

NUMBER 8.

THE PROHIBITORY AMENDMENT AGREED TO.

JOINT RESOLUTION Agreeing to an Amendment to the Constitution of the State of Iowa, prohibiting the Manufacture and Sale of Intoxicating Liquors as a Beverage within this State.

WHEREAS, The eighteenth general assembly of the state of Iowa did in due form, by a majority of the members elected to each of the two houses, agree to a proposed amendment to the constitution of this state to add as section 26 to article I of said constitution the following:

"Section 26. No person shall manufacture for sale, or sell, or keep for sale, as a beverage any intoxicating liquors whatever, including ale, wine and beer. The general assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof";

And the said proposed amendment was entered on the journals of said houses and was referred to the legislature to be chosen at the next general election, and the same having been published as provided by law; therefore,

Be it resolved by the General Assembly of the State of Iowa:

That the following amendment to the constitution of the state of Iowa be and the same is hereby agreed to:

Add as section 26 to article I of said constitution the following: Section 26. No person shall manufacture for sale, or sell, or keep for sale, as a beverage any intoxicating liquors whatever, including ale, wine and beer. The general assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provisions hereof.

Approved, March 13, 1882.

NUMBER 9.

IN REFERENCE TO BARBED WIRE PATENTS.

WHEREAS, Washburn, Moen & Company and others have bought up a number of patents, which patents were not for novel inventions, and which patents relating to barbed wire they do not now use, but have procured reissues of the same covering more than the original patents; and,

WHEREAS, Large quantities of barbed wire are in use by the farmers of Iowa, which it is claimed by said patentees is covered by said patents and reissues; and,

WHEREAS, The said Washburn, Moen & Co. have obtained judgments in some cases where, in actions brought by them, they procured a settlement with the parties; and,

WHEREAS, Said Washburn, Moen & Co. have based upon said judgments a monopoly of the manufacture and sale of barbed wire, greatly increasing the price of the same; and,

WHEREAS, They commenced suits against farmers using the same, to recover royalty thereon, and also commenced an action in the federal courts to enjoin the manufacture and sale of barbed wire by parties other than themselves, and while said actions were pending the said Washburn, Moen & Co. procured settlements with the parties against whom suits were pending when the same were about to be tried, and have thus prevented the farmers of Iowa from testing the validity of said patents and reissues; and,

WHEREAS, While the said monopolists have power to select the parties defendant and make settlements with them, either by obtaining consent decrees or by default, the farmers of Iowa are and will continue to be powerless to test the validity of such patents or reissues, and will be continually harrassed with litigation, and owing to the uncertainty will be compelled to pay much more for said barbed wire than it would be sold for on the markets but for such uncertainty; and,

WHEREAS, It seems advisable if it can be done to have the whole question settled in one proceeding, it is deemed advisable to have a proceeding commenced by the attorney-general of the United States, in the name of and on behalf of the United States, for the purpose of determining the validity of such patents and reissues;

Be it enacted by the General Assembly of the State of Iowa:

That the president of the United States be and is hereby respectfully requested to instruct the attorney-general of the United States to bring an action in equity in the United States courts, on behalf of the United States, to set aside patents and reissues thereof now claimed to be owned by Washburn, Moen & Co. and others, relating to barbed wire, so far as the original patents, or reissues, or any part thereof, may be found to be fraudulent, and to restrain such persons from commencing or prosecuting actions under or by virtue of any patent or reissue thereof found to be fraudulent, and to take all such steps and proceedings as shall be just and equitable in relation thereto.

That the secretary of state of Iowa is hereby instructed to forward a certified copy of this resolution to each senator and representative from Iowa, and that the delegation in congress from Iowa are hereby requested to present the foregoing resolution to the president of the United States, and to respectfully urge its favorable consideration, and, if in their opinion it be necessary, that they endeavor to secure such general legislation as will authorize and require, in all proper cases, suits to be instituted by the United States government to cancel patents issued inadvertently, or void for want of novelty.

Approved, March 13, 1882.