

Brief of Laws Relating to the New State Capitol

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BRIEF OF LAWS RELATING TO THE NEW STATE CAPITOL

BRIEF OF ALL THE LAWS RELATING TO THE PURCHASE OF LANDS FOR, TO THE PLANS AND SPECIFICATIONS FOR, AND TO THE CONSTRUCTION, AND FURNISHING OF, AND OF REPAIRS TO THE NEW STATE CAPITOL, AND FOR THE PURCHASE OR CONDEMNATION AND PURCHASE AND CONTROL OF REAL ESTATE FOR THE CAPITOL GROUNDS EXTENSION.

FURNISHED BY THE PUBLIC ARCHIVES DIVISION OF THE
HISTORICAL, MEMORIAL AND ART DEPARTMENT OF IOWA

CHAPTER 91, p. 125

Laws of the Twelfth General Assembly. Approved April 6, 1868.
AN ACT authorizing the Census Board to procure plans and specifications for a State House.

Sec. 1. The Census Board to constitute a Board of Commissioners to carry out the provisions of this act.

Sec. 2. Said Board of Commissioners to advertise for plans for a new State House. Building to be fireproof. All estimates to be based on a cost of

1. \$1,000,000.
2. \$1,500,000.
3. \$2,000,000.

Sec. 3. Said board instructed to advertise for specimens of stone quarried within the state. All stone to be tested.

Sec. 4. An appropriation of \$5,000 for advertising.

Secs. 5 and 6. Repairs for old building. Board to report.

CHAPTER 110, p. 129

Laws of the Thirteenth General Assembly. Approved April 13, 1870.
AN ACT to provide a State Capitol.

Sec. 1. Establishes a Board of Commissioners, consisting of the governor (ex officio president of the board) and six other commissioners, to be chosen by the Senate and House of Representatives in joint session.

Term of office two years, or until successors are appointed. Gen. G. M. Dodge of Pottawattamie County and Hon. James F. Wilson of Jefferson County appointed commissioners at large from the state.

Sec. 2. Removal of commissioners for malfeasance in office. Vacancy provided for. gubernatorial appointment. Compensation \$5.00 per day.

Sec. 3. Selection and qualification of superintendent (to be an architect and resident of the state). Selection of plan. Maximum cost.

LIMITATIONS

1. No contract to be made beyond appropriation.
2. Formalities to be observed in making contracts.

3. Preference to be given to Iowa builders and materials.
4. A record to be kept; appointment, duty and compensation of superintendent; Board of Commissioners may appoint from among own members an executive committee of three to carry on business.
5. Meetings to be held once every three months or oftener at Des Moines.

Sec. 4. All payments to be made by warrants issued by the auditor.

Sec. 5. How building shall be constructed and where. Appropriation of \$150,000.

Sec. 6. No moneys to be paid out until Census Board certifies to treasurer.

Sec. 7. Act to be in effect from date of publication.

Publication certified by Ed Wright, Secretary of State.

CHAPTER 35, p. 41

Laws of the Fourteenth General Assembly. Approved April 10, 1872.
AN ACT to amend the act to provide a State Capitol.

Sec. 1. Board of Commissioners reduced to five in number. Amending the act approved April 13, 1870. Members of board designated. Bonds of commissioners. Board required to inspect foundation and materials on hand with regard to quality of material and character of work. Grants board power to reject or cause to be removed any part or parts of material or work not conforming to standard.

Sec. 2. Appropriation of \$100,000 for year 1872 and \$125,000 annually thereafter for prosecution of the work.

Sec. 3. Act to be in effect from date of publication.

Publication certified by Ed Wright, Secretary of State.

JOINT RESOLUTION NO. 21

Laws of the Fourteenth General Assembly. Approved April 22, 1872.

Grants power to Board of Commissioners to modify or, with contractor's consent, to cancel contract for stone for foundation and cellar walls, account use of poor materials.

JOINT RESOLUTION NO. 14

Laws of the Fourteenth General Assembly. Approved March 20, 1872.

Directs the Board of Commissioners to erase from the corner stone any and all inscriptions of names, dates and figures and provides for an inscription of the word Iowa and the date of the year in which the corner stone is laid.

JOINT RESOLUTION NO. 10

Laws of the Fourteenth General Assembly. Approved February 19, 1872.

Authorizes the Board of Capitol Commissioners to employ one of their own number to act as overseer of the work of the new Capitol building. Additional compensation therefor authorized.

CHAPTER 68, p. 57

Laws of the Fifteenth General Assembly. Approved March 18, 1874.

AN ACT making an additional appropriation for the erection of the new Capitol Building.

Sec. 1. Appropriation of \$125,000.

Sec. 2. To be in addition to the annual appropriation, Chapter 35, acts of the Fourteenth General Assembly.

Sec. 3. Provides a maximum amount of \$75,000 may be drawn in the year 1874 and the balance during the year 1875.

Sec. 4. Specifies how the amount may be drawn and expended.

CHAPTER 70, p. 59

Laws of the Fifteenth General Assembly. Approved March 18, 1874.
AN ACT requiring the Executive Council to perform all duties imposed on the late Census Board.

Sec. 1. Executive Council to have all power and perform all duties of the Census Board.

Sec. 2. Act in effect when published.

Publication certified by Josiah T. Young, Secretary of State.

CHAPTER 151, p. 144

Laws of the Sixteenth General Assembly. Approved March 17, 1876.
AN ACT to amend an act entitled "An act to provide a state Capitol," approved April 13, 1870, and for making an additional appropriation for the erection of the Capitol building.

Sec. 1. Amends Chapter 110, acts of the Thirteenth General Assembly and specifies the amount for which a contract may be made without advertising.

Sec. 2. Appropriates \$250,000 for the erection of the Capitol.

Sec. 3. Specifies the above amount to be in addition to the annual appropriation.

Sec. 4. Specifies amounts to be drawn during the years 1876 and 1877.

Sec. 5. Specifies how money may be drawn and expended.

Sec. 6. Relates to specific construction.

Sec. 7. Amends Chapter 110, acts of the Thirteenth General Assembly and provides for the payment of the workmen.

CHAPTER 138, p. 126

Laws of Seventeenth General Assembly. Approved March 25, 1878.
AN ACT making appropriation for the construction of the new Capitol building, for the purchase of a lot and the construction of a sewer therefor, and amending Joint Resolution No. 10 of the Fourteenth General Assembly, adjourned session.

Sec. 1. Appropriates \$100,000 to buy a lot to accommodate the steam heating works, to construct a sewer from the Capitol grounds to the Des Moines River. Instructs the Board of Commissioners to purchase and to construct the same.

Sec. 2. Commissioners authorized to change plan of building, as adopted August 31, 1872. Directs the construction of a dome in the center and four small domes on the pavilions.

Sec. 3. Amends the Joint Resolution No. 10, approved February 19, 1873, by striking out the word "overseer" and inserting in lieu thereof the word "superintendent."

Sec. 4. Appropriates \$75,000 for construction.

CHAPTER 112, p. 104

Laws of the Eighteenth General Assembly. Approved March 24, 1880.
AN ACT to authorize Board of Capitol Commissioners to contract for use of sewers with the city of Des Moines and limiting the expenditure therefor.

Sec. 1. Authorizes the Board of Capitol Commissioners to contract with the city of Des Moines for the use of sewers to drain the Capitol and grounds. Limits the liabilities of the state and the expenditure therefor.

Sec. 2. Act in effect from date of publication.

Publication certified by J. A. T. Hull, Secretary of State.

CHAPTER 179, p. 174

Laws of the Eighteenth General Assembly. Approved March 26, 1880.
AN ACT amending Section 2 of Chapter 138, of the laws of the Seventeenth General Assembly.

Sec. 1. Amends that part of Section 2, Chapter 138, which relates to the building of the dome of the Capitol building and places restricting clauses thereon and provides and instructs that the same be built. Repeals part of former act.

CHAPTER 83, p. 81

Laws of the Nineteenth General Assembly. Approved March 14, 1882.
AN ACT to amend Chapter 110 of the acts of the Thirteenth General Assembly, and Chapter 35 of the acts of the Fourteenth General Assembly, providing a new Capitol, and making an additional appropriation for completing the new building.

Sec. 1. Gives notice of the amendment.

Sec. 2. Appropriates \$525,000, in addition to the annual appropriation for the completion of the Capitol building.

Sec. 3. Relates to annual appropriation.

Sec. 4. Specifies when the above amount is to be drawn.

Sec. 5. Specifies how the same shall be drawn.

Sec. 6. Requires the Capitol Commissioners to complete certain portions of the Capitol building for occupancy of the next General Assembly.

Sec. 7. Act in effect upon publication.

Publication certified by J. A. T. Hull, Secretary of State.

CHAPTER 139, p. 131

Laws of the Nineteenth General Assembly. Approved March 18, 1882.
AN ACT to amend Section 3 of Chapter 110 of the laws of the Thirteenth General Assembly, an act to provide a state Capitol, approved April 13, 1870.

Sec. 1. Amends second clause of Section 3, Chapter 110, laws of the Thirteenth General Assembly and provides that artistic work and such other work and material as the commissioners determine will be for the interest of the state shall be let, purchased or contracted for without the advertising required as cited in section amended hereby.

Publication certified by J. A. T. Hull, Secretary of State.

CHAPTER 138, p. 127

Laws of the Nineteenth General Assembly. Approved March 18, 1882.

Sec. 6 of this act appropriates \$7,000 for the payment of janitors, and night guard for the Capitol building. Said sum to be expended under the direction of the Executive Council.

CONCURRENT RESOLUTION NO. 2

Nineteenth General Assembly Approved March 20, 1882

Resolved by the Senate, the House Concurring: That the Capitol Commissioners be and they hereby are instructed to furnish for occupancy by the next General Assembly so much of the new Capitol as may be required for that purpose, . . . out of any funds heretofore appropriated by an act entitled "An act to provide for an appropriation to complete the new Capitol." Approved May 15, (14) 1882.

CHAPTER 129, p. 127

Laws of the Twentieth General Assembly. Approved April 3, 1884.

Sec. 6 of this act appropriates \$10,000 for the payment of janitors and night guards for the Capitol buildings. Said sum is to be expended under the direction of the Executive Council.

CHAPTER 136, p. 139

Laws of the Twentieth General Assembly. Approved April 3, 1884.

AN ACT making an appropriation to complete and furnish the new Capitol and for paving the streets and grading and putting down the curbing and sidewalks around the Capitol square.

Sec. 1. Appropriates \$361,500 for the completion and furnishing of the new Capitol building.

Sec. 2. Appropriates \$28,000 for streets and sidewalks.

Sec. 3. Specifies the money shall be drawn and expended under Chapter 110, Acts of the Thirteenth General Assembly but carries a proviso: \$130,000 to be expended in 1884, \$100,000 to be expended in 1885, and the balance as necessary in 1886.

Sec. 4. Act in effect upon publication.

Publication certified by J. A. T. Hull, Secretary of State.

CHAPTER 140, p. 143

Laws of the Twentieth General Assembly. Approved April 3, 1884.

AN ACT providing for the care and management of the new Capitol.

Sec. 1. Provides that the Capitol buildings and grounds shall be under the exclusive control of the Board of Capitol Commissioners.

Provision.—That nothing in this act shall be so construed as to prevent any officer or board occupying rooms in said building from having the entire control thereof.

Sec. 2. Requires the Board of Commissioners to make provision for the heating, lighting, ventilating, cleaning and care of said building, to keep said rooms furnished, cared for and in proper order, to keep said building repaired and to provide for the admittance of visitors and carries a proviso:

Prohibits the use of the Senate Chamber and the Hall of the House of Representatives for any purpose other than legislative.

Sec. 3. Requires the Board of Commissioners to report the expense to the superintendent of construction, and to file the same with the auditor, who will then issue the warrants for amounts due.

Sec. 4. Requires the Board of Commissioners to report to the General Assembly on the first day of the meeting thereof.

Sec. 5. Act in effect from date of publication.

Publication certified by J. A. T. Hull, Secretary of State.

JOINT RESOLUTION NO. 20

Twentieth General Assembly.

Approved April 26, 1884.

This resolution contains two schedules, "A" and "B" relative to the assignment of rooms in the new Capitol.

CHAPTER 100, p. 120

Laws of the Twenty-first General Assembly. Approved April 8, 1886.

AN ACT to provide for a settlement with the Board of Capitol Commissioners, and to limit the term of office of the members of said board.

Sec. 1. Sets the date for the expiration of the commissioners' term of office as June 30, 1886.

Sec. 2. Grants the governor the power to settle with the board.

Sec. 3. Requires an inventory of all state property in the hands of the commissioners be made and filed with the secretary of state.

Sec. 4. Provides for a settlement with the board.

Sec. 5. Provides for the pay of clerks and accountants.

Sec. 6. Act in effect upon publication.

Publication certified by Frank D. Jackson, Secretary of State.

CHAPTER 136, p. 172

Laws of the Twenty-second General Assembly. Approved April 11, 1888.

AN ACT to make appropriations for finishing the Capitol and with reference to a Soldiers' Monument.

Sec. 1. Appropriates \$17,000 to finish the Capitol.

Sec. 2. Refers to the Soldiers' Monument.

Sec. 3. Act in effect from date of publication.

Publication certified by Frank D. Jackson, Secretary of State.

CHAPTER 192, p. 231

Laws of the Twenty-second General Assembly. Approved April 13, 1888.

This Act authorizes the State Executive Council to sell and convey the old Capitol building.

CHAPTER 59, p. 89

Laws of the Twenty-third General Assembly. Approved April 24, 1890.

AN ACT making an appropriation for the purpose of improving the grounds of the new Capitol.

Sec. 1. Appropriates \$100,000 to improve Capitol grounds.

Sec. 2. Specifies one-third of appropriation shall be expended in 1890 and the balance in 1891.

Sec. 3. Said appropriation to be under the control of the Executive Council.

Sec. 4. "The plans adopted by the Board of Capitol Commissioners for the improvement of the ground, made by J. Weidenmann shall be followed as the general plans for improving the grounds, but the Executive Council may make such changes in the details as they may deem for the best interest of the state."

Sec. 5. Act to be in effect from date of publication.

Publication certified by Frank D. Jackson, Secretary of State.

CHAPTER 179, p. 134

Laws of the Twenty-ninth General Assembly. Approved April 12, 1902.

AN ACT creating a commission to superintend the completion of the Capitol building and certain repairs thereto, and appropriating the money therefor.

Sec. 1. Commission created to consist of three persons, to be known as the Capitol Commissioners.

Sec. 2. Specifies the appointment, terms of office, organization and the secretary of said commission.

Sec. 3. Provides for the revocation by the governor of appointees and the filling of vacancies that may occur.

Sec. 4. The commission empowered to make contracts, employ assistance, improve, adorn and complete the Capitol building. Requires the commission to keep itemized accounts. Requires Executive Council to appoint expert accountant to examine accounts.

Sec. 5. Provides compensation for the commissioners and their expenses.

Sec. 6. Appropriates \$253,000 and specifies dates when the same will be available.

Sec. 7. Requires the auditor to draw warrants when properly presented.

Sec. 8. Act to be in effect upon publication.

Publication certified by W. B. Martin, Secretary of State.

CHAPTER 71, p. 76

Laws of the Thirtieth General Assembly. Approved April 13, 1904.

This chapter grants to the Executive Council the right to institute proceedings of condemnation for necessary real estate for the use of the state.

CHAPTER 12, p. 14

Laws of the Thirty-fifth General Assembly. Approved April 25, 1913.

AN ACT granting additional powers to the Executive Council. (Additional to Chapter 7, Title 2 of the Code relating to the Executive Council.)

Sec. 1. Grants to the Executive Council the power to make contracts for improvements of the streets and alleys and abutting property to that owned by the state; requires joint action of the city and state to make and complete such improvement; vests the right of final decision as to advisability of such improvements to the Executive Council; and grants the power to draw warrants to pay for the same to the Executive Council.

Sec. 2. Act in effect when published.

Publication certified by W. S. Allen, Secretary of State.

CHAPTER 14, p. 16

Laws of the Thirty-fifth General Assembly. Approved April 10, 1913.

This act authorizes all the proceedings relative to the extension and improvement of the state Capitol Grounds.

Sec. 1. Specifies the special tax levied for the purchase of real estate necessary to the extension of the Capitol grounds and sets the date thereon. It further grants to the Executive Council the power to levy after the expiration of a certain time limit a special tax and grants the right of determination of the amount to the Executive Council.

Sec. 2. Authorizes the Executive Council to purchase certain specific tracts of land lying within certain boundaries.

Sec. 3. Adopts a specific plan for the erection of buildings, monuments, statuary, memorials, fountains, etc.

Sec. 4. Authorizes the Executive Council to purchase, take and hold option for and specifies manner of payment for said lands.

Sec. 5. Grants to the Executive Council the right of condemnation proceedings, in accordance with statute law.

Sec. 6. Grants to the Executive Council the power to lease for state purposes or to lease state buildings.

Sec. 7. Authorizes the Executive Council to sell Governor Square.

Sec. 8. Forbids the use of other funds than those accrued by special taxes, in the purchase of real estate as specified.

Sec. 9. Relates to interest bearing certificates and specifies manner of payment.

Sec. 10. Regulates the issue of said certificates.

Sec. 11. Requires said certificates to be deposited with the treasurer of the state and registration thereof.

Sec. 12. Requires the treasurer of state, under the direction of the Executive Council, to sell the warrants or certificates for cash.

CHAPTER 8, pp. 20-21

Part First, Title I, Code of Iowa, 1873

Sec. 111. THE EXECUTIVE COUNCIL. The governor, auditor, secretary and treasurer of state, or any three of them, shall constitute the Executive Council.

Sec. 120. The Executive Council shall have the care, charge and custody of the property of the state when no other provision is made, and shall procure for the several offices of the governor, secretary of state,

auditor of state, treasurer of state, register of the state land office, superintendent of public instruction, attorney-general, state librarian, and clerk of the Supreme Court, fuel, lights, * * *

TITLE II, CHAPTER VII.

Supplement to the Code of 1907.

Sec. 164, p. 43. SUPERVISION OF CAPITOL—CONTRACTS—AUDITING OF BILLS. * * * It (the Executive Council) shall also make for the state all contracts for lighting and repairing the Capitol building and other buildings belonging to the state situate in the city of Des Moines, and grounds connected therewith, * * *

TITLE VII, CHAPTER I-A.

Supplement to the Code of Iowa, 1913.

Sec. 1400-t5. LEASES—REMOVAL OF BUILDINGS. That the Executive Council shall have charge of all buildings that may be on any of the grounds acquired under the provisions of this act and may lease any or all of said buildings and grounds on behalf of the state * * *

Sec. 1400-t2. ALLISON MEMORIAL PLAN. That all buildings, monuments, statuary, memorials, fountains and improvements hereafter erected upon said Capitol grounds shall be located in accordance with the plan covering said extended grounds as contemplated herein submitted as the Allison Memorial Commission plan now on file in the office of the secretary of state, and that said grounds shall be laid out with respect to drives, streets, avenues, malls, walks, bridges, terraces and other improvements in all respects as contemplated and suggested by said plan and said plan is hereby adopted and made a part of this act.

Sec. 1400-t1. Specifies the boundaries of the Capitol extension.

INDIANS VISIT WASHINGTON IN 1848

The *Missouri Republican* of the 14th inst. notices the arrival at St. Louis of a delegation of head chiefs, braves, &c., from the Chippewa Indians, residing on territory ceded by them to the United States in the Lake Superior region, on their way to Washington. The object of the mission is said to be to try to procure a grant of land from the government, upon which to settle the nation as citizens of the United States. They wish to abandon their roving, wild and vagabond habits, adopt in return the characteristics and avocations of the white man—to build houses, cultivate farms, etc. It is to be hoped that their disposition to reform may be met in a spirit of philanthropy by the government.—The *Bloomington Herald*, Bloomington (now Muscatine), Iowa, November 25, 1848. (In the newspaper collection of the Historical, Memorial and Art Department of Iowa.)

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