried by the Senate. When sitting for that purpose, the senators shall be upon oath or affirmation; and no person shall be convicted without the concurrence of two thirds of the members present.

**Sec. 20.** The Governor, Judges of the Supreme and District Courts, and other State officers, shall be liable to impeachment for any misdemeanor or malfeasance in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit, under this State; but the party convicted or acquitted shall nevertheless be liable to indictment, trial, and punishment, according to law. All other civil officers shall be tried for misdemeanors and malfeasance in office, in such manner as the General Assembly may provide.

**Sec. 21.** No senator or representative shall, during the time for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by elections by the people.

**Sec. 22.** No person holding any lucrative office under the United States, or this State, or any other power, shall be eligible to hold a seat in the General Assembly; but offices in the militia, to which there is attached no annual salary, or the office of justice of the peace, or postmaster whose compensation does not exceed one hundred dollars per annum, or notary public, shall not be deemed lucrative.

**Sec. 23.** No person who may hereafter be a collector or holder of public monies, shall have a seat in either House of the General Assembly, or be eligible to hold any office of trust or profit in this State, until he shall have accounted for and paid into the treasury all sums for which he may be liable.

**Sec. 24.** No money shall be drawn from the treasury but in consequence of appropriations made by law.

**Sec. 25.** Each member of the first General Assembly under this Constitution, shall receive three dollars per diem while in session; and the further sum of three dollars for every twenty miles traveled, in going to and returning from the place where such session is held, by the nearest traveled route; after which they shall receive such compensation as shall be fixed by law; but no General Assembly shall have power to increase the compensation of its own members. And when convened in extra session they shall receive the same mileage and per diem compensation, as fixed by law for the regular session, and none other.

**Sec. 26.** No law of the General Assembly, passed at a regular session, of a public nature, shall take effect until the fourth day of July next after the passage thereof. Laws passed at a special session, shall take effect ninety days after the adjournment of the General Assembly by which they were passed. If the General Assembly shall deem any law of immediate importance, they may provide that the same shall take effect by publication in newspapers in the State.

**Sec. 27.** No divorce shall be granted by the General Assembly.

**Sec. 28.** No lottery shall be authorized by this State; nor shall the sale of lottery tickets be allowed.

**Sec. 29.** Every act shall embrace but one subject, and matters properly connected therewith; which subject shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

**Sec. 30.** The General Assembly shall not pass local or special laws in the following cases:

For the assessment and collection of taxes for State, County or road purposes;  
For laying out, opening, and working roads or highways;  
For changing the names of persons;  
For the incorporation of cities and towns;  
For vacating roads, town plats, streets, alleys, or public squares;  
For locating or changing county seats.

In all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State; and no law changing the boundary lines of any county shall have effect until upon being submitted to the people of the counties affected by the change, at a general election, it shall be approved by a majority of the votes in each county, cast for and against it.

**Sec. 31.** No extra compensation shall be made to any officer, public agent, or contractor, after the service shall have been rendered, or the contract entered into; nor, shall any money be paid on any claim, the subject matter of which shall not have been provided for by pre-existing laws, and no public money or property shall be appropriated for local, or private purposes, unless such appropriation, compensation, or claim, be allowed by two-thirds of the members elected to each branch of the General Assembly.

**Sec. 32.** Members of the General Assembly shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear, or affirm, (as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully discharge the duties of Senator, (or Representative, as the case may be), according to the best of my ability." And members of the General Assembly are hereby empowered to administer to each other the said oath or affirmation.

**Sec. 33.** *The General Assembly shall, in the years One thousand eight hundred and fifty nine, One thousand eight hundred and sixty three, One thousand eight hundred and sixty five. One thousand eight hundred and sixty seven, One thousand eight hundred and sixty nine, and One thousand eight hundred and seventy five, and every ten years thereafter, cause an enumeration to be made of all white<sup>12</sup> inhabitants of the State.<sup>13</sup>*

**Sec. 34.** *The number of senators shall, at the next session following each period of making such enumeration, and the next session following each United States census, be fixed by law, and apportioned among the several counties, according to the number of white<sup>14</sup> inhabitants in each.<sup>15</sup>*

[**Sec. 34.** The Senate shall be composed of fifty members to be elected from the several senatorial districts, established by law and at the next session

<sup>12</sup>The word "white" was stricken from this section by an amendment adopted in 1868.

<sup>13</sup>Section 33 was repealed by an amendment adopted in 1936.

<sup>14</sup>The word "white" was stricken from this article by an amendment adopted in 1868.

<sup>15</sup>The three sections which are printed in *Italic* (34, 35, and 36) were repealed in 1904.

of the General Assembly held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state, according to population as shown by the preceding census,<sup>16</sup> (but no county shall be entitled to more than one (1) Senator.)<sup>17</sup>

**Sec. 35.** *The Senate shall not consist of more than fifty members, nor the House of Representatives of more than one hundred; and they shall be apportioned among the several counties and representative districts of the State, according to the number of white<sup>18</sup> inhabitants in each, upon ratios to be fixed by law; but no representative district shall contain more than four organized counties, and each district shall be entitled to at least one representative. Every county and district which shall have a number of inhabitants equal to one-half of the ratio fixed by law, shall be entitled to one representative and any one county containing in addition to the ratio fixed by law one-half of that number or more, shall be entitled to one additional representative. No floating district shall hereafter be formed.*<sup>15</sup>

**[Sec. 35.** The House of Representatives shall consist of not more than one hundred and eight members. The ratio of representatives shall be determined by dividing the whole number of the population of the state as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number, as herein provided of three fifths or more of such ratio number shall be entitled to one additional representative, but said addition shall extend only to the nine counties having the greatest population.]<sup>16</sup>

**Sec. 36.** *At its first session under this Constitution, and at every subsequent regular session, the General Assembly shall fix the ratio of representation, and also form into representative districts those counties which will not be entitled singly to a representative.*<sup>15</sup>

**[Sec. 36.** The General Assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the representatives, as hereinbefore required.]<sup>16</sup>

**Sec. 37.** When a congressional, senatorial, or representative district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to another district; and no county shall be divided in forming a congressional, senatorial, or representative district.

**Sec. 38.** In all elections by the General Assembly, the members thereof shall vote viva voce and the votes shall be entered on the journal.

#### ARTICLE IV.

##### EXECUTIVE DEPARTMENT

**Section 1.** The Supreme Executive power of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of Iowa.

**Sec. 2.** The Governor shall be elected by the qualified electors at the time and place of voting for members of the General Assembly, and shall hold his office two years from the time of his installation, and until his successor is elected and qualified.

**Sec. 3.** There shall be a Lieutenant Governor, who shall hold his office two years, and be elected at the same time as the Governor. In voting for Governor and Lieutenant Governor, the electors shall designate for whom they vote as Governor, and for whom as Lieutenant Governor. The returns of every election for Governor, and Lieutenant Governor, shall be sealed up and transmitted to the seat of government of the State, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly.

**Sec. 4.** The persons respectively having the highest number of votes for Governor and Lieutenant Governor, shall be declared duly elected; but in case two or more persons shall have an equal and the highest number of votes for either office, the General Assembly shall, by joint vote, forthwith proceed to elect one of said persons Governor, or Lieutenant Governor, as the case may be. [If, upon the completion of the canvass of votes for Governor and Lieutenant Governor by the General Assembly, it shall appear that the person who received the highest number of votes for Governor has since died, resigned, is

<sup>16</sup>The three sections in brackets (34, 35, and 36), with the exception of the part in parentheses in Section 34, were added by an amendment adopted in 1904.

<sup>17</sup>The words inside these parentheses were added to this section by an amendment adopted in 1928.

<sup>18</sup>The word "white" was stricken from this section by an amendment adopted in 1868.

unable to qualify, fails to qualify, or for any other reason is unable to assume the duties of the office of Governor for the ensuing term, the powers and duties of the office shall devolve upon the person who received the highest number of votes for Lieutenant Governor until the disability is removed and, upon inauguration, he shall assume the powers and duties of Governor.<sup>10</sup>

**Sec. 5.** Contested elections for Governor, or Lieutenant Governor, shall be determined by the General Assembly in such manner as may be prescribed by law.

**Sec. 6.** No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have been a citizen of the United States, and a resident of the State, two years next preceding the election, and attained the age of thirty years at the time of said election.

**Sec. 7.** The Governor shall be commander in chief of the militia, the army, and navy of this State.

**Sec. 8.** He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

**Sec. 9.** He shall take care that the laws are faithfully executed.

**Sec. 10.** When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have power to fill such vacancy, by granting a commission, which shall expire at the end of the next session of the General Assembly, or at the next election by the people.

**Sec. 11.** He may, on extraordinary occasions, convene the General Assembly by proclamation, and shall state to both houses, when assembled, the purpose for which they have been convened.

**Sec. 12.** He shall communicate, by message, to the General Assembly, at every regular session, the condition of the State, and recommend such matters as he shall deem expedient.

**Sec. 13.** In case of disagreement between the two Houses with respect to the time of adjournment, the Governor shall have power to adjourn the General Assembly to such time as he may think proper; but no such adjournment shall be beyond the time fixed for the regular meeting of the next General Assembly.

**Sec. 14.** No person shall, while holding an office under the authority of the United States, or this State, execute the office of Governor, or Lieutenant Governor, except as hereinafter expressly provided.

**Sec. 15.** The official term of the Governor, and Lieutenant Governor, shall commence on the second Monday of January next after their election, and continue for two years, and until their successors are elected and qualified. The Lieutenant Governor, while acting as Governor, shall receive the same pay as provided for Governor; and while presiding in the Senate, shall receive as compensation therefor, the same mileage and double the per diem pay provided for a Senator, and none other.

**Sec. 16.** The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the General Assembly at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law; and shall report to the General Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and the reasons therefor; and also all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted.

**Sec. 17.** In case of the death, impeachment, resignation, removal from office, or other disability of the Governor, the powers and duties of the office for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve upon the Lieutenant Governor.

**Sec. 18.** The Lieutenant Governor shall be President of the Senate, but shall only vote when the Senate is equally divided; and in case of his absence, or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a President pro tempore.

<sup>10</sup>The part of this section in brackets was added by amendment 1 of 1952.

**Sec. 19.** *If the Lieutenant Governor, while acting as Governor, shall be impeached, displaced, resign, or die, or otherwise become incapable of performing the duties of the office, the President pro tempore of the Senate shall act as Governor until the vacancy is filled, or the disability removed; and if the President of the Senate, for any of the above causes, shall be rendered incapable of performing the duties pertaining to the office of Governor, the same shall devolve upon the Speaker of the House of Representatives.*<sup>20</sup>

[**Sec. 19.** If there be a vacancy in the office of Governor and the Lieutenant Governor shall be reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of Governor, the President pro tempore of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President pro tempore of the Senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of Governor the same shall devolve upon the Speaker of the House of Representatives; and if the Speaker of the House of Representatives, for any of the above causes, shall be incapable of performing the duties of the office of Governor, the Justices of the Supreme Court shall convene the General Assembly by proclamation and the General Assembly shall organize by the election of a President pro tempore by the Senate and a Speaker by the House of Representatives. The General Assembly shall thereupon immediately proceed to the election of a Governor and Lieutenant Governor in joint convention.]<sup>20</sup>

**Sec. 20.** There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called the Great Seal of the State of Iowa.

**Sec. 21.** All grants and commissions shall be in the name and by the authority of the people of the State of Iowa, sealed with the Great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

**Sec. 22.** A Secretary of State, Auditor of State and Treasurer of State, shall be elected by the qualified electors, who shall continue in office two years, and until their successors are elected and qualified; and perform such duties as may be required by law.

## ARTICLE V. JUDICIAL DEPARTMENT

**Section 1.** The Judicial power shall be vested in a Supreme Court, District Courts, and such other Courts, inferior to the Supreme Court, as the General Assembly may, from time to time, establish.

**Sec. 2.** The Supreme Court shall consist of three Judges, two of whom shall constitute a quorum to hold Court.<sup>21</sup>

**Sec. 3.** The Judges of the Supreme Court shall be elected by the qualified electors of the State, and shall hold their court at such time and place as the General Assembly may prescribe. The Judges of the Supreme Court so elected, shall be classified so that one Judge shall go out of office every two years, and the Judge holding the shortest term of office under such classification, shall be Chief Justice of the Court, during his term, and so on in rotation. After the expiration of their terms of office, under such classification, the term of each Judge of the Supreme court shall be six years, and until his successor shall have been elected and qualified. The Judges of the Supreme Court shall be ineligible to any other office in the State, during the term for which they have been elected.

**Sec. 4.** The Supreme Court shall have appellate jurisdiction only in cases in chancery, and shall constitute a Court for the correction of errors at law, under such restrictions as the General Assembly may, by law, prescribe; and shall have power to issue all writs and process necessary to secure justice to parties and exercise a supervisory control over all inferior Judicial tribunals throughout the State.

**Sec. 5.** The District Court shall consist of a single Judge, who shall be elected by the qualified electors of the District in which he resides. The Judge of the District Court shall hold his office for a term of four years, and until his successor shall have been elected and qualified; and shall be ineligible to any other office, except that of Judge of the Supreme Court, during the term for which he was elected.

**Sec. 6.** The District Court shall be a court of law and equity, which shall be distinct and separate jurisdictions, and have jurisdiction in civil and criminal

<sup>20</sup>Old section 19, in italics, was repealed and new section 19, bracketed, was substituted therefor by amendment 2 of 1952.

<sup>21</sup>See Section 10; also Sec. 684.1 of the Code.

matters arising in their respective districts, in such manner as shall be prescribed by law.

**Sec. 7.** The Judges of the Supreme and District Courts shall be conservators of the peace throughout the State.

**Sec. 8.** The style of all process shall be, "The State of Iowa," and all prosecutions shall be conducted in the name and by the authority of the same.

**Sec. 9.** The salary of each Judge of the Supreme Court shall be two thousand dollars per annum; and that of each District Judge, one thousand six hundred dollars per annum, until the year Eighteen hundred and sixty; after which time they shall severally receive such compensation as the General Assembly may, by law, prescribe; which compensation shall not be increased or diminished during the term for which they shall have been elected.

**Sec. 10.** *The State shall be divided into eleven Judicial Districts; and after the year Eighteen hundred and sixty, the General Assembly may re-organize the Judicial Districts and increase or diminish the number of Districts, or the number of Judges of the said Court, and may increase the number of Judges of the Supreme Court; but such increase or diminution shall not be more than one District, or one Judge of either Court at any one session; and no re-organization of the districts, or diminution of the number of Judges, shall have the effect of removing a Judge from office. Such re-organization of the districts, or any changes in the boundaries thereof, or increase or diminution of the number of Judges, shall take place every four years thereafter, if necessary, and at no other time.*<sup>22</sup>

[At any regular session of the General Assembly, the State may be divided into the necessary judicial districts for district court purposes, or the said districts may be re-organized and the number of the districts and the judges of said courts increased or diminished; but no re-organization of the districts or diminution of the judges shall have the effect of removing a judge from office.]<sup>23</sup>

**Sec. 11.** The Judges of the Supreme and District Courts shall be chosen at the general election; and the term of office of each Judge shall commence on the first day of January next, after his election.

**Sec. 12.** The General Assembly shall provide, by law, for the election of an Attorney General by the people, whose term of office shall be two years, and until his successor shall have been elected and qualified.

**Sec. 13.** *The qualified electors of each judicial district shall, at the time of the election of District Judge, elect a District Attorney, who shall be a resident of the district for which he is elected, and who shall hold his office for the term of four years, and until his successor shall have been elected and qualified.*<sup>24</sup>

[Sec. 13. The qualified electors of each county shall, at the general election in the year 1836, and every two years thereafter, elect a County Attorney, who shall be a resident of the county for which he is elected, and shall hold his office for two years, and until his successor shall have been elected and qualified.]<sup>25</sup>

**Sec. 14.** It shall be the duty of the General Assembly to provide for the carrying into effect of this article and to provide for a general system of practice in all the Courts of this State.

[The grand jury may consist of any number of members not less than five, nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.]<sup>26</sup>

## ARTICLE VI.

### MILITIA

**Section 1.** The militia of this State shall be composed of all able-bodied white<sup>27</sup> male citizens between the ages of eighteen and forty-five years, except such as are or may hereafter be exempt by the laws of the United States, or of this State, and shall be armed, equipped, and trained, as the General Assembly may provide by law.

**Sec. 2.** No person or persons conscientiously scrupulous of bearing arms shall be compelled to do military duty in time of peace; provided, that such person or persons shall pay an equivalent for such exemption in the same manner as other citizens.

<sup>22</sup>This section was, in effect, amended by the second of the amendments adopted in 1884, so far as it applied to district court districts and district court judges. The parts of this section which seem to be repealed by the amendments are here printed in italic.

<sup>23</sup>This section was added by the second of the amendments adopted in 1884. It did not specifically repeal the part of Sec. 10 of Art. V, dealing with district courts, but it did this in effect.

<sup>24</sup>This section was repealed by an amendment adopted in 1884.

<sup>25</sup>This section was added by an amendment adopted in 1884.

<sup>26</sup>This was the third of the amendments adopted in 1884. It was not assigned specifically to any place in the Constitution. This place seems as logical as any.

<sup>27</sup>The word "white" was stricken from this section by an amendment adopted in 1868.



**Sec. 3.** All commissioned officers of the militia, (staff officers excepted,) shall be elected by the persons liable to perform military duty, and shall be commissioned by the Governor.

## ARTICLE VII.

### STATE DEBTS

**Section 1.** The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual, association, or corporation; and the State shall never assume, or become responsible for, the debts or liabilities of any individual, association, or corporation, unless incurred in time of war for the benefit of the State.

**Sec. 2.** The State may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed the sum of two hundred and fifty thousand dollars; and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

**Sec. 3.** All losses to the permanent, School, or University fund of this State, which shall have been occasioned by the defalcation, mismanagement or fraud of the agents or officers controlling and managing the same, shall be audited by the proper authorities of the State. The amount so audited shall be a permanent funded debt against the State, in favor of the respective fund, sustaining the loss, upon which not less than six per cent annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized by the second section of this article.

**Sec. 4.** In addition to the above limited power to contract debts, the State may contract debts to repel invasion, suppress insurrection, or defend the State in war; but the money arising from the debts so contracted shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

**Sec. 5.** Except the debts hereinbefore specified in this article, no debt shall be hereafter contracted by, or on behalf of this State, unless such debt shall be authorized by some law for some single work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax, sufficient to pay the interest on such debt, as it falls due, and also to pay and discharge the principal of such debt, within twenty years from the time of the contracting thereof; but no such law shall take effect until at a general election it shall have been submitted to the people, and have received a majority of all votes cast for and against it at such election; and all money raised by authority of such law, shall be applied only to the specific object therein stated, or to the payment of the debt created thereby; and such law shall be published in at least one newspaper in each County, if one is published therein, throughout the State, for three months preceding the election at which it is submitted to the people.

**Sec. 6.** The Legislature may, at any time, after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same; and may, at any time, forbid the contracting of any further debt, or liability, under such law; but the tax imposed by such law, in proportion to the debt or liability, which may have been contracted in pursuance thereof, shall remain in force and be irrevocable, and be annually collected, until the principal and interest are fully paid.

**Sec. 7.** Every law which imposes, continues, or revives a tax, shall distinctly state the tax, and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

**[Sec. 8.** All motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways exclusively within the state or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds.]<sup>28</sup>

## ARTICLE VIII.

### CORPORATIONS

**Section 1.** No corporation shall be created by special laws; but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter to be created, except as hereinafter provided.

<sup>28</sup>Section 8 added by amendment of 1942.

**Sec. 2.** The property of all corporations for pecuniary profit, shall be subject to taxation, the same as that of individuals.

**Sec. 3.** The State shall not become a stockholder in any corporation, nor shall it assume or pay the debt or liability of any corporation, unless incurred in time of war for the benefit of the State.

**Sec. 4.** No political or municipal corporation shall become a stockholder in any banking corporation, directly or indirectly.

**Sec. 5.** No act of the General Assembly, authorizing or creating corporations or associations with banking powers, nor amendments thereto shall take effect, or in any manner be in force, until the same shall have been submitted, separately, to the people, at a general or special election, as provided by law, to be held not less than three months after the passage of the act, and shall have been approved by a majority of all the electors voting for and against it at such election.

**Sec. 6.** Subject to the provisions of the foregoing section, the General Assembly may also provide for the establishment of a State Bank with branches.

**Sec. 7.** If a State Bank be established, it shall be founded on an actual specie basis, and the branches shall be mutually responsible for each other's liabilities upon all notes, bills, and other issues intended for circulation as money.

**Sec. 8.** If a general Banking law shall be enacted, it shall provide for the registry and countersigning by an officer of State, of all bills or paper credit designated to circulate as money and require security to the full amount thereof, to be deposited with the State Treasurer, in United States stocks, or in interest paying stocks of States in good credit and standing, to be rated at ten per cent, below their average value in the City of New York, for the thirty days next preceding their deposit; and in case of a depreciation of any portion of said stocks, to the amount of ten per cent, on the dollar, the bank or banks owning such stock shall be required to make up said deficiency by depositing additional stocks; and said law shall also provide for the recording of the names of the stockholders in such corporations, the amount of stock held by each, the time of any transfer, and to whom.

**Sec. 9.** Every stockholder in a banking corporation or institution shall be individually responsible and liable to its creditors, over and above the amount of stock by him or her held, to an amount equal to his or her respective shares so held for all of its liabilities, accruing while he or she remains such stockholder.

**Sec. 10.** In case of the insolvency of any banking institution, the billholders shall have a preference over its other creditors.

**Sec. 11.** The suspension of specie payment by banking institutions shall never be permitted or sanctioned.

**Sec. 12.** Subject to the provisions of this article, the General Assembly shall have power to amend or repeal all laws for the organization or creation of corporations, or granting of special or exclusive privileges or immunities, by a vote of two-thirds of each branch of the General Assembly; and no exclusive privileges, except as in this article provided, shall ever be granted.

## ARTICLE IX.

### EDUCATION AND SCHOOL LAWS

#### 1st. EDUCATION.

**Section 1.** The educational interest of the State, including Common Schools and other educational institutions, shall be under the management of a Board of Education,<sup>29</sup> which shall consist of the Lieutenant Governor, who shall be the presiding officer of the Board, and have the casting vote in case of a tie, and one member to be elected from each judicial district in the State

**Sec. 2.** No person shall be eligible as a member of said Board who shall not have attained the age of twenty-five years, and shall have been one year a citizen of the State.

**Sec. 3.** One member of said Board shall be chosen by the qualified electors of each district, and shall hold the office for the term of four years, and until his successor is elected and qualified. After the first election under this Constitution, the Board shall be divided, as nearly as practicable, into two equal classes, and the seats of the first class shall be vacated after the expiration of two years; and one-half of the Board shall be chosen every two years thereafter.

<sup>29</sup>Under the provisions contained in Section 15 of this part of Art. IX, the Board of Education was abolished by act of the legislature in 1864.—Laws of Iowa, 1864, Ch. 52. This act by the General Assembly rendered Sections 1 to 14 of the first part of Art. IX inoperative and obsolete, although they have not been repealed.

**Sec. 4.** The first session of the Board of Education shall be held at the Seat of Government, on the first Monday of December, after their election; after which the General Assembly may fix the time and place of meeting.

**Sec. 5.** The session of the Board shall be limited to twenty days, and but one session shall be held in any one year, except upon extraordinary occasions, when, upon the recommendation of two-thirds of the Board, the Governor may order a special session.

**Sec. 6.** The Board of Education shall appoint a Secretary, who shall be the executive officer of the Board, and perform such duties as may be imposed upon him by the Board, and the laws of the State. They shall keep a journal of their proceedings, which shall be published and distributed in the same manner as the journals of the General Assembly.

**Sec. 7.** All rules and regulations made by the Board shall be published and distributed to the several Counties, Townships, and School Districts, as may be provided for by the Board, and when so made, published and distributed, they shall have the force and effect of law.

**Sec. 8.** The Board of Education shall have full power and authority to legislate and make all needful rules and regulations in relation to Common Schools, and other educational institutions, that are instituted, to receive aid from the School or University fund of this State; but all acts, rules, and regulations of said Board may be altered, amended or repealed by the General Assembly; and when so altered, amended or repealed they shall not be re-enacted by the Board of Education.

**Sec. 9.** The Governor of the State shall be, *EX OFFICIO*, a member of said Board.

**Sec. 10.** The Board shall have no power to levy taxes, or make appropriations of money. Their contingent expenses shall be provided for by the General Assembly.

**Sec. 11.** The State University shall be established at one place without branches at any other place, and the University fund shall be applied to that institution and no other.

**Sec. 12.** The Board of Education shall provide for the education of all the youths of the State, through a system of Common Schools, and such schools shall be organized and kept in each school district at least three months in each year. Any district failing, for two successive years, to organize and keep up a school as aforesaid may be deprived of their portion of the school fund.

**Sec. 13.** The members of the Board of Education shall each receive the same per diem during the time of their session, and mileage going to and returning therefrom, as members of the General Assembly.

**Sec. 14.** A majority of the Board shall constitute a quorum for the transaction of business; but no rule, regulation or law, for the government of Common schools or other educational institutions, shall pass without the concurrence of a majority of all the members of the Board, which shall be expressed by the yeas and nays on the final passage. The style of all acts of the Board shall be "Be it enacted by the Board of Education of the State of Iowa."

**Sec. 15.** At any time after the year One thousand eight hundred and sixty-three, the General Assembly shall have power to abolish or re-organize said Board of Education, and provide for the educational interest of the State in any other manner that to them shall seem best and proper.

## 2ND. SCHOOL FUNDS AND SCHOOL LANDS.

**Section 1.** The educational and school funds and lands, shall be under the control and management of the General Assembly of this State.

**Sec. 2.** The University lands, and the proceeds thereof, and all monies belonging to said fund shall be a permanent fund for the sole use of the State University. The interest arising from the same shall be annually appropriated for the support and benefit of said University.

**Sec. 3.** The General Assembly shall encourage, by all suitable means, the promotion of the intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that have been, or hereafter may be, granted by the United States to this State, for the support of schools, which may have been, or shall hereafter be sold, or disposed of, and the five hundred thousand acres of land granted to the new States, under an act of Congress, distributing the proceeds of the public lands among the several States of the Union, approved in the year of our Lord one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent, as has been or may hereafter be granted by Congress,

on the sale of lands in this State, shall be, and remain a perpetual fund, the interest of which, together with all rents of the unsold lands, and such other means as the General Assembly may provide, shall be inviolably appropriated to the support of Common Schools throughout the State.

**Sec. 4.** The money which may have been or shall be paid by persons as an equivalent for exemption from military duty, and the clear proceeds of all fines collected in the several Counties for any breach of the penal laws, shall be exclusively applied, in the several Counties in which such money is paid, or fine collected, among the several school districts of said Counties, in proportion to the number of youths subject to enumeration in such districts, to the support of Common Schools, or the establishment of libraries, as the Board of Education shall from time to time provide.

**Sec. 5.** The General Assembly shall take measures for the protection, improvement, or other disposition of such lands as have been, or may hereafter be reserved, or granted by the United States, or any person or persons, to this State, for the use of the University, and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be, and remain, a permanent fund, the interest of which shall be applied to the support of said University, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the General Assembly as soon as may be, to provide official means for the improvement and permanent security of the funds of said University.

**Sec. 6.** The financial agents of the school funds shall be the same, that by law, receive and control the State and county revenues for other civil purposes, under such regulations as may be provided by law.

**Sec. 7.** The money subject to the support and maintenance of Common Schools shall be distributed to the districts in proportion to the number of youths, between the ages of five and twenty-one years, in such manner as may be provided by the General Assembly.

## ARTICLE X.

### AMENDMENTS TO THE CONSTITUTION

**Section 1.** Any amendment or amendments to this Constitution may be proposed in either House of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two Houses, such proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice; and if, in the General Assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to, by a majority of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner, and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of the Constitution of this State.

**Sec. 2.** If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

**Sec. 3.** At the general election to be held in the year one thousand eight hundred and seventy, and in each tenth year thereafter, and also at such times as the General Assembly may, by law, provide, the question, "Shall there be a Convention to revise the Constitution, and amend the same?" shall be decided by the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified, voting at such election, for and against such proposition, shall decide in favor of a Convention for such purpose, the General Assembly, at its next session, shall provide by law for the election of delegates to such Convention.

## ARTICLE XI.

### MISCELLANEOUS.

**Section 1.** The jurisdiction of Justices of the Peace shall extend to all civil cases, (except cases in chancery, and cases where the question of title to real estate may arise,) where the amount in controversy does not exceed one hundred dollars, and by the consent of parties may be extended to any amount not exceeding three hundred dollars.

**Sec. 2.** No new County shall be hereafter created containing less than four hundred and thirty-two square miles; nor shall the territory of any organized county be reduced below that area; except the County of Worth, and the counties west of it along the Northern boundary of this State, may be organized without additional territory.

**Sec. 3.** No county, or other political or municipal corporation shall be allowed to become indebted in any manner, or for any purpose, to an amount, in the aggregate, exceeding five per centum on the value of the taxable property within such county or corporation—to be ascertained by the last State and county tax lists, previous to the incurring of such indebtedness.

**Sec. 4.** The boundaries of the State may be enlarged, with the consent of Congress and the General Assembly.

**Sec. 5.** Every person elected or appointed to any office, shall, before entering upon the duties thereof, take an oath or affirmation to support the Constitution of the United States, and of this State, and also an oath of office.

**Sec. 6.** In all cases of elections to fill vacancies in office occurring before the expiration of a full term, the person so elected shall hold for the residue of the unexpired term; and all persons appointed to fill vacancies in office, shall hold until the next general election, and until their successors are elected and qualified.

**Sec. 7.** The General Assembly shall not locate any of the public lands, which have been, or may be granted by Congress to this State, and the location of which may be given to the General Assembly, upon lands actually settled, without the consent of the occupant. The extent of the claim of such occupant, so exempted, shall not exceed three hundred and twenty acres.

**Sec. 8.** The seat of Government is hereby permanently established, as now fixed by law at the City of Des Moines, in the County of Polk; and the State University, at Iowa City, in the County of Johnson.

## ARTICLE XII.

### SCHEDULE.

**Section 1.** This Constitution shall be the supreme law of the State, and any law inconsistent therewith, shall be void. The General Assembly shall pass all laws necessary to carry this Constitution into effect.

**Sec. 2.** All laws now in force and not inconsistent with this Constitution, shall remain in force until they shall expire or be repealed.

**Sec. 3.** All indictments, prosecutions, suits, pleas, complaints, process, and other proceedings pending in any of the courts, shall be prosecuted to final judgment and execution; and all appeals, writs of error, certiorari, and injunctions, shall be carried on in the several courts, in the same manner as now provided by law; and all offenses, misdemeanors, and crimes that may have been committed before the taking effect of this Constitution, shall be subject to indictment, trial and punishment, in the same manner as they would have been, had not this Constitution been made.

**Sec. 4.** All fines, penalties, or forfeitures due, or to become due, or accruing to the State, or to any County therein, or to the school fund, shall inure to the State, county, or school fund, in the manner prescribed by law.

**Sec. 5.** All bonds executed to the State, or to any officer in his official capacity, shall remain in force and inure to the use of those concerned.

**Sec. 6.** The first election under this Constitution shall be held on the second Tuesday in October, in the year one thousand eight hundred and fifty seven, at which time the electors of the State shall elect the Governor and Lieutenant Governor. There shall also be elected at such election, the successors of such State Senators as were elected at the August election, in the year one thousand eight hundred and fifty-four, and members of the House of Representatives, who shall be elected in accordance with the act of apportionment, enacted at the sessions of the General Assembly which commenced on the first Monday of December one thousand eight hundred and fifty-six.

**Sec. 7.** The first election for Secretary, Auditor, and Treasurer of State, Attorney General, District Judges, Members of the Board of Education, District Attorneys, members of Congress, and such State officers as shall be elected at the April election, in the year one thousand eight hundred and fifty-seven, (except the Superintendent of Public Instruction,) and such county officers as were elected at the August election in the year one thousand eight hundred and fifty-six, except Prosecuting Attorneys, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-eight: PROVIDED, That the time for which any District Judge or other State or County officer elected at the April election in the year one thousand eight hundred and fifty-eight, shall

not extend beyond the time fixed for filling like offices at the October election in the year one thousand eight hundred and fifty-eight.

**Sec. 8.** The first election for Judges of the Supreme Court, and such County officers as shall be elected at the August election, in the year one thousand eight hundred and fifty-seven, shall be held on the second Tuesday of October, in the year one thousand eight hundred and fifty-nine.

**Sec. 9.** The first regular session of the General Assembly shall be held in the year one thousand eight hundred and fifty-eight, commencing on the second Monday of January of said year.

**Sec. 10.** Senators elected at the August election, in the year one thousand eight hundred and fifty-six, shall continue in office until the second Tuesday of October, in the year one thousand eight hundred and fifty-nine, at which time their successors shall be elected as may be prescribed by law.

**Sec. 11.** Every person elected by popular vote, by a vote of the General Assembly, or who may hold office by executive appointment, which office is continued by this Constitution, and every person who shall be so elected or appointed, to any such office, before the taking effect of this Constitution, (except as in this Constitution otherwise provided,) shall continue in office until the term for which such person has been or may be elected or appointed shall expire; but no such person shall continue in office after the taking effect of this Constitution, for a longer period than the term of such office, in this Constitution prescribed.

**Sec. 12.** The General Assembly, at the first session under this Constitution, shall district the State into eleven Judicial Districts, for District Court purposes; and shall also provide for the apportionment of the members of the General Assembly, in accordance with the provisions of this Constitution.

**Sec. 13.** This Constitution shall be submitted to the electors of the State at the August election, in the year one thousand eight hundred and fifty-seven, in the several election districts in this State. The ballots at such election shall be written or printed as follows: Those in favor of the Constitution, "New Constitution—Yes." Those against the Constitution, "New Constitution—No." The election shall be conducted in the same manner as the general election of the State, and the poll-books shall be returned and canvassed as provided in the twenty-fifth chapter of the code, and abstracts shall be forwarded to the Secretary of State, which abstracts shall be canvassed in the manner provided for the canvass of State officers. And if it shall appear that a majority of all the votes cast at such election for and against this Constitution are in favor of the same, the Governor shall immediately issue his proclamation stating that fact, and such Constitution shall be the Constitution of the State of Iowa, and shall take effect from and after the publication of said proclamation.

**Sec. 14.** At the same election that this Constitution is submitted to the people for its adoption or rejection, a proposition to amend the same by striking out the word 'white' from the article on the Right of Suffrage, shall be separately submitted to the electors of this State for adoption or rejection in the manner following—Namely: A separate ballot may be given by every person having a right to vote at said election, to be deposited in a separate box; and those given for the adoption of such proposition shall have the words, "Shall the word 'White' be stricken out of the Article on the Right of Suffrage? Yes." And those given against the proposition shall have the words, "Shall the word 'White' be stricken out of the Article on the Right of Suffrage? No." And if at said election the number of ballots cast in favor of said proposition shall be equal to a majority of those cast for and against this Constitution, then said word "White" shall be stricken from said Article and be no part thereof.<sup>30</sup>

**Sec. 15.** Until otherwise directed by law, the County of Mills shall be in and a part of the sixth Judicial District of this State.

**[Sec. 16.]** The first general election after the adoption of this amendment shall be held on the Tuesday next after the first Monday in November in the year one thousand nine hundred and six, and general elections shall be held biennially thereafter. In the year one thousand nine hundred and six there shall be elected a governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney general, two judges of the supreme court, the successors of the judges of the district court whose terms of office expire on December 31st, one thousand nine hundred and six, state senators who would otherwise be chosen in the year one thousand nine hundred and five, and members of the house of representatives. The terms of office of the judges of the supreme court which would otherwise expire on December 31st, in odd number years, and all other elective state, county and township officers whose terms of office would

<sup>30</sup>This proposition was voted down at the time the Constitution was adopted.

otherwise expire in January in the year one thousand nine hundred and six, and members of the general assembly whose successors would otherwise be chosen at the general election in the year one thousand nine hundred and five, are hereby extended one year and until their successors are elected and qualified. The terms of offices of senators whose successors would otherwise be chosen in the year one thousand nine hundred and seven are hereby extended to one year and until their successors are elected and qualified. The general assembly shall make such changes in the law governing the time of election and term of office of all other elective officers as shall be necessary to make the time of their election and term of office conform to this amendment, and shall provide which of the judges of the supreme court shall serve as chief justice. The general assembly shall meet in regular session on the second Monday in January, in the year one thousand nine hundred and six, and also on the second Monday in January, in the year one thousand nine hundred and seven, and biennially thereafter.]<sup>31</sup>

Done in Convention at Iowa City, this fifth day of March in the year of our Lord one thousand eight hundred and fifty-seven, and of the Independence of the United States of America, the eighty-first.

<sup>31</sup>Section 16 was adopted by an amendment adopted in 1904.

In testimony whereof we have hereunto subscribed our names.

TIMOTHY DAY	LEWIS TODHUNTER
S. G. WINCHESTER	JOHN EDWARDS
DAVID BUNKER	J. C. TRAER
D. P. PALMER	JAMES F. WILSON
GEO. W. ELLS	AMOS HARRIS
J. C. HALL	JNO. T. CLARK
JOHN H. PETERS	S. AYRES
WM. A. WARREN	HARVEY J. SKIFF
H. W. GRAY	J. A. PARVIN
ROBT. GOWER	W. PENN. CLARKE
H. D. GIBSON	JEREMIAH HOLLINGSWORTH
THOMAS SEELY	WM. PATTERSON
A. H. MARVIN	D. W. PRICE
J. H. EMERSON	ALPHEUS SCOTT
R. L. B. CLARK	GEORGE GILLASPY
JAMES A. YOUNG	EDWARD JOHNSTONE
H. D. SOLOMON	AYLETT R. COTTON
M. W. ROBINSON	FRANCES SPRINGER, <i>President</i>

Attest:—TH. J. SAUNDERS, *Secretary*  
E. N. BATES, *Asst. Secy.*

## Signers of the Constitution of Iowa

Timothy Day	W. W. Robinson
J. E. Winchester	Lewis Lodermeister
David Brunker	John Edwards
J. P. Walmen	S. C. Truer
Geo. W. Ellis	J. C. Wilson
J. C. Hall	Amos Harris
John S. Pease	Geo. T. Clark
W. A. Mearns	S. Ayres
W. M. Gray	Hearing J. Staff
Robt. Gower	J. T. Parvin
H. D. Gibson	W. Penn. Clarke
Thomas Sedy	Jeremiah Hellingworth
A. K. Marvin	Wm. Patterson
J. H. Emerson	<u>Illinois</u>
R. L. B. Clarke	Alfred Scott
James Gary	George Gillaspay
D. H. Solomon	Edward Johnstone
Asst.	Angela Cotton
W. H. Leonard, Secretary	Francis Sprunger, President
E. W. Bates, Asst. Secretary	

Facsimile signatures of the men who made and signed the Constitution.



# Amendments to the Constitution of Iowa

## AMENDMENTS OF 1868 <sup>32</sup>

- 1st. Strike the word "white" from section one of article two thereof.
- 2d. Strike the word "white" from section thirty-three of article three thereof.
- 3d. Strike the word "white" from section thirty-four of article three thereof.
- 4th. Strike the word "white" from section thirty-five of article three thereof.
- 5th. Strike the word "white" from section one of article six thereof.

## AMENDMENTS OF 1880 <sup>33</sup>

Strike out the words "free white" from the third line of section four (4) of article three (3) of said constitution, relating to the legislative department.

## AMENDMENTS OF 1882 <sup>34</sup>

Add as section 26 to article I of said Constitution the following: Section 26. No person shall manufacture for sale, or sell, or keep for sale, as a beverage, any intoxicating liquors whatever, including ale, wine and beer. The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

## AMENDMENTS OF 1884 <sup>35</sup>

Amendment 1. The general election for state, district, county and township officers shall be held on the Tuesday next after the first Monday in November.

Amendment 2. At any regular session of the General Assembly, the State may be divided into the necessary Judicial Districts for District Court purposes, or the said Districts may be reorganized and the number of the Districts and the Judges of said Courts increased or diminished; but no reorganization of the Districts or diminution of the Judges shall have the effect of removing a Judge from office.

Amendment 3. The grand jury may consist of any number of members not less than five, nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.

Amendment 4. That section 13 of article 5 of the Constitution be stricken therefrom, and the following adopted as such section:

SECTION 13. The qualified electors of each county shall, at the general election in the year 1886, and every two years thereafter elect a County Attorney, who shall be a resident of the county for which he is elected, and shall hold his office for two years, and until his successor shall have been elected and qualified.

## AMENDMENTS OF 1904 <sup>36</sup>

Add as section 16, to Article XII of the Constitution, the following:

SECTION 16. The first general election after the adoption of this amendment shall be held on the Tuesday next after the first Monday in November in the year one thousand nine hundred and six, and general elections shall be held biennially thereafter. In the year one thousand nine hundred and six there shall be elected a governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney general, two judges of the supreme court, the successors of the judges of the district court whose terms of office expire on December 31st, one thousand nine hundred and six, State Senators who would otherwise be chosen in the year one thousand nine hundred and five, and members of the House of Representatives. The terms of office of the Judges of the

<sup>32</sup>These amendments were proposed by the General Assembly in 1866; readopted in 1868; ratified by the voters on November 3, 1868; and proclaimed adopted on December 8, 1868.—*Laws of Iowa*, 1866, Ch. 98, p. 106, 1868, Ch. 68, p. 98.

<sup>33</sup>This amendment was proposed by the General Assembly in 1878; readopted by the General Assembly in 1880; ratified by the voters at the election on November 2, 1880; and proclaimed adopted on December 3, 1880.—*Laws of Iowa*, 1878, Joint Resolution No. 5, p. 178, 1880, Joint Resolution No. 6, p. 214.

<sup>34</sup>This amendment was proposed by the General Assembly in 1880; readopted by the General Assembly in 1882; ratified at a special election held on June 27, 1882; and certified adopted on July 28, 1882. On April 21, 1883, the Supreme Court of Iowa, in *Koehler and Lange v. Hill*, decided that the amendment, because of irregularities, had not been legally submitted to the voters and was therefore, not legally adopted.—*Laws of Iowa*, 1880, Joint Resolution No. 8, p. 215, 1882, Joint Resolution No. 8, p. 178; 60 Iowa 543.

<sup>35</sup>These amendments were proposed by the General Assembly in 1882; readopted by the General Assembly in 1884; ratified by the voters at the election on November 4, 1884; and certified adopted on December 10, 1884.—*Laws of Iowa*, 1882, Joint Resolution No. 12, p. 181, 1884, Joint Resolution No. 13, pp. 234, 235.

<sup>36</sup>These amendments were proposed by the General Assembly in 1902; readopted by the General Assembly in 1904; ratified by the voters at the general election on November 8, 1904; and certified adopted on November 29, 1904.—*Laws of Iowa*, 1902, Joint Resolutions Nos. 2 and 5, p. 198, 1904 Joint Resolutions Nos. 1 and 2, pp. 207, 208.

Supreme Court which would otherwise expire on December 31st, in add numbered years, and all other elective state, county and township officers whose terms of office would otherwise expire in January in the year one thousand nine hundred and six, and members of the General Assembly whose successors would otherwise be chosen at the general election in the year one thousand nine hundred and five, are hereby extended one year and until their successors are elected and qualified. The terms of office of senators whose successors would otherwise be chosen in the year one thousand nine hundred and seven are hereby extended one year and until their successors are elected and qualified. The General Assembly shall make such changes in the law governing the time of election and term of office of all other elective officers as shall be necessary to make the time of their election and terms of office conform to this amendment, and shall provide which of the judges of the supreme court shall serve as chief justice. The General Assembly shall meet in regular session on the second Monday in January, in the year one thousand nine hundred and six, and also on the second Monday in January, in the year one thousand nine hundred and seven, and biennially thereafter.

That sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of the Constitution of the State of Iowa, be repealed and the following adopted in lieu thereof:

SEC. 34. The Senate shall be composed of fifty members to be elected from the several senatorial districts, established by law and at the next session of the general assembly held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state, according to population as shown by the last preceding census.

SEC. 35. The House of Representatives shall consist of not more than one hundred and eight members. The ratio of representatives shall be determined by dividing the whole number of the population of the state as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number, as herein provided of three fifths or more of such ratio number shall be entitled to one additional representative, but said addition shall extend only to the nine counties having the greatest population.

SEC. 36. The General Assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives, as hereinbefore required.

#### AMENDMENT OF 1908 <sup>37</sup>

That there be added to Section eighteen (18) of Article one (1) of the Constitution of the State of Iowa, the following:

"The General Assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains and ditches and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of the state, by special assessments upon the property benefited thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation."

#### AMENDMENT OF 1916 <sup>38</sup>

To repeal Section seven (7) of Article two (2) of the Constitution of Iowa and to adopt in lieu thereof the following, to wit:

"The general election for state, district, county and township officers in the year 1916 shall be held in the same month and on the same day as that fixed by the laws of the United States for the election of presidential electors, or of president and vice-president of the United States; and thereafter such election shall be held at such time as the general assembly may by law provide."

<sup>37</sup>This amendment was proposed by the General Assembly in 1906; readopted by the General Assembly in 1907; ratified at the general election on November 3, 1908; and certified adopted on November 23, 1908.—*Laws of Iowa*, 1906, Joint Resolution No. 1, p. 210, 1907, House Joint Resolution No. 2, p. 282.

<sup>38</sup>This amendment was proposed by the General Assembly in 1913; readopted by the General Assembly in 1915; ratified by the voters at the general election on November 7, 1916; and certified adopted on November 27, 1916.—*Laws of Iowa*, 1913, House Joint Resolution No. 3, p. 422, 1915, Ch. 210, pp. 263, 264.

#### AMENDMENT OF 1926 <sup>39</sup>

Strike out the word "male" from Section four (4) of Article three (3) of said Constitution, relating to the legislative department.

#### AMENDMENT OF 1928 <sup>40</sup>

That the period (.) at the end of said Section thirty-four (34) of Article three (3) of the Constitution of the State of Iowa be stricken and the following inserted:

" , but no county shall be entitled to more than one (1) senator."

#### AMENDMENT OF 1936 <sup>41</sup>

Amend Article three (III) by repealing Section thirty-three (33) relating to the state census.

#### AMENDMENT OF 1942 <sup>42</sup>

That Article seven (VII) of the Constitution of the State of Iowa be amended by adding thereto, as Section eight (8) thereof, the following:

"All motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways exclusively within the state or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds."

#### AMENDMENT OF 1952 <sup>43</sup>

Amendment 1. That section four (4) of Article IV of the Constitution of Iowa be amended by adding thereto the following: "If, upon the completion of the canvass of votes for Governor and Lieutenant Governor by the General Assembly, it shall appear that the person who received the highest number of votes for Governor has since died, resigned, is unable to qualify, fails to qualify, or for any other reason is unable to assume the duties of the office of Governor for the ensuing term, the powers and duties of the office shall devolve upon the person who received the highest number of votes for Lieutenant Governor until the disability is removed and, upon inauguration, he shall assume the powers and duties of Governor."

Amendment 2. That section nineteen (19) of Article IV of the Constitution of Iowa be repealed and the following adopted in lieu thereof: "If there be a vacancy in the office of Governor and the Lieutenant Governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of Governor, the President pro tempore of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President pro tempore of the Senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of Governor the same shall devolve upon the Speaker of the House of Representatives; and if the Speaker of the House of Representatives, for any of the above causes, shall be incapable of performing the duties of the office of Governor, the Justices of the Supreme Court shall convene the General Assembly by proclamation and the General Assembly shall organize by the election of a President pro tempore by the Senate and a Speaker by the House of Representatives. The General Assembly shall thereupon immediately proceed to the election of a Governor and Lieutenant Governor in joint convention."

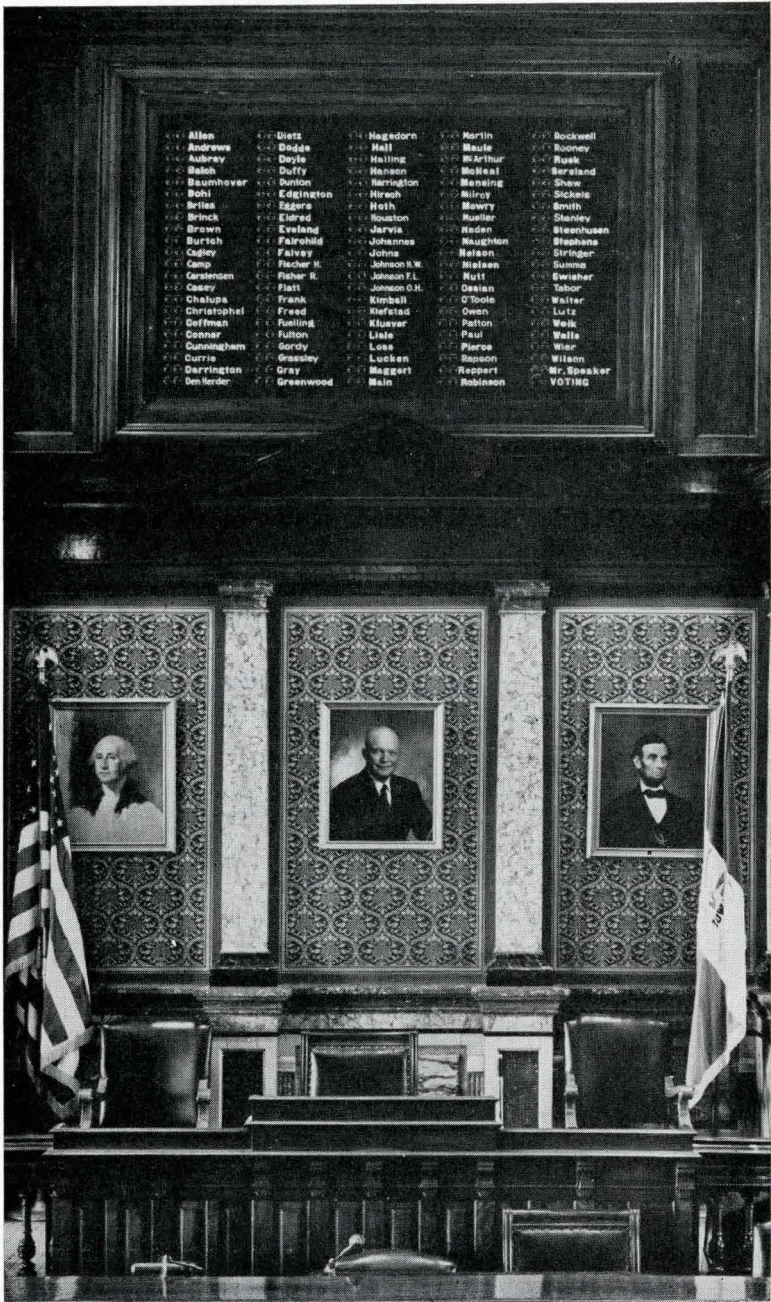
<sup>39</sup>This amendment was proposed by the General Assembly in 1923; readopted by the General Assembly in 1925; ratified by the voters at the election held on November 2, 1926; and certified adopted on November 26, 1926.—*Laws of Iowa*, 1923, Ch. 387, p. 427, 1925, Ch. 282, p. 305.

<sup>40</sup>This amendment was proposed by the General Assembly in 1925; readopted by the General Assembly in 1927; ratified by vote of the people at the election on November 6, 1928, and certified adopted on November 30, 1928.—*Laws of Iowa*, 1925, Ch. 279, p. 302, 1927, Ch. 353, p. 356.

<sup>41</sup>This amendment was proposed by the General Assembly in 1933; readopted by the General Assembly in 1935; ratified by the voters at the election held on November 3, 1936; and certified adopted on January 14, 1937.—*Laws of Iowa*, 1933, Ch. 268, p. 309, 1935, Ch. 223, p. 288.

<sup>42</sup>This amendment was proposed by the General Assembly in 1939; readopted by the General Assembly in 1941; ratified by the voters at the election November 3, 1942, and adoption certified November 24, 1942.—*Laws of Iowa*, 1939, Ch. 307, p. 416, 1941, Ch. 342, p. 340.

<sup>43</sup>These amendments were proposed by the General Assembly in 1949; readopted by the General Assembly in 1951; ratified by the voters at the election November 4, 1952, and adoption certified December 8, 1952.—*Laws of Iowa*, 1949, Ch. 309, p. 397; 1951, Ch. 268, p. 353.



House Rostrum—Electrical Voting Tabulator

# The State of Iowa



HE Indians who first roamed these prairies called it Iowa, which is Indian for "This is the Place" or "The Beautiful Land." Iowa completed 100 years of statehood on December 28, 1946. It was the twenty-ninth state admitted to the Union and was the first free state west of the Mississippi River. There were 100,000 residents when Iowa became a state. We had 2,739,461 (estimated) in 1960.

Iowa was a part of the vast Province of Louisiana purchased by the United States from France. Other states had been formed in this region, but Iowa was the first state carved out and established with soil forever dedicated to human freedom. The probationary time as a territory was for eight and a half years and it had been only 13 years since the first legal settlements. Mining of lead had been engaged in at Dubuque since 1788, by favor of the Indians, and there had been feeble efforts at colonization along the river under Spanish grants, but not until 1833, following the Black Hawk war, did the home seekers secure title to their holdings.

Spanish and French monarchs had vague claims of jurisdiction over the region, but the standard of neither country had ever been set up permanently in any part of what is now Iowa. The United States closed out the French claim by purchase in 1803, after which local authority shifted frequently; namely, Indiana territory given jurisdiction, 1804; Louisiana territory organized with St. Louis the capital, 1805; Iowa included in Missouri territory, 1812; when Missouri became a state, Iowa left without government, 1821; Territory of Michigan with a capital at Detroit given jurisdiction, 1834; became the major part of Wisconsin territory, 1836; organized and named Territory of Iowa, 1838; statehood first authorized, 1845; organized as a state, 1846.

## ORIGINATION AND NAMING OF IOWA COUNTIES

County—Date	Named in honor of
Adair 1854	—Gen. John Adair, war of 1812; 6th governor of Kentucky.
Adams 1853	—President John Adams, 2nd president of U. S.
Allamakee 1849	—Allan Makee, Indian trader.
Appanoose 1846	—Chief of Sac and Fox tribes.
Audubon 1851	—John James Audubon, eminent naturalist.
Benton 1846	—Senator Thomas Hart Benton of Missouri.
Black Hawk 1843	—Famous Chief of Sac and Fox tribes.
Boone 1849	—Capt. Nathan Boone, Army officer in the territory.
Bremer 1853	—Frederika Bremer, Swedish traveler and author.
Buchanan 1837	—James Buchanan, 15th president of U. S.
Buena Vista 1859	—Final victory field of Gen. Taylor in Mexican war.
Butler 1854	—Gen. William O. Butler, Mexican war.
Calhoun 1855	—John Calhoun, U. S. senator.
Carroll 1854	—Charles Carroll, signer Declaration of Independence.
Cass 1853	—Senator Lewis Cass, Michigan.
Cedar 1838	—Red Cedar River, runs through county.
Cerro Gordo 1857	—Famous battlefield of War with Mexico.
Cherokee 1857	—Famous southern Indian tribe.
Chickasaw 1853	—Prominent Indian Nation of the South.
Clarke 1851	—James Clarke, Governor of the territory.
Clay 1858	—Lt. Col. Henry Clay, Jr., of Kentucky, who fell in battle of Buena Vista.
Clayton 1837	—Senator John Middleton Clayton, of Delaware.
Clinton 1840	—De Witt Clinton, 5th governor of New York.
Crawford 1855	—Wm. H. Crawford, Secretary of the Treasury, 1817-25.
Dallas 1847	—George Miffin Dallas, vice president of U. S.
Davis 1844	—Garrett Davis, representative, Kentucky.
Decatur 1850	—Stephen Decatur, distinguished Naval officer.
Delaware 1844	—Senator John Clayton, Delaware.
Des Moines 1834	—The river by that name.
Dickinson 1858	—Senator Daniel S. Dickinson of New York.
Dubuque 1837	—Julien Du Buque, first white settler in Iowa.
Emmet 1859	—Robert Emmet, Irish patriot of 1798.
Fayette 1847	—Marquis de La Fayette.
Floyd 1854	—Sgt. Charles Floyd of Lewis and Clark's expedition, died 1804, buried on banks of Missouri river. First white man whose death and burial in Iowa are of record.

Franklin 1855—Benjamin Franklin.  
 Fremont 1850—Lt. Col. John Charles Fremont, Mexican War.  
 Greene 1854—Gen. Nathaniel Greene, Revolutionary war.  
 Grundy 1856—Felix Grundy of Tennessee.  
 Guthrie 1851—Captain Edwin Guthrie, Iowa volunteers, Mexican war.  
 Hamilton 1857—Senator Wm. W. Hamilton, president Iowa senate.  
 Hancock 1858—John Hancock, president Continental Congress.  
 Hardin 1853—Col. John J. Hardin, Illinois, killed in Mexican war.  
 Harrison 1853—William Henry Harrison, ninth president of the U. S.  
 Henry 1839—Gen. Henry Dodge, Governor of Wisconsin territory.  
 Howard 1839—Gen. Tighlman A. Howard of Indiana.  
 Humboldt 1857—Baron Friedlich Alexander von Humboldt, German scientist.  
 Ida 1855—Eliphalet Price suggested the named.  
 Iowa 1845—For river that crosses county.  
 Jackson 1838—Andrew Jackson, 7th president of U. S.  
 Jasper 1846—Sgt. William Jasper, Revolutionary war.  
 Jefferson 1839—Thomas Jefferson, 3rd president of U. S.  
 Johnson 1838—Richard Mentor Johnson, vice president of U. S.  
 Jones 1847—George Wallace Jones, 1st delegate in Congress from Wisconsin territory.  
 Keokuk 1844—Keokuk, Chief of Sac tribe.  
 Kossuth 1851—Louis Kossuth, Hungarian patriotic leader.  
 Lee 1836—Of the New York Land company, owners of extensive interests in the half breed tract.  
 Linn 1839—Senator Lewis Field Linn, Missouri.  
 Louisa 1837—Louisa Massey.  
 Lucas 1849—Robert Lucas, 1st governor of Iowa territory.  
 Lyon 1870—Brigadier General Nathaniel Lyon.  
 Madison 1846—James Madison, 4th president of U. S.  
 Mahaska 1844—Chief of the Iowa tribe—interpreted "White Cloud".  
 Marion 1845—Francis Marion, Revolutionary war.  
 Marshall 1845—John Marshall, 4th Chief Justice of U. S.  
 Mills 1851—Major Frederick Mills, Iowa officer in Mexican war.  
 Mitchell 1854—John Mitchell, Irish refugee of 1848.  
 Monona 1854—Of Indian origin.  
 Monroe 1845—James Monroe, 5th president of U. S.  
 Montgomery 1853—Gen. Richard Montgomery, killed at assault of Quebec, 1775.  
 Muscatine 1836—Island forming feature of this and Louisa county.  
 O'Brien 1860—William Smith O'Brien, a leader for Irish Independence in 1848.  
 Osceola 1871—Famous southern Indian chieftain.  
 Page 1847—Capt. John Page, 4th U. S. Infantry, mortally wounded in the battle of Palo Alto.  
 Palo Alto 1858—First battlefield-victory of Mexican war.  
 Plymouth 1858—Landing place of the Mayflower settlers.  
 Pocahontas 1859—Virginia Indian princess.  
 Polk 1846—James Knox Polk, 11th president of the U. S.  
 Pottawattamie 1847—Indian tribe, former possessors of territory.  
 Poweshiek 1848—Prominent Chief of the Sacs.  
 Ringgold 1855—Major Samuel Ringgold, mortally wounded in Mexican war.  
 Sac 1856—Indian tribe.  
 Scott 1837—Major General Winfield Scott, negotiated 1st treaty purchasing lands in Iowa from Indians.  
 Shelby 1853—Gen. Isaac Shelby, 1st governor of Kentucky.  
 Sioux 1860—Indian tribe.  
 Story 1846—Joseph Storey, Associate Justice of U. S. Supreme Court.  
 Tama 1852—Taomah, an Indian celebrity.  
 Taylor 1851—General Zachary Taylor, 12th president of U. S.  
 Union 1853—Union of the states.  
 Van Buren 1836—Martin Van Buren, 8th president of U. S.  
 Wapello 1844—Chief of Fox Indian tribes.  
 Warren 1846—General Joseph Warren of Revolutionary war.  
 Washington 1839—George Washington, 1st president of U. S.  
 Wayne 1851—General Anthony Wayne of Revolutionary war.  
 Webster 1851—Daniel Webster.  
 Winnebago 1851—Indian tribe.  
 Winneshiek 1851—Chief of the Winnebagoes.  
 Woodbury 1853—Levi Woodbury of New Hampshire.  
 Worth 1851—Major General William J. Worth, Mexican war.  
 Wright 1851—Silas Wright, 12th governor of New York and also Joseph A. Wright, governor of Indiana.

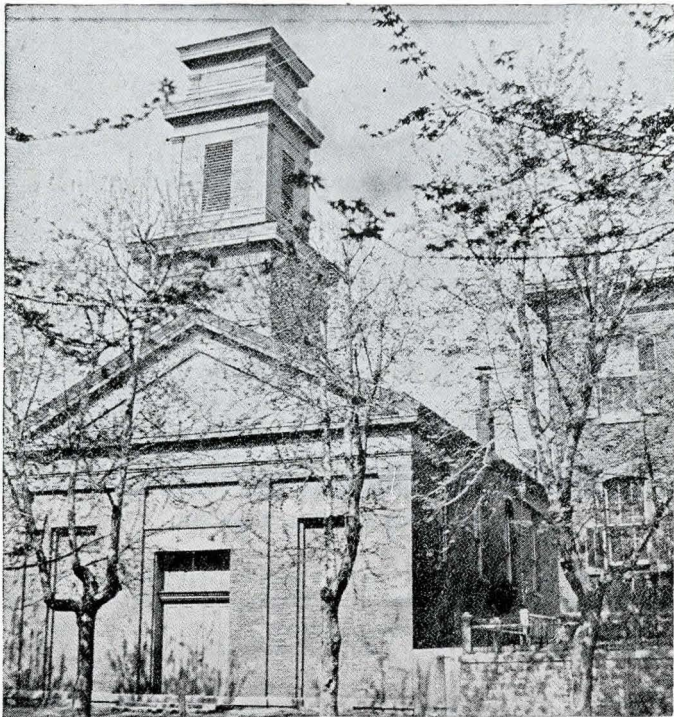


Old Capitol Building, Iowa City

On December 2, 1842, the new Stone Capitol was occupied at the opening of the Fifth Legislative Assembly, having been erected at Iowa City as the permanent capitol of the territory.

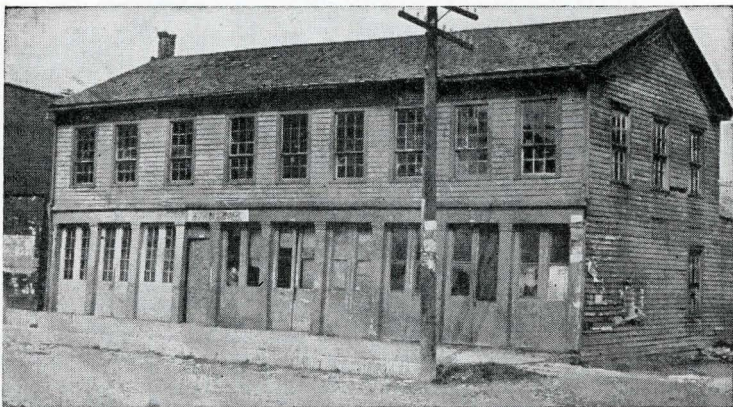


Where Iowa laws were first made in Des Moines.



**Old Zion Church, Burlington**

The first Territorial and the first State Capitol of Iowa.



**First Building Used as State Capitol at Iowa City**

The two houses of the Fourth Territorial Legislative Assembly of Iowa convened on Monday, December 16, 1841, in the frame building erected by Walter Butler on the corner of Clinton and Washington Streets in Iowa City, where Whetstone's drug store now stands.





## The Birth of Americanism

In 1620 the Pilgrims persecuted for conscience's sake, "braved the tempests of the vast and furious ocean and the terrors lurking in the American wilderness" to plant their State of Freedom. Even before landing they set up their government by a written Compact; the first charter of a government of the people, by the people and for the people known to history. In the cabin of the Mayflower humanity recovered its rights.

### The Compact

Signed in the Cabin of the "Mayflower." Nov. 11th, Old Style, Nov. 21st, New Style, 1620.

"In the name of God, amen, we whose names are underwritten, the loyall subjects of our dread soveraigne Lord, King James, by the grace of God, of Great Britaine, Franc and Ireland king, defender of the faith &c., haveing undertaken for the glorie of God, and advancemente of the Christian faith, and honor of our king and countrie, a voyage to plant the first colonie in the northerne parts of Virginia, doe by these presents solemnly and mutuallly in the presence of God, and one of another, covenant and combine ourselves together into a civill body politick, for our better ordering and preservation and furtherence of the ends aforesaid; and by vertue hereof to enacte, constitute and frame such just and equal laws, ordenances, acts, constitutions and offices, from time to time, as shall be thought most meete and convenient for the general good of the colonie, unto which we promise all due submission and obedience. In witness whereof we have hereunto subscribed our names at Cap-Codd the 11 of November, in the year of the raigne of our soveraigne lord, King James of England, Franc and Ireland the eighteenth, and of Scotland the fifty-fourth. ANo Dom 1620."

John Carver	Edward Tilly	Deogy Priest
William Bradford	John Tilly	Thomas Williams
Edward Winslow	Francis Cooke	Gilbert Winslow
William Brewster	Thomas Rogers	Edmond Margeson
Isaac Allerton	Thomas Tinker	Peter Brown
Myles Standish	John Rigdale	Richard Brittridge
John Alden	Edward Fuller	George Soule
Samuel Fuller	John Turner	Richard Clarke
Christopher Martin	Francis Eaton	Richard Gardiner
William Mullins	James Chilton	John Allerton
William White	John Crackston	Thomas English
Richard Warren	John Billington	Edward Doty
John Howland	Moses Fletcher	Edward Leister
Stephen Hopkins	John Goodman	

This venerable document, the first American State paper.

Thus these men became the First Americans. They believed that God created all men equal; therefore, *without other precedent*; they made all men equal before the Law. Here was the birth of popular constitutional liberty, foreshadowing our Declaration of Independence and our American Constitution, which guarantees Freedom to all of us today. Tremendous suffering was endured as they grappled with the great unknown. Half their number perished in the struggle of that first terrible Winter. Under cover of darkness, the fast dwindling Company laid their dead; levelling the earth above them lest the Indians should learn how many were the graves.

"History records no nobler venture for Faith and Freedom than that of this Pilgrim band. In weariness and painfulness, in watchings often, in hunger and cold, they laid the foundation of a State wherein every man, through countless ages, should have liberty to worship God in his own way, in perpetuating and spreading, throughout the World, the lofty Ideals of our Republic."

The "Mayflower" started with ninety-eight passengers; one was born on the voyage, and four joined them from the ship. Forty-one men signed the "Compact." There were twelve other men, twenty-two women, twenty boys, and eight girls in the company. In December, six died; in January, eight; in February, seventeen; in March, thirteen; making forty-four. Forty-eight are believed to have left descendants.

(Note: November 21st of our calendar is the same as November 11th of the Old Style calendar.)

# The Song of Iowa.

Air: "Der Tannenbaum."\* (My Maryland.)

By S. H. M. BYERS.

1. You ask what land I love the best, I - o - wa, 'tis I - o - wa, The  
2. See yon - der fields of tassel'd corn, I - o - wa, in I - o - wa, Where

fair - est State of all the west, I - o - wa, O! I - o - wa. From  
Plen - ty fills her gold - en horn, I - o - wa, in I - o - wa. See

yon - der Mis - sis - sip - pi's stream To where Mis - sou - ri's wa - ters gleam O!  
how her won - drous prai - ries shine To yon - der sun - set's pur - pling line, O!

fair it is as po - et's dream, I - o - wa, in I - o - wa.  
hap - py land, O! land of mine, I - o - wa, O! I - o - wa.

- |   |  |
|---|--|
| <p>3 And she has maids whose laughing eyes,<br/>Iowa, O! Iowa,<br/>To him who loves were Paradise,<br/>Iowa, O! Iowa,<br/>O! happiest fate that e'er was known,<br/>Such eyes to shine for one alone,<br/>To call such beauty all his own.<br/>Iowa, O! Iowa,</p> | <p>4 Go read the story of thy past,<br/>Iowa, O! Iowa,<br/>What glorious deeds, what fame thou hast!<br/>Iowa, O! Iowa,<br/>So long as time's great cycle runs,<br/>Or nations weep their fallen ones,<br/>Thou'lt not forget thy patriot sons,<br/>Iowa, O! Iowa.</p> |
|---|--|

\*"Der Tannenbaum," the old air to which this song is sung, was a popular German Students' song as early as 1819. It had been a Volks song long before that, even. During our Civil War, the Southerners adapted it to the song "My Maryland."

Major S. H. M. Byers, in his day the "poet laureate" of Iowa, wrote the words to set to music for this official song for the Hawkeye State.

## IOWA'S FLAG SONG

By act of the joint session of the General Assembly of Iowa on March 24, 1949, the Iowa Flag poem, written by E. O. Osborn of Knoxville, and the music, written by Esther May Clark of Oskaloosa, were officially adopted as the Iowa Flag Song, in honor of the Iowa flag, designed by Mrs. Dixie Cornell Gebhart of Knoxville.

## THE DECLARATION OF INDEPENDENCE

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.—We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.—That whenever any Form of Government become destructive to these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its power in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.—He has refused his Assent to Laws, the most wholesome and necessary for the public good.—He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.—He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.—He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into complacency with his measures. He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasion on the rights of the people.—He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions from within.—He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.—He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.—He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.—He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.—He has kept among us, in times of peace, Standing Armies, without the Consent of our legislatures.—He has affected to render the Military independent of and superior to the Civil Power.—He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their acts of pretended Legislation:—For quartering, large bodies of armed troops among us:—For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:—For cutting off our Trade with all parts of the world:—For imposing taxes on us without our Consent:—For depriving us in many cases, of the benefits of Trial by Jury:—For transporting us beyond Seas to be tried for pretended offenses:—For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it as once an example and fit instrument for introducing the same absolute rule into these Colonies:—For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Government:—For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever:—He has abdicated Government here, by declaring us out of his Protection and waging War against us.—He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.—He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & Perfidy scarcely paralleled in the most hazardous ages, and totally unworthy the Head of a civilized nation.—He has constrained our fellow Citizens taken captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.—

He has excited domestic insurrection amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.—

We, Therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connections between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and do all other Acts and Things which Independent States may of right do.—And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

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The Declaration of Independence was adopted by the Continental Congress on July 4, 1776. The text as here presented was copied verbatim from *Documents Illustrative of the Formation of the Union of the American States*, published by the United States government in 1927, which in turn printed it from the engrossed copy of the original manuscript in the Library of Congress.

## Signers of the Declaration of Independence

**NEW HAMPSHIRE**—Josiah Bartlett, Wm. Whipple, Matthew Thornton.  
**MASSACHUSETTS BAY**—Saml. Adams, John Adams, Robt. Treat Paine, Elbridge Gerry. **RHODE ISLAND**—Step. Hopkins, William Ellery. **CONNECTICUT**—Roger Sherman, Sam'el Huntington, Wm. Williams, Oliver Wolcott. **NEW YORK**—Wm. Floyd, Phil Livingston, Frans. Lewis, Lewis Morris. **NEW JERSEY**—Richd. Stockton, Jno. Witherspoon, Fras. Hopkinson, John Hart, Abra. Clark. **PENNSYLVANIA**—Robt. Morris, Benjamin Rush, Benja. Franklin, John Morton, Geo. Clymer, Jas. Smith, Geo. Taylor, James Wilson, Geo. Ross. **DELAWARE**—Caesar Rodney, Geo. Read, Tho. M'Kean. **MARYLAND**—Samuel Chase, Wm. Paca, Thos. Stone, Charles Carroll of Carrollton. **VIRGINIA**—George Wythe, Richard Henry Lee, Th. Jefferson, Benja. Harrison, Thos. Nelson, Jr., Francis Lightfoot Lee, Carter Braxton. **NORTH CAROLINA**—Wm. Hooper, Joseph Hewes, John Penn. **SOUTH CAROLINA**—Edward Rutledge, Thos. Heyward, Junr., Thomas Lynch, Junr., Arthur Middleton. **GEORGIA**—Button Gwinnett, Lyman Hall, Geo. Walton.

## STANDARD TIME DIFFERENCES—U. S. AND FOREIGN CITIES

Source: U. S. Navy Hydrographic Office

At 12 o'clock noon Eastern Standard Time (New York City) the standard time in other U. S. and foreign cities is as follows:

Athens .....	7:00 p.m.	Mexico City .....	11:00 a.m.
Belfast .....	5:00 p.m.	Montreal .....	12:00 Noon
Brussels .....	6:00 p.m.	Moscow .....	8:00 p.m.
Budapest .....	6:00 p.m.	Paris .....	6:00 p.m.
Buenos Aires .....	2:00 p.m.	Rome .....	6:00 p.m.
Calcutta .....	10:30 p.m.	Santiago (Chile) .....	1:00 p.m.
Cape Town .....	7:00 p.m.	Shanghai .....	1:00 a.m.*
Delhi .....	10:30 p.m.	Sydney (N.S.W.) .....	3:00 a.m.*
Havana .....	12:00 Noon	Tokyo .....	2:00 a.m.*
Honolulu .....	7:00 a.m.	Vancouver .....	9:00 a.m.
Hong Kong .....	1:00 a.m.*	Winnipeg .....	11:00 a.m.
Istanbul .....	7:00 p.m.	Yokohama .....	2:00 a.m.*
Lima .....	12:00 Noon	Zurich .....	6:00 p.m.
London .....	5:00 p.m.		

\*Indicates morning of the following day.

### United States Cities

When it is 12 o'clock noon Eastern Standard Time, in Akron, Atlanta, Baltimore, Boston, Buffalo, Charleston (S. C. and W. Va.), Cincinnati, Cleveland, Columbus, Detroit, Grand Rapids, Jacksonville, Miami, Newark, New Haven, Norfolk, Philadelphia, Pittsburgh, Portland (Me.), Providence, Richmond (Va.), Savannah, Tampa, Toledo, Washington, D. C., and Wilmington (Del.):

It will be 11 o'clock a.m., Central Standard Time, in Birmingham, Bismarck, Chicago, Dallas, Des Moines, Duluth, Fort Worth, Galveston, Houston, Indianapolis, Kansas City (Mo.), Knoxville, Lincoln, Little Rock, Louisville, Memphis, Milwaukee, Minneapolis, New Orleans, Oklahoma City, Omaha, St. Paul, St. Louis, Sioux Falls, Topeka, Tulsa and Wichita.

It will be 10 o'clock a.m., Mountain Standard Time, in Albuquerque, Boise, Butte, Cheyenne, Denver, Helena, Pierre, Phoenix, Salt Lake City and Santa Fe.

It will be 9 o'clock a.m., Pacific Standard Time, in Los Angeles, Portland (Ore.), Reno, San Francisco, Seattle, Spokane and Tacoma.

### POPULATION OF IOWA: 1840 To 1950

Census Year	Population	Increase Over Preceding Census	
		Number	Per cent
1950 .....	2,621,073	74,300	2.9
1940 .....	2,538,268	67,329	4.2
1930 .....	2,470,939	66,918	2.8
1920 .....	2,404,021	179,250	8.1
1910 .....	2,224,771	—7,082	—0.3
1900 .....	2,231,853	319,556	16.7
1890 .....	1,912,297	287,682	17.7
1880 .....	1,624,615	430,595	36.1
1870 .....	1,194,020	519,107	76.9
1860 .....	674,913	482,699	251.1
1850 .....	192,214	149,102	345.8
1840 .....	*43,112	....	....

\*Includes population of area now constituting that part of Minnesota lying west of the Mississippi River and a line drawn from its source northward to the Canadian boundary. This area formed a part of Iowa Territory in 1840.



Signers of the Declaration of Independence.



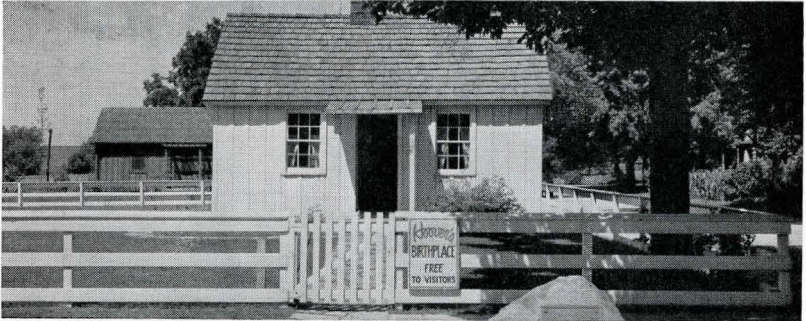
## GREAT SEAL OF THE UNITED STATES

The Great Seal of the United States adopted by Congress June 20, 1782, carries on its obverse side the Coat of Arms of the United States. The stripes on the shield represent the states; the blue above represents Congress. In its talons the eagle grasps an olive branch and a cluster of arrows—the Congressional power to make peace or war. The constellation of thirteen stars above denotes a new Nation in the world.

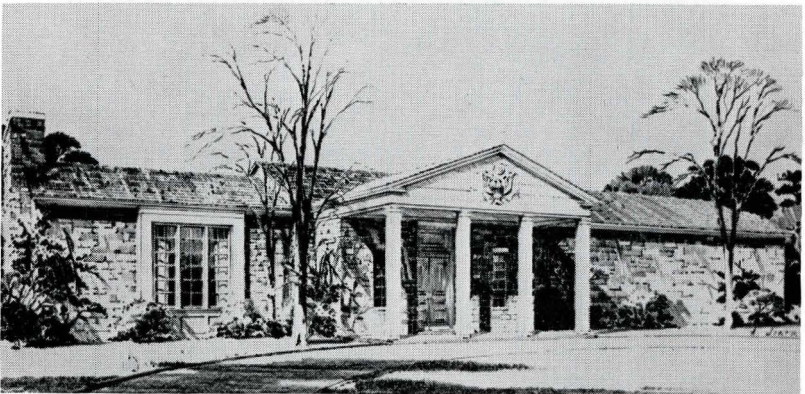
The reverse of the seal shows a pyramid, to signify "strength and duration," while the eye over it and the motto, "Annuit Coeptis" (He has favored our beginning), allude to "the many signal interpositions of Providence in favor of the American cause." The Roman numerals give the year of Independence; the motto, "Novus Ordo Seclorum" (a new order of the ages), signifies the beginning of the new American era.

The national motto, "E Pluribus Unum," was first suggested on August 10, 1776, by a Congressional Committee, consisting of Benjamin Franklin, John Adams and Thomas Jefferson.

If you are curious to see these seals and shield, look at a one dollar bill.



**Herbert Hoover's Birthplace at West Branch, Iowa**



**Herbert Hoover Library-Museum—Dedicated in 1960**



# CONSTITUTION OF THE UNITED STATES<sup>1</sup>

## Preamble

We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I.

**Section 1.** All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

**Section 2.** The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.<sup>2</sup>

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons. [counting the whole number of persons in each State, excluding Indians not taxed.]<sup>3</sup> The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

**Section 3.** *The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.*<sup>4</sup>

[The Senate of the United States shall be composed of two Senators from

<sup>1</sup>The Constitution of the United States was adopted by a convention of delegates from the thirteen States on September 17, 1787, and transmitted to the Congress of the Confederation which in turn submitted it to the States for ratification on September 28, 1787. It was ratified by the required nine States by June 21, 1788, and went into effect on March 4, 1789.

The text of the Constitution and the first nineteen amendments are taken from *Documents Illustrative of the Formation of the Union of the American States*, published by the United States government in 1927. Compiled, edited, and documented by Benj. F. Shambaugh and Ruth A. Gallaher of the State Historical Society of Iowa. Words, phrases and the sections which have been rendered inoperative by amendment appear in *italic*. The material added to the Constitution by amendment is enclosed within brackets. Besides being indicated in their proper place in the text, the amendments are also printed in full following the Constitution.

<sup>2</sup>For an additional disqualification added at the close of the Civil War see Amendment XIV, Section 3.

<sup>3</sup>The preceding provisions in *italic* were rendered inoperative by a part of Section 2 of Amendment XIV, which is inserted within the brackets. According to the Fourteenth Amendment the number of representatives from any State is to be reduced if the right to vote is denied any male citizens over twenty-one years of age, but this provision has never been enforced.

<sup>4</sup>This section was rendered inoperative by Amendment XVII, the first paragraph of which is printed below in brackets.

each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.]

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.<sup>5</sup>

[When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.]

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.<sup>6</sup>

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

**Section 4.** The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except at to the Places of chusing Senators.

[*The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by law appoint a different Day.*]

[The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.]

**Section 5.** Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent members, in such Manner, and under such Penalties as each House may provide.

Each house may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one-fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

**Section 6.** The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and

<sup>5</sup>The material printed in *italics* was rendered inoperative by the second paragraph of Amendment XVII which appears below within the brackets.

<sup>6</sup>For an additional disqualification added at the close of the Civil War see Section 3 of Amendment XIV.

<sup>7</sup>The provision concerning the date on which Congress shall assemble was changed by Section 2 of Amendment XX which appears below within the brackets.

for any Speech or Debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any Civil office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

**Section 7.** All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

**Section 8.** The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the Supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrection and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the

Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers, vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

**Section 9.** The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct Tax shall be laid, unless in Proportion to the Census of Enumeration hereinbefore directed to be taken.

[The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.]<sup>8</sup>

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States; And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince or foreign State.

**Section 10.** No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bills of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its Inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any agreement or Compacts, with another State, or with a foreign Power, or engage in War, unless actually invaded or in such imminent Danger, as will not admit of delay.

[All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.]<sup>9</sup>

## ARTICLE II.

**Section 1.** The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected as follows: Each State shall appoint, in such manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or Person holding an office of Trust or Profit under the United States, shall be appointed an Elector.

*The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify and transmit sealed to the Seat of Government of the United States, directed to the President of the Senate. The President of the Senate, shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the*

<sup>8</sup>This section was added by Amendment XVI.

<sup>9</sup>This paragraph in brackets was added as Section 1 of Amendment XIV.

*President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case after the Choice of the president, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice Presidents.<sup>10</sup>*

[The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;— The person having the greatest number of votes for President, shall be the President if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for President, the House of Representatives shall choose, immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. *And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.*<sup>11</sup> The person having the greatest number of votes as Vice-president, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.]<sup>12</sup>

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

[The terms of the President and Vice President shall end at noon on the 20th day of January, and terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

[If, at the time fixed for the beginning of the terms of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

[The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.]<sup>13</sup>

<sup>10</sup>This provision for the election of President and Vice President was replaced by Amendment XII.

<sup>11</sup>This provision was replaced by Section 3 of Amendment XX.

<sup>12</sup>The paragraph within the brackets was added by Amendment XII.

<sup>13</sup>The three paragraphs within the brackets were added by Sections 1, 3, and 4 of Amendments XX.

No Person except a natural born Citizen, or a Citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained the Age of thirty-five Years, and been fourteen Years a Resident within the United States.<sup>14</sup>

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

**Section 2.** The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have power to fill up all vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

**Section 3.** He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

**Section 4.** The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment, for, and Conviction of, Treason, Bribery, or other Crimes and Misdemeanors.

### ARTICLE III.

**Section 1.** The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

**Section 2.** The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and

<sup>14</sup>For an additional disqualification added at the close of the Civil War see Section 3 of Amendment XIV.

between a State, or Citizens thereof, and foreign States, Citizens or Subjects.

[The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any foreign State.]<sup>15</sup>

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crime shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

**Section 3.** Treason against the United States shall consist only in Levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attained.

#### ARTICLE IV.

**Section 1.** Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

**Section 2.** The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up to be removed to the State having Jurisdiction of the Crime.

No person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.<sup>16</sup>

**Section 3.** New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

**Section 4.** The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

#### ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to the Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislature of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and

<sup>15</sup>This is Amendment XI.

<sup>16</sup>This paragraph was chiefly intended to provide for the return of fugitive slaves. It thus became unimportant when Amendment XIII was adopted.

fourth Clauses in the Ninth Section of the first Article; and that no State without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

[The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.]<sup>17</sup>

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

#### ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same. done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty-seven and of the Independence of the United States of America the Twelfth. In witness whereof We have hereunto subscribed our Names.

G<sup>o</sup>: Washington—Presdt.  
and deputy from Virginia

Attest: William Jackson, Secretary.

New Hampshire—John Langdon, Nicholas Gilman.

Massachusetts—Nathaniel Gorham, Rufus King.

Connecticut—Wm. Saml. Johnson, Roger Sherman.

New York—Alexander Hamilton.

New Jersey—Wil: Livingston, David Brearly, Wm. Paterson, Jona: Dayton.

Pennsylvania—B. Franklin, Thomas Mifflin, Robert Morris, Geo. Clymer, Thos. Fitz Simons, Jared Ingersoll, James Wilson, Gouv. Morris.

Delaware—Geo. Read, Gunning Bedford, Jun, John Dickinson, Richard Bassett, Jaco: Broom.

Maryland—James McHenry, Dan. of St. Thos. Jenifer, Danl. Carroll.

Virginia—John Blair, James Madison, Jr.

North Carolina—Wm. Blount, Richd. Dobbs Spaight, Hu Williamson.

South Carolina—J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia—William Few, Abr. Baldwin.

<sup>17</sup>This is Section 4 of Amendment XIV.



# Amendments to the Constitution of the United States<sup>18</sup>

## ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

## ARTICLE II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

## ARTICLE III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

## ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use; without just compensation.

## ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime, shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

## ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

## ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

## ARTICLE IX.

The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

## ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

<sup>18</sup>The first ten amendments were proposed by Congress and submitted to the States on September 25, 1789, and went into effect, apparently, on November 3, 1791, with their ratification by Vermont, the tenth State to act. The first ten amendments are called the Bill of Rights.

## ARTICLE XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.<sup>19</sup>

## ARTICLE XII.

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose, immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representatives from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, *before the fourth day of March next following*, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.<sup>20</sup>

## ARTICLE XIII.

**Section 1.** Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**Section 2.** Congress shall have power to enforce this article by appropriate legislation.<sup>21</sup>

## ARTICLE XIV.

**Section 1.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2.** Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion,

<sup>19</sup>Amendment XI was proposed by Congress on March 5, 1794, and a message of the President sent to Congress on January 8, 1798, declared it to have been duly ratified.

<sup>20</sup>Amendment XII was proposed by Congress on December 12, 1803, and on September 25, 1804, the Secretary of State proclaimed it to have been duly ratified. The amendment superseded the third paragraph of the first section of Article II. The words in *italics* were rendered inoperative when Amendment XX changed the date of inauguration.

<sup>21</sup>Amendment XIII, the first of the three Civil War amendments, was proposed by Congress on February 1, 1865, and its ratification was proclaimed by the Secretary of State on December 18, 1865.

or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

**Section 3.** No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by votes of two-thirds of each House, remove such disability.

**Section 4.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.** The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.<sup>22</sup>

#### ARTICLE XV.

**Section 1.** The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation.<sup>23</sup>

#### ARTICLE XVI.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.<sup>24</sup>

#### ARTICLE XVII

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.<sup>25</sup>

#### ARTICLE XVIII.

**Section 1.** After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

**Section 2.** The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

**Section 3.** This article shall be inoperative unless it shall have been rati-

<sup>22</sup>Amendment XIV was proposed by Congress on June 16, 1866, and the Secretary of State proclaimed its ratification on July 28, 1868. This amendment changed the provision for apportioning representatives in the third paragraph of the first section of Article I. It also added disqualifications for various offices. Section 4 was an addition to Article VI.

<sup>23</sup>Amendment XV was proposed by Congress on February 27, 1869, and the Secretary of State proclaimed its ratification on March 30, 1870.

<sup>24</sup>Amendment XVI, in effect an exception to the fourth paragraph of Section 9 of Article I, was proposed by Congress on July 12, 1909, and proclaimed duly ratified on February 25, 1913.

<sup>25</sup>Amendment XVII was proposed by Congress on May 16, 1912, and proclaimed duly ratified on May 31, 1913. It is a substitute for the first two paragraphs in Section 3 of Article I.

fed as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution within seven years from the date of the submission hereof to the State by the Congress.<sup>26</sup>

#### ARTICLE XIX.

The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.<sup>27</sup>

#### ARTICLE XX.

**Section 1.** The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

**Section 2.** The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

**Section 3.** If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

**Section 4.** The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

**Section 5.** Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

**Section 6.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.<sup>28</sup>

#### ARTICLE XXI.

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

**Section 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.

**Section 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 Congress.<sup>29</sup>

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<sup>26</sup>Amendment XVIII was proposed by Congress on December 17, 1917, and proclaimed duly ratified on January 29, 1919. It was repealed by Amendment XXI, adopted in 1933.

<sup>27</sup>Amendment XIX was proposed by Congress on June 5, 1919, and proclaimed duly ratified on August 26, 1920. It is, in effect, an addition to the fifteenth Amendment.

<sup>28</sup>Amendment XX was proposed by Congress on March 2, 1932, and was proclaimed duly ratified on February 6, 1933. It superseded provisions in Section 4 of Article I and Section 1 of Article II.

<sup>29</sup>Amendment XXI was proposed by Congress on February 20, 1933, and proclaimed duly ratified on December 5, 1933. It was submitted for ratification by convention and not to the State Legislature.

## ARTICLE XXII.

**Section 1.** No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

**Section 2.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the State by the Congress.<sup>30</sup>

<sup>30</sup>Amendment XXII was proposed by Congress on March 4, 1947, and proclaimed duly ratified on March 1, 1951. It is in effect an addition to Article II of the Constitution.

### Holidays

New Year's Day .....	January 1
Lincoln's Birthday .....	February 12
Washington's Birthday .....	February 22
Memorial Day .....	May 30
Independence Day .....	July 4
Labor Day .....	First Monday in September
General Election .....	First Tuesday next after first Monday, November, even-numbered years
Veterans Day .....	November 11
†Thanksgiving Day .....	Fourth Thursday, November
Christmas Day .....	December 25
And all Sundays	

†By proclamation of governor.

### Special Observance Days

By Proclamation of the Governor

Bird Day—March 21.

Arbor Day—Usually the last Friday in April.

Mother's Day—The second Sunday in May.

Flag Day—June 14, anniversary of adoption of the United States flag by the Continental Congress at Philadelphia, 1777.

Independence Sunday—The Sunday preceding the Fourth of July.

Columbus Day—October 12.

## . . . The Gettysburg Address

The text on the opposite page was copied from manuscript of the address delivered by President Abraham Lincoln at the Gettysburg Cemetery grounds on November 19, 1863. After the President had delivered his short address, he turned to Marshall Lamon, who had presented him less than five minutes before, and said, "Lamon, that speech won't scour. It is a flat failure."

There are five known copies in President Lincoln's handwriting of the Gettysburg address. The original and second drafts were given by the President to his secretary, John Hay. On April 11, 1916, they were presented to the Government by Colonel Hay's three children.

That Lincoln wrote the address on a rough bit of paper on the way to Gettysburg is an exploded but persistent legend. Actually, the first sheet of the first draft was written in Washington, on Executive Mansion stationery. The corrections and the second page were written in lead pencil, probably at Judge Wills' house in Gettysburg, the night of the 18th.

The second draft, believed to be the reading copy at the dedication ceremony, is assumed to have been written on the 19th, between breakfast and the start to the cemetery. There are changes from the first version, slight matters of punctuation, or of a single word—a "that nation" and a "this nation" for "the nation", "consecrated" for "hallowed," "but" for "while," and the like. Lincoln's eye evidently strayed in copying, for "We have come" of the first version was changed to "We are met," then crossed out and the original form restored above it. The first important change is "those who here gave their lives" instead of "those who died here." The sentence, "This we may, in all propriety do," became "It is altogether fitting and proper that we should do this." The entire beginning of the first draft's third paragraph is rephrased. Instead of "It is rather for us, the living, we here be dedicated to the great task remaining before us" ["we here be dedicated" had been corrected in pencil above the scratched-out "to stand here"] Lincoln added a parallel sentence: "It is for us, the living, rather to be dedicated here to the unfinished work which they have, thus far, so nobly carried on. It is rather for us to be here dedicated to the great task remaining before us—".—Data from Library of Congress.

A final addition in the fourth line from the last of the address was made after the word "nation." The two words are "under God." This final form was placed in the rotunda of the State House by the Department of Iowa, Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, February 12, 1927.

## . . . The Lincoln Plaque

A plaque hangs in the rotunda of the capitol which includes the complete Gettysburg address. Below is pictured a portion of the plaque, together with the text of the historical address. Further details on page 484.



*Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.*

*Now we are engaged in a great civil war, testing whether that nation, or any nation, so conceived, and so dedicated, can long endure. We are met here on a great battlefield of that war. We have come to dedicate a portion of it as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.*

*But in a larger sense we can not dedicate—we can not consecrate—we can not hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they have, thus far, so nobly carried on. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain; that this nation shall have a new birth of freedom; and that this government of the people, by the people, for the people, shall not perish from the earth.*

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