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**A SYLLABUS FOR THE  
STUDY OF CIVICS IN THE  
HIGH SCHOOLS OF IOWA**

**MAY E. FRANCIS**  
SUPERINTENDENT OF PUBLIC INSTRUCTION



PUBLISHED BY  
THE STATE OF IOWA  
DES MOINES



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PREPARED BY  
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ISSUED BY THE DEPARTMENT OF  
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## INTRODUCTION

A few words of explanation and suggestion are desirable. School authorities and teachers who make use of the Outline that follows are urged to give heed to them.

The Outline, though detailed, is not exhaustive. It is not intended to be; indeed, it is not desirable that it should be. Something should be left to the teacher. It is important that teachers of Civics — as of every other subject — grasp the fact that no outline or syllabus or book can take the place of a well-trained, well-informed, enthusiastic teacher. The content of any particular course of study is, after all, largely what the teacher in charge makes it. No textbook, however complete, is adequate in the hands of an incompetent instructor. Teachers who use the Outline are urged, therefore, to make the most thorough preparation possible.

The high school course in Civics, as suggested in the Outline, is designed to supplement the work given in the grades, based on the course of study prepared for their use. It presupposes the study of community civics in the grades. Building on the foundation laid in the grades, it is the purpose to acquaint high school pupils with the principles, organization, functions and problems of government in both States and Nation.

It is desirable that instruction in Civics be given as late in the high school course as possible, — preferably in the Senior year. The study of government is difficult and should not be undertaken without sufficient preparation. In every case, if possible, it should be preceded by an adequate course in American History.

Ample material is suggested in the Outline for a whole year's course to meet the needs of schools that give an entire year to the study of Civics. In the schools that devote only a half year to Civics, the teacher must select the material to be used. Endeavor has been made to arrange the Outline in a manner that will make this selection comparatively easy. The task of the teacher is not a light one, however, and should be performed with the greatest care.

Emphasis is placed in the Outline upon fundamental principles. The conviction is strong that it is supremely important that the American people understand more clearly the principles and ideals



that underlie their institutional life. Teachers are urged to keep this constantly in mind.

The true purpose of a course in Civics should not be lost sight of. It is not merely to give information, but to lead the pupils to a clearer understanding of their obligations, privileges and opportunities as citizens in a free state and to a higher comprehension of what true patriotism means. They must be helped to see the vast importance of political institutions and activities; to acquire an accurate knowledge of how the government is organized and how it actually works; to understand the vital significance of leadership in a democracy; to learn to think clearly and straight concerning governmental problems and policies; and, above all, to be controlled in their own political conduct by a disinterested, unselfish devotion to the common good.

To aid the Civics teachers of Iowa in accomplishing this great object is the purpose of the Outline.



# CIVICS

## OUTLINE OF A COURSE OF STUDY FOR HIGH SCHOOLS

### PART ONE

#### SOME FUNDAMENTAL CONSIDERATIONS

##### I. *Why do we have Government*

1. Men are social beings; they must live in groups; they can not live alone and be normal; they have needs which individual efforts, alone, can not satisfy.
2. Because of men's social instinct or nature, and needs, they have established families, villages, clans, tribes, states. Many other group organizations are found in every society — clubs, lodges, labor unions, churches, etc., each giving evidence of the social nature of men.
3. Group life involves group control; group action; co-operation — that is, government.
4. The state is the greatest of all human associations. By the term "state" is meant a people, possessing a definite territory, organized for political purposes and exercising supreme political power. Government is the agent or organ through which the state acts.
5. Government is necessary, therefore, because the state can not function without it. It rests upon the fundamental fact that, as Aristotle phrased it: Man is a political animal, born to be a citizen.

##### II. *The Purposes of Government*

1. To maintain order so that the people may live a peaceful, orderly life.
2. To establish rules of conduct — laws — for the guidance of the people.
3. To restrain and punish the evil doer so that life and property may be protected.
4. To educate the people and promote higher standards of living.
5. To help the individual to attain the highest development of all his powers — mental, moral, and physical — of which he is capable.
6. To provide compulsory community or co-operative action in place of voluntary individual or group initiative and action when the latter proves inadequate to meet social needs.
7. To administer community affairs in the common interest.
8. To protect and help the weak and defective members of society.
9. To establish and protect the rights of property and regulate its uses.
10. To protect the individual in the enjoyment of his inalienable right to "life, liberty, and the pursuit of happiness."

##### III. *The Basis of Democratic Government*

1. The will of the people; the consent of the governed; governments "derive their just powers from the consent of the governed."
2. Despotism and autocratic governments rest on force, not on the people's consent. They are imposed by the rulers upon the people, regardless of the people's will.



3. Democratic government is "government by the people"; it is imposed by the people upon themselves. Their will controls though it may not be expressed directly, but through chosen representatives.
4. Public opinion — enlightened public opinion — is the controlling force in a free or democratic government; it is through public opinion, expressed in various ways, that the will of the people is made known.

#### IV. *The Liberty of an Individual in a Democracy*

1. True liberty in society involves restraint. It does not, can not mean doing as one pleases.
2. The difference between liberty and license. License is destructive of liberty.
3. Liberty under the law; this principle is the foundation of all free government. The right of liberty for any person involves the duty of all other persons to respect that right. There is no right without a correlative duty.
4. The solemn obligation of every citizen to respect the law. Only thus is his liberty secure.

#### V. *American Principles and Ideals*

1. A government by the people, deriving its power from the consent of the governed.
2. A government for the people — for the benefit of the governed.
3. Every individual has certain fundamental and inalienable rights protected by the Constitution.
4. Equality before the law. Equal rights for all and special privileges for none. This is an ideal which should be striven for without ceasing.
5. Majority rule. The will of the people finds expression through the voice of the majority.
6. Duty of the minority to submit to majority rule as expressed in the laws.
7. Right of the minority to work by proper peaceful methods for change in the laws and in governmental organization.
8. Duty of the majority to protect the rights of the minority. Only thus can the rights of the majority be secure.
9. Right of every individual to appeal to the courts for protection, and to have his day in court when charged with an offense.
10. Freedom of religion. Separation of church and state.
11. Freedom of speech.
12. Freedom of the press.
13. Freedom of peaceable assembly.
14. Freedom of petition.
15. Individual liberty not absolute, but conditioned; the general welfare comes first.

#### VI. *Duties of the Citizen*

1. To be loyal.
2. To educate and train himself for citizenship.
3. To keep informed concerning the work and problems of government. Democracy is impossible without an educated, informed citizenship.
4. To obey the laws faithfully.
5. To respect the rights of all other citizens.



6. To use only peaceful, legal methods for bringing about changes in government or adoption of new policies.
7. To vote at every election, if he has the right of suffrage.
8. To be alert and active in the duties of citizenship.
9. To serve the people faithfully and honestly when called to public office.
10. Not to abuse freedom of speech, of the press, and of assemblage.

## VII. *Forms and Functions of Government*

### A. FORMS.

1. Republic.
  - a. Democratic.
  - b. Aristocratic.
2. Pure Democracy.
3. Monarchy.
  - a. Absolute.
  - b. Limited.
  - c. Parliamentary.
  - d. Democratic.

### B. FUNCTIONS.

1. Policy determining function.
  - a. Legislation.
2. Policy executing function.
  - a. Administration.
  - b. Adjudication.

## VIII. *The United States a Federal Republic*

### 1. MEANING OF A REPUBLIC.

A republic is a government in which the power is exercised by the people through chosen representatives. The people are the source of power, but they do not rule directly. They and their representatives alike are restrained by constitutional provisions.

### 2. MEANING OF FEDERATION.

A federation is a union of states or commonwealths to form a single state whose governmental authority is divided between a central organization and several commonwealth organizations. The union is a permanent union from which none of the states or commonwealths may withdraw.

### 3. THE FORMATION OF THE AMERICAN UNION.

- a. Nature of the union government during the Revolutionary War.
  1. Composition and powers of the Continental Congress.
- b. Nature of the union under the Articles of Confederation.
- c. Condition of the States in 1787.
- d. The Constitutional Convention.
  1. How summoned.
  2. Time and place of meeting.
  3. Procedure observed in drafting and adopting the Constitution.
- e. Ratification of the Constitution.
  1. By what states was it ratified.
  2. Time of becoming effective.
- f. General character of the government under the Constitution.
- g. Relation of states to nation.



## PART TWO

### STATE GOVERNMENT

#### I. *State Government in General*

##### A. CONSIDERED HISTORICALLY.

1. Character and organization of the colonial governments, before independence was declared.
2. Character and organization of the State governments after independence was declared.
3. Powers of the States under the Articles of Confederation.

##### B. POWERS OF THE STATES UNDER THE CONSTITUTION.

1. The reserved or inherent powers of the States.
2. The power of taxation.
3. The police power of the States.
  - a. Over individuals.
  - b. Over corporations.
  - c. Over property.
4. The power over suffrage and citizenship.
5. The power over local governments.

##### C. STATE CONSTITUTIONS.

1. Origin of the State Constitutions.
2. Method of formulating and adopting them.
3. Essential features of a Constitution.
  - a. Bill of rights and its purpose.
  - b. The machinery of government.
  - c. Miscellaneous provisions.
  - d. Method of amendment.

#### II. *State Legislatures*

1. Bicameral or two-chamber legislature.
  - a. Senate or so-called "upper house".
  - b. House of Representatives or "lower house".

Sometimes other names used for this House.
2. Equality of the Houses in matters of legislation is the regular rule.
3. The power of impeachment generally given to the House of Representatives; trial of impeachment cases generally by the Senate, sitting as a court.
4. Usually the Senate has power to confirm many executive appointment.
5. Size of legislatures.
  - a. Much variation.

Senate always much smaller than the House of Representatives.
6. Qualifications of members.
  - a. No uniform requirements.
  - b. Differences for Senators and Representatives.
7. Term of office.
  - a. Term fixed by State Constitutions.
  - b. Varies from one to four years.



8. Sessions of the Legislatures.
  - a. Annual; biennial; quadrennial.
  - b. Length of sessions.
    1. In some States there is no limit.
    2. In others, the constitutions fix the maximum number of days, — forty, sixty or ninety days, for example.
  - c. Extra sessions.
9. Compensation.
  - a. Per diem; per session; per annum;
  - b. Limitations upon compensation.
10. Method of election.
  - a. Nomination by parties.
  - b. Election by popular vote.
11. Legislative Organization.
  - a. Presiding officer.
    1. In Senate.
      - a. Name.
      - b. How chosen.
      - c. Powers and duties.
    2. In House of Representatives.
      - a. Name.
      - b. How chosen.
      - c. Powers and duties.
  - b. Other officers.
    1. Method of selection.
    2. Duties.
  - c. Committees.
    1. Method of selection.
    2. Number and size.
    3. Powers.
    4. Procedure.
    5. Influence and general effect of the committee system.
  - d. Rules of Procedure.
    1. Each house prescribes its own rules.
    2. Initiation of bills.
    3. Methods of drafting bills.
    4. Reference to committees.
    5. Committee hearings and reports.
    6. Debate upon bills and amendments.
    7. Voting upon bills and final passage by the Houses.
    8. Submission of bills to the governor for executive approval.
      - a. The Governor's veto.
      - b. The passage of a bill over the Governor's veto.
  - e. Relation of the political parties to the legislatures.
    1. Nomination of candidates for the legislature.
      - a. Nominating conventions.
      - b. Direct primaries.
    2. Election campaign.
    3. Party leadership in the legislatures.
      - a. Party caucuses.
      - b. Influence of individual leaders.



- c. Influence of the State party organizations.
- d. Legislatures organized on party lines.
- f. Defects in legislative systems.
  - 1. Inefficiency of committees.
  - 2. Defective methods of drafting bills.
  - 3. Lobbying.
  - 4. Log-rolling.
  - 5. Private and local legislation.
  - 6. Lack of adequate publicity.

### III. *Direct Legislation*

- 1. Initiative — what it is.
- 2. Referendum — what it is.
- 3. Extent of use.
  - a. Initiative.
    - 1. In connection with State laws.
    - 2. In connection with municipal ordinances.
  - b. Referendum.
    - 1. In connection with State-wide laws.
    - 2. Local option elections.
    - 3. Amendments to State Constitutions.
    - 4. Bond issues.
- 4. Causes of the demand for direct legislation.
- 5. Arguments for direct legislation.
- 6. Arguments against direct legislation.
- 7. Direct legislation not a substitute for representative legislatures.

### IV. *State Administration*

- 1. General statement concerning state administrative organization.
  - a. Decentralized system, with many offices more or less independent of one another.
  - b. Confusion that springs from this and the resultant inefficiency.
  - c. Need for better correlated, more unified system.
- 2. The Governor.
  - a. Method of selection.
    - 1. Nominated by political parties.
    - 2. Elected by popular vote.
  - b. Term of office, qualifications and compensation.
  - c. Powers and duties as the State's chief executive.
    - 1. Relation to other State officers and departments in this connection.
  - d. Power of appointment and removal.
    - 1. Confirmation by the Senate usually required.
  - e. The Governor's part in legislation.
    - 1. Calls legislature in special session.
    - 2. Recommends new laws and policies.
    - 3. The veto power and its use.
    - 4. Influence of the Governor as leader of his party for the time being.
  - f. The Governor's pardoning power.
  - g. General standing and influence of the governorship.



1. Considered historically.
2. At the present time.
3. The Lieutenant Governor.
  - a. Usually elected by popular vote, in the same manner as the Governor.
  - b. Holds relatively the same position in the State government which the Vice-President holds in the national government.
  - c. Succeeds the Governor in case of the latter's death, disability or removal from office.
  - d. Usually is presiding officer in the State Senate.
  - e. In many States he has the power to appoint the Senate committees.
4. Independent executive officers.
  - a. State Treasurer.
    1. Generally chosen by popular election.
    2. Charged with the safe keeping of all State funds.
    3. Pays out money only as authorized, by law and upon proper warrant.
    4. Other duties as imposed by law.
  - b. Secretary of State.
    1. Elected by popular vote.
    2. Duties are chiefly ministerial in character, and vary greatly from State to State.
      - a. Custodian of the State archives and keeper of the State seal.
      - b. Publishes and distributes the laws enacted by the legislature.
      - c. Issues election notices and certificates of election.
      - d. Compiles and publishes election returns.
      - e. Receives reports and fees from various officers.
      - f. Serves as *ex officio* member of various State boards.
      - g. Frequently issues certificates of incorporation to companies organized in the State, collects incorporation fees, and has general enforcement of incorporation laws.
      - h. Other duties as imposed by law.
  - c. Attorney-General.
    1. Usually chosen by popular vote.
    2. The State's chief law officer, whose duties, in general, are:
      - a. Prosecutes cases for violation of State laws and defends the State in actions brought against it.
      - b. Acts as legal advisor to State officers and departments.
      - c. In some States he may supervise the law enforcement officers of the local governments.
      - d. Importance of the Attorney-General's work.
  - d. Auditor or Comptroller.
    1. Audits accounts and draws warrants on the State treasury.
    2. Frequently has supervision over auditing municipal and local government accounts.
    3. In some States has important duties in connection with the supervision of insurance companies, banks, and loan and trust companies.
    4. Frequently is *ex-officio* member of State boards and commissions.
  - e. Superintendent of Public Instruction.
    1. In some States chosen by popular election, and in some is an appointive officer.



2. Administers laws relating to the general public school system.
3. Promotes educational interests of the State.
4. Gives particular attention to the development and management of rural schools.
5. Great importance of this office and its functions.
- f. Many other executive officers.
  1. Duties vary widely.
  2. Establishment due to rapid growth in governmental functions, caused by the increasing complexity of social, business and political relationships.
  4. Lack of sympathetic, harmonious administrative system, and resultant loss of efficiency.
- g. State Boards and Commissions.
  1. Rapid increase in the number of administrative commissions.
  2. Many questions placed under commission control.
    - a. Railways and public utility companies.
    - b. Tax administration.
    - c. Civil Service.
    - d. Highways.
    - e. Public Health.
    - f. Minimum wage and workingmen's compensation laws.
    - g. Management of State charitable, penal, and reformatory institutions.
    - h. State institutions for higher learning.
- h. The Problem of Administrative Reform.
  1. Defects in administrative organization.
    - a. Powers too widely diffused.
    - b. Overlapping of powers and duties.
    - c. Lack of clear responsibility.
    - d. Inadequate correlation of departments.
    - e. General result is confusion and loss of efficiency.
  2. Reform by means of elimination and consolidation of offices.
    - a. Illinois system.
      1. The Governor is the real head of the administration with responsibility to the people.
      2. Nine chief departments, at the head of each of which is a director-general, appointed by the Governor, as follows:
        1. Finance.
        2. Agriculture.
        3. Labor.
        4. Mines and Minerals.
        5. Public Works and Buildings.
        6. Public Welfare.
        7. Public Health.
        8. Trade and Commerce.
        9. Registration and Education.
    - b. Other States have adopted similar unified administrative systems.



V. *The State Judiciary*

1. Wide variation in the judicial systems of the States.
2. In general there are three parts to the judicial organization.
  - a. The State Supreme Court, sometimes called the Court of Appeals, and Court of Errors and Appeals. This is an appellate court for the most part.
  - b. Small local courts, usually called Justice of the Peace courts. The power of these courts is limited to petty offenses and small civil cases.
  - c. Intermediate courts, with general original jurisdiction and appellate powers in cases coming from the local courts below. In this group are
    1. County courts.
    2. District courts, sometimes called circuit courts.
  - d. Special courts, such as
    1. Probate courts.
    2. Equity courts.
    3. Juvenile courts.
    4. Conciliation courts.
    5. Special municipal courts.
3. Selection of Judges.
  - a. By popular vote in most States.
  - b. By the legislature in a few States (four).
  - c. By appointment by the Governor in several States (seven).
  - d. Importance of the method of choosing judges, and points in favor of each of the methods named.
4. Term of office.
  - a. In three States — Massachusetts, New Hampshire and Rhode Island, the appointment is for life.
  - b. In the other States, judges serve for fixed terms ranging from two years in Vermont to twenty-one years in Pennsylvania. A six year term prevails in some States and a twelve year term in others.
  - c. Advantages of a short term compared with those of a long term.
5. Compensation of judges.
  - a. The salaries of judges are usually low, the lowest for Supreme Court judges being \$2500, as in Vermont.
  - b. The average salary for judges of the highest rank is from \$5000 to \$6000 per year.
  - c. Influence of low salaries.
6. Functions and powers of the State courts.
  - a. To interpret the State constitutions.
  - b. To interpret and apply the State laws.
  - c. To interpret and apply federal laws when it is necessary to do so to settle cases before them.
7. The Jury System.
  - a. The grand jury, for bringing indictments against accused persons.
  - b. The petit or trial jury used in all States.
  - c. In some States prosecution is begun upon filing an information by the prosecuting officer. In such cases action by the grand jury is not necessary.



- d. Trial juries usually pass only upon questions of fact, the determination of the law being left to the judges.
- 8. Criticisms of the State judicial systems and their methods of work.
  - a. Court procedure is too technical.
  - b. Cost of litigation too high.
  - c. Courts move too slowly; too many delays.
  - d. The right of appeal is abused.
  - e. The judges are too frequently mere umpires in a contest conducted by opposing attorneys.
  - f. Objections to control over judicial procedure by State legislatures.
  - g. Abuses in connection with the selection of jurors and the working of the jury system.
  - h. Need for a better unified, better coördinated court system.

#### VI. *The States and Local Government*

- 1. The States supreme in their control over local governments. Each State may have any kind of local government units it pleases and supervise their work. No power of control vests in the national government.
- 2. The power over the local governments is exercisable by the State legislature unless the legislature is restrained by the State constitution.
- 3. Local governments do not have powers of their own right. All their authority is conferred upon them by the State, either by provision of the State constitution or by act of the State legislature.
- 4. Methods of State supervision over local governments.
  - a. Legislative control, by limiting the things the local governments may do.
  - b. Administrative control by regulating the manner in which the things authorized are done.
  - c. Home rule for cities and counties.
- 5. Local governments as agents of the State.
  - a. For law enforcement.
  - b. For election purposes.
  - c. For fiscal purposes, — assessment and collection of taxes.
  - d. For the administration of justice.
  - e. For school administration.
  - f. For construction and supervision of public highways.
  - g. For protection and promotion of public health.
- 6. Types of rural local government.
  - a. New England town.
  - b. The Southern county.
  - c. County and township system.
- 7. Municipal government.
  - a. Mayor and council system.
  - b. Commission plan.
  - c. Business manager plan.



## PART THREE

### THE GOVERNMENT OF IOWA

#### I. *The Geography of the State.*

1. Area.
2. Population.
  - a. The State Census; when taken and by whom.
  - b. Racial composition.
    1. Geographical distribution.
  - c. Urban and rural populations.
    1. Recent tendencies as shown by census reports.
    2. Significance.
3. Economic Interests of Iowa.
  - a. Rural activities.
    1. Soil.
    2. Farming activities.
      - a. Crops.
      - b. Live stock.
      - c. Decrease in rural population.
        1. Importance of.
        2. Causes.
        3. Remedies.
    - d. Decrease in number of farms. (See XIV Census).
      1. Causes.
      2. Remedies.
  - b. Manufacturing and Industrial Activities.
  - c. Mining and Minerals.
4. General character of the State's social and political problems.

#### II. *The State Government*

##### A. THE STATE CONSTITUTION.

1. History of.
2. General character.
3. Bill of Rights.
4. Chief provisions.
5. Amendments.
  - a. Amendment procedure.
  - b. Number and purpose of amendments adopted.
  - c. Procedure for calling a convention to revise the Constitution.

##### B. THE LEGISLATIVE DEPARTMENT: THE GENERAL ASSEMBLY.

1. The Senate.
  - a. Composition.
    1. Number of members.
    2. Qualifications.
    3. Manner of election.
    4. Term of office.
    5. Compensation.



- b. Organization.
    - 1. Officers.
      - a. President: The Lieutenant-Governor.
      - b. Secretary and other officers.
        - 1. How chosen.
    - 2. Committees.
      - a. How chosen.
  - c. Powers.
    - 1. General legislative powers.
    - 2. Confirmation of appointments.
    - 3. Trial of impeachment cases.
2. The House of Representatives.
  - a. Composition.
    - 1. Number of members.
    - 2. Qualifications.
    - 3. Manner of election.
    - 4. Term of office.
    - 5. Compensation.
  - b. Organization.
    - 1. Officers.
      - a. Speaker.
        - 1. How chosen.
        - 2. Parliamentary powers and duties.
        - 3. Appointment of committees.
      - b. Other officers.
        - 1. How chosen.
    - 2. Committees.
      - a. How chosen.
  - c. Powers.
    - 1. General legislative powers.
    - 2. Special powers.
  - d. Sessions of the General Assembly.
    - 1. Regular.
      - a. When convened.
    - 2. Special.
      - a. How summoned.
  - e. Political parties and the legislature.
    - 1. The party caucus.
      - a. The majority caucus.
        - 1. Composition.
        - 2. Control over legislative organization and appointment of officers and committees.
      - b. The minority caucus.
3. Legislative Procedure: How Laws are Made.
  - a. Distinction between bills and laws or statutes.
  - b. Procedure.
    - 1. Introduction of bills.
    - 2. First reading: character of.
    - 3. Second reading: character of.
    - 4. Reference to committees.



- a. By whom made.
  5. Report of Committee.
  6. Debate and amendment.
  7. Third reading and final passage.
  8. Sent to other House.
    - a. Same general procedure observed.
  9. Sent to Governor for approval and signature.
  10. Filed with Secretary of State and officially promulgated.
  11. When effective.
    - a. If of emergency character.
    - b. If not of emergency character.
  12. Procedure in case of executive veto.
    - a. Governor returns bill, together with statement containing his objections, to house in which it originated.
    - b. Power of legislature to pass bill over the Governor's veto.
      1. Procedure.
  13. Provisions of the rules of the two houses relating to legislative procedure.
4. The Committee System.
- a. Composition of Committees.
    1. How chosen.
    2. Majority party members.
    3. Minority party members.
    4. Size of committees.
  - b. Number of committees.
  - c. Names of important committees and nature of their work.
  - d. Duties and functions of committees.
    1. To conduct investigations authorized by the houses.
    2. To consider bills, resolutions and other matters referred to them.
      - a. May report bill to house favorably and without amendments.
      - b. May report bill with amendments.
      - c. May report bill without recommendations.
      - d. May report bill unfavorably.
      - e. May "pigeon hole" bill, subject to rules of house.
  - e. Need and importance of committees in legislative work.
  - f. Criticism and evils in connection with committee work and procedure.
    1. Secrecy of committee meetings if committee so desires.
      - a. No official records kept.
      - b. No official record of how members vote.
      - c. Chance for improper influences to be brought to bear on committees.
      - d. Need for secrecy at times, but possible abuses.
    2. Lobbying.
      - a. Proper methods of influencing committees and legislative actions.
      - b. Improper methods.



c. Iowa laws relating to lobbying.

3. Committees too large in size and too many in number.

#### C. THE EXECUTIVE DEPARTMENT.

1. General nature and organization of the Executive Department.

2. The Governor.

a. Position of the Governor in the State administration.

b. Qualifications.

c. Term of office.

d. Method of selection.

e. Compensation.

f. Principal duties and powers.

1. Executes the laws of the State.

a. Significance of the term "chief executive" as applied to the Governor.

2. Commander-in-chief of the military forces of the State in time of peace.

3. Grants reprieves, commutations and pardons in criminal cases except for treason and impeachment.

4. Sends messages of advice to the legislature.

5. Summons the legislature in special session.

6. May veto acts of the legislature: all bills passed must be submitted to him for approval.

7. Appoints many officers and members of boards and commissions.

8. Is member of the Executive Council.

9. Power to grant and demand extradition papers for the return of fugitives from justice.

g. The Governor's position and influence as a party leader.

3. The Lieutenant-Governor.

a. Qualifications.

b. Term of office.

c. Method of selection.

d. Compensation.

e. Powers and duties.

1. President of the State Senate, with power to vote when the Senate is equally divided.

2. Assumes the duties of the governor in case of the death, impeachment, resignation, removal from office, or other disability of the Governor.

3. Position of the Lieutenant-Governor in the State government.

a. Proposals for the improvement of his position.

4. Other Elective State Officers.

1. Auditor.

2. Treasurer.

3. Secretary of State.

4. Attorney General.

(NOTE. Points to be considered in connection with each: Qualifications; Term; Compensation; Powers and Duties, both by provision of the constitution and by statute; Manner of selection; Organization of office; Methods of work; Character and



importance of functions discharged; Relations to one another.)

5. State Superintendent of Public Instruction.
  1. Qualifications.
  2. Manner of Selection.
  3. Term.
  4. Compensation.
  5. Powers and Duties.
    - a. Head of the State's public school system.
    - b. Supervises work of County Superintendents.
    - c. Inspection.
      1. Of normal training schools.
      2. Grade Schools.
      3. High schools.
      4. Rural and consolidated schools.
    - d. Collection of school statistics and publication of reports.
    - e. Formation and publication of courses of study.
    - f. Biennial reports to the Governor concerning conditions of the schools.
    - g. Hears appeals from decisions of County Superintendents.
    - h. Exofficio member of various boards, including
      1. Educational Board of Examiners which has charge of granting licenses to teachers, of which he is president and executive officer.
      2. State Board of Vocational Education, of which he is president and executive officer.
      3. Educational Council, of which he is president.
      4. Iowa Library Commission.

6. Great Importance of the Department of Public Instruction.

5. Other State Officers: Appointive.
  1. Commissioner of Insurance.
  2. Superintendent of Banking.
  3. Food and Dairy Commissioner.
  4. State Fish and Game Warden.
  5. Commissioner of the Bureau of Labor Statistics.
  6. Industrial Commissioner.
  7. Other individual officers.

(NOTE. Points to be considered in connection with each of these officers: Nature of work, powers, duties, manner of selection, tenure, compensation, organization of office and methods of work.)

6. State Boards and Commissions.
  - a. Merits and demerits of administrative boards as agencies of government.
  - b. Enumeration of important State boards and commissions.
    1. Executive Council.
      - a. Composition.
      - b. Compensation.
      - c. Methods of work.
      - d. Powers and Duties.
        1. Purchase of supplies for State departments and offices.



2. Assessment of taxes upon railway, express, telegraph, and telephone companies.
  3. Classification of railways.
  4. Equalization of property valuations between counties for purposes of taxation.
  5. Fixing of State tax levies to meet the expenditures authorized by the legislature.
  6. Compilation of the State census.
  7. Other duties as prescribed by law.
  - e. Secretary and other officers of the Council, and their duties.
  2. Board of Education.
  3. Board of Educational Examiners.
  4. Board of Control.
  5. Board of Parole.
  6. Railroad Commissioners.
  7. State Board of Health.
  8. State Highway Commission.
  9. Other State Boards.
- (Note. Points to be considered in connection with each: nature of work, powers, duties, manner of selection, tenure, compensation, organization of office and methods of work.)
7. The State Institutions of Iowa.
    - a. Educational.
      1. The State University of Iowa.
      2. Iowa State College of Agriculture and Mechanic Arts.
      3. Iowa State Teachers College.
      4. Iowa School for the Deaf.
      5. Iowa College for the Blind.
    - b. Eleemosynary, Reformatory and Penal.
      1. Soldiers Home.
      2. Soldiers Orphans Home.
      3. Juvenile Home.
      4. Institution for Feeble-Minded Children.
      5. State Sanatorium for the Treatment of Tuberculosis.
      6. Hospital and Colony for Epileptics.
      7. Training School for Boys.
      8. Training School for Girls.
      9. Hospitals for the Insane.
      10. Women's Reformatory.
      11. Men's Reformatory.
      12. Penitentiary.
  8. The Problem of Administrative Reform in Iowa.
    - a. Movement for.
    - b. Outline of plans proposed.
    - c. Attitude of Executive officers toward reform.
    - d. Attitude of legislature.
    - e. Attitude of influential political leaders.
    - f. General public attitude.
    - g. Movement for similar reform in other States.



D. THE JUDICIAL DEPARTMENT.

1. General Considerations.
  - a. Provisions of the State Constitution relating to the judiciary. (Article V).
  - b. Power of the State legislature with reference to the courts.
    1. Over organization.
    2. Over procedure.
  - c. General relation of the State courts to the Federal judiciary.
  - d. Jurisdiction of the State court system as a whole.
2. The organization of the State court system.
  - a. The Supreme Court.
    1. Composition.
      - a. Number of members.
      - b. Method of selection.
      - c. Term.
      - d. Compensation.
    2. Organization.
      - a. Chief Justice.
        1. How selected.
      - b. Quorum.
      - c. Divisions of court for hearing cases.
      - d. Officers of the court.
    3. Jurisdiction.
    4. Sessions.
    5. Procedure and methods.
    6. Volume of work.
  - b. The District Courts.
    1. Number.
      - a. Twenty-one judicial districts, with a district court in each.
      - b. Number of judges in the districts varies from one to five, as determined by statute.
    2. Sessions.
    3. Tenure of judges.
    4. Manner of selecting judges.
    5. Compensation of judges.
    6. Jurisdiction of the District Court.
      - a. Civil.
      - b. Criminal.
      - c. Probate.
      - d. Original.
      - e. Appellate.
      - f. Exclusive.
    7. Procedure.
      - a. As a court of law.
      - b. As a court of equity.
      - c. In criminal cases.
      - d. In civil cases.
      - e. In probate matters.
  - c. Superior Courts.
    1. May be established in cities of 4,000 population or over.



2. Procedure to be observed in establishing Superior Courts, as provided by statute.
3. Judges.
  - a. How selected.
  - b. Term of office.
  - c. Compensation.
    1. How provided for.
4. Sessions.
5. Jurisdiction.
  - a. Civil.
  - b. Criminal.
  - c. Limitations upon.
  - d. Relation of Superior Court to the District Court.
- d. Municipal Courts.
  1. Where and how established.
  2. Organization.
  3. Manner of selecting judges.
  4. Tenure and compensation of judges.
  5. Jurisdiction.
  6. Sessions.
- e. Police Courts.
  1. Where found.
  2. Nature of work, powers, organization and procedure.
- f. Justice of the Peace Courts.
  1. General functions, organization and procedure.
- g. Mayor's Courts.
3. Court Procedure.
  - a. Main features of a trial in civil and criminal cases.
  - b. Criticisms of court procedure, particularly in criminal cases.
    1. Delays.
    2. Technicalities.
    3. Abuse of right of appeal.
    4. Cost of litigation.
    5. Legislative control over procedure: objections to.
4. The Jury System.
  - a. The Grand Jury.
    1. Members.
      - a. Number.
      - b. How chosen.
      - c. Compensation.
    2. Functions.
    3. Sessions; when and how summoned.
    4. Procedure.
  - b. The Petit or Trial Jury.
    1. Members.
      - a. Number.
      - b. How chosen: the jury panel.
      - c. Compensation.
    2. Functions and duties.
    3. Procedure observed in selecting trial jurors in any case, and in determining and rendering a verdict.



- c. Actual Working of the Jury System.
  - 1. Criticisms of.
  - 2. Suggested remedies.
- 5. The General Problem of Judicial Reform.
  - a. With respect to organization.
  - b. With respect to procedure.
  - c. With respect to authority of the courts.

### III. *Local Government in Iowa*

#### 1. The Township

- a. The Congressional or geographical township.
  - 1. When and how established.
  - 2. Purpose.
  - 3. Subdivisions.
- b. The Civil township.
  - 1. How established.
  - 2. Nature and purpose of.
  - 3. Organization and officers.
    - a. Trustees.
    - b. Clerk.
    - c. Assessor.
    - d. Justices of the Peace.
    - e. Constables.

(*Note.* Points to be considered in connection with each:  
How chosen; term; compensation; powers and duties.)

#### 2. School Corporations

- a. School townships.
  - 1. Legal status and character.
  - 2. May be divided into subdistricts by the township school board.
  - 3. Procedure for such division as provided by law.
  - 4. Organization.
    - a. Board of directors of three members, elected at large, in townships which are not divided into subdistricts.
    - b. In townships which are thus divided, the board is composed of one member from each subdistrict.
    - c. In school townships having an even number of subdistricts one director is elected by all the voters of the township.
    - d. Elections held on the second Monday in March.
      - 1. Procedure in school elections as provided by law
    - e. Term of office.
    - f. Powers and duties of the Board.
    - g. Officers of the Board.
      - 1. President, chosen from members of the board.
      - 2. Secretary, elected from outside the board.
      - 3. Treasurer, elected from outside the board.
      - 4. Term, powers and duties of these officers.
      - 5. Bonds required of secretary and treasurer.
- b. Independent Districts.
  - 1. Rural Independent Districts.
    - a. How established.
      - 1. Upon petition of one-third of the voters in each sub-



district, the subdistricts of a school township may, by majority vote in each district, become rural independent districts.

- b. A board of three members elected in each rural independent district.
- c. Procedure for dividing and uniting independent districts.
2. City, Town and Village Independent Districts.
  - a. How formed.
    1. A petition of ten or more voters of a city, town or village of over one hundred population, is addressed to the school board of the corporation in which the largest number of voters reside.
    2. The boundaries of the proposed district, including all of the city, town or village, are then established by the board. Contiguous territory may be included upon petition of a majority of the voters in such territory.
    3. Independent district is established by majority vote of the electors in the proposed district.
    4. Any subdistrict having a village with a population of seventy-five or more may organize into an independent district.
  - b. Officers.
    1. Board of five members which elects a president, secretary and treasurer.
    2. In districts containing all or part of a city of the first class, or a city under special charter, the board consists of seven members.
    3. Board members elected at annual meeting on the second Monday in March.
    4. Duties and powers of the board.
3. Consolidated Independent Districts.
  - a. How formed.
    1. Contiguous territory containing not less than sixteen sections, may, by majority vote of the electors resident therein upon petition to the county superintendent signed by at least one-third of the voters, be formed into a consolidated independent district.
    2. Objections to proposed boundaries may be made and hearing had before the county superintendent, from whose judgment appeal may be taken to the county board of education, whose judgment is final.
  - b. Officers.
    1. Board
      - a. Five directors elected at large.
      - b. Organization of board.
      - c. Powers and duties.
        1. With respect to taxes for support of school.
        2. With respect to transporting pupils to and from school.
        3. With respect to the erection of a new school building and its location.



4. With respect to the dissolution of a consolidated independent district.
5. Other duties and powers.
3. The County.
  - a. General position and powers of the county as a unit of local government.
    1. Has only delegated authority.
  - b. The county as the agent of the State.
    1. For the assessment and collection of taxes.
    2. For judicial administration.
    3. For enforcement of State laws.
    4. For election purposes.
  - c. Officers and boards.
    1. Single officers.
      - a. Auditor
      - b. Sheriff
      - c. Treasurer
      - d. Recorder
      - e. Clerk of Court
      - f. County attorney
      - g. Superintendent of schools
      - h. County Engineer
      - i. Coroner

(*Note.* Points to be considered in connection with each of these officers: Manner of selection, term, compensation, powers and duties, organization of office, and methods of work.)
    2. Boards.
      - a. Board of Supervisors
        1. Composition
        2. Method of selection
        3. Term
        4. Compensation
        5. Powers and duties
        6. Methods of work.
      - b. County Board of Education.
        1. Composition
        2. Powers and duties
    - d. State supervision over work of counties.
      1. In financial administration.
      2. In school administration.
      3. In assessment and collection of taxes.
      4. In highway construction.
      5. In law enforcement.
4. Cities, Towns and Villages.
  - a. The Village.
    1. A village has no officers, but for purposes of government is a part of the civil township.
  - b. The Town.
    1. A village may become a town if, on petition of 25 voters to a



judge of the district court, an election is held on the proposition and a majority of the voters favor incorporation.

2. Officers of the town.
  - a. Manner of selection.
  - b. Term.
  - c. Compensation.
  - d. Powers and duties.

c. Cities.

1. Cities of the first class are those of 15,000 population and over.
  2. Cities of the second class are those having a population of 2,000 to 15,000.
  3. Types of city government.
    - a. Mayor — Council type.
      1. General organization.
      2. Mayor.
        - a. How chosen.
        - b. Term.
        - c. Compensation.
        - d. Powers and duties.
  3. Council.
    - a. Members.
    - b. How chosen.
    - c. Term.
    - d. Compensation.
    - e. Powers and duties.
  4. Other officers.
    - a. Health.
    - b. Police.
    - c. Fire.
    - d. Street.
    - e. Park.
    - f. Library.
- b. Commission type.
  1. General character of commission form of government.
  2. Iowa cities of 2,000 or more population may by vote establish the commission form.
  3. In cities of 25,000 or more the commission consists of a mayor and four commissioners elected from the city at large.
  4. Commission has both legislative and executive authority.
  5. Each commissioner is head of one of the departments, of which there are five:
    - a. Public Affairs.
    - b. Accounts and finances.
    - c. Public safety.
    - d. Streets and public improvements.
    - e. Parks and public property.
  6. Commissioners appoint and may discharge for cause all subordinate officers.
  7. Method of nominating and electing Mayor and commissioners.



8. Provisions of law for the recall of commissioners by the voters and the use of the Initiative and Referendum.
9. Arguments for and against Commission form.
- c. City Manager Plan of Government.
  1. General character of Manager plan.
  2. May be established in cities and towns by majority vote.
    - a. Procedure to be observed in such election.
  3. Council of three to five members elected by voters.
    - a. Organization of council.
    - b. Mayor.
    - c. Other officers chosen by Council.
    - d. Powers and duties.
  4. City Manager chosen by Council to hold office at pleasure of the Council.
  5. Functions and duties of the Manager.
    - a. Held responsible by council for administration of city's affairs.
    - b. Council responsible to the people.
    - c. Manager appoints and removes subordinate officers.
  6. Arguments for and against the Manager plan.
- d. Special Charter Cities.
  1. Special charter cities are those governed by special charters granted by the state legislature before the adoption of the present State Constitution in 1857.
  2. Names of special charter cities.
    - a. Davenport, Muscatine, Dubuque, Glenwood, and Wapello.
  3. Special Charters now forbidden.
  4. Evils connected with special charters.
4. Important special problems in city government.
  - a. Police administration and law enforcement.
  - b. Public health.
    1. Sanitation.
    2. Garbage collection and disposal.
    3. Sewage disposal.
    4. Inspection work.
    5. Public recreation.
  - c. Street improvements and public works.
  - d. Private or public ownership and operation of public utilities.
  - e. Budgetary reform and financial administration.

#### IV. *The Electorate and Elections*

1. General principles.
  - a. Constitutional provisions, State and National, relating to suffrage.
  - b. Relation of citizenship to suffrage. (*Minor vs Happersett*).
2. Qualifications for voting in Iowa.
  - a. Citizenship in the United States.
  - b. Residence within the State, County, and election precinct.
  - c. Registration of voter.
    1. Where required.
    2. When and how made.



- d. Disqualifications for voting.
- 3. Elections.
  - a. General Elections.
    - 1. When held.
    - 2. How conducted.
    - 3. Ballots.
      - a. How and by whom prepared.
      - b. Arrangement of party tickets.
      - c. Provisions of law relating to party tickets and independent tickets on the ballot.
      - d. How ballots are to be marked.
    - 4. Voting machines.
      - a. Provisions of law relating to their use.
      - b. Advantages and disadvantages of voting machines.
    - 5. Election officials and their work.
    - 6. Protection against fraud.
    - 7. Official canvass of election returns.
      - a. By County Board of Supervisors.
      - b. By State Executive Council.
    - 8. Procedure in contested elections.
  - b. Special Elections.
    - 1. When held and for what purposes.
    - 2. Legal safeguards same as in general elections.
- 4. Methods of nominating candidates.
  - a. The Primary.
    - 1. Kinds of primary.
      - a. Closed.
      - b. Open.
      - c. Non-partisan.
      - d. Nature, advantages and disadvantages of each kind.
    - 2. Iowa has the closed primary except in cities having the commission form of government where the non-partisan primary is used.
    - 3. Candidates nominated at primary for United States Senator, Representatives in Congress, State, County, and township officers, except judges of the District and Supreme courts.
    - 4. Primary held on the first Monday in June of the even numbered years.
    - 5. Procedure at primary elections.
      - a. Voter must call for the ticket of the party with which he is affiliated.
      - b. How party affiliation may be changed.
      - c. Primary election officials and their work.
    - 6. Procedure to be observed in order to have names of candidates appear on the primary ballot.
    - 7. Rotation of names of candidates on ballot.
      - a. Reasons for.
    - 8. Per cent of vote required for nomination.
    - 9. Requirements of law relating to filing of primary campaign expenses of candidates.
    - 10. The general working of the primary.



11. Arguments for and against the primary.
12. Proposed changes.
- b. The Nominating Convention.
  1. County convention.
    - a. May fill vacancies on county ticket: the 35 per cent requirement of the primary election law.
  2. Judicial District Convention.
    - a. Nominate candidates for District judge.
  3. State Convention.
    - a. Regular party convention.
      1. May fill vacancies on State ticket: the 35 per cent requirement of the primary election law.
      2. Procedure in making nominations in the State convention.
  - b. State Judicial Convention.
    1. Nominates candidates for positions on the State Supreme Court.
  4. Advantages and disadvantages of the Convention method of nominating candidates.

V. *Important Governmental Problems in Iowa, Suggested for Special Study*

1. Taxation
  - a. Kinds of taxes levied.
    1. General property tax.
      - a. Real property.
      - b. Personal property.
        1. Moneys and credits.
      - c. Taxes upon railways and other public utility companies.
        1. How made.
        2. Basis of.
    2. Inheritance taxes.
      - a. How determined and collected.
    3. Motor vehicle tax.
    4. Special assessments.
      - a. How made.
      - b. Purposes of.
  - b. How tax levies are determined.
    1. For the State.
    2. For counties, cities, towns, school corporations and townships.
  - c. The assessment of taxes and valuation of property.
    1. By local assessors.
    2. By State executive council.
  - d. The equalization of taxes.
    1. By county boards of supervisors.
    2. By city councils.
    3. By State executive council.
  - e. Distribution of the tax burden.
  - f. Special queries:
    1. Should the State levy an income tax?



2. Should a county assessor be provided to take the place of the local assessors?
  3. Should a State tax commission, with ample powers of supervision over local tax authorities, be established?
2. Education.
  - a. Illiteracy.
  - b. Education of foreigners.
  - c. The rural schools.
  - d. Vocational training.
  - e. Training an adequate number of competent teachers.
  - f. Adequate salaries for teachers.
  - g. More efficient supervision and administration.
3. Administrative Reform.
  - a. In the State government.
  - b. In county government.
  - c. In city government.
4. Financial Administration.
  - a. The establishment of an adequate budget system.
5. The Promotion of Agriculture.
  - a. The problems of the Iowa farmer.
  - b. Leasing and land tenure systems.
6. Conservation of Natural Resources.
7. Law Enforcement.
  - a. Should there be a State police?
8. Reform in Judicial Organization and Procedure.
9. Social Welfare Problems.
  - a. Child labor.
  - b. Women workers.
  - c. Treatment of delinquents and defectives.
  - d. Public health.
  - e. Housing conditions.
  - f. Vice and crime.
10. Adequate Control of Public Utilities.



## PART FOUR

### THE FEDERAL GOVERNMENT

#### I. *The Legislative Department*

##### A. The Congress — General Considerations.

1. Composition.
  - a. The Senate.
  - b. The House of Representatives.
2. The Authority of Congress.
  - a. A body of limited powers; not a sovereign body.
  - b. All its powers are delegated to it by the Constitution.
  - c. Congress has absolute control over the powers thus conferred.
  - d. Powers actually enumerated in the Constitution.
  - e. Implied powers.
    1. Importance of the doctrine of implied powers and illustrations of the manner in which the Constitution has been expanded by means of it.
3. Sessions of the Congress.
  - a. Time of meeting.
    1. Consequences of the long period of time elapsing between the time of the election of a new Congress and the time of its first regular meeting.
  - b. Long Session of Congress.
    1. Duration.
    2. Volume of work.
    3. Status of measures pending at the time of adjournment.
  - c. The Short Session.
    1. Duration.
    2. Status of measures pending at the time of adjournment.
  - d. Special sessions of Congress.
    1. When and by whom called.
  - e. Special sessions of the Senate.
    1. By whom called.
    2. Purposes.
4. Election of members.
  - a. Time of election.
  - b. Method of election.
  - c. Extent of the control of both Congress and the States over elections.
5. Qualifications of members.
  - a. Of Senators.
    1. Age.
    2. Citizenship.
    3. Residence requirement..
  - b. Of Representatives.
    1. Age.



2. Citizenship.
  3. Residence.
  - c. Each House is the judge as to the qualifications and election of its own members.
  - d. Disabilities of members.
    1. No member may hold any other federal office.
    2. No member may be appointed to an office created by Congress during his term.
    3. No member may be appointed to an office whose salary has been increased during the time for which he was elected.
  6. Compensation of members.
    - a. Salaries.
    - b. Mileage.
    - c. Clerk hire.
    - d. Stationery allowance.
    - e. Franking privilege.
  7. Privileges of members.
    - a. Freedom from arrest to and from sessions and during sessions.
    - b. Not to be held accountable in the courts for things said in debate and in the discharge of legislative duties.
  8. Power of each House to determine its rules of procedure.
  9. Constitutional provisions relating to quorum and records of proceedings.
  10. Discipline of members by each house.
- B. The Senate.
1. Composition.
    - a. Two members from each State.
    - b. Chosen by popular vote.
    - c. Before 1913 Senators were elected by the State legislatures.
    - d. Reason for the equal representation of the States regardless of size or population.
    - e. Term of office — six years.
      1. Advantages of this longer term as compared with the shorter term — two years — of Representatives.
    - f. The Senate a continuous or essentially permanent body; one-third of its members elected every two years.
  2. Organization.
    - a. The Vice-President the presiding officer.
      1. His duties those of a parliamentary officer.
      2. May vote only in case of a tie.
    - b. President *pro tempore*.
      1. Elected by the Senate.
      2. Representative of the majority party, in reality being chosen by the party caucus.
      3. Duty to preside in the absence of the Vice-President.
    - c. Other officers.
      1. Secretary.
      2. Chief Clerk.
      3. Sergeant-at-arms.
      4. Doorkeeper.



5. Legislative and reading clerks.
6. Other necessary assistants.
7. All leading officers are representatives of the dominant party and are selected by the party caucus.
3. The party caucus.
  - a. Each party has its caucus or conference.
  - b. Composed of party members, or as many of them as are willing to enter it.
  - c. An unofficial body, not recognized by the constitution or the laws.
  - d. Action of the caucus without legal force but considered morally binding upon those who participate in the caucus.
  - e. Meetings of the caucus are secret,—that is, not open to the public.
  - f. Great importance of the caucus of the majority party.
  - g. Consequences and evils of the caucus system.
4. The Senate's procedure in debate.
  - a. Practically unlimited debate.
  - b. Only a nominal closure rule.
  - c. Opportunities for filibustering and use of obstructive methods.
5. The Senate's Committees.
  - a. A large number of standing committees varying in size.
  - b. All matters of legislation are referred to committees for consideration and report.
  - c. Committees are without constitutional basis, but rest only on the rules of the Senate.
  - d. Because of its smaller size, and freedom of debate, the Senate is not so dependent upon the committees as is the House of Representatives.
  - e. Method of selecting committees.
    1. Nominated by a committee on committees whose members are named by the party caucuses.
    2. Formally elected by the Senate; in reality, however, their membership is determined by the caucuses.
    3. Both parties are represented on each committee, the majority party controlling all important committees.
6. The Senate's powers.
  - a. Legislative powers.
    1. By constitutional provision the Senate has the same legislative powers as the House of Representatives, except that it may not originate money bills.
    2. In practice the two Houses are equal because the limitation upon the Senate with regard to money bills is really of no consequence, since the Senate under its right of amending bills, may substitute an entirely new measure for the one submitted by the House of Representatives.
  - b. Executive powers and functions.
    1. Confirmation of appointments made by the President.
    2. Ratification of treaties negotiated and submitted to it by the President; a two-thirds vote of the Senators present being necessary for ratification.



3. These powers belong to the Senate exclusively.
  - c. Judicial powers.
    1. The Senate sits as a court for the trial of impeachment cases.
    2. Organization and procedure of the Senate sitting as a court.
      - a. Presided over by the Vice-President except when the President is on trial.
      - b. If the President is on trial, the Chief Justice of the Supreme Court presides.
      - c. Conviction or acquittal is by vote of the individual Senators.
      - d. Managers appointed by the House of Representatives which has voted the impeachment, act as prosecutors.
      - e. The accused is entitled to be represented by counsel.
  7. The Senate's general success, influence and present position in the government.
- C. The House of Representatives.
1. Composition.
    - a. Each State entitled to at least one member, regardless of size.
    - b. Actual number of members from a State dependent upon the population of the State.
    - c. Elected by popular vote.
    - d. Representatives regularly chosen from districts into which the States are divided, one member from each district. The State, itself, is the district for those States entitled to only one Representative.
    - e. Some Representatives elected from the States at large under authority of Congress.
      1. New members allotted to a State at the time of a new apportionment may be elected at large.
      2. If a State's representation is reduced, the entire delegation may be elected at large, if the State legislature so desires.
    - f. Size of the House determined by Congress after each regular census.
      1. On basis of 1910 census the number is 435.
      2. Population unit necessary for a Congressional district, under apportionment act of 1911, fixed at 211,877.
      3. Inequality among districts.
      4. New apportionment necessary following the census of 1920.
      5. Should the number of members be increased?
    - g. "Gerrymandering" and its results.
    - h. The rule requiring residence of a Representative within his district.
      1. Legal basis of the rule.
      2. Advantages and disadvantages.
    - i. Term of office.
      1. Two year term.
      2. Entire membership elected at the same time.
      3. Advantages and disadvantages of the short term.
      4. Consequences of the short term, taken in connection with the time of meeting as prescribed in the Constitution.



2. The House organization.
  - a. The Speaker.
    1. Method of election.
      - a. Constitutional provision concerning election.
      - b. Action by party caucus.
      - c. Action by House.
    2. Duties of the Speaker.
    3. Powers of the Speaker.
    4. The Speaker a party leader.
  - b. Other House officers.
    1. Clerk, Sergeant-at-arms, Doorkeeper, Postmaster, Chaplain, Reading Clerks, etc.
    2. Election of officers controlled by majority party caucus.
3. The House Committees.
  - a. System of standing committees.
  - b. A committee for each important subject of legislation.
  - c. Number and size of committees.
    1. Some sixty committees, varying greatly in importance.
    2. Size of committees varies, the most important having twenty members. Many have sixteen members. Smallest has two members.
  - d. Method of selecting committees.
    1. Nominated by committee on committees, named by the party caucuses. Since 1910 the Ways and Means Committee has served as the Committee on Committees.
    2. Formal election by the House.
    3. Majority party controls all committees.
    4. Minority party permitted to name its representatives on committees.
  - e. Leading committees include those on Ways and Means, Rules, Judiciary, Banking and Currency, Appropriations, Foreign Affairs, Interstate and Foreign Commerce, Military Affairs, Agriculture, Rivers and Harbors, Post Office and Post Roads, and many others.
  - f. Power of Committees.
    1. All legislative matters referred to appropriate committees.
    2. Power of committees to redraft measures referred to them.
    3. Power to draft and introduce new measures.
    4. Power to kill bills by "pigeonholing" them or by failure to report upon them.
    5. Power to hold meetings in secret, or have hearings, either public or by invitation.
    6. The real work of legislation is done in the committee room.
  - g. Influence and results of the Committee system.
    1. Good results.
      - a. Expedites work.
      - b. Permits of specialization of work by House members.
    2. Bad results.
      - a. Divides responsibility.
      - b. Destroys the unity of the House.



- c. Causes confusion through overlapping of committee functions.
  - d. Greatly limits debate in the open House.
  - e. Makes it easy for improper influences to be brought to bear upon members.
- 4. Powers of the House.
  - a. General legislative powers on equal terms with the Senate.
  - b. Exclusive powers.
    - 1. To originate money bills.
      - a. This power now of no consequence because of the Senate's right of amendment.
    - 2. To vote impeachments.
    - 3. To elect the President in case there is no choice by the Presidential electors.
- 5. House rules and procedure.
  - a. Under its constitutional right to determine its own procedure, an elaborate system of rules has been established.
  - b. Very limited debate, under strict control of the House leaders.
    - 1. Contrast in this respect with the procedure in the Senate.
    - 2. Effect of this upon the general character of the House and upon the individual members.
  - c. Functions of the Committee on Rules.
  - d. Limited freedom of members under House rules.
  - e. Efficiency of the House as a legislative machine.
- 6. Bill Procedure.
  - a. Introduction of bills.
    - 1. By individual members.
    - 2. By committees.
  - b. Reference to appropriate committee.
  - c. Committee stage.
    - 1. Investigation.
    - 2. Amendments and changes.
    - 3. Approval or disapproval.
  - d. Report of the Committee to the House.
    - 1. For adoption without change.
    - 2. For adoption with amendments.
    - 3. For indefinite postponement.
  - e. Consideration in open House.
    - 1. Debate.
    - 2. Amendment.
  - f. Final passage.
  - g. Sent to the Senate.
  - h. Procedure in the Senate, practically identical with that in the House.
  - i. Enrollment of the bill.
  - j. Sent to the President for approval.
  - k. Procedure in case of veto by the President.
    - 1. Constitutional provisions.
  - 1. Procedure in case the two Houses do not agree.
    - 1. Bill may be dropped.



2. Conference Committee may be named.
  - a. Composition of Conference Committee. Usually three representatives from each House.
  - b. Duties of the Committee.
  - c. Action of the Houses upon the Committee report.
  - d. Importance of Conference Committees.
- m. Enacted measure deposited in the office of the Secretary of State.
7. Congressional procedure in financial legislation.
8. Leadership in the House.
  - a. The party caucuses.
    1. Composition.
    2. Work.
    3. Procedure.
    4. Influence.
  - b. The Speaker as a party leader.
  - c. The majority floor leader.
    1. How chosen.
    2. Duties.
    3. Influence.
  - d. The minority floor leader.
    1. How chosen.
    2. Duties.
    3. Influence.

## II. *The Executive Department*

### A. The Presidency.

1. Attitude of the framers of the Constitution toward a national executive.
  - a. A plural executive.
  - b. A single executive.
2. Prototype of the Presidency in the State governorships.
3. Influence of the failure of the Articles of Confederation with respect to the new national executive.
4. The general fear of a strong executive.
5. Intent of the Constitution makers concerning the character of men to be chosen President.
6. Their opposition to having the Presidency a prize for party struggles.
7. Development of the Presidency and its influence.
8. Present status of the Presidency.

### B. The President.

1. The election of the President.
  - a. The formal constitutional method of election.
    1. Each State to choose Presidential electors.
    2. Number of electors.
      - a. From each State.
      - b. Total number.
    3. Method of choosing electors to be determined by State legislatures. Different methods have been employed.
      - a. Election by State legislatures.
      - b. Election from districts by popular vote, one elector from each district.



- c. Election by popular vote from the State at large, the voter voting for the whole number to which the State is entitled.
4. Meeting of electors.
  - a. At respective State capitals.
  - b. At time prescribed by Congress.
5. Method of voting by the electors.
  - a. Original plan of the Constitution.
  - b. To what extent was this successful and how long was it followed?
  - c. Reasons for the breakdown of this original plan.
  - d. The twelfth amendment.
    1. When adopted.
    2. Purpose and provisions.
6. Certification and recording of electoral votes of each State.
  - a. One record of the vote sent to the President of the Senate at Washington by mail.
  - b. One record sent to the President of the Senate by messenger.
  - c. One record filed with the federal judge of the district in which the State capital is situated.
7. Counting the electoral votes.
  - a. In the presence of both Houses of Congress.
  - b. President of the Senate presides at this joint session.
  - c. Candidate for President having the highest number of electoral votes, providing he has a majority of the whole number, is declared elected.
  - d. Same provision for the election of the Vice-President.
  - e. If there is no choice of a President, the election goes to the House of Representatives.
    1. House must choose from the candidates having the highest electoral vote, not exceeding three in number.
    2. Vote is by States, each State having one vote.
  - f. If there is no choice of a Vice-President the election goes to the Senate.
    1. Senate must choose from the two candidates having the highest electoral vote.
    2. Vote is by individual Senators, not by States, a majority of the whole number of Senators being necessary for a choice.
8. The legal, constitutional election of the President is by the presidential electors, no matter how they may be chosen, unless the choice is thrown upon the House of Representatives.
9. Failure of the electoral plan as provided in the Constitution.
  - a. Caused by the coming of political parties.
  - b. Attitude of Constitution makers toward the political parties. (See warning against the "baneful effects of the Spirit of Party" in Washington's famous Farewell Address.)



- b. Actual method of choosing the President and Vice-President.
  1. Selection of the party candidates.
    - a. Calling of the party's national convention by the national committee.
    - b. Selection of delegates to the national convention by the States and Territories.
      1. In some States the delegates are chosen by conventions, district and State.
      2. In other states delegates are chosen at presidential primaries.
    - c. Meeting of the national convention at the time prescribed, and the organization for work.
    - d. Nomination of candidates by vote of the delegates.
    - e. The election campaign under the direction of the national committees.
    - f. At some time before the November election the political parties in each State must nominate presidential electors, in the manner prescribed by the State legislature.
      1. May be by party conventions, district and State.
      2. May be by party primaries.
    - g. The presidential election on the first Tuesday after the first Monday in November,—the day fixed by act of Congress.
    - h. Meeting of the electors of each State chosen at the November election on the second Monday in January next following, at which the constitutional election of the President and Vice-President takes place.
    - i. Counting of the electoral votes by the two Houses of Congress on the second Wednesday in February, as prescribed by Congress.
    - j. Inauguration of the President on the fourth of March.
    - k. Method of voting at the November election.
      1. Voter does not vote directly for President and Vice-President.
      2. Votes for electors of his own party.
      3. In all States voter votes for entire number of electors to which his State is entitled,—the general ticket system.
      4. Voters simply express their preference among various sets of electors; no election of a President occurs.
    1. Consequences of this system of election.
      1. The November election not a genuine popular election.
      2. Really an election by States.
      3. The result is that frequently a minority president is chosen, that is, a candidate may have a majority of the electoral votes and only a minority of the popular vote.

Examples: Lincoln in 1860; Harrison in 1888; Wilson in 1912.



4. Election of a minority President due to the use of the general ticket system.
    - a. Entire electoral vote of a State goes to the candidate carrying it, no matter how small the popular majority or plurality may be.
  5. Effect of this system upon the campaigns in "doubtful" or "pivotal" States.
  6. Criticism of the electoral system under present conditions.
- C. The Powers and Duties of the President.
1. As chief executive of the nation.
    - a. Constitutional provisions relating to both powers and duties.
  2. The President's ordinance power, or power to make administrative rules and regulations by executive order.
  3. Power to grant pardons and reprieves.
  4. Military powers.
    - a. Commander-in-chief of the army and navy.
    - b. Limited power in time of peace.
    - c. Expansion of his military authority in time of war.
    - d. Grants of authority by Congress in time of war.
  5. Power of appointment.
    - a. Constitutional provisions.
    - b. Appointments requiring confirmation by the Senate.
    - c. Appointments not requiring confirmation.
    - d. Function of the Senate in connection with appointments.
      1. Constitutional provisions.
      2. Intent of this provision.
      3. The Senate's practice.
        - a. "Senatorial Courtesy" rule.
        - b. Effects of this practice.
    - e. Importance of the appointing power.
      1. From the standpoint of efficient administration.
      2. From the standpoint of party organization and success.
    - f. The patronage problem and evils.
  6. Power of removal.
    - a. The Constitution silent on this matter.
    - b. Power of removal held to inhere in the power of appointment.
    - c. The President's power to remove officers whom he appoints unlimited except in the case of judges, who hold office for life and may be removed only by impeachment.
    - d. Power of removal not applicable to officers holding places under the protection of the civil service.
  7. The President and Foreign Relations.
    - a. The President alone has power to communicate with foreign governments.
    - b. Appoints ambassadors, ministers, and other diplomatic officers of the United States, subject to confirmation by the Senate.
    - c. Receives ministers of foreign governments accredited to the United States.



- d. May grant or withhold recognition by the United States, of newly established governments.
- e. Full control of the nation's foreign policy rests with the President except in two respects:
  1. He cannot declare war. This can be done only by Congress.
  2. He cannot make treaties effective without the approval of the Senate.
- f. The President and the making of treaties.
  1. He alone has power to negotiate treaties.
  2. In negotiating treaties, he may ask the Senate's advice or not, just as he pleases.
  3. The President is free to negotiate treaties upon any subjects and for any purposes, as long as he does not act contrary to the Constitution.
  4. The treaty as negotiated must be submitted to the Senate and receive its approval by a two-thirds vote of the Senators present before it can become effective.
  5. The President cannot compel the Senate to give its approval of a treaty.
  6. The Senate has a right to reject a treaty or to make amendments.
  7. The President is not required to accept amendments by the Senate.
  8. The President is free to withhold an exchange of ratifications with the foreign government interested, even after the Senate has given its consent.
8. The President and Legislation.
  - a. His constitutional powers.
    1. To recommend new laws.
      - a. The written message.
      - b. The oral message.
    2. The President's veto.
      - a. Procedure in case of a veto. Constitutional provisions.
      - b. Growth in the use of the veto.
        1. Intention of the Constitution makers.
        2. Practice of the early Presidents.
        3. Practice of Andrew Jackson and the Presidents since his time.
        4. Attitude of the people toward the use of the veto.
  - b. The President's influence in legislation as the leader of his party.
  - c. The President's influence as leader of the nation,—the one officer who is truly national in character.
- D. The Cabinet.
  1. The name "cabinet" applied to the heads of ten executive departments considered as a group of advisers to the President.
  2. Each member as the head of a department has a definite legal status.
  3. The cabinet as a collective body has no legal or constitutional status, but rests wholly on custom.
  4. The function of the cabinet is that of an unofficial advisory body.
  5. Relation of the Cabinet to the President.



- a. A wholly personal relation, not recognized by either the Constitution or the laws.
  - b. The President is free to consult with the cabinet, or not just as he pleases.
  - c. The President is not obligated to accept the advice of his cabinet.
  - d. Members of the cabinet are not responsible for the acts of the President.
  6. Meetings of the cabinet.
    - a. Regular meetings usually held.
    - b. Special meeting called by the President, whenever he pleases.
    - c. No meetings need be held, if the President so desires.
    - d. Meetings are secret.
    - e. No official records are kept.
  7. The cabinet as a party body, assisting the President as party leader.
  8. As the head of a department, each cabinet member has definite legal duties to perform, as prescribed by Congress.
- E. The Administrative Departments.
1. General plan of departmental organization.
    - a. At the head of each department is a member of the Cabinet called Secretary.
    - b. Head of each department responsible to the President.
    - c. In each department may be Assistant-Secretaries, responsible to the department head.
    - d. The department is the largest unit of administration.
    - e. Each department divided into smaller units, called bureaus.
    - f. At the head of each bureau is an officer commonly called bureau chief.
    - g. Bureaus are divided into smaller units, called divisions.
    - h. An officer at the head of each division, responsible to the bureau chief.
    - i. In each division there is a large number of clerks, stenographers, and other employes.
    - j. Method of appointing heads of departments, assistant-secretaries, and bureau chiefs.
    - k. Tenure of office.
      1. Compensation.
    - m. Removal of heads of departments.
      1. By the President.
      2. By impeachment.
    - n. Removal of other departmental officers.
  2. The individual departments and their work and organization.
    - a. Names of departments.
      1. Department of State.
      2. Department of the Treasury.
      3. Department of War.
      4. Department of the Navy.
      5. Post Office Department.
      6. Department of the Interior.
      7. Department of Justice.



8. Department of Agriculture.
9. Department of Commerce.
10. Department of Labor.
- b. Points to be considered in connection with each of the departments.
  1. When established.
  2. Duties and powers as provided by acts of Congress.
  3. Relation of the departments to Congress.
  4. Organization.
    - a. Secretary.
    - b. Assistant-Secretaries.
    - c. Other important departmental officers.
    - d. Bureaus into which each department is divided for administrative purposes.
      1. Functions of each bureau.
    - e. Divisions and other administrative units in each bureau.
      1. Functions of each.
    - f. Centralized character of the departmental organization.
  - c. General success of the administrative system.
  - d. Over-lapping of functions, with consequent confusion and waste; need for better co-ordination.
  - e. Bureau of the Budget.
    1. Organization.
    2. Powers and duties.
    3. Relations to President, Congress, and Executive departments.
  - f. General problem of administrative reform.
- F. Independent Commissions and Officers.
  1. The Interstate Commerce Commission.
    - a. When established.
    - b. Duties and powers.
    - c. Membership.
      1. How chosen.
      2. Term of office.
      3. Compensation.
    - d. Organization.
    - e. Procedure and methods of work.
    - f. Relation to other departments of the Government.
  2. United States Railroad Labor Board.
    - a. When established.
    - b. Membership.
      1. How chosen.
      2. Whom do they represent.
      3. Term of office.
    - c. Duties and powers.
    - d. Procedure.
  3. Federal Trade Commission.
    - a. When established.
    - b. Membership.
      1. How chosen.
      2. Term of office.



3. Compensation.
  - c. Duties and powers.
  - d. Organization.
  - e. Procedure.
  - f. Relation to other departments of government.
  4. Civil Service Commission.
    - a. When established.
    - b. Membership.
      1. How chosen.
      2. Term of office.
      3. Compensation.
    - c. Duties and powers.
    - d. Organization.
      1. Chief examiner.
      2. Secretary.
      3. Application division.
      4. Examining division.
      5. Appointment division.
      6. Bureau of information.
    - e. Procedure.
    - f. Relation to other departments of government.
    - g. Provisions of the Civil Service laws.
    - h. General working and success of the civil service system.
    - i. The problem of patronage and "spoils" system.
  5. Federal Reserve Board.
    - a. When established.
    - b. Membership.
      1. How chosen.
      2. Term of office.
      3. Compensation.
    - c. Duties and powers.
    - d. Organization.
    - e. Procedure.
    - f. General plan of the Federal Reserve Bank system.
    - g. Success of the system.
  6. Government Printing Office.
  7. Other miscellaneous boards and commissions.
- III. *The Judicial Department*
- A. Historical Considerations.
    1. Judicial systems in the Colonies.
    2. Judicial arrangements under the Articles of Confederation.
    3. Reasons for providing a system of federal courts under the Constitution.
    4. Attitude of the constitution makers toward the proposed federal courts.
    5. Attitude of the people generally toward the proposed federal courts at the time the constitution was before the States for ratification.
  - B. Constitutional provisions concerning the organization of the federal courts.



1. "The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish." (Article III, Section 1.)
  2. Judges to hold office during good behavior, — life appointment.
  3. Compensation of judges to be fixed by Congress, but may not be reduced during their continuance in office.
  4. Judges to be appointed by the President and confirmed by the Senate.
  5. Judges to be removed only by impeachment.
- C. Organization of the federal courts.
1. In the beginning, under the Judiciary Act of 1789.
  2. Development of the court system in the course of the nation's history.
  3. Present organization under the Judicial Code enacted by Congress on March 3, 1911, and effective January 1, 1912.
    - a. The Supreme Court.
      1. Composed of nine justices of whom one is Chief Justice.
      2. Chiefly an appellate court, its appellate jurisdiction being determined by Congress.
      3. May be given original jurisdiction by Congress.
      4. Has original jurisdiction in two classes of cases by provisions of the constitution.
        - a. In cases affecting ambassadors, other public ministers and consuls.
        - b. In cases in which a state may be a party to a suit.
      5. Sessions.
        - a. Required by law to hold at least one session annually beginning on the second Monday in October. This regular session usually continued until May or June.
        - b. Special or adjourned sessions may be held whenever the Court desires.
      6. Compensation of Justices.
        - a. Chief Justice.
        - b. Associate Justices.
    - b. The Circuit Courts of Appeals.
      1. Nine of these courts — one in each of the nine circuits into which the United States is divided.
      2. Are appellate courts.
      3. Jurisdiction determined by Congress. (Judicial Code.)
      4. Number of judges varies from three to five.
      5. Each of the nine members of the Supreme Court assigned to one of the courts.
      6. Required by law to hold several sessions annually, sitting in different cities of the circuit.
      7. Jurisdiction final in many cases as prescribed by law.
      8. Compensation of judges.
    - c. District Courts.
      1. Eighty-one of these courts, one in each of the eighty-one districts into which the country is divided.
      2. Each state constitutes at least one district.



3. As a rule each district has one judge. In a few, one judge serves two districts—and in some, additional judges are provided by law.
4. The District Court is exclusively a court of original jurisdiction.
5. It hears both civil and criminal cases, the extent of its jurisdiction being determined by Congress. (Judicial Code.)
6. Criminal jurisdiction limited to offenses made criminal by federal law.
7. Sessions.
  - a. Regular sessions held at stated times in different cities within the district as determined by law.
  - b. Special sessions may be held whenever the district judge feels there is need.
8. Larger districts divided into smaller divisions, in each of which court is held at fixed times.  
*Example.* Iowa, a typical state, is divided into two districts, known as the Northern and Southern districts; in the Northern district there are four divisions, and in the Southern district, six divisions; in each of which court is held twice a year.
9. Compensation of District judges.
10. Relation of District Attorneys and United States Marshals to District Courts and Circuit Courts of Appeals.
- d. Special Courts.
  1. Court of Claims.
    - a. Purpose and jurisdiction.
    - b. Consists of five judges.
    - c. Sits at Washington.
  2. Court of Customs Appeals.
    - a. Purpose and jurisdiction.
    - b. Consists of five judges.
    - c. Sits at Washington.
  - e. Various Courts of the District of Columbia.
- D. The Jury System.
  1. The Grand Jury.
    - a. Indictment by a grand jury required by Fifth Amendment to the Constitution before a person may be tried in the federal courts upon a criminal charge.
    - b. Federal grand jury consists of not less than sixteen members nor more than twenty-three.
    - c. Used only in connection with the District Court, and summoned when the District judge considers it necessary.
    - d. Selection of jurors regulated by law.
  2. The Trial Jury.
    - a. Trial jury in criminal cases required by Sixth Amendment.
    - b. Frequently used in civil cases, as provided by law.
    - c. Used in trial of cases before the District Court.
    - d. Jury consists of twelve persons.
    - e. Selection and service of jurors regulated by law.



- E. Power of the Supreme Court to determine the constitutionality of laws.
  - 1. This function a distinctive feature of American government.
  - 2. Power not specifically granted to the court by the constitution.
  - 3. It was established by the Supreme Court itself as one of the implied powers of the constitution, in the famous case Marbury vs. Madison, decided in 1803.
    - a. Reasoning of the court in this case.
    - b. Constitutional principles established by this decision.
  - 4. Significance of this judicial power.
  - 5. Effect of its exercise upon the judiciary.
    - a. Public criticism of the courts.
    - b. Relation of the courts to controversial questions.
- F. Relation of Congress to the Courts.
  - 1. Control over organization of courts.
    - a. Number of courts.
    - b. Number of judges.
    - c. Compensation of judges.
  - 2. Control over jurisdiction.
    - a. Relation of courts to one another.
  - 3. Control over court procedure.
  - 4. Impeachment of judges.
- G. General success and character of the federal court system.



## PART FIVE

### THE PARTY SYSTEM

#### I. *General Considerations*

1. Nature and Purpose of Political Parties.
  - a. True political parties found only in free states.
  - b. Agencies for the formation of public opinion and its effective expression through control of government.
  - c. Difference between a political party and a political faction.
    1. Factions may resort to force; parties may not.
    2. Parties may develop from factions.
    3. Parties characterize political life of free state; factions, that of autocratic and despotic states.
2. Character of the American party system.
  - a. Fundamentally a two-party system.
  - b. Two leading parties contest for control of the government.
  - c. Each party maintains a complete organization from the nation down to the local government units.
  - d. Minor or so-called third parties always in existence.
    1. Influence and service of these, both good and bad.

#### II. *Development of American Political Parties.*

1. In colonial times.
  - a. Whigs and Tories.
2. In connection with the American Revolution.
  - a. Patriots and Loyalists.
3. In connection with the adoption of the Constitution.
  - a. Federalists and Anti-Federalists.
4. Leading Parties since the establishment of the Union.
  - a. Democratic. (First known as Democratic-Republican).
  - b. Federalist.
  - c. National-Republican.
  - d. Whig.
  - e. Republican.
5. Chief Minor Parties.
  - a. Anti-Masonic.
  - b. Know-Nothing. (American).
  - c. Liberty.
  - d. Free Soil.
  - e. Abolition.
  - f. Greenback.
  - g. Prohibition.
  - h. Populist.
  - i. Progressive.
  - j. Socialist.
6. Extra-constitutional character of political parties.



III. *Party Organization and Methods*

1. Development.
  - a. Organization of local clubs by the Democratic-Republicans under the leadership of Thomas Jefferson.
  - b. Organization of the Congressional Caucus by the Federalists.
    1. Character and Composition of the Caucus.
    2. Purpose.
    3. Attitude of people toward it.
    4. Its services to the Nation.
    5. Reasons for its decline and fall.
  - c. Methods of nomination during transition period from the fall of the Caucus until the development of the National Convention.
  - d. The National Convention.
    1. Origin and development.
2. Present organization.
  - A. Conventions.
    1. National Convention.
      - a. How summoned.
    1. By call of the National Committee.
      - b. When held.
      - c. Where held.
      - d. Composition.
        1. Delegates from States and Territories.
        2. Apportionment of delegates among States and Territories.
          - a. By whom determined.
          - b. Democratic practice.
          - c. Republican practice.
        3. How chosen.
          - a. By state conventions.
          - b. By district conventions.
          - c. By district caucuses at state conventions.
          - d. By popular primaries.
          - e. How the method of selection is determined.
          - f. Differences between Republican and Democratic practices.
    - e. Functions of National Convention.
      1. Adopt party platform.
      2. Nominate candidate for President and Vice-President.
      3. Select the National Committee.
    - f. Organization and Procedure.
      1. Temporary organization.
        - a. Passing on credentials of delegates by National Committee before Convention assembles.
        - b. Selection of temporary chairman and other officers by the National Committee.
        - c. Calling Convention to order by chairman of National Committee.
        - d. Reading official call for convention.
        - e. Opening prayer.



## OUTLINE IN CIVICS

- f. Introduction of Temporary Chairman and his speech to the Convention; "Key-Note Speech."
- g. Appointment of Committees.
  - 1. Committee on Credentials.
  - 2. Committee on Permanent Organization.
  - 3. Committee on Rules.
  - 4. Committee on Resolutions.
  - 5. Number and manner of selecting committee members.
    - a. One from each state on each committee.
    - b. Chosen by state delegates.
- h. Reports of Committees.
  - 1. First—that of Committee on Credentials.
  - 2. Second—that of Committee on Permanent Organization.
  - 3. Third—that of Committee on Rules.
  - 4. Fourth—that of Committee on Resolutions or "platform".
  - 5. Method of voting on reports.
    - a. Roll of States called in alphabetical order, the chairman of each state delegation announcing its vote.
- g. Selection of candidate for the Presidency.
  - 1. Method of presenting names to the convention.
    - a. Call roll of states in alphabetical order, each state having opportunity to place some one in nomination.
    - b. Nominating speeches.
    - c. Seconding speeches.
  - 2. Balloting upon names presented.
    - a. Roll call of states, the chairman of each state delegation announcing the vote.
    - b. Many ballots may be required before nomination is made.
    - c. Republican practice is to nominate by simple majority.
    - d. Democratic practice requires a two-third vote to nominate.
    - e. Significance of unit rule as recognized by Democratic practice.
- h. Selection of candidate for Vice-Presidency.
  - 1. Procedure same as in nominating presidential candidate.
- i. Election of the National Committee.
  - 1. Each state delegation selects some one to be national committeeman from the state it represents. The committeeman need not be a member of the state delegation.
  - 2. Formal election of the committee is by the national convention.



- j. Adjournment, *sine die*.
- 2. State Convention.
  - a. How summoned.
    - 1. By call of State Central Committee.
  - b. Time and place determined by state committee.
  - c. Composition.
    - 1. Delegates from counties.
    - 2. Apportionment of delegates among counties determined by state committee, usually on basis of the party vote at the last general election.
    - 3. How chosen.
      - a. Usually by county convention.
      - b. May be by popular primaries.
      - c. In some states selection of delegates regulated by state law; in others, by party rules.
  - d. Functions of State Convention.
    - 1. Adopts state party platform.
    - 2. Selects State Central Committee.
    - 3. Nominates candidates for state offices in states where this procedure is recognized.
    - 4. Nominate candidates for state offices, when, under the requirements of state law, no choice is made at the primary, as in Iowa.
    - 5. Powers of state conventions vary in different states, according to provisions of state laws.
  - e. Organization and Procedure.
    - 1. Temporary organization.
      - a. Passing on credentials of delegates by State Central Committee before convention assemblies.
      - b. Selection of temporary chairman and other temporary officers by state committee.
      - c. Calling convention to order by chairman of State Committee.
      - d. Reading official call for convention.
      - e. Opening prayer.
      - f. Introduction of temporary chairman and his "Key-note" speech to the convention.
      - g. Appointment of committees.
        - 1. Committee on Credentials.
        - 2. Committee on Permanent Organization.
        - 3. Committee on Rules.
        - 4. Committee on Resolutions.
        - 5. Number and manner of selecting committee members.
          - a. Usually one from each congressional district on each committee.
          - b. Chosen by caucus of delegates from each congressional district.
    - h. Reports of Committees.
      - 1. Committee on Credentials.



## OUTLINE IN CIVICS

2. Committee on Permanent Organization.
2. Proceedings under Permanent Organization.
  - a. Report of Committee on Rules.
  - b. Report of Committee on Resolutions; adoption of platform.
  - c. Selection of candidates for state offices.
    1. Nominating speeches.
    2. Balloting.
      - a. Roll call of counties, the chairman of each county delegation announcing the vote of his county.
      - b. Usually nomination made by majority vote.
  - d. Election of State Central Committee.
    1. Formal election of committee members by state convention.
    2. Real choice of committeemen made by congressional district caucuses, composed of the delegates to the state convention from the congressional districts. In some states other districts than the Congressional are the units of representation.
  - e. Adjournment, *sine die*.
3. County Convention.
  - a. How summoned.
    1. By call of County Central Committee upon authorization of State Committee or provisions of state law.
  - b. Time and place determined by County Central Committee or by state law, as in Iowa.
  - c. Composition.
    1. Delegates from election precincts into which the county is divided, — townships, wards, or other smaller districts.
    2. Number of delegates from each precinct usually determined by party vote at last general election.
    3. How chosen.
      - a. In some states, by caucuses which all members of the party in the precinct are free to attend.
      - b. In some states, by popular primaries under state law.
      - c. In some states, method of choosing delegates is regulated by state law; in others by party rules.
  - d. Functions of County Conventions.
    1. Choose delegates to state convention, and to special district conventions, if such are to be held.
    2. Nominate candidates for county offices in some states.
    3. Fill vacancies on county ticket and nominate candidates in case there has been a failure to nominate at the primary, as in Iowa.
    4. Adopt resolutions or county platform if the convention so desires.
  - e. Organization and Procedure.
    1. Selection of temporary chairman and secretary.
    2. Appointment of committees.



- a. Committee on Credentials.
  - b. Committee on Permanent Organization.
  - c. Committee on Resolutions.
3. Selection of Permanent officers.
4. Reports of Committees.
5. Nomination of candidates.
6. Adjournment.
4. Special district convention.
  - a. Conventions are sometimes held in districts, such as congressional, state judicial, or legislative districts to nominate district candidates.
  - b. These conventions composed of delegates from the various counties composing the district, chosen at the county conventions.
  - c. Procedure similar to that of county and state conventions.
5. Precinct caucuses.
  - a. Mass meeting of party members within the precinct.
  - b. Called to order by precinct committeeman.
  - c. Procedure similar to that of any mass meeting.
  - d. Functions.
    1. Select member of county central committee, or nominate person for this position to be voted for at the primary required by law, as in Iowa.
    2. Select delegates to county convention, or nominate candidates for these positions to be voted on at the primary as required by law, as in Iowa.
6. General Character and Criticism of the Convention System, — National, State, and Local.
- B. Committees.
  1. The National Committee.
    - a. Composition and term of office.
      1. One member from each state.
      2. Formally elected by the National Convention.
      3. Real choice of committeemen by various state delegations in the National Convention.
      4. Serve four years from one National Convention until the next.
    - b. Organization.
      1. Officers.
        - a. Chairman, Vice-Chairman, Secretary, and Treasurer.
        - b. Officers chosen by the committee from its own members or not, as it pleases.
        - c. Custom of the Committee to name as Chairman the man designated by the Presidential nominee.
      2. Sub-Committees.
        - a. Executive.
        - b. Campaign.
        - c. Finance.
        - d. Speakers.
        - e. Publicity.



- c. Function and duties.
  1. To conduct presidential election campaign; supervising and working with and through the State Central Committees.
  2. Look after party interests and strengthen the party organization during the quiescent period between presidential elections.
  3. To call the next National Convention and make all arrangements for it.
  4. To pass, in a temporary manner, upon the credentials of delegates to the convention and arrange a temporary roll.
- d. Methods of Committee in conducting presidential campaign.
- 2. The State Central Committee.
  - a. Composition and term of office.
    1. Usually one member from each Congressional district in the State; sometimes other districts are units of representation.
    2. Formally chosen by State Convention, but real choice of committeemen made by district caucuses composed of delegates from the district to the State Convention.
    3. Hold office for the period between state conventions, in most States, two years.
  - b. Organization.
    1. Officers.
      - a. Chairman, Vice-Chairman, Secretary, and Treasurer.
      - b. Officers chosen by the committee from its own members.
    2. Sub-committees.
      - a. Similar to those of the National Committee.
  - c. Functions and duties.
    1. To conduct party campaign for the election of State and National officers, working with the National Committee and through the County Central Committee.
    2. Look after party interests in the State at all times.
    3. To call the next State Convention and make arrangements for it.
    4. To pass, in a temporary way, upon the credentials of delegates to the State Convention and arrange a temporary roll-call.
    5. To select temporary officers of the convention.
  - d. Methods of Committee in conducting state campaign.
  - e. Relations between State and National Committees.
- 3. The County Central Committee.
  - a. Composition and term of office.
    1. Usually one member from each election precinct in the county, such as township, or ward.
    2. Chosen at precinct caucus or primary, as the laws of the State or rules of the party direct.
    3. Hold office for the same term as State Committee, in most states, two years.



- b. Organization.
  - 1. Officers.
    - a. Chairman and Secretary chosen by the committee from its own number.
    - b. Sub-committees may be appointed if considered desirable.
  - c. Functions and duties.
    - 1. To conduct campaign in the county for election of the party ticket, — county, State and National, — under the supervision of the State Committee.
    - 2. To call the county convention, as prescribed by the State laws or party rules.
    - 3. To select temporary officers of the county convention.
  - d. Methods of County Committee in conducting election campaign.
  - e. Relations between the County and State Committees.
  - f. Importance of the County Committee as a party agency.
- 4. Special local committees.
  - a. Judicial district committee.
  - b. Senatorial district committee.
  - c. Congressional district committee.
  - d. Composition of each, — one member from each county, chosen by the County Central Committee from its own members.
  - e. Functions.
- 5. Congressional Campaign Committee.
  - a. When, why, and by whom established.
  - b. Membership.
    - 1. Number of members.
    - 2. Chosen by party caucus consisting of party members in Congress.
    - 3. Composed of members of Congress, both Senators and Representatives.
    - 4. Differences between Republican and Democratic practices in selecting committee members.
  - c. Purpose of Committee.
  - d. Organization.
  - e. Methods.
  - f. Unofficial character of the Committee.
  - g. Objections and criticisms.

#### IV. *Problems of Party Organization and Methods*

- 1. The party boss.
- 2. The party machine.
  - a. Conditions which perpetuate bosses and machines.
  - b. Difference between "machine" and party organization.
- 3. The problem of patronage.
  - a. The spoils system.
    - 1. Origin of.
    - 2. Evils of.
  - b. Civil service reform.



4. Nomination methods.
  - a. The convention system.
    1. Origin of.
    2. Essential features of.
    3. Good qualities.
    4. Abuses and evils of.
    5. Proposed remedies.
  - b. Direct primary system.
    1. Origin of.
    2. Kinds.
      - a. Closed primaries.
      - b. Open primaries.
    3. Reasons for.
    4. Procedure.
    5. The primary in theory and in practice.
    6. Strength and weakness of the primary.
    7. Criticisms of.
    8. Proposed remedies and reforms.
5. Party finance.
  - a. Campaign contributions.
    1. Methods of raising money.
    2. Sources of.
      - a. Individuals.
      - b. Corporations.
    3. Evils in connection with raising funds.
    4. Regulation by law.
  - b. Campaign expenditures.
    1. Purposes of.
    2. Cost of election campaigns, state and national.
    3. Improper uses of money in campaigns and their evil results.
    4. Need for effective control of campaign expenditures.
    5. The problem of regulation by law.



## PART SIX

### GROWTH OF THE CONSTITUTION

#### I. *General Considerations*

1. Attitude of constitution makers with respect to division of powers between States and Nation.
2. Growth of the powers of the national government since the adoption of the Constitution.
  - a. Reasons for this expansion.
3. Present tendencies toward concentration of power in the national government.
  - a. Reasons for.
  - b. Objections to centralization.
4. The advantages and disadvantages of a written constitution.
5. The necessity for constitutional readjustment from time to time.

#### II. *Methods of bringing about Constitutional Changes*

1. By amendment.
  - a. Methods of proposing amendments. (Article V of the Constitution.)
    1. By action of Congress.
    2. By action of the legislatures of two-thirds of the States and a national constitutional convention. Thus far, this method has not been used.
  - b. Methods of ratifying amendments.
    1. By state legislatures.
    2. By conventions within the States. This method not yet used.
    3. Congress to determine which method to be used.
  - c. Number and purpose of the amendments adopted.
  - d. Extent to which fundamental constitutional changes have been brought about by amendment as a result of the pressure of public opinion.
  - e. Is the amendment procedure undemocratic?
  - f. Should an easier method of amendment be provided?
    1. Reasons for.
    2. Reasons against.
2. By judicial construction.
  - a. Power of the Supreme Court to interpret the Constitution.
  - b. Need for judicial interpretation.
  - c. The doctrine of implied powers. (*McCulloch vs Maryland.*)
  - d. Extent to which the powers of the national government have been expanded under this doctrine.

*Examples*— (1) The right of the Supreme Court to declare acts of Congress and the State legislatures unconstitutional. (*Marbury vs Madison.*)

(2) The extension of the powers of Congress under the interstate commerce clause and the curtailment of the powers of the States.
  - e. Should the Supreme Court have this great power?



- f. Benefits that have come from judicial construction of the constitution.

III. *Importance of certain great acts of Congress in the development of the actual system of Government under the Constitution*

1. The Judiciary Act of 1789.
2. The acts creating the executive departments.
3. The Judicial Code of 1912.
4. Acts creating the Interstate Commerce Commission, Federal Reserve System, and other branches of government.
5. *Note.*—The formal constitution cannot, of course, be changed by law of Congress, but the actual, or working Constitution may be modified.

IV. *Extent to which custom or usage has modified the working of government under the Constitution*

1. Importance of custom and tradition in all governments.
2. Examples of changes brought about in this way in the United States.
  - a. The development and use of political parties.
  - b. The practical nullification of the Constitution with respect to the electoral college; the election of the President by popular vote.
  - c. The President's Cabinet as a collective body.
  - d. The committee system in Congress.
  - e. The party caucus in Congress.
  - f. The rule of "Senatorial Courtesy" and the curtailment of the President's power of appointment.



## BOOK LIST

### Some Representative High School Texts:

- ASHLEY. *American Government*. Macmillan.  
 FORMAN. *The American Republic*. Century.  
 GARNER. *Government in the United States*. American Book.  
 GUITTEAU. *Government and Politics in the United States*. Houghton Mifflin.  
 JAMES AND SANFORD. *Government in State and Nation*. Scribners.  
 MOSES. *The Government of the United States*. Appleton.  
 SMITH. *Training for Citizenship*. Longmans.  
 WOODBURN AND MORAN. *The Citizen and the Republic*. Longmans.

### A few Books of Special Value for Reference:

- BEARD. *American Government and Politics*. Macmillan.  
 BRYCE. *The American Commonwealth*. Macmillan.  
 GOODNOW. *City Government in the United States*. Century.  
 HAINES AND HAINES. *Principles and Problems of Government*. Harpers.  
 KIMBALL. *State and Municipal Government in the United States*. Ginn.  
 MACY AND GANNAWAY. *Comparative Free Government*. Macmillan.  
 MATTHEWS. *Principles of State Administration*.  
 MUNRO. *The Government of American Cities*. Macmillan.  
 MUNRO. *The Government of the United States*. Macmillan.  
 PORTER. *Local Government in the United States*.

### Additional Books for the Library and for Reference:

- BRYCE. *Modern Democracies*. Macmillan.  
 CHILDS. *Short Ballot Principles*. Houghton Mifflin.  
*Cyclopedia of American Government*. 3 vols. Appleton.  
 DEALEY. *Growth of American State Constitutions*. Ginn.  
 FAIRLIE. *Local Government in Counties, Towns and Villages*. Century.  
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