

# THE CONSTITUTIONAL CONVENTIONS OF ILLINOIS: AN ANNOTATED BIBLIOGRAPHY

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## I. INTRODUCTION

Beginning with its statehood in 1818, Illinois has called six constitutional conventions resulting in four approved state constitutions (1818, 1847, 1870, and 1970), and two constitutions rejected by voters (1862 and 1920–1922). Conventions have been called seeking to constitutionally remedy various problems which arose as the state's population grew. These ranged from broad, general issues such as the distribution of powers between government branches, the veto power of the governor, slavery, and suffrage, to the more discrete issues, such as the improvement of rivers, the contracting out of convict labor, and the many concerns associated with the rapid growth of the Chicago metropolitan area. The intent of this work is to fill a dearth in the literature regarding Illinois constitutional conventions by providing bibliographic, and, when available, virtual, access to those published materials produced before, during, and after each of Illinois' six constitutional conventions.

### Explanatory Notes:

Regarding institutional holdings and abbreviations: to assist the user of this bibliography, every attempt has been made to identify institutions which hold the listed titles. In the interest of space, the authors have abbreviated the names of institutions. A list of institutional abbreviations can be found at the end of this work. Holdings are arranged alphabetically with Illinois institutions listed first followed by those outside of the state. If more than five institutions in Illinois hold a title, they are not listed individually but a note is provided indicating how scarce or available an item might be.

Regarding online access: to further assist users seeking to obtain access to listed works, when available, addresses have been provided to stable URLs owned by consortiums or government entities that are committed to the permanence of archival materials.

Regarding bibliographic format: the entries are formatted in standard bibliographic style as directed by *The Chicago Manual of Style, 16<sup>th</sup> edition*. In a few instances, the peculiar needs of individual works necessitated the modification for this format to provide additional bibliographic description.

## II. ILLINOIS STATEHOOD MATERIALS

1. [Introduction of statehood bill] *Journal of the House of Representatives of the United States*, vol. 11, p. 174 (January 23, 1818):

Mr. Pope [the Illinois territorial delegate] from the committee appointed on the petition of the Legislative Council and House of Representatives of the Territory of Illinois, by leave of the House, reported a bill to enable the people of the Illinois territory, to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original States; which was read the first and second time, and committed to a committee of the whole, on Monday next.<sup>1</sup>

Available online.<sup>2</sup>

2. [Text of statehood bill] *H.R. 53. January 23, 1818. A Bill to Enable the People of the Illinois Territory, to Form a Constitution and State Government, and for the Admission of Such State into the Union, on Equal Footing with the Original States*. 8 pages.

The enabling act to form a constitution and state government as it was proposed in the United States House of Representatives on January 23, 1818.

Available online.<sup>3</sup>

3. [Statehood session law] *Ch. LXVII. An Act to Enable the People of the Illinois Territory to Form a Constitution and State Government, and for*

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1. H. JOURNAL, 15th Cong., 1st Sess. 174 (1818).
2. Available at [http://rs6.loc.gov/cgi-bin/ampage?collId=llhj&fileName=011/llhj011.db&recNum=172&itemLink=D?hlaw:12:/temp/~ammem\\_or0K::%230110173&linkText=1](http://rs6.loc.gov/cgi-bin/ampage?collId=llhj&fileName=011/llhj011.db&recNum=172&itemLink=D?hlaw:12:/temp/~ammem_or0K::%230110173&linkText=1).
3. Available at <http://memory.loc.gov/cgi-bin/ampage?collId=llhb&fileName=047/llhb047.db&recNum=184>.

*the Admission of Such State into the Union, on Equal Footing with the Original States.* 3 Stat 428.

The official session law enabling the forming of an Illinois state government. Available online.<sup>4</sup>

### III. 1818 CONVENTION AND CONSTITUTION

A brief document, Illinois' first constitution was modeled after provisions contained in the existing constitutions of Kentucky, Ohio, New York and Indiana.<sup>5</sup> The legislature was granted wide-ranging powers, particularly in appointing state officers, which it enjoyed until being tempered by the 1848 constitution.<sup>6</sup>

#### A. Convention Materials

4. *Journal of the Convention*. [Kaskaskia: Blackwell & Berry. 1818.] [3]-72 pp. (incomplete) 21 cm. [Byrd 14]

Five hundred copies were ordered printed. The original manuscript is missing from the Illinois State Archives; it presumably was destroyed by fire in 1823. The only known copy of the printed journal is the one recorded here [Illinois State Historical Society]. The last proceedings recorded in this journal are for Monday, August 24. The convention adjourned August 26. The proceedings for a part of August 24 and for August 25 and 26 are missing, probably consisting of eight pages.

Text from the incomplete copy was reprinted in the *Journal of the Illinois State Historical Society*, Vol. 6, No. 3 (October, 1913), pp. 355 ff.<sup>7</sup>

5. Carpenter, Richard V. "The Illinois Constitutional Convention of 1818." [Springfield, IL: Illinois State Historical Society]. 6(3) **Illinois State Historical Society Journal**, 327-424 (October 1894).

Page 355 contains the text of the single extant, albeit incomplete, copy (recorded above).

Available online.<sup>8</sup>

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4. Available at <http://rs6.loc.gov/cgi-bin/ampage?collId=llsl&fileName=003/llsl003.db&recNum=469>.

5. CHARLES W. TOOKE, CONSTITUTION OF THE STATE OF ILLINOIS: ADOPTED IN CONVENTION MAY 13, 1870, RATIFIED BY THE PEOPLE JULY 2, 1870, IN FORCE AUGUST 8, 1870: AMENDED IN 1878, 1880, 1884, 1886 AND 1890, at 6 (1900).

6. *Id.*

7. CECIL K. BYRD, A BIBLIOGRAPHY OF ILLINOIS IMPRINTS 1814-1858, at 8-9 (1966).

## B. Constitution

6. *Constitution of the State of Illinois, Adopted in Convention, at Kaskaskia, on the Twenty-Sixth of August, in the Year of our Lord One Thousand Eight Hundred and Eighteen, and the Independence of the United States, the Forty-Third.* Kaskaskia, Ill.: Blackwell & Berry, printers to the State, 1818. 24pp. 20 cm. [Byrd 13]

The convention ordered 33 copies of a working draft of the proposed constitution printed (*Journal of the Convention*, pp. 15, 34). Blackwell and Berry received \$25 from the general fund in 1819 for printing the first draft of the constitution. (*Laws, 1819*, p. 346.) No copies of the draft are known to have survived. The completed constitution was printed in an edition of 500 copies. (*Journal...*, pp. 65, 66.) Blackwell and Berry received in 1819: "For printing the constitution, sixty-two dollars, sixty-six and a half cents." (*Laws, 1819*, p. 346.) This constitution was also published as a 22-page appendix to the *Laws, 1819*.

This document was not submitted to the electors for their approval or rejection. It became operative when Illinois was admitted into the Union by congressional resolution on December 3, 1818.

The constitution was first printed in installments in the *Illinois Intelligencer* (Kaskaskia) beginning September 2, 1818, Vol. 3, No. 1.<sup>9</sup>

Held by Lincoln, AAS, Harv L, NYPL, and Yale L.

7. *Constitution of the State of Illinois. November 16, 1818, Read and Ordered to Lie upon the Table. Printed by Order of the House of Representatives.* Washington City: Printed by E. De Krafft. 1818. 26 pp.

This United States Congressional Document records the text of the Illinois constitution as transmitted by William Greenup, Secretary to the Convention, to Henry Clay, Speaker of the House of Representatives.

Available online.<sup>10</sup> Held by 8 Illinois institutions and 12 outside of Illinois.

## C. Commentary and Analysis

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8. Available at <https://books.google.com/books?id=IxxBAQAAMAAJ>.

9. BYRD, *supra* note 7, at 10.

10. Available at <https://archive.org/details/constitutionofst00inilli>.

8. Buck, Solon J. *Illinois in 1818*. Urbana, [Illinois]: University of Illinois Press, 1967. xiii, 356 pages : illustrations, maps; 24 cm.

Available online.<sup>11</sup>

9. Legislative Reference Bureau. *Constitutional Conventions in Illinois 2d ed.* Springfield, Ill.: Illinois General Assembly, Legislative Reference Bureau, 1919.

Although written to address the concerns leading to the 1920 convention, the introductory pages provide a good summary of the constitutional conventions of 1818, 1847, 1862 and 1869-1870.

Available online.<sup>12</sup>

10. Verlie, Emil Joseph. *Illinois Constitutions*. Springfield, Ill: Trustees of the Illinois State Historical Library, 1919. xxxiii, 231 pages; 23 cm.

An indispensable title for the understanding of the constitutions of 1818, 1848, and 1870. The author provides a detailed analysis of each constitutional article.

Available online.<sup>13</sup>

#### IV. 1847 CONVENTION AND 1848 CONSTITUTION

Article VII of the 1818 constitution allowed for the General Assembly to call for public vote to convene a convention to modify the constitution. They did so in 1824 and again in 1842 but the calls were rejected.<sup>14</sup> In 1846 voters approved another call, and the second Illinois constitutional convention was elected April 19, 1847, and met June 7 of that year.<sup>15</sup> The convention adopted a constitution on August 31, 1847 and submitted it to voters who approved it March 6, 1848.<sup>16</sup> The primary thrust of this constitution was to limit legislative authority and transfer many of those powers to the voting populace.<sup>17</sup>

##### A. Convention Materials

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11. Available at [https://openlibrary.org/books/OL7121150M/Illinois\\_in\\_1818](https://openlibrary.org/books/OL7121150M/Illinois_in_1818).

12. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/153/rec/15>.

13. Available at <http://catalog.hathitrust.org/api/volumes/oclc/2762917.html> and at <https://archive.org/details/illinoisconstitu00verlrich>.

14. TOOKE, *supra* note 5, at 7.

15. *Id.*

16. *Id.*

17. *Id.*

11. *Journal of the Convention, Assembled at Springfield, June 7, 1847 in Pursuance of an Act of the General Assembly of the State of Illinois, Entitled "An Act to Provide for the Call of a Convention," Approved, February 20, 1847, for the Purpose of Altering, Amending, or Revising the Constitution of the State of Illinois.* Springfield: Lanphier & Walker, Printers, 1847. 592 p., 22 cm. [Byrd 1196].

Text of the proposed constitution is found at pages 544-572.

“Manuscript records of the secretary of state reveal that Lanphier and Walker were paid for printing 1,500 copies of the convention *Journal*.”<sup>18</sup>

Available online.<sup>19</sup> Held by many institutions worldwide.

12. Illinois State Archives. *Constitutional Convention of 1847 Papers, May 29, 1847–August 31, 1847.*

The Illinois State Archives files, located in Springfield, contain convention minutes, resolutions submitted, reports and amendments to reports submitted by committees, and petitions from citizens’ groups concerning the inclusion or exclusion of certain provisions (e.g., prohibition of slavery, opposition to capital punishment). Also included are reports from the clerk of the county commissioners’ court from each county to the Auditor of Public Accounts concerning annual revenues and disbursements and the annual balance of each county treasury for 1839–1846. Accompanying these reports is the report of the Auditor of Public Accounts concerning annual state revenues collected from each county in the state for 1839–1846. Copies of the Constitution of 1818 also are included.

Available online.<sup>20</sup>

13. *A List of the Members Composing the Illinois State Convention, Assembled at the Capitol in Springfield, Monday, June 7th 1847, to Alter or Amend the Constitution of the State . . .* [Springfield? 1847] Broadside. 32 x 46.5 cm. [Byrd 1197].

This large broadside lists the “[n]ames of 161 delegates in 2 columns, with columns showing age, occupation, county, post office, nativity, politics, and boarding house in Springfield.”<sup>21</sup>

Held by Lincoln and NYHS.

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18. *Id.* at 244.

19. Available at <http://catalog.hathitrust.org/api/volumes/oclc/4377250.html>.

20. Available at <http://archon.ilsos.net/?p=collections/controlcard&id=1572>.

21. TOOKE, *supra* note 5, at 244.

14. *Rules of the Convention Assembled to Revise, Alter Or Amend the Constitution of the State of Illinois: Together with a List of Members and Standing Committees*. Springfield, Ill.: Lanphier & Walker, printers, 1847. 16p.; 26 cm. [Byrd 1198].

The convention ordered 200 copies of the rules established in the early days of the convention to be printed for use by members.<sup>22</sup>

Held by CHS.

15. *Convention Debates Reported in the [Springfield] State Register, June 7–Sept. 3, 1847*. Springfield, Ill.: Lanphier & Walker, printers, 1847. [130] p.

This online newspaper collection contains nine months of tri-weekly front page coverage of the debates.

Available online.<sup>23</sup>

#### B. Post-Convention Materials for Public Consideration

16. *Constitution of the State of Illinois, Adopted by the Convention, Assembled at Springfield, June 7, 1847, in Pursuance of an Act of the General Assembly . . . Entitled “An Act to Provide for the Call of a Convention.”* Springfield, Illinois: Lanphier & Walker, printers, 1847. 39 pp. 25 cm. [Byrd 1195].

Issued by convention printers, Lanphier and Walker, in two separate imprints. One totaling 39 pages, the last portion containing an “Address to the People of Illinois, August 30, 1847,” which begins with a caption title on page 33. A variant imprint totals 32 pages and lacks the last signature containing the “Address” which Byrd reports as having “no bibliographical significance.”<sup>24</sup>

Byrd also records a bibliographic enigma regarding foreign language editions of this title. Other language imprints exist for subsequent constitutions proposed in 1862 and 1870.<sup>25</sup>

The convention ordered 3,000 copies of the new constitution printed in German and 1,000 printed in Norwegian. These foreign-

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22. JOURNAL OF THE CONVENTION ASSEMBLED AT SPRINGFIELD, JUNE 7, 1847, at 36 (1847).

23. Available at <https://archive.org/details/stateregister00lanp>.

24. BYRD, *supra* note 7, at 244.

25. See text *infra* Sections V.B., entry 21; VI.B., entries 35–37.



language editions must have been printed, for the auditor's volume, "ledger of Revenue and Warrants 1846-1848," p. 110, records a payment of \$190.08 to S. S. Waldburgher for the German-language edition and a payment to Bache, Hiz(?) and Reymone of \$57.34 for printing the new constitution in Norwegian. No copy of a foreign-language edition has been located.<sup>26</sup>

Available online.<sup>27</sup> Held by many institutions worldwide.

### C. Commentary and Analysis

17. Cole, Arthur Charles. *The Constitutional Debates of 1847*. Springfield, Illinois: Trustees of the Illinois State Historical Library, 1919. 1070p.

An indispensable source for the 1847 debates, Cole, a professor at the University of Illinois, provides a sixteen-page introduction and extensive footnotes throughout the text of the reprinted debates. This title also contains a detailed index to the debates not found elsewhere.

Available online.<sup>28</sup> Held by many institutions worldwide.

18. Legislative Reference Bureau. *Constitutional Conventions in Illinois 2d ed.* Springfield, Ill.: Illinois General Assembly, Legislative Reference Bureau, 1919.

Although written to address the concerns leading to the 1920 convention, the introductory pages provide a good summary of the constitutional conventions of 1818, 1847, 1862 and 1869–1870.

Available online.<sup>29</sup>

## V. 1862 CONSTITUTIONAL CONVENTION

The third Illinois constitutional convention met January 7 through March 24 of 1862. The proposed constitution, which focused on reform, was rejected by more than sixteen thousand votes.<sup>30</sup> Perhaps the timing of the Civil War had citizens voting along party lines rather than on the content of the proposals, nevertheless, many of the proposals found here were incorporated into the constitution of 1870.<sup>31</sup>

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26. BYRD, *supra* note 7, at 244.

27. Available at <http://catalog.hathitrust.org/api/volumes/oclc/14089219.html>.

28. Available at <http://catalog.hathitrust.org/Record/001654750> and at <https://archive.org/details/constitutionalde00illi>.

29. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/153/rec/15>.

30. TOOKE, *supra* note 5, at 8.

31. *Id.*

A. Convention Materials

19. *Journal of the Constitutional Convention of the State of Illinois: Convened at Springfield, January 7, 1862.* Springfield, Ill.: C.H. Lanphier, 1862. 1131, xv pages; 23 cm.

Lanphier, the official printer of the convention, was ordered to create a “complete and accurate index” of the convention and print 2000 copies of this *Journal*.<sup>32</sup>

Available online.<sup>33</sup> Held by many institutions worldwide.

B. Post-Convention Materials for Public Consideration

20. *The New Constitution of the State of Illinois: Adopted by the Constitutional Convention at Springfield, March 24, 1862, and Submitted to the People for Ratification or Rejection at an Election to be Held June 17, 1862: with an Address to the People of Illinois.* Springfield, Ill.: Charles H. Lanphier, printer, 1862. 56 p.; 23 cm.

Lanphier was ordered by the convention to print 200,000 copies of the constitution and address to the people as well as 40,000 copies of the same in German (listed below).<sup>34</sup>

Available online.<sup>35</sup> Held by many institutions worldwide.

21. *Neue Verfassung des Staates Illinois angenommen durch die Constituirende Versammlung zu Springfield am 24. März 1862. Em volke zur Annahme oder Verwerfung bei einer am 17. Juni 1862 abzuhaltenden Wahl unterbreitet.* Springfield: Chs. H. Lanphier, Drucker. 1862. 49 pages 22 cm.

40,000 copies of the constitution and address were ordered by the convention to be printed in German.<sup>36</sup>

Held by Lincoln and SIU L.

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32. JOURNAL OF THE CONSTITUTIONAL CONVENTION OF THE STATE OF ILLINOIS, CONVENEED AT SPRINGFIELD, JANUARY 7, 1862, at 936 (1862) [hereinafter JOURNAL OF 1862 CONVENTION].

33. Available at <http://catalog.hathitrust.org/Record/010446408>.

34. JOURNAL OF 1862 CONVENTION, *supra* note 32, at 936.

35. Available at <http://catalog.hathitrust.org/Record/011567472>.

36. JOURNAL OF 1862 CONVENTION, *supra* note 32, at 936.

22. [Moses, John?]. *The New Constitution, Shall it be Adopted or Rejected?* [n.p., 1862], 8p. 23 cm.

Attributed to Illinois judge John Moses, the private secretary to the Republican Governor Richard Yates and an acquaintance of Abraham Lincoln. Not surprisingly, this pamphlet strongly recommends rejection of the proposed constitution.

Held by Lincoln, Newberry, SIU L, and West Resv.

23. *The Proposed New Constitution: Reasons Why It Should Not Be Adopted.* [n.p., 1862], 11 pages, 21 cm.

The anonymous author objects to Illinois' proposed constitution on several grounds. He believes the timing is bad, as "the country is convulsed with the throes of revolution." He also explains his disagreement with the proposed changes to the judicial, legislative and executive departments. Pages 9–11 consist of a report from the Committee on Militia and Military Affairs regarding a proposed revision permitting soldiers to vote in the field rather than at home. A scarce pamphlet imprint of an essay which originally appeared under this same title in the *Illinois State Journal* for March 31, 1862.

Held by Lincoln, SIU L, and DPL.

24. *Beckwith, C.; Fuller, Sam. W.; Larned, E.C.; and Scates, Walter B. Chicago, March 26, 1862. A.C. Coventry, Esq. President of the Board of Police of the City of Chicago: Dear Sir: I have received your letter of the 25th instant, calling my attention to the thirty-fourth section of the schedule of the constitution, adopted by the convention lately held at Springfield . . .* [Chicago: s.n.] 1862, 37, [1] p.; 22 cm.

A letter reproduced in stitched pamphlet form to A.C. Coventry, regarding the constitutionality of amending the Illinois Constitution, particularly portions relating to the appointment or election of police officers. Signed in type, p. 14: C. Beckwith. Followed by letters on the subject from Sam. W. Fuller, E.C. Larned, and Walter B. Scates. An exceedingly rare pamphlet with OCLC recording only two extant copies.

Held by SIU L and AAS.

### C. Commentary and Analysis

25. Dickerson, Oliver Morton. "The Illinois Constitutional Convention of 1862." 1 *University of Illinois Studies*, No. 9. Urbana: University of Illinois Press, 1905. 58p.

Available online.<sup>37</sup>

26. Jones, Stanley L. "Agrarian radicalism in the Illinois Constitutional Convention of 1862." 48 *Journal of the Illinois State Historical Society* 271–282 (1955).

27. Legislative Reference Bureau. *Constitutional Conventions in Illinois 2d ed.* Springfield, Ill.: Illinois General Assembly, Legislative Reference Bureau, 1919.

Although written to address the concerns leading to the 1920 convention, the introductory pages provide a good summary of the constitutional conventions of 1818, 1847, 1862 and 1869–1870.

Available online.<sup>38</sup>

28. Madaj, Menceslaus J. *The Rejection of the Constitution of Illinois of 1862.* 1945. Iii, 90 leaves.

The author's thesis (M.A.) for DePaul University; contains a Bibliography. Held only by that institution.

29. Verlie, Emil Joseph. *Illinois Constitutions.* Springfield, Ill: Trustees of the Illinois State Historical Library, 1919. xxxiii, 231 pages; 23 cm.

An indispensable title for the understanding of the constitutions of 1818, 1848, and 1870. The author provides a detailed analysis of each constitutional article.

Available online.<sup>39</sup>

#### VI. 1869–1870 CONSTITUTIONAL CONVENTION AND 1870 CONSTITUTION

The proposed constitution from the fourth Illinois constitutional convention was adopted May 13, 1870 and ratified by voters on July 2 of that year by a vote of 134,227 to 35,443. It was amended seven times—1878, 1880, 1884, 1886, 1890, 1904, and 1908.

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37. Available at <http://hdl.handle.net/2027/hvd.32044031964653>.

38. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/153/rec/15>.

39. Available at <http://catalog.hathitrust.org/api/volumes/oclc/2762917.html> and at <https://archive.org/details/illinoisconstitu00verlrich>.

## A. Convention Materials

30. *Manual for the Constitutional Convention of the State of Illinois. 1869–1870. Constitution.* Chicago: The Western Bank Note and Engraving Co. 1869. iv, 576 p. 23 cm.

Contains the Declaration of Independence, the Articles of Confederation, the Constitution of the United States, the Ordinance of Illinois and the constitutions of all the 16 states then admitted to the Union.

Held by Lincoln and Chicago.

31. *Journal of the Constitutional Convention of the State of Illinois: Convened at Springfield, December 13, 1869.* Springfield: State Journal Print. Office. 1870. 1022, xi pages; 23 cm.

Available online.<sup>40</sup> Held by many institutions, with OCLC recording 24 Illinois locations.

32. *Debates and Proceedings of the Constitutional Convention of the State of Illinois: Convened at the City of Springfield, Tuesday, December 13, 1869.* Springfield: E.L. Merritt & Bro. 2 v.

Text of the Constitution adopted in 1870 is found in v. 2, p. 1871–1880.

Available online.<sup>41</sup> Held by many institutions worldwide.

33. *Constitutional Convention. Articles, as Adopted in Constitutional Convention, and Referred to the Committee on Revision and Adjustment up to March 12, 1870.* [Springfield? 1870]. 18 pp, stitched.

A scarce Convention-issued pamphlet containing committee reports submitted to the Committee on Revision and Adjustment. It represents the progress of the Convention two months before approval of the proposed constitution. A scarce title, with OCLC recording a single institutional holding.

Held by SIU L.

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40. Available at <http://catalog.hathitrust.org/api/volumes/oclc/3032186.html>.

41. Available at <http://catalog.hathitrust.org/api/volumes/oclc/22128344.html>.

## B. Post-Convention Materials for Public Consideration

34. *The Constitution of the State of Illinois, as Adopted in Convention, May 13, 1870, and Submitted to the People for Adoption or Rejection at an Election to be Held July 2d, A.D. 1870, and the Address of the Convention Accompanying the Same.* Springfield: Illinois Journal Company. 1870. 49, 10 pages 22 cm.

The convention-issued printing of the proposed constitution, this pamphlet includes a separately paginated 10 page "Address to the People of Illinois," explaining the need and purpose of the proposed amendments. The convention directed the Secretary of State have printed 30,000 copies of the Address and constitution in English. They also resolved that the pamphlet be translated and printed in German, French and Scandinavian.<sup>42</sup>

Available online.<sup>43</sup> Held by many institutions, with OCLC recording 7 Illinois locations.

35. *Die constitution des staates Illinois, angenommen in der convention am 13. mai 1870. Dem volke unterbreitet zur annahme oder verwerfung bei einer wahl, abzuhalten am 2. juli A.D. 1870. Nebst der adresse der convention, im anschluss an dieselbe.* Peoria, Ill: Gedruckt bei E. Fresenius. 1870. 53 pages, 1 leaf, 11 pages 23 cm.

Printed entirely in German by the Peoria newspaper publisher Eduard Fresenius, this pamphlet contains the text of the proposed constitution as well as the "Address to the People." This pamphlet was the result of the convention directing the Secretary of State have printed 15,000 copies of the Address and constitution in German.<sup>44</sup> Nevertheless, only a single institutional copy can be located.

Available online.<sup>45</sup> Held by Mich L.

36. *Constitution de L'etat de l'Illinois: adoptee en convention le 13 Mai 1870, pour etre soumise au peuple pour son adoption ou son rejet a l'election du 2 juillet 1870, et une adresse au peuple.* Chicago: Imprimerie du journal "L'Amerique". 1870. 62 pages; 23 cm.

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42. JOURNAL OF THE CONSTITUTIONAL CONVENTION OF THE STATE OF ILLINOIS: CONVENEED AT SPRINGFIELD, DECEMBER 13, 1869, at 962 (1870) [hereinafter JOURNAL OF 1869-70 CONVENTION].

43. Available at <http://books.google.com/books?id=zxEtAQAAAMAJ>.

44. JOURNAL OF 1869-70 CONVENTION, *supra* note 42, at 936.

45. Available at <http://books.google.com/books?id=dyo0AQAAAMAJ>.

Printed entirely in French by the short lived French language Chicago newspaper, *L’Amerique*, (1869–70), this pamphlet contains the text of the proposed constitution as well as the “Address to the People.” This pamphlet was the result of the convention directing the Secretary of State to print 5,000 copies of the Address and constitution in French.<sup>46</sup>

Available online.<sup>47</sup> Held by Chicago, CHM, Newberry, SIU L, Columbia, Harv L, Mich L, and Yale L.

37. *Förslag till ny konstitution för staten Illinois, utarbetadt och antaget af statskonventionen i Springfield den 13 maj 1870; hvilket skall föreläggas folket till sanktion genom allmän omröstning den 2 juli 1870.* Chicago: Pa "Svenska amerikanarens" tryckeri. 1870. 71 p. 21 cm.

Printed entirely in Swedish by the Chicago publisher Svenska Amerikanarens Tryckeri, this pamphlet contains the text of the proposed constitution as well as the “Address to the People.” This printing was the result of the convention directing the Secretary of State have printed 5,000 copies of the Address and constitution in Scandinavian.<sup>48</sup> A scarce title, with OCLC recording only two institutional holdings.

Held by SIU L and Harv L.

### C. Post Ratification

38. *Constitution of the State of Illinois. Adopted and Ratified, 1870.* Springfield, Ill: Illinois State Journal Print. 1873. 52 pages, 1 leaf 22 cm.

Not published until 1873, this convention-issued imprint of the newly ratified constitution was preceded by several commercial printings (located below).

39. H. W. Wells. *The New Constitution of the State of Illinois: Adopted in Convention, May 13, 1870; Ratified by the People, July 2, 1870; in force, August 8, 1870; Carefully Compared and Identical with the mss. in the Secretary's Office; with a Complete Analytical Index, Referring to Article, Section and Page.* Chicago: E.B. Myers and Co. 1871. 62 pages; 23 cm.

Printed by the Chicago law book publisher, E. B. Meyers, this imprint stands apart from its contemporaries because of its extensive subject index.

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46. JOURNAL OF 1869-70 CONVENTION, *supra* note 42, at 936.

47. Available at <http://catalog.hathitrust.org/api/volumes/oclc/183305030.html> and at <http://books.google.com/books?id=0A4tAQAAAMAAJ>.

48. JOURNAL OF 1869-70 CONVENTION, *supra* note 42, at 936.

The paper wraps contain advertisements for several of the publisher's titles on constitutional law generally.

Held by Newberry, Mich L, NYLI, NYPL, and Yale L.

40. *The Constitution of the State of Illinois as Adopted in Convention, May 13, 1870, and Ratified by the People of the State, July 2d, A.D. 1870.* Chicago: The Western News Company. 1870. [2], 46 pages.

Issued in wraps by book publisher Western News Company and sold for twenty-five cents. The rear outer cover includes advertisements for the publisher's forthcoming titles.

Available online.<sup>49</sup> Held by Chicago, Newberry, Cornell, and Harvard L.

41. Issac A. Hawley and Donald Grant. *New Constitution of the State of Illinois.* [Springfield?]: Hawley & Grant. 1870. 34 pages 22 cm.

Interesting in that it uses publicly available information as a vehicle for advertising. Issued by Springfield insurance and real estate agents, Hawley & Grant, it contains the text of the new constitution with full page illustrated advertisements scattered throughout. Advertisements include those for scales, watches, safes, Illinois Central Railroad, booksellers, and job printers. A scarce ephemeral item with OCLC recording only four institutional holdings.

Held by Lincoln, SIU L, CMU, and LLLa.

D. Amendments: 1878, 1880, 1884, 1886, 1890, 1904, 1908

The state of Illinois issued separate pamphlets after most public adoption of amendments to the 1870 Constitution. It appears that none were issued for the 1880 and 1904 amendments. Each published title contains the text of the 1870 constitution, followed by a chronologically arranged text of the amendments. The first amendment (1878), concerned drainage and ability of landowners to construct drains, ditches and levees for agricultural, sanitary or mining purposes across the lands of others. The second amendment (1880) concerned the election and term limits of county officers. The third amendment (1884) concerned the veto power of the governor. The fourth amendment (1886) prohibited penitentiaries from contracting out convict labor. The fifth amendment (1890) holds the City of Chicago solely responsible for any indebtedness created by city-issued

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49. Available at <http://catalog.hathitrust.org/api/volumes/oclc/22222544.html> and at <http://www.archive.org/details/cu31924024668232>.



interest-bearing bonds. The sixth amendment (1904) contained several items granting more autonomy to Chicago, such as increasing the debt limit and consolidating various municipal bodies. The seventh amendment (1908) concerned the improvement of the Des Plaines and Illinois River.

42. *Constitution of the State of Illinois: Adopted and Ratified in 1870 and Amended in 1877*. Springfield [Ill.]: Weber & Co., State Printers. 1879. 54 pages; 21 cm.

The title bears the incorrect date of 1877. The first amendment to the 1870 constitution was proposed in 1877 but not adopted by a vote of the people until November 5, 1878. This error was corrected in subsequent official pamphlets recording later amendments.

Available online.<sup>50</sup> Held by CHM, IL SL, Lake Forest, Newberry, and many institutions outside of Illinois.

43. *Constitution of the State of Illinois, Adopted and Ratified 1870. And Amended in 1878, 1880 and 1884*. Springfield, Ill: H.W. Rokker. 1885. 62 pages 8vo.

Available online.<sup>51</sup> Held by CHM, Newberry, U of I, and NYPL.

44. *Constitution of the State of Illinois: Adopted in Convention May 13, 1870; Ratified by the People July 2, 1870; in Force August 8, 1870; Amended in 1878, 1880, 1884, and 1886*. Springfield: H.W. Rokker. 1887. 48 pages; 22 cm.

Available online.<sup>52</sup> Held by U of I, Huntington, Mich, NYPL, Pitt, and Oxford.

45. Tooke, Charles W. *Constitution of the State of Illinois: Adopted in Convention May 13, 1870, Ratified by the People July 2, 1870, in Force August 8, 1870: Amended in 1878, 1880, 1884, 1886 and 1890*. Springfield, Ill: Phillips Bros., state printers. 1900. 58 p., 22 cm.

An addition to this state-issued pamphlet recording the fifth amendment is a five page historical sketch by Prof. Tooke of the University of Illinois detailing the state's constitutional history and summarizing the constitutions of 1818, 1848, 1870, as well as the unsuccessful convention of

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50. Available at <https://archive.org/details/constitutionofs00illi>.

51. Available at <http://catalog.hathitrust.org/api/volumes/oclc/41034648.html>.

52. Available at <http://catalog.hathitrust.org/api/volumes/oclc/67175807.html>.

1862. Additionally, rather than listing the amendments chronologically at the end of the pamphlet, Took has integrated them into the body of the constitution with footnotes explaining the changes.

Available online.<sup>53</sup> Held by many institutions, with OCLC recording 12 Illinois locations.

46. Charles W. Tooke. *Constitution of the State of Illinois: Adopted in Convention May 13, 1870, Ratified by the People July 2, 1870, in Force August 8, 1870: Amended in 1878, 1880, 1884, 1886, 1890, 1904, and 1908*. Springfield, Ill: Phillips Bros., state printers. 1908. 43 p.; 22 cm.

Includes the historical sketch by Prof. Tooke first appearing in the 1900 printing of this title (listed above). A scarce item with OCLC recording only a single institutional holding.

Held by Bloom PL.

47. Sunny, Bernard Edward. *The Proposed Amendment to the Constitution of the State of Illinois and a New Charter for Chicago*. [Chicago?]. 1904. 11 pages 21 cm.

This pamphlet records a speech delivered at the quarterly meeting of the Union league club, April 14, 1904, by B. E. Sunny, president of the Civic Federation of Chicago.

Available online.<sup>54</sup> Held by Chicago, CHM, EIU, IL S Ct, Lincoln, Newberry, and UIC.

48. Cooley, Lyman E. *The Proposed Constitutional Amendment; Shall Illinois Surrender her Paramount Position? A Plain Statement of the Issues Submitted to the People Nov. 3, 1908. Read, Consider then Vote. Affirm the Wisdom of Those Who Plead Your Cause*. Chicago: [L. Cooley?], 1908. 16 pages; 15 cm.

Available online.<sup>55</sup> Held by Mich.

#### E. Commentary and Analysis

49. King, Willard L. "Draftsmanship of the Constitution of 1870" 15 *Illinois Law Review* 447-457 (1921).

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53. Available at <http://catalog.hathitrust.org/Record/011724492> and at <http://books.google.com/books?id=GXU1AQAAMAAJ>.

54. Available at <http://catalog.hathitrust.org/api/volumes/oclc/6024931.html>.

55. Available at <http://catalog.hathitrust.org/api/volumes/oclc/26995308.html>.

50. Legislative Reference Bureau. *Constitutional Conventions in Illinois 2d ed.* Springfield, Ill.: Illinois General Assembly, Legislative Reference Bureau, 1919.

Although written primarily to analyze the concerns leading to the 1920 convention, the introductory pages provide a good summary of the constitutional conventions of 1818, 1847, 1862 and 1869–1870.

Available online.<sup>56</sup>

51. Verlie, Emil Joseph. *Illinois Constitutions.* Springfield, Ill: Trustees of the Illinois State Historical Library, 1919. xxxiii, 231 pages; 23 cm.

An indispensable title for the understanding of the constitutions of 1818, 1848, and 1870. The author provides a detailed analysis of each constitutional article.

Available online.<sup>57</sup>

## VII. 1920–1922 CONSTITUTIONAL CONVENTION

The fifth Illinois constitutional convention convened at the Capitol in Springfield, January 6, 1920 and adjourned sine die October 10, 1922. It was rejected by voters Dec. 12th, 1922.

### A. Convention Materials

52. B. H. McCann. *Delegates' Manual of the Fifth Constitutional Convention of the State of Illinois, 1920 Including Data Relative to the Calling and Assembling of the Convention, Together with a List of Delegates, Rules, Committees, Portraits, Biographies and other Information Concerning the Organization and Work of the Convention.* Springfield: Illinois State Journal Co., state printers, 1920. 256 pages illustrations, portraits, charts, folded plan.

Available online.<sup>58</sup> Held by many institutions worldwide.

53. B. H. McCann. *List of Delegates: Arranged Alphabetically and by Districts, Giving Springfield Addresses, etc., also Convention Rules, Committees and Assignments, List of State Officers, Justices of the*

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56. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/153/rec/15>.

57. Available at <http://catalog.hathitrust.org/api/volumes/oclc/2762917.html> and at <https://archive.org/details/illinoisconstitu00verlrich>.

58. Available at <http://catalog.hathitrust.org/api/volumes/oclc/5431455.html> and at <http://books.google.com/books?id=9xEtAQAAAJ>.

***Supreme Court, United States Senators and Representatives in Congress.*** Springfield [Ill.]: State of Illinois, Constitutional Convention. 1920. 93 p.: folded ill.

Held by Chicago, IL SL, Newberry, NIU, and U of I.

54. ***Proposed Amendments: nos. 1 to 385.*** [Springfield, Ill.]: The Convention. 1920. Appx. 600 pages; 31 cm.

Held by IL SL, Newberry, Northwestern L., and WIU.

55. ***William S. Gray, John L. Dryer, and Rodney H. Brandon. Proceedings of the Constitutional Convention of the State of Illinois Convened January 6, 1920.*** Springfield, Ill: Illinois State Journal Co. 1920. 5 volumes.

Available online.<sup>59</sup> Held by many institutions worldwide.

56. ***Journal of the Constitutional Convention, 1920–1922 of the State of Illinois: Convened at the Capital in Springfield, January 6, 1920, and Adjourned sine die October 10, 1922.*** Springfield: Illinois State Journal Co. 1922. 974 pages: illustrations

Available online.<sup>60</sup> Held by many institutions worldwide.

57. ***Journal of the Committee of the Whole of the Constitutional Convention, 1920–1922, of the state of Illinois. Convened at the Capitol in Springfield, January 6, 1920, and Adjourned sine die October 10, 1922. (Printed by Authority of the state of Illinois.)*** [Springfield]: [Illinois State Journal Co.]. 1922. 227 pages.

Available online.<sup>61</sup> Held by many institutions worldwide.

58. ***Draft of the Constitution of Illinois. Prepared by the Committee on Phraseology and Style Embodying Provisions Adopted on Second Reading up to May 5, 1922.*** [Springfield], [Schnepp & Barnes, printers]. 1922. 44 pages.

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59. Available at <http://catalog.hathitrust.org/api/volumes/oclc/3805825.html> and at <http://books.google.com/books?id=OAAbAAAAAYAAJ>.

60. Available at <http://catalog.hathitrust.org/api/volumes/oclc/5887271.html>.

61. Available at <http://www.archive.org/details/journalofcommitt00illiilli> and at <http://catalog.hathitrust.org/api/volumes/oclc/6779013.html>.

Held by IL SL, Newberry, Chicago, Lincoln, U of I, and many other libraries outside of Illinois.

59. *A Proposal to Establish a Judicial System for the State of Illinois. Introduced by Mr. Miller, Jan. 28, 1920. / Read First Time, Ordered Printed and Referred to Committee on Judicial Department, Jan. 29, 1920.* 1920. 9 pages.

Convention issued document, captioned as "No. 56," Miller .... Available online.<sup>62</sup> Held by CHM and Mich L.

60. *Digest of Constitutional Convention Proposals: Status of Proposals and Resolutions.* [Springfield]: Legislative Reference Bureau. 1920.

no. 1. February 7, 1920 -- no. 2. February 14, 1920 -- no. 3. February 21, 1920 -- no. 4. February 28, 1920 -- no. 6. May 22, 1920 -- no. 7. July 7, 1920.

Held by Chicago, IL SL, Lincoln, NIU, Northwester L., 8 institutions outside of Illinois.

61. *Reference proposals: nos. 1 to 21 Reported from the Committee of the Whole.* Springfield, Ill, Illinois State Journal. Springfield, Ill.: Illinois State Journal. 1921. 52 p.; 24 cm.

Held by IL SL and U of I.

62. *Reports nos. 1 to 19 of Committee on Phraseology and Style (formal parts omitted).* Springfield, Ill: Illinois State Journal Co. 1922. 196 pages.

Held by Chicago, IL SL, Lincoln, U of I, 7 institutions outside of Illinois.

63. *Constitutional Convention Committee on Phraseology and Style. Second Revised Draft of the Constitution of Illinois . . . Embodying Provisions Adopted . . . Up to June 22, 1922.* Springfield, 1922. 1 v.

Held by Chicago.

64. Constitutional Convention Committee on Phraseology and Style. *Comment on Second Revised Draft of the Constitution of Illinois as*

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62. Available at <http://catalog.hathitrust.org/api/volumes/oclc/427972819.html>.

*Adopted on Second Reading up to June 22, 1922.* [Springfield, Ill.] : Schnepp & Barnes, printers, 1922. 72 pages; 23 cm.

Held by Chicago, IL SL, and U of I.

65. *Text of Provisions Adopted on Second Reading, Constitutional Convention, State of Illinois, May 5, 1922.* [Springfield]: [Illinois State Journal Co.]. 1922. 38 pages 23 cm.

Held by Lincoln.

66. *Constitutional Convention Bulletins.* Springfield, Ill: The Bureau. 1920. xxxiii, 1224 p. : maps. 23 cm

Compiled in preparation for the Illinois Constitutional Convention, 1920–1922. Includes 15 bulletins, each with special title page, and formerly issued separately. Includes bibliographical references and index.

no. 1. The Procedure and Problems of the Constitutional Convention -- no. 2. The Initiative, Referendum and Recall -- no. 3. The Amending Article of the Constitution -- no. 4. State and Local Finance -- no. 5. The Short Ballot -- no. 6. Municipal Home Rule -- no. 7. Eminent Domain and Excess Condemnation -- no. 8. The Legislative Department -- no. 9. The Executive Department -- no. 10. The Judicial Department, Jury, Grand Jury and Claims Against the State. no. 11. Local Governments in Chicago and Cook County -- no. 12. County and Local Governments in Illinois -- no. 13. Farm Tenancy and Rural Credits -- no. 14. Social and Economic Problems -- no. 15. Bill of Rights, Education, Militia, Suffrage and Elections, Preamble, Boundaries, Distribution of Powers, Schedule.

Available online.<sup>63</sup> Held by many institutions worldwide.

67. *February 8, 1922. The Income Tax: Address of Walter H. Wilson to the Constitutional Convention of the State of Illinois.* [Springfield, Ill.]: [State of Illinois]. 1922. 22 pages; 22 cm.

Held by IL SL.

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63. Available at <http://catalog.hathitrust.org/api/volumes/oclc/2079224.html> and at [http://books.google.com/books?id=B\\_hJAQAIAAJ](http://books.google.com/books?id=B_hJAQAIAAJ).

## B. Illinois State Federation of Labor Materials

68. Illinois State Federation of Labor, *Bulletin*. Springfield, Ill: Illinois State Federation of Labor. 1920. various paging (noted separately below); 23 cm.

The following five addresses were made before the Committee of the Whole at the Constitutional Convention and published in the short-lived *Bulletin* of the Illinois State Federation of Labor.

Address 1: *Labor's Proposal Address of Angus W. Kerr, Attorney for Illinois State Federation of Labor before the Committee of the Whole, Constitutional Convention of Illinois, April 7, 1920. Bulletin no. 1.* 12 pages.

Address 2: *Statement of John H. Walker, President, Illinois State Federation of Labor, Constitutional Convention of Illinois, April 7, 1920: in Behalf of Labor's Proposal, Pending before the Illinois Constitutional Convention: Also His Reply to Governor Allen's Attack on Alexander Howat and the Labor Movement. Bulletin no. 2.* 23 pages.

Address 3: *Labor and Freedom: Address of Andrew Furuseth Before the Committee of the Whole, Constitutional Convention of Illinois, April 7, 1920. Bulletin no. 3.* 16 pages.

Address 4: *Labor and Injunctions: Address of John P. Frey before the Committee of the Whole, Constitutional Convention of Illinois, April 7, 1920. Bulletin no. 4.* 15 pages.

Address 5: *Statement of Matthew Woll: before the Committee of the Whole, Constitutional Convention of Illinois, April 7, 1920. Bulletin no. 5.* 15 pages.

Held by ISU, CHM, Lincoln, Hoover, and NYPL.

## C. Post-Convention Materials for Public Consideration

69. Chicago Bureau of Public Efficiency. *Shall the Proposed New Constitution Be Adopted?: Proposition to Be Voted Upon At a Special Election December 12, 1922, Vote Yes.* [Chicago]: [The Bureau], 1922. 31 pages.

Available online.<sup>64</sup> Held by many institutions worldwide.

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64. Available at <http://catalog.hathitrust.org/Record/008723203> and at <https://archive.org/details/shallproposednew00chicrich>.

70. Woodward, Charles E. *The Proposed New Constitution of Illinois, 1922: With Address to the People: for Submission to the People for Ratification at a Special Election to be Held December 12, 1922.* Springfield: The Convention, 1922. 61 pages.

Held by Chicago, EIU, NIU, Rockford PL, SIU L, U of I, CT SL, Harv L, WHS, Yale, and Yale L.

71. *The Proposed New Constitution of Illinois, 1922: With Explanatory Notes and Address to the People: for Submission to the People at a Special Election on Tuesday, December 12, 1922.* Danville, Ill: Printed by authority of the State of Illinois [by] Illinois Printing Co. 1922. 71, [1] pages.

Held by Chicago, Chicago PL, CHM, Northwestern, UIC, and U of I.

72. *The Proposed New Constitution of Illinois, 1922: With Explanatory Notes and Address to the People: for Submission to the People at a Special Election On Tuesday, December 12, 1922.* Springfield: L. Emmerson, Secretary of State, 1922. 78 pages.

Available online.<sup>65</sup> Held by many institutions worldwide.

73. *The Proposed New Constitution of Illinois, 1922: With Explanatory Notes and Address to the People; for Submission to the People at a Special Election on Tuesday, December 12, 1922; Illinois Constitutional Convention, 1920-1922; Printed by Authority of the State of Illinois.* Springfield: Schnepf & Barnes, Printers. 1922. 80 pages.

Available online.<sup>66</sup> Held by CHM, EIU, Lincoln, NIU L., Northwestern L., U of I., and 16 institutions outside of Illinois.

74. *The Proposed New Constitution for Illinois: To Be Voted Upon December 12, 1922: Text of the Proposed Constitution with Explanatory Comments: Also Text of Constitution of 1870 with Cross References.* [Chicago]: Chicago Bureau of Public Efficiency, 1922. 158 pages.

Printed by the Bureau of Public Efficiency, which published a separate pamphlet encouraging the public to “Vote Yes” (listed above), this

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65. Available at <http://catalog.hathitrust.org/api/volumes/oclc/25578998.html> and at <http://books.google.com/books?id=TgNAAAAAYAAJ>.

66. Available at <http://catalog.hathitrust.org/api/volumes/oclc/10144568.html>.



pamphlet bears the introductory note, “The Bureau believes that the best interests will be served by the ratification of the proposed instrument.” Not surprisingly, it provides a comparative analysis decidedly in support of the Convention’s proposal.

Available online.<sup>67</sup> Held by many institutions worldwide.

75. *The Revised Constitution of Illinois, 1922. Adopted in Convention at the City of Springfield, June 28, 1922. For Submission to the People for Ratification at a Special Election to be Held December 12, 1922. Illinois Constitutional Convention, 1920-1922. Printed by Authority of the State of Illinois.* [Springfield]: [Schnepp & Barnes, printed]. 1922. 45 pages 23 cm

Available online.<sup>68</sup> Held by Chicago, CHM, IL SL, Lincoln, Newberry, NIU L., U of I, and 19 outside of Illinois.

76. *Address to the People of the State of Illinois.* [Illinois]: [Constitutional Convention?]. 1922. 21, [1], 56, [2] leaves facsimiles.

Second paging: Constitution of Illinois, 1922. Facsimiles are signatures of the Constitutional Convention. Binder’s title: Proposed constitution of Illinois, 1922. Rejected December 12, 1922.

Held by Chicago, IL SL, IL Sup. Ct., Jacksonville PL, Lincoln, Northwestern, SIUE, and Wisconsin.

#### D. Commentary and Analysis

77. Carter, Orrin N. “The Coming Illinois State Constitutional Convention” 14 *Illinois Law Review* 333–340 (1919).

78. Chandler, Henry P. “Thoughts on Constitution Making Suggested by the Experience in Illinois” 71 *University of Pennsylvania Law Review* 218–228 (1923).

79. Davis, Philip R. “Defects and Causes of Defeat of the Proposed Constitution of 1922” 26 *Chicago Bar Record* 276–281 (1945).

80. Dodd, Walter F. “Illinois Rejects New Constitution” 17 *American Political Science Review* 70–72 (1923).

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67. Available at <http://catalog.hathitrust.org/api/volumes/oclc/1276724.html> and at <http://www.archive.org/details/proposednewconst00illirich> and at <http://books.google.com/books?id=TRJEAQAAMAAJ>.

68. Available at <http://catalog.hathitrust.org/api/volumes/oclc/5376867.html>.

81. Dodd, Walter F. "Preparation for the Constitutional Convention" 14 *Illinois Law Review* 266–268 (1919).
82. Green, Henry I. "The Constitutional Convention" 3 *Illinois Law Bulletin* 1818–195 (1921).
83. Green, Henry I. "Illinois Constitutional Convention" *Annual Proceedings of the Missouri Bar Association* 23–44. (1921).
84. Lavery, Urban A. "Constitutional Convention or Super Legislature" 13 *Illinois Law Review* 269–271 (1919).
85. Lavery, Urban A. "Revising a Constitution" 15 *Illinois Law Review* 437–446 (1921).
86. Lavery, Urban A. "Status of the Illinois Constitutional Convention" 16 *Illinois Law Review* 196–206 (1921-1922).
87. Legislative Reference Bureau. *Constitutional Conventions in Illinois 2d ed.* Springfield, Ill.: Illinois General Assembly, Legislative Reference Bureau, 1919.

Although written primarily to analyze the concerns leading to the 1920 convention, the introductory pages provide a good summary of the constitutional conventions of 1818, 1847, 1862 and 1869–1870.

Available online.<sup>69</sup>

88. Sikes, George C. "Illinois Votes on New Constitution" 11 *National Municipal Review* 422–427 (1922).
89. Tomei, Peter "How Not to Hold a Constitutional Convention; A Critical Look at the 1920 Illinois Constitutional Convention" 49 *Chicago Bar Record* 179–190 (1968).

#### VIII. 1970 CONSTITUTIONAL CONVENTION AND CONSTITUTION

The Sixth Constitutional Convention of Illinois convened on December 8, 1969 and adjourned on September 3, 1970. It was the most diverse Constitutional Convention to date. Of the 116 members, 15 were

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69. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/153/rec/15>.

women, 12 were African Americans, and were 96 college graduates.<sup>70</sup> The Convention adopted a proposed constitution September 3, 1970, which was approved by public vote on December 15, 1970.

#### A. Convention Materials

90. Governor Ogilvie. *Remarks at Illinois Constitutional Convention, Springfield, Illinois, December 8, 1969*. [Springfield, Illinois, 1969]. 10 leaves.

Held by U of I.

91. Illinois Constitutional Convention (1969-1970). *Record of Proceedings; Sixth Illinois Constitutional Convention. December 8, 1969 – Sept. 3, 1970*. [Springfield, Ill.: John W. Lexis, Secretary of State], 1972. 7 volumes.

Volume 1: Daily Journals, December 8, 1969 – September 3, 1970

Available online.<sup>71</sup>

Volumes 2: Verbatim transcripts

Available online.<sup>72</sup>

Volume 3: Verbatim transcripts

Available online.<sup>73</sup>

Volume 4: Verbatim transcripts

Available online.<sup>74</sup>

Volume 5: Verbatim transcripts

Available online.<sup>75</sup>

Volume 6: Committee proposals

Available online.<sup>76</sup>

Volume 7: Committee proposals, member proposals

Available online.<sup>77</sup>

Held by many institutions worldwide, with OCLC recording 86 Illinois locations.

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70. PAUL POWELL, ILL. SECRETARY OF STATE, MEMBERS: ILLINOIS CONSTITUTIONAL CONVENTION 1969-1970 (1969).

71. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/1703/rec/3>.

72. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/5163/rec/6>.

73. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/3982/rec/8>.

74. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/7417/rec/5>.

75. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/6263/rec/4>.

76. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/8984/rec/7>.

77. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/10512/rec/2>.

92. Redmond, Mary. *Index to the Transcripts of the Proceedings of the Sixth Illinois Constitutional Convention*. Springfield, Ill.: Illinois State Library, 1988.

Part 1: subject index; Part 2: sectional index.

Available online.<sup>78</sup> Held by many institutions, with OCLC recording 36 Illinois locations.

93. *Members: Illinois Constitutional Convention 1969–1970*. Issued by Paul Powell, Secretary of State. [Springfield, Ill.: Allied Printing, 1969]. 122p.

Pictures, biographies, and districts of the delegates to the Constitutional Convention.

Held by many institutions, with OCLC recording 17 Illinois locations.

94. Illinois Constitutional Convention (1969–1970). *Illinois Constitutional Convention Directory*. [Springfield, 1970]. 32 p.

Listing of delegates by district and alphabetically, convention facts, committees, and contact information.

Held by Lincoln, IL S. L., IL Col., NIU L., SIU, SIU L., and U of I.

95. Illinois Constitutional Convention (1969–1970). *Illinois Constitutional Convention Handbook, 1969–1970; Compiled by James Snopko*. [Springfield, Illinois: Illinois Constitutional Convention, 1970]. 68p.

Pocket manual for the delegates to the Constitutional Convention, containing practical information, like the location of the building, committee information including chairpersons and members, diagrams of the Old Capitol, seating charts, convention rules.

Held by Lincoln, IL S. L., NIU L., Northwestern, SIU, SIU L., and U of I.

96. Illinois Constitutional Convention (1969–1970). *Organization Chart*. [Springfield, Ill.: Illinois constitutional convention] Public Information Committee, [1970]. 1 chart.

Held by Lincoln, CPL, IL SL, NIU L., Popular Creek, UIC, and WIU.

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78. Available at <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/709/rec/2> (Part 1); and <http://www.idaillinois.org/cdm/compoundobject/collection/isl2/id/815/rec/1> (Part 2).

## B. Convention Reports and Proposals

97. Committee on Bill of Rights. *Proposals no. 1, no. 1A-1H*. Springfield: The State, 1970. 1v.

Held by SIU L.

98. Committee on Bill of Rights. *Minority Proposals no. 1I and 1J*. [Springfield, 1970]. 13, 4p.

Held by EIU, NIU, NIU L., Northwestern, SIU, SIU L., and WIU.

99. Committee on Education. *Proposal no. 1-2*. [Springfield, 1970]. 1v.

Held by NIU, NIU L, SIU, and SIU L.

100. Committee on Executive. *Proposal no. 1*. Springfield, 1970. 77p.

Held by Chicago, EIU, ISU, John Marshall, NIU, NIU L., SIU, and Stanford L.

101. Committee on General Government. *Proposal no. 1-18*. Springfield, 1970. 1 v.

Held by EIU, NIU L, and SIU.

102. Committee on Judiciary. *Proposal no. 1-3*. Springfield, Ill.: 1970. 1v.

Held by NIU L, Northwestern L, SIU, and SIU L.

103. Committee on Judiciary. *Member Proposals*. [Springfield, Ill.: 1970]. 2v.

Held by SIU L.

104. Committee on Legislative Article. *Majority Report*. [Springfield, Ill., 1970].

Text of the proposed legislative article and report of the Committee on Legislative Article.

Held by CPL, ISL, NEIU, NIU, SIU L., and Gallagher.

105. Committee on Legislative Article. *Legislative Article: Comparative Information; an Appendix*. [Springfield, Ill., 1970]. 110p.

Information from the proceedings of the Committee on Legislative Article to help the committee members evaluate the proposals, including a comparative analysis of the proposed article and articles from other states, list of witness and summaries of their testimony, summaries of member proposals, additional research material, and list of issues before the committee.<sup>79</sup>

Held by 12 institutions worldwide, with OCLC recording 10 Illinois locations.

106. Committee on Legislative Article. *Minority Proposals IA thru IL*. [Springfield, 1970]. 74p.

Held by EIU, ISU, NIU, NIU L. SIU, and SIU L.

107. Committee on Legislature. *Majority Report*. [Springfield, 1970]. 110p.

Held by EIU, ISU, NIU L. SIU, SIU L.

108. Committee on Local Government. *Minority Proposals, IA-1N*. [Springfield, 1970]. 79, 5p.

Held by EIU, ISU, NIU L., SIU, and SIU L.

109. Committee on Local Government. *Report*. [Springfield, 1970]. 227 [48] p.

Held by 12 libraries worldwide, with OCLC recording 9 Illinois locations.

110. Committee on Revenue and Finance. *Proposals no. 1-2C*. Springfield, Ill.: The State, 1970. 190p.

Held by NIU, NIU L., and SIU L.

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79. ILLINOIS CONSTITUTIONAL CONVENTION 1969-1970, COMMITTEE ON LEGISLATIVE ARTICLE, MAJORITY REPORT (1970).

111. Committee on Style, Drafting and Submission. *Proposal no. 1–15*. Springfield, Ill., 1970. 1 v.

Held by EIU, ISU, NIU L., SIU, and SIU L.

112. Committee on Suffrage and Constitutional Amendment. *Proposal no. 1*. Springfield, 1970. 36p.

Held by Chicago, EIU, ISU, John Marshall, SIU, and SIU L.

113. Elder, Ann H. and Fisher, Glen W. *An Attempt to Amend the Illinois Constitution; a Study in Politics and Taxation*. [Urbana, Ill.]: Institute of Government and Public Affairs, University of Illinois, 1969. 114p.

Available online.<sup>80</sup> Held by many institutions, with OCLC recording 28 Illinois locations.

114. Peccarelli, Anthony M. *Dissent to Legislative Article Majority Report, and Proposed Substitute of Entire Majority Report of the Committee on Legislative Article, Sixth Illinois Constitutional Convention*. [Springfield]: The Committee, 1970. 24 leaves.

Held by NEIU, NIU, and NIU L.

115. Reum, Lucy. *Dissent from Recommended Section 3(b), Alternative A and Alternative B – Method of Legislative Apportionment*. [Springfield], 1970. 13[3].

Also known as the *Dissent to Committee on Legislative Article majority report*. This is the dissent of Delegate Lucy Reum from the proposed legislative article submitted by the Committee on Legislative Article. The delegate includes her proposal on Redistricting as an attachment.

Held by IL SL, ISU, NEIU, NIU, SIU, and SIU L.

#### C. Convention-Issued Materials for Public Consideration

116. *Proposed 1970 Constitution for the State of Illinois: Official Text with Explanation. Submitted by the Sixth Illinois Constitutional Convention. This Proposed Constitution will be Submitted to the Voters of*

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80. Available at <http://www.idaillinois.org/cdm/ref/collection/isl2/id/13527>.

*Illinois at a Special Election on December 15, 1970.* [Springfield: Secretary of State, 1970]. 24p, illustrations.

“This is the official publication of the proposed 1970 constitution by the sixth Illinois Constitutional Convention as adopted on September 3, 1970. Its publication is required by Public Act 76-40 and made possible by an appropriation by the Illinois General Assembly.”<sup>81</sup> Printed in newspaper format with an introduction about the work of the Constitutional Convention and a description and purpose of each Constitutional committee, including the work that each committee sought to complete and the changes they wanted to make. A complete copy of the proposed constitution is printed in black with a short description of the section in blue print.

Available online.<sup>82</sup> Held by 16 institutions, with OCLC recording 13 Illinois locations.

117. Illinois Constitutional Convention (1969–1970). *Viewpoint, Sixth Illinois Constitutional Convention, 1969–70.* Springfield, Illinois: Illinois Constitutional Convention, [1970]. 1 folded sheet.

Held by IL SL, Lincoln, NIU L., and U of I.

#### D. Contemporary Discussion

118. Kitsos, Thomas and Pisciotte, Joseph. *A Guide to Illinois Constitutional Revision: the 1969 Constitutional Convention.* Urbana, Illinois: Institute of Government and Public Affairs, University of Illinois, 1969. 46p.

Available online.<sup>83</sup> Held by many institutions, with OCLC recording 26 Illinois locations.

119. *Launching the Sixth Illinois Constitutional Convention: the Last Giant Step! Report of the Constitution Study Commission Created by the 76th General Assembly.* [Springfield], [1969 or 1970]. 36p.

The final report and findings of the Constitution Study Commission as submitted on January 8, 1970 to the Constitutional Convention.<sup>84</sup>

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81. SIXTH ILLINOIS CONSTITUTIONAL CONVENTION, PROPOSED 1970 CONSTITUTION FOR THE STATE OF ILLINOIS: OFFICIAL TEXT WITH EXPLANATION 1 (1970).

82. Available at <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12571>.

83. Available at <http://cdm16614.contentdm.oclc.org.proxy.lib.siu.edu/cdm/compoundobject/collection/isl2/id/13128/rec/16>.



Available from Illinois Digital Archives.<sup>85</sup> Held by many institutions, with OCLC recording 16 Illinois locations.

120. *Preparing for the Illinois Constitutional Convention, June, 1969; Report of the Constitution Study Commission.* Chicago, 1969, 38p.

Held by many institutions, with OCLC recording 12 Illinois locations.

121. Fordham, Jefferson B.; Braden, George D.; Cassella, William N.; Rakove, Milton L. *State Constitution Revision: The Illinois Opportunity.* [Urbana]: Institute of Government and Public Affairs, University of Illinois, 1970. 43p. George A. Miller Lectures. University of Illinois Bulletin, Vol. 67, No. 99 April 6, 1970.

Part of a series of lectures on state constitutional revision problems.<sup>86</sup> Jefferson Fordham did the lecture with George Braden, William Cassella, Milton Rakove providing a discussion panel on the various issues with constitutional revision.

Held by many institutions, with OCLC recording 21 Illinois locations.

122. *Con Con Guide, 6th Illinois Constitutional Convention.* Chicago, Illinois: League of Women Voters, [1970]. 1 folded sheet

Held by Lincoln, IL S.L., and San Diego LRC.

123. *Con-Con: Issues for the Illinois Constitutional Convention: Papers, Samuel K. Gove, Director. Victoria Ranney, Editor.* Urbana: University of Illinois Press, 1970. 512p.

This is “a series of research papers prepared by the Constitution Research Group on issues which will face the Constitutional Convention.”<sup>87</sup>

Held by many institutions, with OCLC recording 40 Illinois locations.

124. Illinois Constitutional Convention (1969–1970). *Sixth Illinois Constitutional Convention: a Portrait of Change.* [Springfield, Ill., 1970]: vol. 1 and vol. 2: 15 p.

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84. CONSTITUTION STUDY COMMISSION, LAUNCHING THE SIXTH ILLINOIS CONSTITUTIONAL CONVENTION: THE LAST GIANT STEP! 3 (1970).

85. Available at <http://www.idaillinois.org/cdm/ref/collection/isl2/id/13189>.

86. Jefferson B. Fordham, et al., *State Constitution Revision: The Illinois Opportunity*, 67 U. ILL. BULL., no. 99, 1970.

87. Letter to Constitutional Convention Delegates from Governor Richard B. Ogilvie, in CON-CON: ISSUES FOR THE ILLINOIS CONSTITUTIONAL CONVENTION (Samuel K. Gove & Victoria Ranney eds., 1970).

A one volume teacher's guide is available for this publication.

Vol. 1 held by Lincoln, NIU L., U of I, and UIC; Vol. 2 held by Lincoln, and U of I.

125. Illinois Constitution Research Group. *Issues for the Illinois Constitutional Convention: Papers*. Samuel K. Gove, director. Victoria Ranney, editor. [Springfield, Ill.: Illinois Legislative Council], 1969. 1v.

The Constitutional Research Group commissioned research papers written specifically to educate the delegates to the Sixth Illinois Constitutional Convention. The authors donated their services and any additional funding was provided by the Union League Club and the Constitution Convention Information Services, Inc.<sup>88</sup> These 18 papers cover a variety of issues. They provide the history of the issues they cover, developments in federal and state law that have some bearing on the issue, case law, and, where applicable, the political environment of the state and the country, and other state constitutions. The individual research papers are held separately by different institutions. A different format of this volume is listed in no. 122.

Held by many institutions, with OCLC recording 40 Illinois locations. Individual papers are available online, as listed below.

*The Amending Process*, by Robert W. Bergstrom. 27p.<sup>89</sup>

*Business Regulation: Banks and Warehouses*, by Irving Gordon. 23p.

*Business Regulation: Corporations*, by David S. Ruder. 10p.<sup>90</sup>

*Business Regulation: Transportation*, by Edmund W. Kitch. 12p.<sup>91</sup>

*Education*, by Orville Alexander. 26p.<sup>92</sup>

*The Executive*, by Dawn Clark Netsch. 29p.<sup>93</sup>

*The Judiciary*, by Charles W. Joiner. 17p.<sup>94</sup>

*Legal Aspects of Revenue*, by JoDesha Lucas. 34p.<sup>95</sup>

*The Legislature*, by Samuel K. Gove and Richard J. Carlson. 24p.<sup>96</sup>

*Public Finance*, by Glenn W. Fisher. 38p.<sup>97</sup>

*Representation in the General Assembly*, by David Kenney. 16p.<sup>98</sup>

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88. *Id.*

89. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12864>.

90. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/13038>.

91. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12995>.

92. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/13024>.

93. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12719>.

94. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12740>.

95. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/13077>.

96. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12792>.

97. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12833>.

98. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12951>.

*The State Bill of Rights*, by Frank P. Grad. 23p.<sup>99</sup>

*The State Constitution, its Nature and Purpose*, by Paul G. Kauper. 22p.<sup>100</sup>

*The Guarantee of Civil Rights*, by Lucius J. Barker and Twiley W. Barker. 21p.<sup>101</sup>

*Suffrage*, by William Goodman. 15p.<sup>102</sup>

*Urban Government*, by Joseph Small. 15p.<sup>103</sup>

*Urban Problems*, by James M. Banovetz. 34p.

*Local Government Outside of Cook County*, by Alice L. Ebel. 21p.<sup>104</sup>

126. Illinois Military and Naval Department. *Information Briefing: Committee on General Government, Illinois Constitutional Convention, 1969-1970*. Springfield, Illinois: Illinois Military and Naval Dept., [1970]. 1v. (various pagings).

Held by IL S. L.

127. Public Information Committee of the Sixth Illinois Constitutional Convention (1969–1970). *Sixth Illinois Constitutional Convention: a Portrait of Change*. Springfield, 1970. (Monograph 1: 15 pages; Monograph 2: 15 pages).

Monograph 1 held by Lincoln, NIU, U of I, and UIC; Monograph 2 held by Lincoln and U of I.

128. Public Information Committee of the Sixth Illinois Constitutional Convention (1969–1970). *Sixth Illinois Constitutional Convention: a Portrait of Change: a Teacher's Guide*. Springfield, 1970. 39p.

Held by Lincoln, IL SL, NEIU, Northwestern, U of I, UIS, and UIC.

129. Illinois General Assembly: Legislative Council. *The Weekly Illinois Constitutional Convention Summary*. Springfield, Illinois, 1970.

Held by 10 Illinois locations in OCLC records.

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99. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12978>.

100. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12890>.

101. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12765>.

102. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12931>.

103. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12911>.

104. Available at: <http://www.idaillinois.org/cdm/ref/collection/isl2/id/12686>.

130. Witwer, Samuel. *Con Con Diary: Reflections of Samuel W. Witwer, President, Sixth Illinois Constitutional Convention, December 8, 1969-September 3, 1970*. Wichita, Kansas: Hugo Wall School of Urban and Public Affairs, Wichita State University, 1997. 388p.

This is the personal diary that Samuel Witwer started at the beginning of the Sixth Illinois Constitutional Convention. It includes his personal reflections, observations, thoughts and ideas on the tasks set before the Constitutional Convention and how to accomplish them. The diary also includes his reflections on his working relationships with persons involved in the convention including meetings, conversations, and interactions with them.

Held by many institutions, with OCLC recording 38 Illinois locations.

131. Gove, Samuel K.; Kitsos, Thomas R. *Revision Success: The Sixth Illinois Constitutional Convention*. New York: National Municipal League, 1974. 177p.

Number 8 in the State Constitutional Convention Studies published by the National Municipal League. The other books in the series: No. 1: *The Politics of the Rhode Island Constitutional Convention*, Elmer E. Cornwell and Jay S. Goodman (1969); No. 2: *Constitutional Revision in Pennsylvania; the Dual Tactic of Amendment and Limited Convention*, George D. Wolf (1969); No. 3: *Magnificent Failure: The Maryland Constitutional Convention of 1967-1968*, John P. Wheeler and Melissa Kinsey (1970); No. 4: *The Process of Constitutional Revision in New Jersey: 1940-1947*, Richard J. Connors (1970); No. 5: *With an Understanding Heart: Constitution Making in Hawaii*, Norman Meller (1971); No. 6: *Constitution Making in Missouri; the Convention of 1943-1944*, Martin L. Faust (1971); No. 7: *The City and the Constitution: The 1967 New York Convention's Response to the Urban Crisis*, Donna E. Shalala (1972); No. 9: *Alaska Constitutional Convention*, Victor Fischer (1975).

Held by many institutions, with OCLC recording 21 Illinois locations.

#### E. Post Ratification

132. Illinois Constitutional Convention (1969-1970). *Constitution of the State of Illinois—1970: Adopted by the Sixth Illinois Constitutional Convention (December 8, 1969-September 3, 1970)*. Springfield, Ill.: 1970. 37p.

Held by many institutions, with OCLC recording 33 Illinois locations.

133. *Constitution of the State of Illinois and United States*. [Springfield, Ill.]: Secretary of State, 1973. 89p.

Held by many institutions, with OCLC recording 18 Illinois locations.

134. Illinois Office of the Secretary of State; United States. *Constitution of the State of Illinois and United States*. [Springfield, Ill.: J.W. Lewis, Secretary of State], 1971. 85p.

Held by many institutions, with OCLC recording 39 Illinois locations.

135. Lousin, Ann. *The 1970 Illinois Constitution: The First Decade: A Selected Bibliography*. Chicago, Ill.: John Marshall Law School Library, 1983. 69p.

Held by 10 Illinois institutions.

136. Pfeifer, Frank M. and Kelty, Thomas W. *Index to 1970 Illinois Constitution*. Springfield, Ill.: Illinois Municipal League, 197-. 10p.

Alphabetical listing of parts of the constitution with each article and section identified.

Held by SIU L.

#### F. Commentary and Analysis

137. Gertz, Elmer. *Charter for a New Age: An Inside View of the Sixth Illinois Constitutional Convention*. Urbana: Institute of Government and Public Affairs, University of Illinois Press, 1980. 378p.

Gertz gives an insider view into the Illinois constitutional study commissions, the constitutional convention, the delegates, the committees and the issues facing them in order to delve into the process through which Illinois adopted a new modern constitution that reflected the modern times, the economic and financial development and the growth of the state.

Held by many institutions, with OCLC recording 41 Illinois locations.

138. *Governing Illinois Under the 1970 Constitution. Edited by David R. Beam*. DeKalb, Ill.: Center for Governmental Studies, Northern Illinois University, 1971. 58p.

Originally intended as a summary of the 1970 Illinois Constitution for classroom use, this volume contains articles and newspaper accounts of the

issues facing the Constitutional Convention that were included in the Constitution proposed by the Convention.<sup>105</sup>

Held by many institutions worldwide, with OCLC recording 31 Illinois locations.

139. Johnson, Timothy Joel. *Article VII of the Illinois Constitution Annotated: An Annotated Bibliography of Case Law, Attorney General's Opinions, Books and Articles Relating to the Local Government Article of the Illinois Constitution of 1970*. Champaign, Ill: Office of Continuing Education and Public Service Community Information and Education Service, University of Illinois at Urbana-Champaign, 1995. 274p.

Held by 15 institutions worldwide, with OCLC recording 11 Illinois locations.

140. Kenney, David. *Making a Modern Constitution: The Illinois Experience*. [Murphysboro, Ill.]: Jackson County (IL) Historical Society, 1991. 106p. 176p.

Taken from the author's personal observations as recorded in his diary, the verbatim transcripts of the convention, newspaper accounts, and the Journal of the Constitutional Convention, this book sets forth the process for planning and having a successful Constitutional Convention including information about the politics and problems involved in such an undertaking. Unlike some of the other events and publications providing accounts of the Sixth Illinois Constitutional Convention, the author included pictures of various committees and delegates throughout the book; as well as information about political accomplishment of delegates after the completion of the Constitutional Convention.<sup>107</sup>

Held by many institutions worldwide, with OCLC recording 33 Illinois locations.

141. Kopecky, Frank, and Mary Sherman Harris. *Understanding the Illinois Constitution*. [Springfield, Ill.]: Illinois LEARN Program, 2001. 89 pages; illustrations; 28 cm

“[d]esigned for use as a supplemental text in history or government courses.”

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105. James M. Banovetz, *Foreword* to GOVERNING ILLINOIS UNDER THE 1970 CONSTITUTION (David R. Beam, ed. 1971).

106. DAVID KENNEY, MAKING A MODERN CONSTITUTION: THE ILLINOIS EXPERIENCE (1991).

107. *Id.*

Available online.<sup>108</sup>

142. *Report of the Illinois Municipal League, Committee of Home Rule Attorneys: 1970 Illinois Constitution*. Springfield, Ill.: The League, [1980]. 57p.

Updated in 1988: Report of the Illinois Municipal League, Committee of Home Rule Attorneys: 1970 Illinois constitution. Springfield, Ill.: The League, 1987. 88p.

Held by NIU and SIU L.

143. Wilson, Thomas Dwight. *Illinois Local Government Under the 1970 Constitution*. [Normal]: Division of Continuing Education and Public Service of Illinois State University, 1975. 64p.

Held by 16 Illinois locations in OCLC records.

144. Walter, Oliver. *The 1969 Illinois Constitution Convention delegate Election and Voter Rationality [microform]*. Ph.D. Thesis – University of Illinois at Urbana-Champaign, 1972. 368 leaves.

Held by Lincoln and UIS.

#### G. 1970 Illinois Constitution Annotated for Legislators

This publication was intended to assist Illinois legislators in interpreting the new 1970 Illinois Constitution.<sup>109</sup> The Legislative Research Unit of the Illinois General Assembly updates the volume irregularly. Each volume contains the 1970 Illinois constitution as amended through publication; annotated with court cases, Attorney General Opinions, and commentary. “Since it is written primarily for legislators, it emphasizes the constitutional structures of state and local government, legislative powers and procedures, and limitations on statutes.”<sup>110</sup> Most Illinois University Libraries and some public libraries in the state hold this title.

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108. Available at <http://www.isba.org/sites/default/files/teachers/publications/constbook.pdf>.

109. DAVID R. MILLER, ILLINOIS LEGISLATIVE RESEARCH UNIT, 1970 ILLINOIS CONSTITUTION ANNOTATED FOR LEGISLATORS, at v (3rd ed. 1987).

110. DAVID R. MILLER, ILLINOIS LEGISLATIVE RESEARCH UNIT, 1970 ILLINOIS CONSTITUTION ANNOTATED FOR LEGISLATORS, at v (4th ed. 2005).

145. Miller, David R. 1970 *Illinois Constitution Annotated for Legislators*. Springfield: Illinois Legislative Research Unit. 134p. 1980. Publication 159.
146. Miller, David R. 1970 *Illinois Constitution Annotated for Legislators*. Springfield: Illinois Legislative Research Unit. 1983. 134p. Publication 177.
147. Miller, David R. 1970 *Illinois Constitution Annotated for Legislators, 3rd ed.* Springfield: Illinois Legislative Research Unit. 1987. 134p. Publication 207.
148. Miller, David R. 1970 *Illinois Constitution Annotated for Legislators, 4th ed.* Springfield: Illinois Legislative Research Unit, 4th ed. 1996. 136p. Publication 274.
149. Miller, David R. 1970 *Illinois Constitution Annotated for Legislators 4th ed. 2005 update.* Springfield: Illinois Legislative Research Unit, 2005. 139p. Publication 314.

Available online from the Illinois Digital Archives.<sup>111</sup>

Held by Chicago, Lincoln, EIU, ISU, Marshall, Loyola, NIU, NIU L., SIU, SIU L., and U of I.

#### H. Studies in Illinois Constitution Making

The series, *Studies in Illinois Constitution Making*, was authorized by the Institute of Government and Public Affairs of the University of Illinois and funded by the Field Foundation of Illinois. The series is composed of a group of studies of the events, people, documents, transcripts, and conflicts at the Sixth Illinois Constitutional Convention. The authors are all persons that were either observers, participants or both in the convention. Each book in the series contains a different viewpoint and focuses on a different aspect of the 1970 Illinois Constitutional Convention.

150. Volume 1: Cornelius, Janet. *Constitution Making in Illinois, 1818–1970 rev. ed.* Urbana: Institute of Government and Public Affairs, University of Illinois Press, 1972. 175p.

This is the revised edition of *A History of Constitution Making Illinois*, 1968, also by Janet Cornelius. Cornelius has a knack for making

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111. Available at <http://www.ediillinois.org/ppa/docs/00/00/00/05/30/67/ILConstitution2005.pdf>.



the history of Illinois, including constitutional development and activities, read like fiction. The author uses secondary sources, interviews with persons containing firsthand knowledge of the constitutional conventions, newspaper accounts of events, books and other information to trace the development of Illinois as a state; recounts events leading to the constitutional conventions and constitution revisions; information on how Illinois citizens received each constitution; comparison of Illinois constitutions to those of other states.<sup>112</sup> The revised edition has an additional chapter on the 1969–1970 Constitutional Convention.

Available online.<sup>113</sup> Held by many institutions in Illinois and worldwide.

151. Volume 2: Gertz, Elmer. *For the First Hours of Tomorrow: The New Illinois Bill of Rights*. Urbana, Illinois: Institute for Government of Government and Public Affairs, University of Illinois Press, 1972. 178p.

This is the biography of the Bill of Rights Committee written by the President of that committee at the 1969–1970 Illinois Constitutional Convention. Gertz includes information about the personalities, the organization involved in helping the committee draft the new bill of rights, and stories that can only be told by someone that was present. There is information about each of the provisions and how the committee arrived at the final bill. Gertz tells of the underlying stories involved in the committee work, personalities and the results.<sup>114</sup>

Held by many institutions in Illinois and worldwide.

152. Volume 3: Burman, Ian D. *Lobbying at the Illinois Constitutional Convention*. Urbana: Institute of Government and Public Affairs, University of Illinois Press, 1973. 119p.

Unlike the other volumes in this series, the author relies upon the information obtained through interviewing lobbyists, delegates and legislators. Burman takes an in depth look at the role of lobbyists in the constitutional convention; the relationship between lobbyists and convention delegates, especially the effect of lobbying on organizations and special interest groups.<sup>115</sup> For some organizations and special interest groups, the constitutional convention held no real meaning, while others took an interest in the work of the convention delegates and how revisions

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112. JANET CORNELIUS, CONSTITUTION MAKING IN ILLINOIS, 1818-1970 (rev. ed. 1972).

113. Available at <http://catalog.hathitrust.org/api/volumes/oclc/409773.html>.

114. ELMER GERTZ, FOR THE FIRST HOURS OF TOMORROW: THE NEW ILLINOIS BILL OF RIGHTS (1972).

115. IAN D. BURMAN, LOBBYING AT THE ILLINOIS CONSTITUTIONAL CONVENTION, at ix (1973).

to the constitution might affect their members and the work of the organization. Other groups did not get concerned until after the revised constitution was presented. All of that information about the work of the organizations, the various relationships and whether the relationships proved to be beneficial or detrimental to the lobbyists' interests and the strategy that the lobbyists took in deciding whether to form a relationship with convention members is presented.

Available online.<sup>116</sup> Held by many institutions in Illinois and worldwide.

Also published as a thesis: Burman, Ian D. *Lobbying at the Illinois Constitutional Convention: Amount, Tactics, and Functions*. Ph.D. Thesis University of Illinois at Urbana-Champaign, 1972. 232.

Held by IL SL, and UIS.

153. Volume 4: Cohn, Rubin G. *To Judge with Justice: History and Politics of Illinois Judicial Reform*. Urbana, Illinois: Institute of Government and Public Affairs, University of Illinois Press, 1973. 164p.

*To Judge with Justice* provides a detailed account of judicial reform in the 1970 Illinois Constitutional Convention and how the members of the Judicial Committee finalized and drafted the judicial article. Cohn's personal observations and work as staff counsel to the Judicial Committee and as a proponent of judicial reform provides the underlying story to the work and accomplishments of the judicial committee on judicial elections, appointments, and judicial discipline.

Held by many institutions worldwide, with OCLC recording 43 Illinois locations.

154. Volume 5: Gratch, Alan S. and Ubik, Virginia H. *Ballots for Change: New Suffrage and Amending Articles for Illinois*. Urbana, Illinois: Institute of Government and Public Affairs, University of Illinois Press, 1973. 117p.

Gratch and Ubik reviewed their own personal notes, used their recollections, review documents, committee notes and minutes, transcripts, questionnaires, witness statements, committee reports, and correspondence to write this book about the work of the Committee on Suffrage and Constitutional Amending. This volume was written to provide legislative history, background information and information about committee operations, and "mean and impact" of the proposed and adopted articles.

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116. Available at <http://catalog.hathitrust.org/api/volumes/oclc/661740.html>.

Held by many institutions worldwide, with OCLC recording 25 Illinois locations.

155. Volume 6: Fisbane, Joyce D. and Fisher, Glenn W. *Politics of the Purse: Revenue and Finance in the Sixth Illinois Constitutional Convention*. Urbana: Institute of Government and Public Affairs, University of Illinois Press, 1974. 199p.

Interesting in that it discusses the decision making of the Revenue and Finance Committee of the Illinois Constitutional Convention. A discussion of influence and its effect on decisions made by the committee, discussion of state debt limit, the relationship between revenue and finance decisions on the maintenance of political organizations within the state.<sup>117</sup>

Available online.<sup>118</sup> Held by many institutions worldwide, with OCLC recording 33 Illinois locations.

156. Volume 7: Buresh, Jane Galloway. *A Fundamental Goal: Education for the People of Illinois*. Urbana: Institute of Government and Public Affairs, University of Illinois Press, 1975. 136p.

Through her work as an administrative assistant and observer to the Education Committee, and interviews and conversations with the members of the committee, Buresh provides an intimate look at the issues and conflicts facing the committee and the process by which they accomplished the task set before them. The main task of the Education Committee was to create a state board of education to effectively manage Illinois schools; handle education financing for the public school system and to higher education institutions; and settle the issue of aid to parochial and private schools.<sup>119</sup>

Available online.<sup>120</sup> Held by many institutions worldwide, with OCLC recording 31 Illinois locations.

157. Volume 8: Kenney, David; Van Der Slik, Jack R.; and Pernacciaro, Samuel J. *Roll Call!: Patterns of Voting in the Sixth Illinois Constitutional Convention*. Urbana, Illinois: Institute of Government and Public Affairs, University of Illinois Press, 1975. 85 p.

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117. JOYCE D. FISHBANE & GLENN W. FISHER, *POLITICS OF THE PURSE: REVENUE AND FINANCE IN THE SIXTH ILLINOIS CONSTITUTIONAL CONVENTION*, at ix (1974).

118. Available at <http://catalog.hathitrust.org/api/volumes/oclc/835240.html>.

119. JANE GALLOWAY BURESH, *A FUNDAMENTAL GOAL: EDUCATION FOR THE PEOPLE OF ILLINOIS*, at xviii (1975).

120. Available at <http://catalog.hathitrust.org/api/volumes/oclc/1130009.html>.

Our purpose in this monograph is to interpret and account for members' voting on the main issues of the convention. First, we tried to discover the basic patterns of voting. Second, we identified the place, or score, of each individual member on each of those patterns. Third, we related the voting scores of individuals to certain of their socio-political characteristics, in order to explain voting behavior as best we could.<sup>121</sup>

Held by many institutions, with OCLC recording 24 Illinois locations.

158. Volume 9: Watson, Joanna M. *Electing a Constitution: The Illinois Citizen and the 1970 Constitution*. Urbana, Illinois: Institute of Government and Public Affairs, University of Illinois Press, 1980. 139p.

Unlike the other volumes in the series that focus on the work of various committees and delegates to the Illinois Constitutional Convention, Watson takes a look at the Illinois citizen and the elections that lead to the constitutional convention, selections of delegates, and approval of the proposed constitution. Includes an examination of the strategy for getting the convention called, electing delegates, formatting the ballot, campaigns and tactics for ratification, and an analysis of the vote.

Held by many institutions worldwide, with OCLC recording 44 Illinois locations.

## IX. CONSTITUTIONAL AMENDMENTS AND PROPOSALS AFTER 1970

### A. Amendments

159. *Constitution of the State of Illinois: Amendments and Conventions Proposed*. [Springfield, Ill.: Legislative Reference Bureau, 2014]. Online document: <http://www.ilga.gov/commission/lrb/conampro.htm>

The most up to date listing of all proposed amendments to the 1970 Illinois Constitution. It also includes the calls for Constitutional Convention. The document includes whether each amendment and call for convention was approved or rejected.

160. *Amendments to the Constitution of Illinois That Will Be Submitted to the Voters, November 4, 1980*. Springfield, Ill.: Published in compliance with statute by Alan J. Dixon, Secretary of State, 1980. 11p.

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121. DAVID KENNEY, JACK R. VAN DER SLIK & SAMUEL J. PERNACCIARO, ROLL CALL!: PATTERNS OF VOTING IN THE SIXTH ILLINOIS CONSTITUTIONAL CONVENTION, at ix (1975).

Held by IL SL, NSLD, SIU L., U of I, and UVA L.

161. Illinois Office of the Secretary of State. ***Proposed Amendment to the Constitution of Illinois That Will Be Submitted to the Voters November 4, 1980.*** [Springfield, Ill.] : Published in compliance with statute by Alan J. Dixon, Secretary of State, 1984. 11 p.

The proposed amendment, explanation, arguments for and against Legislative Article, Sections 1, 2 and 3 of Article IV of the Illinois Constitution.

Held by SIU L.

162. Illinois Office of the Secretary of State. ***Proposed Amendment to the Constitution of Illinois That Will Be Submitted to the Voters November 6, 1982.*** [Springfield, Ill.]: Published in compliance with statute by Jim Edgar, Secretary of State, 1982. 7 p.

The proposed amendment, explanation, arguments for and against Bail, Section 9 of Article I of the Illinois Constitution.

Held by SIU L.

163. Illinois Office of the Secretary of State. ***Proposed Amendment to the Constitution of Illinois That Will Be Submitted to the Voters November 6, 1984.*** [Springfield, Ill.]: Published in compliance with statute by Jim Edgar, Secretary of State, 1984. 7 p.

The proposed amendment, explanation, arguments for and against the Veterans Property Tax Exemption, Section 6 of Article IX of the Illinois Constitution.

Held by Lincoln, IL SL, SIU L., and U of I.

164. Illinois Office of the Secretary of State. ***Proposed Amendment to the Constitution of Illinois That Will Be Submitted to the Voters November 6, 1990.*** [Springfield, Ill.]: Published in compliance with statute by Jim Edgar, Secretary of State, 1990. 9 p.

Proposed amendment, explanation, and arguments for and against Delinquent Tax Sales, Section 8 of Article IX of the Illinois Constitution.

Held by IL S.L, ISU, NIU, and SIU L.

165. Illinois Office of the Secretary of State. *Proposed Amendment to the Constitution of Illinois That Will Be Submitted to the Voters November 3, 1998*. [Springfield, Ill.]: Published in compliance with statute by George H. Ryan, Secretary of State, 1998. 10 p.

Proposed amendment, explanation, and arguments for and against the Judiciary Article, Section 15 of Article VI of the Illinois Constitution.

Held By CHS, IL SL, and SIU L.

166. Illinois State Board of Education. *Study Guide, Constitution of the State of Illinois and United States*. Springfield, Ill.: State Board of Education, Illinois Office of Education, 1981. 75p.

Written to help adults taking general education development tests to study for the constitution examination, which is comprised of the Illinois Constitution, the United States Constitution, the Declaration of Independence, and the United States flag, this manual contains an explanation for each part of the constitutions, and then short quizzes, short answer questions, directions, and the answers.

Held by many institutions, with OCLC recording 34 Illinois locations.

167. David R. Miller. *Legislative Resolutions to Amend the Illinois Constitution of 1970*. Springfield: Illinois Legislative Council, Illinois General Assembly, 1979. 13 p.

#### B. Committee of 50 to Re-examine the Illinois Constitution

In 1986, the 84<sup>th</sup> Illinois General Assembly passed Senate Joint Resolution 101 that allowed the Joint Committee on Legislative Services to convene a “Committee of 50 to Re-examine the Illinois Constitution.” The committee was responsible for gathering the surviving delegates to the 1970 Illinois Constitutional Convention together to discuss how well the 1970 Illinois Constitution served the people of Illinois. This convention took place in September 1987, and as a result, several background papers were prepared to help the General Assembly determine if there was a need to call for a Constitutional Convention.<sup>122</sup> Additional information about the Committee of 50 to Re-Examine the Illinois Constitution can be found on the Legislative Research Unit’s page on *Constitutional Convention Referendum Resources*.<sup>123</sup>

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122. Patrick D. O’Grady et al., *Constitutional Convention Referendum Resources*, ILL. GEN. ASSEMBLY, LEGISLATIVE RESEARCH UNIT, <http://www.ilga.gov/commission/lru/concon.html> (last modified March 1, 2010).

123. *Id.*

168. Banovetz, James M. *The Local Government Article of the 1970 Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, [1987]. 13p.

Held by many institutions, with OCLC recording 30 Illinois locations.

169. Committee of 50 to Re-examine the Illinois Constitution. *The 1970 Illinois Constitution: An Assessment by the Delegates: Draft Summary*. [Springfield, Ill.: Illinois Commission on Intergovernmental Cooperation, 1987]. 55p.

The information and proposals within this document is a review of the Sixth Constitutional Convention by the delegates. They gathered to discuss the convention and how they now viewed the 1970 Constitution and whether this Constitution served the people of Illinois. The delegates divided into discussion groups and the groups discussed their work at the 1970 Illinois Constitutional Convention, their expectations, and any issues or problems they notice now that need to be addressed.

Held by several institutions, with OCLC recording 19 Illinois locations.

170. Ford, Nancy. *The Judicial Article of the 1970 Illinois Constitution: A Background Paper for the Committee 50 to Re-examine the Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, 1987. 12 leaves.

Held by several institutions, with OCLC recording 20 Illinois locations.

171. Garvey, John M. *The Bill of Rights of the 1970 Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, [1987]. 7p.

Held by several institutions, with OCLC recording 21 Illinois locations.

172. Giertz, Fred. *The Public Finance Articles of the 1970 Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, [1987]. 9p.

Held by several institutions, with OCLC recording 21 Illinois locations.

173. Gove, Samuel K. *Constitutional Developments in Illinois: A Background Paper for the Committee 50 to Re-examine the Illinois Constitution*. [Springfield, Ill.: Illinois Commission on Intergovernmental Cooperation, 1987]. 15p.

Illinois General Assembly, Legislative Reference Unit:

<http://www.ilga.gov/commission/lru/Gove.pdf>.

Held by several institutions, with OCLC recording 21 Illinois locations.

174. Green, Paul Michael. *Legislative Redistricting in Illinois: An Historical Analysis: A Background Paper for the Committee of 50 to Re-examine the Illinois Constitution*. [Springfield, Ill.] : Illinois Commission on Intergovernmental Cooperation, 1987. 33p.

Held by several institutions, with OCLC recording 18 Illinois locations.

175. Jackson, John S. *The Suffrage, Elections, and Constitutional Revision Articles of the 1970 Illinois Constitution: A Background Paper for the Committee of 50 to Re-examine the Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, 1987. 11 leaves.

Held by several institutions, with OCLC recording 19 Illinois locations.

176. Monat, William R. *The Executive Article of the 1970 Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, 1987. 14 p.

Held by several institutions, with OCLC recording 7 Illinois locations.

177. Sevener, Donald. *The Education Article of the 1970 Illinois Constitution*. [Springfield, Ill.]: Illinois Commission on Intergovernmental Cooperation, [1987]. 12p.

Held by UVA L.

178. Van Der Slik, Jack R. *The Legislative Article of the 1970 Illinois Constitution: A Background Paper for the Committee of 50 to Re-examine the Illinois Constitution*. [Springfield, Ill.] : Illinois Commission on Intergovernmental Cooperation, 1987. 11 pages.



Held by several institutions, with OCLC recording 20 Illinois locations.

#### C. 2008 Constitutional Convention Referendum

179. *Legislative Research Unit. Constitutional Convention Referendum Resources*. Springfield, Ill.: Illinois General Assembly, Legislative Research Unit, 2010. Available only electronically through the Legislative Research Unit's website.

Although created to provide information regarding the then upcoming 2008 referendum, this document has material on the history of past constitutional conventions.

Available online.<sup>124</sup>

#### X. INSTITUTIONAL ABBREVIATIONS

AAS – American Antiquarian Society  
Bloom. PL – Bloomington (IL) Public Library  
Chicago – University of Chicago Library  
CHS – Chicago History Museum  
CK L – Chicago Kent School of Law Library  
CPL – Chicago Public Library  
CMU - Clarke Historical Library, Central Michigan University  
Columbia – Columbia University  
DPL – Detroit Public Library  
EIU – Eastern Illinois University  
Gallagher – University of Washington Law Library  
Harv L – Harvard Law Library  
Hoover – Hoover Institution Library and Archives at Stanford University  
Huntington – Huntington Library  
IL S Ct – Illinois Supreme Court Library  
IL SL – Illinois State Library  
ISU – Illinois State University Library  
JM L – John Marshall Law Library  
Lake Forest – Lake Forest College (IL)  
Lincoln – Abraham Lincoln Presidential Library  
LLLa – Law Library of Louisiana  
Madison – University of Wisconsin, Madison  
Mich. L – The University of Michigan Law Library  
Newberry – Newberry Library

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<sup>124</sup> Available at <http://www.ilga.gov/commission/lru/concon.html>.

NEIU – Northeastern Illinois University  
NIU – Northern Illinois University Library  
NIU L – Northern Illinois University Law Library  
Northwestern L – Northwestern Law Library  
NYHS - New York Historical Society Library  
NYLI - New York Law Institute  
NYPL –New York Public Library  
Oxford – Oxford University (UK)  
Pitt – University of Pittsburgh  
SIU – Southern Illinois University  
SIU L – Southern Illinois University Law Library  
UIC – University of Illinois, Chicago  
U of I – University of Illinois Library  
UIS – University of Illinois, Springfield  
San Diego – University of San Diego Legal Research Center  
WIU – Western Illinois University Library  
West Resv – Western Reserve Historical Library (OH)  
Yale L - Yale Law Library