

NEW PUBLICATIONS.

DOCUMENTARY MATERIAL RELATING TO THE HISTORY OF IOWA, edited by Benjamin F. Shambaugh, A. M., Ph. D., Assistant Professor in the State University of Iowa. Volume I. Published by the State Historical Society, Iowa City, 1897. Pp. x, 287.

This compilation covers the period from April 30, 1803, to December 10, 1890, and brings together, mostly in chronological order, the public documents of the period that relate to Iowa. It will be a *vade mecum* for students of our political and constitutional history, and for jurists, legislators and lawyers. The editor adopts the rule of following "the copy of the original literally," avoids "all tampering with the sources," and goes to the extreme of reproducing "typographical errors, peculiarities in spelling, punctuation, capitalization, sentence-construction, and such like." A few explanatory notes are inserted; one expresses scholastic theories as to "a constitutional status, a local-constitutional status, a political status, etc." (p. 45), which may confuse rather than elucidate the subject to plain people. In fact, the history of Iowa has been practical from the beginning, in the line of "the course of human events." Some of the material in this volume lies outside of Iowa history, and might have given way to the acts of the Territorial Legislatures of Michigan and Wisconsin for our oldest county organizations. As the Constitutions of 1846 and 1857, and also the Act of Congress to define the boundaries of Iowa, refer to "the northern boundary line of the state of Missouri, as established by the Constitution of that State" (pp. 129, 190, 222, 223), Section 2 of the Act of Congress (March 6, 1820) defining that boundary line should be inserted (p. 43);—the first article of said Constitution conforming thereto. Neither is the "Missouri Compromise," (p. 42), to be understood without the "Solemn Public Act," required by Congress, and assented to by the Legislature of the State of Missouri, as is clearly shown in Switzler's History of Missouri, chap. XVII.

The change of Iowa from Territorial dependence to "a free and independent government," in the language of the Constitution, was completed by Governor Clarke's proclamation (Sept. 9, 1846) that it was "formally ratified and adopted by the people." It became at once the supreme law, and all political movements proceeded under it. To prevent inconvenience from the change, it provided that the Territorial authority should continue until superseded, so that the change took place gradually and orderly *under the Constitution*. The old order gave way to the new as by a process of nature. To say that "the Constitution became the supreme law on the 28th day of December, 1846," confounds its paramount ground of authority in its adoption "by the people," with the admission of the State into the Union.

When the Constitution of 1857 was adopted by the people, Governor Grimes by proclamation declared the fact, and that the new Constitution was the supreme law, as that Constitution affirms of itself (pp. 250, 257). It was in the same way that the Constitution of 1846 had become the supreme law under Governor Clarke's proclamation.

Neither is what is said (p. 217) on the prohibition of banking in the Constitution of 1846 elucidative. To speak of that prohibition as "aimed to insure the people against the evils of banking," misses its plain intent and its actual force as positive and absolute against all banking.

The volume is made up of eight numbers, which have been published during the last two years. It is handsomely printed, and reflects credit upon the industrious editor and upon the State Historical Society.

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