
A State Judiciary Building

*Is Now Proposed to be Erected at
Des Moines
on the State Capitol Grounds*

JK
1651
.18
159
1916



FOREWORD.

This pamphlet is prepared under authority of the Chairman of the Committee of the Iowa State Bar Association, whose names are found in the letter of Justice H. E. Deemer, immediately following this statement.

It is prepared for the purpose of setting forth concisely the reasons and facts supporting the effort to obtain from the legislature of Iowa, an appropriation to erect such a building as will in fireproof construction safely house and protect the great law library now the property of the State, and which could not be duplicated in event of loss, also to furnish suitable accommodations for the Supreme Court, the Clerk of the Court, and Attorney General, and his assistants.

The State Bar Association at its meeting at Burlington, in June, 1914, took action on the proposition, by appointing a committee of three of its members, and the letter of this committee of date, December 28th, 1914, (following the letter above referred to) states the necessity for such action on the part of the legislature, and the reasons therefor, in such form that it is not necessary to repeat here.

At the meeting of the Association at Fort Dodge, in June, 1915, the original Committee on Judiciary Building was enlarged by addition of one member from each Congressional District.

Extracts from letters of State Librarians to Mr. A. J. Small, Librarian at Des Moines, are given; also extracts from prominent newspapers of the State upon the subject are set forth. Attention is particularly called to the suggestion of Judge Wade from the proceedings of the State Bar Association, that effort be made to get an approval of the project for erection of the building in the platforms of the political parties and it is urged that the friends of the movement use all honorable effort to have that done.

We now have a Judges' Association including Supreme, District and Superior Court Judges, of the State. Its next meeting will be on June 28th, 1916, immediately preceding the meeting of the Iowa State Bar Association. It is respectfully submitted that the movement in favor of a Judiciary Building is one that is fitted to enlist the hearty support of the Judges of the State, and it is earnestly hoped that action will be taken by the Judges individually, and at that meeting, to that end.

This pamphlet is prepared and sent forth in the earnest hope and belief, that its purpose will be accomplished in the coming legislature of January, 1917, taking the initiatory steps toward the erection of a Judiciary Building, as so many of our sister states have done.

COMMITTEE.

Marshalltown, Iowa, May 8th, 1916.

Red Oak, April 14th, 1916.

Members of Committee of State Bar Association on Judiciary Building:

Pursuant to promise I am sending you some data regarding the need of a Judiciary Building or Temple of Justice. To save time I am enclosing substantial copies of a letter prepared by a Committee of the State Bar Association for the year 1914-15, and also of a letter sent me by Mr. Small of the State Law Library which pretty fully cover the ground.

For the information of those of our Committee who were not present at our recent meeting I may add that our plans contemplate:

1st. The organization by each member of his own Congressional District, selecting a sub-committeeman for each county who will give the matter his active attention and be responsible to and under the direction of the Congressional Committeeman.

2nd. An educational campaign to be conducted through the local newspapers.

3rd. A pre-primary and pre-election canvass of the several candidates in all the counties of the State for both houses of the legislature and an effort to convince him of the merits of our proposition.

4th. The procurement of resolutions favoring the proposition from all the City and County Bar Associations of the State.

5th. The adoption of resolutions by the several party conventions of the State favoring the project.

6th. Another meeting of our Committee at 1:00 p. m. on the first day of our coming State Bar meeting at Dubuque, this meeting occurring on June 29th and 30th.

Each and all of these matters are of great importance and the first step should be the immediate organization of the sub-committees.

With proper and united effort there is hope of success.

Will you kindly make reports from time to time to our Secretary, Mr. Devitt. It might be well to send him the names and addresses of your sub-committee appointees.

The members of our Committee are as follows:

H. E. Deemer, Chairman, Red Oak.

J. A. Devitt, Secretary, Oskaloosa.

J. L. Carney, Marshalltown.

A. A. McManus, Keokuk.

H. M. Havner, Marengo.

C. W. Mullan, Waterloo.

H. E. Taylor, Waukon.

C. H. Van Law, Marshalltown.

Henry Silwold, Newton.

E. M. McCall, Nevada.

Claude R. Porter, Centerville.

R. M. Wright, Fort Dodge.

W. A. Helsell, Odebolt.

Cordially yours,

H. E. Deemer,
Chairman.

Letter of Committeemen of Iowa State Bar Association appointed at meeting at Burlington in June, 1914:

December 28th, 1914.

Dear Sir:—

Much is being said about the congested condition and overcrowding of our Capitol building and the need of another structure for relief. That the Capitol is inadequate to house all three departments of government, is conceded; but there is some difference of opinion as to what course to pursue to bring about the best results. The legislative department has ample room for all its needs; and the executive, with its many sub-divisions, should, if possible, be taken care of in the Capitol building itself, instead of being housed in separate structures, without any distinct line of cleavage between the different administrative boards, divisions, etc.

In the event a new building is erected it is manifest that the Judicial of all departments should be cared for in a building by itself. The reasons for this are cogent:

1st. Because of precedent which is always bottomed on experience of men and of governments. In all countries where the common law prevails, particularly in England, the judiciary, with its several departments, is housed in separate buildings, and in nearly as many more such buildings are in contemplation.

2nd. Economy of time and in service. In a judiciary building the entire department of Justice, the Courts, its Clerk and Reporter, the Attorney General, Commerce and other special counsel, the Railroad and Industrial Commissioners and other bodies having semi-judicial functions, are housed.

3rd. The State Law and Reference Library is also housed in such building. Our own invaluable State Library is subject to the hazards of fire and is now being rapidly deteriorated by excessive heat in its present quarters, and it should be housed in a modern fire-proof building. If our library were destroyed as was that of New York and Wisconsin, it would be impossible to duplicate it at any expense, for many works are out of print, and many more could not be obtained for anything like their original cost. The fire hazard is now so great that no prudent business man under the same conditions would tolerate it any longer than absolute necessity required. It must not be forgotten that it was by a miracle, as it seems, saved when we had the last fire in our State Capitol building.

4th. The erection of a judiciary building would practically vacate more than one-half of the first floor of the present building, and by converting of the present space occupied by the State Law Library into two or three tiers of office rooms, enough offices could be made to take care of all boards and commissions for the next fifty years.

5th. By reason of lack of co-ordination

of the numerous boards and commissions already created, and of the overlapping of their functions, it is obvious that readjustments will be made and that in the future we are likely to have less, rather than more full fledged commissions. The work will ultimately be done by departments or bureaus, under one or more chiefs, and a lot of supernumeraries will be cut out.

As government by innumerable commissions is in its experimental stage, it would seem to be folly to erect a new office building for such bodies, especially as such a structure could not easily be converted into anything other than an office building. Before such a building is constructed, the State should at least have adopted a policy quite as permanent as that of the Court with its several departments. We refer to this latter matter because efforts have been, and are now being made to secure an appropriation from the coming legislature for an office building to house the many boards and commissions already mentioned.

Independent of the fact that we are lawyers and especially interested in a judiciary building, we feel as citizens that it would be a fatal mistake to erect an office building at this stage of the State's development.

The last and final point is that the judiciary is not properly housed. There is not now nor do we see any room for the seventh judge added to the Supreme Court, and if others were added so as to make nine, in accord with the thought of the general assembly, there will be no place for them when the legislature is in session. Again the Supreme Court Reporter and the Commerce Counsel with his assistants have no room in which to work and as they must have access to the law and legislative reference library, they could not well be transferred to an office building.

A new judiciary building would relieve all this congestion and house the different departments of government where they belong.

We are enclosing some clippings from newspapers and other data which contain the arguments for a judiciary building, and we also call your attention to pages 162, 165 and 166 of the proceedings of the 1914 State Bar Association for other reasons for the Temple of Justice. We trust you will read all of these, and if you have a city or county Bar Association, that you will bring the matter before such association some time before January tenth, and see that proper steps are taken to present the matter to your members of the legislature; and also to get your newspapers to endorse the "Temple of Justice" as against the office building or other proposition.

If you have no Bar Association, call in a few lawyers and lay such plans as will bring about what we, as a committee from the last Bar Association, believe to be a

matter of vital importance to the State. At any rate, we should like to have you canvass the matter with your members of the legislature and advise us as soon as possible of the result.

Respectfully yours,

H. E. Deemer,
J. L. Carney,
J. A. Devitt,

Committee of the State Bar Association.

To the Committee on Judiciary Building:
I submit the following reasons for the erection of a Judiciary Building:

Gentlemen:—

At least ten per cent of our library would be impossible to replace if destroyed by fire. The library is wholly of wood and inflammable and should any one accidentally step on a match in any of the galleries, which are carpeted, there would be grave danger of the total destruction of the entire library. In addition to the hazard of the liability and possibility of conflagration, the books are continually being damaged and destroyed by the intense heat in the upper galleries. Among these volumes are some of the rarest and most expensive, being those of the colonial laws and reports; also Roman civil law. The crowded condition of the library compels us to put the books least used on the top floors, hence there is no way to remedy the trouble.

The overcrowding of the library is a matter of much concern as we are now placing books upon the ledges of the shelves, on the floors of the galleries, and in the attic. Without relief is had, the library will become in a most deplorable, congested condition, illy-arranged and inaccessible, as we are already compelled to divide sets and place them in an available spot. We have no storeroom whatever, other than in the attic and are obliged to use one of the alcoves for a workroom, which not only deprives the library of this space much needed for reading purposes, but also presents a bad appearance in having these odds and ends of unbound accumulated material in sight.

The fire which destroyed the house some years ago did not reach the library proper but something like 30,000 to 40,000 volumes were "dumped" on the portico in front of the library, and as a consequence we lost quite a number of volumes and many were so badly injured and broken that they had to be rebound, and the most serious damage was the loss of covers and labels of some of the earlier English, Irish and Scotch statutes, which happened to be on the fourth floor and evidently were roughly used.

The ventilators, in case of fire, would serve as a flue to spread the fire as it did in the House Chamber.

Considering the fire hazard the State is running a great risk and the State of Iowa could better afford to lose the entire State

House than the volumes contained in the library, for a much better building could be reproduced but the library can never be replaced, to say nothing of the loss and inconvenience to the courts, state departments for whose benefit the library is provided.

Fully one-third of the Capitol could be vacated by the removal of the judicial and legal departments. My thought in the matter has been that the State House should be made an Administration Building and for the convenience of all concerned, the judicial and legal departments housed altogether. I need not call attention to seven judges and only provision for six with no place for the Court Reporter, Commerce Counsel, and portions of the legal departments of the railroad commission. The three commissioners are now temporarily occupying committee rooms, Judge Henderson is located across the street, and Mr. Whitney in the Lieutenant Governor's room.

From now on I will endeavor to get together all the material possible bearing upon a Judiciary Building and send to you from time to time such data. If we can "head off" the Office Building, I think the chances look very good to accomplish something the coming winter. I assure you I shall use every opportunity to show up the crowded and hazardous condition of the library and spread the needs for the "Temple of Justice."

Wishing the Committee great success in its missionary efforts, and my assurance of co-operation, I am,

Yours very truly,

A. J. SMALL, Law Librarian.

PROPOSED JUDICIAL BUILDINGS

Alabama—Judicial Building under construction.

Arizona—Judicial building being considered and next legislature will undoubtedly provide for one as Capitol is too crowded.

Colorado—Judicial building is needed and one will be built within a short time.

Georgia—Judicial building being considered to relieve congestion in Capitol Building.

Indiana—Judicial building being considered.

Michigan—Legislature will make provisions to either build a new library or an addition to the present Capitol this winter.

Nebraska—Foundation has been laid opposite Capitol for a building to house the judiciary, state library and historical society.

New Jersey—Judicial building now under consideration.

Rhode Island—Committee appointed to investigate need of a new Judicial building. Laws 1912:482.

South Dakota—Judicial building is being considered.

Virginia—The erection of an exclusive Judicial building is contemplated.

Wyoming—Judicial building being considered.

JUDICIARY BUILDINGS.

State	Building	Cost	Erect	Departments Occupying.
California	Appropriation made	\$1,000,000	1910	\$3,000,000 bond issue for the erection of buildings, including judicial.
Connecticut	Yes	100,000	1910	Library and Supreme Court.
Hawaii	Yes	100,000	1872	Library and Supreme Court.
Illinois	Yes	450,500	1906	Attorney General, Court of Appeal, Law Library and Supreme Court.
Maryland	Yes	290,000	1902	State Comp., Treas., Land, Tax Court, Fish Comm., Library, Sup. Court.
Minnesota	Appropriation made	500,000	1915	Historical Society, Law Library and Supreme Court.
Missouri	Yes	500,000	1905	Attorney General, Library and Supreme Court.
Nevada	Yes	80,000	1908	Law Library and Supreme Court.
New Hampshire	Yes	315,000	1985	Law Library and Supreme Court.
North Carolina	Yes	250,000	1913	Atty. Gen., Ins., Mines, Hist., Agri. School, Library, Supreme Court.
Ohio	Yes	400,000	1901	Public Works, Insurance, Law Library and Supreme Court.
Oregon	Yes	320,000	1914	State Printing, Attorney General, Library and Supreme Court.
Rhode Island	Yes	300,000	1906	Law Library and Supreme Court.
Vermont	Appropriation made	300,000	1913	Library and Supreme Court.
Virginia	Yes	300,000	1892	Attorney General, Auditor, Treasurer, Library and Supreme Court.
Washington	Yes	700,000	1812	Attorney General, Court Reporter, Library and Supreme Court.

The following are extracts from letters of librarians of different states where there have been Judiciary Buildings erected:

ADDRESSED TO A. J. SMALL, LIBRARIAN, DES MOINE, IOWA.

Only Material Portions of Such Letters Are Given.

From State Librarian, Salem, Oregon—The Supreme Court Library occupies practically all of the second floor. The reading-room is symmetrical. At one side of the rooms there is a consultation room for the attorneys. In the same relative position on the opposite side is the work-room, and the librarian's office. A vault opens off of the office. There are windows of course, on three sides of the reading-room. We have no table lights and find the indirect lighting system very satisfactory. The first floor of the building is devoted to the uses of the state library, and the state printer. The third floor is used by the Supreme Court. The court room is in the center, lighted by skylight and from it the judge's offices open.

From Letter of Assistant Attorney-General, Rawley, North Carolina—The building was completed in the fall of '13, and cost a little over \$200,000. The following departments are housed therein: The Supreme Court and its officers, the Supreme Court Library, Attorney-General's department, Historical Commission, State Library Commission, Hall of History, and State Library.

From Letter State Librarian, Annapolis, Maryland—Our Court of Appeals Building was erected in 1902, and cost \$290,000. The departments housed therein are the Court of Appeals of Maryland Clerk's office, Court of Appeals, State Library, office of the Comptroller of the Treasury, Land Office, State Board Offices.

From State Librarian, St. Paul, Minnesota—No steps have as yet been taken for the erection of the Historical Library and Supreme Court Building, except that a site has been purchased. The appropriation was \$500,000, which was intended to cover the costs of the building. An additional \$75,000 was given by the Historical Society to cover the purchase of a site and for equipment. I think the coming Legislature will be likely to make some changes in the plans, so I can not at this time definitely state what departments will occupy the new building. The site selected joins the Capitol grounds.

From State Librarian, Columbus, Ohio—The fact our building is a sort of an annex and connected with the main State Building,

and not standing out alone, would lead me to believe that a picture of same would not be of much help to you. It is 99 feet wide by 220 feet long, containing 44 rooms, completed October 1, 1901, at a cost of about \$400,000. The departments housed in the buildings are the Supreme Court on the third floor with the Court consultation, private judges, stenographers' and reception rooms. On the second floor are the law library with its retiring rooms, the Attorney-General's department, and the Clerk of the Supreme Court. On the ground floor are various other state departments not necessarily connected with the Supreme Court.

From State Librarian, Springfield, Illinois—The work on construction of building was commenced in the summer of 1906, and was first occupied by the Court on the 4th day of February, 1908, all departments being at that time located in the building. The entire appropriation to cover construction, site and furnishing, amounted to \$450,500.

The building is occupied by the office of the Attorney-General, Clerk of the Supreme Court, and of the Appellate Court, for the Third District, Supreme Court Law Library, Supreme and Appellate Court rooms, and conference rooms, office of reporter of decisions of Supreme Court, and the rooms of the Justices of the Supreme Court and the Appellate Court. The first floor is occupied by the Attorney-General's office, Clerk's office, and office of Marshal of Supreme Court. The second floor is occupied by library, conference rooms and Court rooms. The third floor is occupied by Chambers of the Justices of the Supreme and Appellate Courts. Each Justice has two rooms and a toilet. One room is used as an office and the other as a bed room. The Justices of the Court do not reside in Springfield, but are here only during terms of Court.

From Letter of Alexander M. Davis, of the Firm of Phemister & Co., 42 Broadway, New York City, Dated May 2, 1916—I am returning from a trip to California. Glad to give whatever testimony I can as to your needs for a Judiciary Building. It was only recently that I expressed myself at the State Library of California, when asked as to which library had the best legal historical collection, that I mentioned the Iowa State Library. Your collection is truly a very fine one, and any one is impressed with it as they pass around your galleries. The housing of the valuable collections of reports, statutes, etc., has become a very important one. Some of our more progressive states have already solved the problem by constructing a Judiciary Building. The most notable examples are at Hartford, Connecticut, Salem, Oregon, and Olympia, Washing-

ton. There are two states adjoining yours that also have Judiciary Buildings, to-wit, Illinois and Missouri. The question is being agitated in many states, and some of them have commenced constructing new buildings for the Supreme Court and Law Library. Your library has taken a great many years to collect, some of the books coming from all parts of the world, and a great many of the items can never be replaced. Therefore, the state ought to do everything it can to prevent the catastrophe that befell the New York State Library in 1911, when their entire law library valued at \$1,000,000, was destroyed by fire. I visit every law library in the United States semi-annually. There is not a library today that has a more urgent need for new quarters to relieve the congestion of books on shelves and the over-crowding of floors than yours.

I trust that the legislature of your state will plainly see their civic duty and act promptly to preserve their state library, one of the very few complete libraries in the country.

From Proceedings of Iowa State Bar Association Held at Fort Dodge, June 24 and 25, 1915—President F. F. Dawley: I will again call your attention to the matter of the Judiciary Building, which is perhaps the most important matter the meeting will have before it. I will ask the chairman to make a further report.

Justice Deemer: Your Special Legislative Committee hasn't very much to report concretely. We had some valuable experiences, in which you probably would be interested. We presented the matter to the Legislature and everybody said it was a good scheme, but they asked, Does this involve the payment of more taxes, if so it is not an opportune time. We, however, educated a few of them and better still, we headed off an office building proposition. That is about all we could accomplish. We feel, however, and want to recommend this afternoon that the committee should be enlarged, or that a new committee be selected, composed of one member from each congressional district; and that we immediately inaugurate an educational campaign to secure this Judiciary Building for the State.

So then our recommendation will be, that the committee be continued and enlarged to consist of one member from each congressional district and that we instruct this committee to initiate a campaign to secure the results at which we aim. These results can hardly be over-estimated. We have a library that cost as much as half a million dollars, subject to destruction any minute. A great deal of it cannot be replaced, because the books are out of print. The galleries are constructed of wood, with air chambers from floor to ceiling. If a waste basket should be

standing close to one of these air chambers and a fire started by a cigar stub or in some such way, it would soon destroy the entire library. My own judgment is that the books in that library alone could not be purchased at this time short of three-quarters of a million dollars. Aside from that, we now have seven Judges of the Supreme Court, and there is no private room for one of them. He is housed temporarily upstairs in one of the committee rooms and when the Legislature is in session there is no place for him. We think the only solution will be to let the administrative officers occupy one building, and that in the State House and that the State build a new building for that separate department of the government, known as the Judicial.

There can be no question as to what we ought to do. Let me warn you, unless we get busy, instead of having a Judiciary Building, we will have an Office Building, occupied by the Board of Public Health and the Food and Dairy and other Commissions.

Mr. L. G. Hurd: I do not know when it is the appropriate time to make remarks upon this subject, but pending this motion, I understand, from a parliamentary standpoint, is the appropriate time.

I do not believe there is any subject that can come before this Association that is as important as this one. I think the State needs a Judiciary Building more than anything else. I think the work in connection with it, especially the educational work, must be done by the lawyers, and I think it must start from the bottom. When you go before any member of the Legislature, or any taxpayer and talk to him about building a building, he thinks he is asked to build it himself.

Now, let a committee start a campaign just as soon as they get ready for it, or any time before the members of the next Legislature are elected, and flood them with literature, setting out the dangers to this library, and its importance to the judicial system of this State; explain to the taxpayers what proportion of the average tax goes to support the courts, and the value of the records and library; then figure out about how much it will cost each man, and hammer that into the members of the Legislature. It will have to be done systematically and thoroughly and without delay. I believe by that system of education you can get this building which we all know the State needs.

Judge W. R. Lewis: I want to say openly that I am one of those in favor of an additional building. There will have to be an expenditure anyway, as all the occupants of this building are quarreling for quarters. There ought to be a good Judiciary Building, and the way to do it, in addition to what has already been suggested, is to commence at the beginning, when the Representatives and Senators are to be selected, and elect the men

who agree to this proposition. If they do not agree to do that, do not elect them. That will be the surest way to get it.

Judge M. J. Wade: I think the committee ought to also emphasize that we will not have to buy any ground on which to put it. I want to go a little farther than my friend Judge Lewis. I think this question is big enough and important enough, not only for the present, but for the future, to get it into the platform of the respective political parties. That can be done by this committee, acting in a quiet and earnest way and in that way it will be given that publicity and force which it can have in no other way. If it can be put into the platform, there will be no trouble about getting it through the Legislature, and I think that is the way to get it.

Mr. William McNett: As this is so important a matter and ought to be made public over the State, I feel that instead of having a representation on the committee for each congressional district that we ought to have a representative for each county in the State. It is customary to elect a Representative from each county in the State, and if we are going to make this a political issue, he could represent the people of the county. Our congressional district is quite large, composed of a great many counties. It seems to me impossible for one representative of the entire district to properly take care of the work. I feel like offering an amendment to Justice Deemer's motion, giving the committee representation from each county in the State, to the end that they may more forcibly and intelligently present it to the people of the State.

Justice Deemer: I will modify my recommendation to include Judge Wade's suggestion, and move now that the committee be enlarged by the selection of one member from each congressional district, and that such committee shall call to their aid members of the Bar from each county.

The motion was duly seconded and carried.

It was publicly stated in said meeting that there was enough money left over out of the capitol extension appropriation to build the entire building, and no further amount would have to be raised. This of course depends upon the amount that would be necessary for a Judiciary Building, and is only given for the purpose of directing attention to the fact that funds remaining from the Capitol extension appropriation could be applied to no more useful purpose than the erection of a Judiciary Building.

A Temple of Justice.

(From the Council Bluffs Nonpareil, Dated October 29, 1914.)

The coming session of the Legislature will have many important measures laid before it. Among other matters will be the providing of

an additional building for the use of the state officers and commissions. At the present time the capitol building is filled to overflowing and several commissions are occupying rented quarters near the state house.

There appears to be a difference of opinion as to the character of this building, although there is a unanimity of opinion that some kind of a building is needed. Mr. Barney of the dairy commission is of the opinion that an office building arranged for the various administrative boards and commissions should be erected. The lawyers of Iowa and the State Bar Association are strongly urging that the new building be a temple of justice, or a judicial building, made of fire proof construction, and that the entire judicial department be moved into it, leaving the state house to the executive branch of the government, where all boards and commissions would be housed together. The State Bar Association is pledged to such building and the John Marshall Club of this city is exerting its efforts to that end.

There are many arguments in favor of the erection of a judicial building in preference to an office building.

Precedent is with those who favor the judicial building. Fifteen states have already erected buildings of this nature and thirteen states are considering the move.

Another strong argument in favor of a temple of justice is the fact that the judicial department is permanently established while the various boards and commissions are being created and abolished at nearly every session of the Legislature. The tendency to create boards is on the wane and an office building might be useless as such in a very few years. As one noted Iowan states:

"The strongest argument I have heard as to the need of a Supreme Court building first, is, the other building for the numerous commissions is for accommodation of a now popular tendency in civil government for the creation of a multiplicity of departments, commissions, etc., whereas this tendency as yet has not proved its permanence. If, after some years of experience, it should be found that a greater concentration is the wiser policy for the State, then a building designed to accommodate the business under that system may be found to be inadequate or inappropriate for a different one. The Court and its auxiliaries, however, have never changed, never will change, except to expand."

The State has one of the finest and largest law libraries in the United States. At the present time this is in the State House and is subject at any time to be destroyed by fire. The quarters in which it is stored are so crowded that Mr. A. J. Small, the librarian, is required to place the books on the aisles on

the floor, or window ledges, and in the attic. As the rare and costly colonial reports are the least used they are placed in the top of the room where the heat, in summer time, goes over the 100 mark. This heat is very dangerous to books on the top shelves and in the attic. In the present location the library is crowded and inaccessible as well as inconvenient to those who have to use it. If for no other reason the preservation of Iowa's great law library should be sufficient to determine the Legislature on a judicial building. Another argument urged is that the Supreme Court chambers are now inadequate. Judge Withrow is quartered in a committee room in an obscure corner of the State House. As the Supreme Court will never decrease but on the other hand increase, it is desirable to make adequate provision for it. And it is also desirable to bring all the judicial departments together. In writing on this subject a prominent Iowan remarks:

"My thought in the matter would be that we should erect a temple of justice, sufficiently large and close to the capitol building, to accommodate our splendid law library, the Supreme Court, the clerk of the court, the attorney general, the commerce counsel, and possibly the railroad commission who are in fact quasi judicial, the library to be centrally located, easy to access for each of the above named departments, where the judges could come from their private rooms directly to the library or stack room and examine authorities; while at the present time they are compelled to either climb the stairs to the present library room or send for the few books they actually need. What is true of the Supreme Court is also true of the attorney general and the commerce counsel. The present plan is very inconvenient as the books are scattered throughout the State House, whereas, on the other hand, they could be used to a great extent in the library room, thus saving the inconvenience of having so many books taken out, which is to the disadvantage of the lawyers coming to the library to consult authorities.

"It will also be a saving to the State as there are certain books, such as the Reporter System, the U. S. Supreme Court reports, etc., which are duplicated in the Supreme Court room and by the attorney general. A judicial building will relieve the congestion in the State House by vacating the departments mentioned, whereas, if an office building is built it will not give the library relief, which is absolutely necessary."

It is to be hoped the governor will recommend the judicial building and that a sufficient number of the Legislature will pledge to aid such a movement, which will reflect credit on the State and meet a most pressing need.

Temple of Justice Proposed By State.

(From Des Moines Tribune, December 11, 1914.)

In his annual report to the governor, A. J. Small, law librarian, recommends the erection of a temple of justice to accommodate the Supreme Court, the office of the clerk of the court, the commerce counsel, the railroad commission and the law library. He says in the report that the library has far outgrown the space of its present quarters and that there is great waste of space in the rooms now occupied that could be utilized were they to be remodeled into office rooms. His report will conflict and probably cause considerable debate in the general assembly when set up against that of W. B. Barney, state dairy and food commissioner. Mr. Barney recommends in his report that the State build an office building to relieve the crowded conditions that now exist in the State House.

State Librarian Johnson Brigham reports that the State library has grown to include 130,946 volumes, an increase in the general library of 5,396, and in the law library of 5,163 volumes in the last two years. He asks that more assistance be provided by the State and that a special librarian be appointed for the medical library, a new department.

Urges Erection of State Court House.

(From Des Moines "Register and Leader," July 5, 1914.)

Having the approval of the State Bar Association to the plan of erecting a judicial building by the State, rather than an office building to relieve the congestion of the Capitol, A. J. Small, law librarian, has launched a campaign for the project.

The last Legislature discussed the need of constructing another State building, and a purely office building was given consideration. Mr. Small, however, wants to turn sentiment toward a "temple of justice" to house the Supreme Court, the law library, attorney general's department, clerk of the supreme court, railroad commission and the commerce counsel's department. By taking these divisions out of the Capitol, he asserts that one-third of the space will be vacated, and thus relieve the crowded condition of the building.

The need of an adequate building for the library is based upon the danger of fire and the destruction of the valuable collection. In this regard Mr. Small says:

"We are constantly in great danger of fire wiping out the law library. The fire of 1904, at which time the entire House of Representatives was destroyed, proved that the Capitol is not fireproof and at that time the destruction of the library for the entire room is finished in inflammable material. The accidental dropping of a match, or the stepping

on a match in the galleries, which are covered with carpets, would endanger the whole library.

"It is well known that Wisconsin and New York suffered the loss of their libraries, particularly New York, where the destruction was complete. Its rich collection succumbed to the fire and water. New York is now spending great sums of money trying to restore its library. Such a calamity in Iowa, in the destruction of its law and economic library, would be regrettable to say the least. Like New York we have rare volumes and sets that can not be replaced at any price.

"In my opinion the only way to obviate this danger is the erection of a fireproof building to be known as the temple of justice, supreme court or judicial building. Several of the states have erected buildings of this kind and others are considering it.

"Owing to the crowded condition of the Capitol there will soon be another State building of some sort erected. The last general assembly had two buildings under consideration, an office building and a temple of justice. The question is which shall it be?"

Mr. Small also declares that in addition to the hazard of fire the heat in the upper galleries of the library is destroying the volumes, causing the binding to break and the leaves to crumble. There is much space wasted in the room, so that the place is now crowded and more room is sadly needed. The shelves are nearly filled and the attic is now being used. The room is not adequate nor modern, he says.

About a dozen states now have judicial buildings. Among them are Connecticut, Illinois, Missouri, Massachusetts, North Carolina, Ohio, New Hampshire, Oregon, Rhode Island and Washington. Minnesota at the last session of the Legislature appropriated \$500,000 for a building to house the Supreme Court and the law library.

At the recent convention at Burlington Mr. Small declares that the attorneys of the State were enthusiastic over the plan. Resolutions were adopted and a committee was appointed for the purpose of presenting it to the next Legislature.

A Temple of Justice.

(From The Council Bluffs "Nonpareil", October 28, 1914.)

The legal fraternity in Iowa is rapidly becoming a unit in support of the proposal that the legislature should provide in the near future for the construction of a building to be known as a temple of justice. The arguments in support of this proposal are strong and convincing.

A number of state departments are now being housed outside the capitol building in Des Moines. The capitol building itself is crowded to the limit. More room is vital

and essential. Elsewhere on this page today we print an article from the pen of a citizen who has given this subject considerable attention. It is worthy of careful reading.

Men in the legal fraternity in Iowa have in mind a building in this connection which shall contain a supreme court chamber, offices for the members of the court, the clerk and the reporter and the law library.

This arrangement would make the rooms now in use in the capitol building for the library and the supreme court available for other purposes.

There is warrant for the conviction that this idea will meet the approval of the people of the state. It is perfectly sound in every way and nothing but sophistry can be urged against it. This will not long prevail with the people of Iowa.

Temple of Justice.

(From Marshalltown "Times-Republican," June 27, 1915.)

When the time comes for erection of a new building for the State of Iowa to properly house its servants and afford facilities for doing the public business, the lawyers of the state and the courts will insist that it shall be a temple of justice. With such a building on the state's property at the capitol there would be no need of a strictly office building, at least for many years. There is no intent to urge at this time the erection of either, or any building, but to make sure that when action is taken it will be right.

The Iowa State Bar Association had presented to it at the Burlington meeting one simple phase of the matter, in a report from Arthur J. Small, who is librarian for the association and in charge of the state law library. This related to the necessity for better housing for the law library.

The state has a law library that could not be replaced at any cost, but which is easily worth a half million dollars. While it might have been the boast of the people for many years they had a splendid place for their library it is now certain that it is far from being an ideal place. Iowa is in danger of suffering a loss as New York did when the entire library was burned, and as Wisconsin did when much of theirs were burned. And the books are subject to conditions that are ruinous.

"The members of the association will recall the fire of 1904 at which time the entire house of representatives was destroyed and the destruction of the library was narrowly averted," said Mr. Small. "It was demonstrated then, and is conceded now by all, that the capitol building is not fire proof. A repetition of that fire is liable to happen at any time, and especially true in the library, as

the entire room is finished in inflammable material. The accidental dropping or stepping on a match in the galleries, which are covered with carpets, would endanger the whole library, for if once a fire starts and gets into the walls, ducts of air shafts which are all of wood, there would be nothing short of great damage, if not total loss. I feel uneasy each day about this and often go home at night wondering, as I lock the door, if I will find our great library there in the morning.

"It is known that Wisconsin and New York suffered the loss of their libraries, particularly New York, where the destruction was complete, its rich collections succumbing to the flames and water. The latter state is now spending great sums of money trying to restore its library. Many of the rare volumes can never be replaced and others only partially.

"Such a calamity in Iowa, in the destruction of its law and economic library, would be regrettable to say the least. Like New York, we have rare volumes and sets that could not be replaced at any price and others obtained at great expense, to say nothing of the inconvenience to the courts and the legal fraternity of the state, in the event of such a disaster.

"The only way to obviate the danger is the erection of a fire-proof building to house the supreme court, the attorney general, and the law library, the building to be known as the 'Temple of Justice,' the 'Supreme Court', or 'Judicial Building.' Several of the states have erected such buildings, a plan which is becoming generally approved and considered by others.

"Owing to the crowded condition of the capitol, there will have to be some sort of building erected in the near future to take care of the already existing departments, boards and commissions of the state. The last general assembly had two plans under consideration, one an office building and the other a judicial building. It is a question of 'Which Shall It Be?'

"By taking from the capitol building the supreme court, the clerk, the attorney general, and the law library fully one-third of the space of the capitol will be vacated which can then be used for the purely executive boards and commissions.

"I would recommend this association take action about this matter. The danger and devastation confronts us, and should such a calamity ever occur, I would forever feel that I had been negligent of the trust imposed in me if I did not call attention to such danger and advise you, the bench and bar of the state, that an office building is being strongly considered, which building, if authorized by the legislature, would preclude the immediate erection of a temple of justice thus jeopardizing the safety of our great law library, which has but few equals and in which we take great pride."

(From the "Dubuque Daily Times-Journal."
January 22, 1915.)

Crowded conditions in the state capitol building make it imperative that some provision be made soon for additional housing facilities for state offices. Already a bill is being drafted to provide an appropriation with which to erect a temple of justice. It is urged by many members that such a building would most effectively solve the problem. It would not only be a building of a distinctive characteristic, they say, but would remove from the present executive building the state law library, the supreme court room, judges' offices, clerk's two offices, attorney general's three offices, take out about one-third of the present offices, leaving the main capitol building to be devoted entirely to the executive and legislative branches of state government.

Temple of Justice is Asked of State.

(From Des Moines "Register and Leader,"
December 11, 1914.)

The erection of a temple of justice to provide fireproof quarters for several state departments, including the law library, is recommended in the annual report of A. J. Small, law librarian, which was sent to Governor Clarke yesterday by Johnson Brigham, state librarian.

Mr. Small asserts that the law library has outgrown its present quarters in the capitol and that now many of the books must be stored in the attic, or on tables and in windows. The room is not fireproof and with the crowded condition of the library he fears the collection will be wiped out by fire. There is a tremendous waste of space in the equipment of the department, he says.

The proposed temple of justice would house the supreme court, office of clerk of the supreme court, attorney general, commerce counsel, railroad commission and the law library, according to the plan. The scheme was first launched at the meeting of the state bar association last summer at Iowa City.

In the report of W. B. Barney, state dairy and food commissioner, there is a recommendation that the state erect an office building to relieve the crowded condition of the state house. Mr. Small, however, believes the best way to handle the proposition is to provide a temple of justice. By remodeling the rooms of the law library three floors of office rooms would be provided, he says. This would be sufficient space for the growth of the state for fifty years to come. It is certain that the Barney and the Small recommendations will be the basis of a lively scrap in the legislature, providing the making of an appropriation for an additional building is seriously considered.

Johnson Brigham, state librarian, reports that the state library has grown to 130,946

volumes, an increase in the past two years of 5,396 books in the general library and 5,163 in the law library.

The medical library is a new branch opened recently. The executive council provided steel cases for the books and the librarian recommends that the legislature give him an assistant to take charge of the department. A salary sufficient to get a person who has studied medicine and is willing to devote his time to the library work is desired, he says.

More assistants are asked for in both the general and the law libraries. The librarian claims that the force of fifteen years ago is handling the department today with twice the volume of business.

A Temple of Justice.

(From Times-Republican, May 10th, 1916.)

The state bar association will appear before the next legislature with a bill for the erection of a fire-proof building on the state capitol grounds for the department of justice. It is well known that the business of the state has outgrown the capacity of the present state capitol. The Thirty-fifth general assembly which provided for the purchase of additional grounds also levied a tax which is expected to provide money enough for additional office buildings and it will be up to another legislature to appropriate from this fund for the specific kind of building to be erected.

The lawyers want a separate building for the supreme court, attorney general's department and law library. The state of Iowa possesses a library which ranks second in importance among state libraries. It is housed now in the capitol building which is not fire-proof. If it were removed to a modern, fire-proof temple of justice there would be an abundance of room vacated in the old capitol for the additional offices needed.

There is going to be a new building erected. The struggle will be between various commissions seeking to accommodate their own interests and the lawyers seeking to house the supreme court department of justice and invaluable law library in a building befitting the dignity of government and it would seem that the lawyers have the superior claim. Let there be a temple of justice erected to harmonize with the state historical building and state capitol. If additional offices are needed let them be included in this building but let the work of the supreme court and attorney general's department be conducted in a building specially designed and constructed. Food commissions, mine inspectors, labor commissioners, hotel inspectors, oil inspectors and all of the multitudinous state officers can be housed in new offices created from the space vacated by the library and departments of justice.

A request will be made for an endorsement in both political party platforms and it should be adopted.

STATE LIBRARY OF IOWA



3 1723 02117 1343