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## List of Indiana Statutes (1816-1935) Held Unconstitutional

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LIST OF INDIANA STATUTES (1816-1935) HELD  
UNCONSTITUTIONAL

ARRANGED ACCORDING TO CONSTITUTIONAL PROVISION  
VIOLATED

STATE CONSTITUTION (1816)

*ARTICLE I*

Section 5. "That in all civil cases, where the value in controversy shall exceed the sum of seventy dollars, and in all criminal cases, except in petit misdemeanors, which shall be punished by fine only, not exceeding three dollars, in such manner as the legislature may prescribe by law, the right of trial by jury shall remain inviolate."

Acts 1817, 2nd Sess., c. 4; *Clark v. Ellis*, 2 Blackf. 8 (Ind. 1826).

Section 18. "No ex post facto law, nor any law impairing the validity of contracts, shall ever be made; and no conviction shall work corruption of blood, nor forfeiture of estate."

Acts 1821, c. 44, §15, *Lewis v. Brackenridge*, 1 Blackf. 220 (Ind. 1822).

*ARTICLE II*

"The powers of the government of Indiana, shall be divided into three distinct departments, and each of them to be confided to a separate body of magistracy, to-wit; those which are legislative, to one; those which are executive, to another; and those which are judiciary, to another; and no person or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted."

Local Laws 1844, 29th Sess., c. 308; *Young v. State Bank*, 4 Ind. 301 (1853).

STATE CONSTITUTION 1851

*ARTICLE I*

Section 1. "We declare, that all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well being. For the advancement of these ends, the people have, at all times, an indefeasible right to alter and reform their government.

Acts 1855, c. 105, *Beebe v. State*, 6 Ind. 501 (1855); *Herman v. State*, 8 Ind. 545 (1855).

Acts 1881, c. 96, *Kuntz vs. Sumption*, 117 Ind. 1, 19 N.E. 474 (1889).

Acts 1899, c. 124, *Republic Iron & Steel Co. v. State*, 160 Ind. 379, 66 N.E. 1005 (1903).

Acts 1901, c. 92, *State ex rel Geake v. Fox*, 158 Ind. 126, 63 N.E. 19 (1902).

Acts 1917, c. 2, *Bennett v. Jackson*, 186 Ind. 533, 116 N.E. 921 (1917).

Acts 1925, c. 207, §14, *Powers v. State*, 204 Ind. 472, 184 N.E. 549 (1933).

Section 11. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search or seizure, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized."

Acts 1855, c. 105, *Beebe v. State*, 6 Ind. 501 (1855).

Acts 1925, c. 48, §3, *Wallace v. State*, 199 Ind. 317, 157 N.E. 657 (1927).

Section 12. "All courts shall be open; and every man, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase; completely, and without denial; speedily, without delay."

Acts 1855, c. 105, *Beebe v. State*, 6 Ind. 501 (1855).

Acts 1881, c. 43, §10, c. 44, §23, *Campbell v. Durggins*, 83 Ind. 473 (1882); *Tyler, Twp. Trustee v. State ex rel.*, 83 Ind. 563 (1882).

Section 13. "In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor."

Acts 1861, Spec. Sess., c. 32, *Landringham v. State*, 49 Ind. 186 (1874).

Acts 1873, c. 59, *McLaughlin v. State*, 45 Ind. 338 (1873).

Acts 1905, c. 88, §1, *Althoff v. State*, 209 Ind. 42, 197 N.E. 896 (1935).

Acts 1915, c. 62, *Hinshaw v. State*, 188 Ind. 147, 122 N.E. 418 (1919).

Acts 1919, c. 30, *Glendale Coal Co. v. Douglas, Pros. Att'y*, 193 Ind. 73, 137 N.E. 615 (1923).

Section 14. "No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself."

Acts 1861, c. 74, *State v. Enochs*, 69 Ind. 314 (1879).

Acts 1873, c. 59, §12, *Koerner v. Oberly*, 56 Ind. 284 (1877).

Section 20. "In all civil cases, the right of trial by jury shall remain inviolate."

Acts 1917, c. 77, §6, *Millers Nat. Ins. Co. v. American State Bank*, 206 Ind. 511, 190 N.E. 433 (1934).

Acts 1929, c. 12, *W. T. Raleigh Co. v. Snider*, 207 Ind. 686, 194 N.E. 356 (1935); *Coca-Cola Bottling Co. v. Harvey*, 209 Ind. 262, 198 N.E. 782 (1935).

Section 21. "No man's particular services shall be demanded, without just compensation. No man's property shall be taken by law, without just compensation; nor, except in case of the State, without just compensation first assessed and tendered."

- Acts 1852, c. 1, Art. II, §15, *Blythe v. State*, 4 Ind. 525 (1853).  
 Acts 1855, c. 57, amending Acts 1852, 1 REV. STAT. (1852), c. 46, §24, *Blackman v. Halves*, 72 Ind. 515 (1880).  
 Acts 1852, 1 REV. STAT. (1852) c. 27, §16, *Strong v. Clem*, 12 Ind. 37 (1859).  
 Acts 1855, c. 105, *Beebe v. State*, 6 Ind. 501 (1855).  
 Acts 1861, c. 63, *Wild v. Deig*, 43 Ind. 455 (1873); *Stewart v. Hartman*, 46 Ind. 331 (1874).  
 Acts 1889, c. 192, *Logan v. Stogdale*, 123 Ind. 372, 24 N.E. 135 (1890).  
 Acts 1893, c. 130, §4, *The B. & O. Southwestern Ry. v. Read*, 158 Ind. 25, 62 N.E. 488 (1902).  
 Acts 1911, c. 288, *Harmon v. Bolley*, 187 Ind. 511, 120 N.E. 33 (1918).  
 Acts 1915, c. 57, *Fountain Park Co. v. Hensler*, 199 Ind. 95, 155 N.E. 465 (1927).

Section 22. "The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale, for the payment of any debt or liability hereafter contracted; and there shall be no imprisonment for debt, except in case of fraud."

- Acts 1852, 2 REV. STAT. (1852) part 4, c. 3, §§ 3, 4, *Byers v. State ex rel. Hutchinson*, 20 Ind. 47, (1863).  
 Acts 1852, 2 REV. STAT. (1852), part 3, c. 1, Art. XII, § 128, *Thompson v. State*, 16 Ind. 516 (1861).  
 Acts 1855, c. 105, *Beebe v. State*, 6 Ind. 501 (1855).

Section 23. "The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which upon the same terms, shall not equally belong to all citizens."

- Acts 1885, c. 21, §3, *McErlain v. Taylor*, 207 Ind. 240, 192 N.E. 260 (1934).  
 Acts 1885, c. 30, *Clark v. American Cannel Coal Co.*, 165 Ind. 213, 73 N.E. 1083 (1905).  
 Acts 1885, c. 54, *McClelland v. State ex rel. Speer*, 138 Ind. 321, 37 N.E. 1089 (1894).  
 Acts 1889, c. 112, *City of Evansville v. State ex rel. Blend*, 118 Ind. 426, 21 N.E. 267 (1889); *State ex rel. Holt v. Denny*, 118 Ind. 449, 21 N.E. 274 (1889); *State ex rel. Law v. Blend*, 121 Ind. 514, 23 N.E. 511 (1890).  
 Acts 1901, c. 112, *Street v. Varney Co.*, 160 Ind. 338, 66 N.E. 895 (1903).  
 Acts 1901, c. 237, *Dixon v. Poe*, 159 Ind. 492, 65 N.E. 518 (1902).  
 Acts 1903, c. 158, *State v. Wiggam*, 187 Ind. 159, 118 N.E. 684 (1918).

Acts 1911, c. 178, C.C.C. & St. L. Ry. Co. v. Schuler, 182 Ind. 57, 105 N.E. 567 (1914).

Acts 1911, c. 216, Fidelity Phoenix Fire Ins. Co. v. Purlee, 192 Ind. 106, 135 N.E. 385 (1922).

Acts 1915, c. 184, Sperry & Hutchinson Co. v. State, 188 Ind. 173, 122 N.E. 584 (1919).

Acts 1919, c. 93, Dairs Const. Co. v. Bd. of Comm. of Boone County, 192 Ind. 144, 132 N.E. 629 (1921); Hays v. Bd. of Comm. of Owen County, 192 Ind. 287, 136 N.E. 13 (1922).

Acts 1925, c. 61, Martin v. Loula, 208 Ind. 346, 194 N.E. 178 (1935).

Section 24. "No ex post facto law, or law impairing the obligation of contract, shall ever be passed."

Acts 1840, c. 27, §3, Strong v. Daniel, 5 Ind. 348 (1854).

Acts 1855, c. 105, Beebe v. State, 6 Ind. 501 (1855).

Acts 1875, c. 112, Helpherstine v. Meredith, 84 Ind. 1 (1882); Parkham v. Vandeventer, 82 Ind. 198 (1882); Voltz v. Rowles, 85 Ind. 198 (1882).

Acts 1881, c. 88, Travelers Ins. Co. v. Brouse, 83 Ind. 62 (1882).

Acts 1881, c. 70, Dinckerlocker v. March, 75 Ind. 548 (1881).

Acts 1881, c. 76, Downing v. State Board of Agriculture, 129 Ind. 443, 28 N.E. 614 (1891).

Acts 1891, c. 92, Johnson v. Bd. of Comm. of Randolph County, 140 Ind. 152, 39 N.E. 311 (1894).

Acts 1901, c. 222, Johnson v. Gehbauer, 159 Ind. 271, 64 N.E. 855 (1902).

Acts 1915, c. 129, City of Ind'p'ls v. Robison, 186 Ind. 660, 117 N.E. 861 (1917).

Acts 1919, c. 168, §1, Greensburg Water Co. v. Lewis, 189 Ind. 439, 128 N.E. 103 (1920).

Acts 1935, c. 319, §2, Conter v. State ex rel. Berezner, 211 Ind. 659, 8 N.E. (2d) 75 (1937).

## ARTICLE II

Section 2. "In all elections not otherwise provided for by this Constitution, every citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months, and in the township sixty days, and in the ward or precinct thirty days immediately preceding such election, shall be entitled to vote in the township or precinct where he or she may reside."

Acts 1867, c. 51, §1, Quinn v. State, 35 Ind. 485 (1871).

Acts 1889, c. 87, §13, Morris v. Powell, 125 Ind. 281, 25 N.E. 221 (1890).

Acts 1891, c. 144, Brewer v. McClelland, 144 Ind. 423, 32 N.E. 299 (1892).

Acts 1917, c. 31, Bd. of Election Comm'rs v. Knight, 187 Ind. 108, 117 N.E. 650 (1917).

Section 4. "No person shall be deemed to have lost his residence in the State, by reason of his absence, either on business of this State or of the United States."

Acts 1891, c. 144, *Brewer v. McClelland*, 144 Ind. 423, 32 N.E. 299 (1892).

Section 13. "All elections by the People shall be by ballot; and all elections by the General Assembly, or by either branch thereof, shall be viva voce."

Acts 1869 Spec. Sess., c. 31, §2, *Williams v. Stein*, 38 Ind. 89 (1871).

Section 14. "All general elections shall be held on the First Tuesday after the first Monday in November, but township elections may be held at such times as may be provided by law; Provided, that the General Assembly may provide, by law for the election of all Judges of courts of general and appellate jurisdiction, by an election to be held for such officers only, at which time no other officer shall be voted for; and shall also provide for the registration of all persons entitled to vote."

Acts 1903, c. 13, *Gemmer v. State ex rel. Stephens*, 163 Ind. 150, 71 N.E. 478 (1904).

Acts 1929, c. 27, *Robinson v. Moser*, 203 Ind. 66, 179 N.E. 270 (1931).

### ARTICLE III

"The powers of the Government are divided into three separate departments: The Legislative, the Executive including the Administrative, and the Judicial; and no person, charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided."

Acts 1855, c. 115, *Beebe v. State*, 6 Ind. 501 (1855).

Acts 1881, Spec. Sess., c. 36, §§ 296, 310, *Butler vv. State*, 97 Ind., 373 (1884).

Acts 1883, c. 83, *State ex rel. Worrell v. Peelle*, 121 Ind. 495, 22 N.E. 654 (1889).

Acts 1889, c. 32, *State ex rel. Hovey v. Noble*, 118 Ind. 350, 21 N.E. 244 (1889).

Acts 1889, c. 33, *State ex rel. Yancey v. Hyde*, 121 Ind. 20, 22 N.E. 644 (1889).

Acts 1889, c. 112, *City of Evansville v. State ex rel Blend*, 118 Ind. 426, 21 N.E. 267 (1889).

Acts 1889, c. 119, *State ex rel. Jameson v. Denny*, 118 Ind. 382, 21 N.E. 252 (1889).

Acts 1901, c. 222, *Johnson v. Gebhauer*, 159 Ind. 271, 64 N.E. 885 (1902).

Acts 1917, c. 143, §3, *Gray v. McLaughlin*, 191 Ind. 190, 131 N.E. 518 (1921).

Acts 1927, c. 258, *In re Northwestern Ind. Tele. Co.*, 201 Ind. 667, 171 N.E. 65 (1930).

### ARTICLE IV

Section 1. "The Legislative authority of the state shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives. The style of every law shall be: Be it enacted

by the General Assembly of the State of Indiana and no law shall be enacted, except by bill."

Acts 1853, c. 66, *Maize v. State*, 4 Ind. 342 (1853).

Acts 1911, c. 118, *Ellingham v. Dye*, 178 Ind. 336, 99 N.E. 1 (1912).

Section 4. "The General Assembly shall, at its second session after the adoption of this Constitution, and every sixth year thereafter, cause an enumeration to be made of all the male inhabitants over the age of twenty-one years."

Acts 1891, c. 91, *Parker v. State ex rel. Powell*, 133 Ind. 178, 33 N.E. 119 (1892).

Acts 1893, c. 165, *Denny v. State ex rel. Basler*, 144 Ind. 503, 42 N.E. 929 (1896).

Acts 1903, c. 206, *Brooks v. State ex rel. Singer*, 162 Ind. 568, 70 N.E. 980 (1904).

Section 19. "Every act shall embrace but one subject and matters properly connected therewith; which subject shall be expressed in the title. But if any subject shall be embraced in an act, which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title."

Acts 1852, 2 REV. STAT. (1852), part 3, c. 4, *Gillespie v. State*, 9 Ind. 380 (1857); *Foley v. State*, 9 Ind. 363 (1857).

Acts 1852, 1 REV. STAT. (1852), c. 77, § 1, 2, *Merrhorter v. Price*, 11 Ind. 199 (1858).

Acts 1852, 2 REV. STAT. (1852), part 4, c. 1, § 70, *Keehns v. Krammis*, 20 Ind. 490 (1863).

Acts 1852, 2 REV. STAT. (1852), c. 18, *State v. Wilson*, 7 Ind. 516 (1856).

Acts 1855, c. 67, *Igoe v. State*, 14 Ind. 239 (1860); *Grubbs v. State*, 24 Ind. 295 (1865).

Acts 1859, c. 130, § 14, *Lauer v. State*, 22 Ind. 461 (1864).

Acts 1867, c. 9, *Board of Comm. of Madison County v. Baker*, 80 Ind. 374 (1881).

Acts 1873, c. 59, § 9, *State v. Young*, 47 Ind. 150 (1874).

Acts 1873, c. 73, *Byrne v. State*, 47 Ind. 120 (1874).

Acts 1883, c. 137, *Prudential Ins. Co. v. Moore, Admx.*, 197 Ind. 50, 149 N.E. 718 (1925).

Acts 1889, c. 166, *Wabash Ry. Co. v. Young*, 162 Ind. 102, 69 N.E. 1003 (1904).

Acts 1891, c. 192, *Henderson v. L. & L. Ins. Co.*, 135 Ind. 23, 34 N.E. 565 (1893).

Acts 1899, c. 110, *State v. Dorsey*, 167 Ind. 199, 78 N.E. 843 (1906).

Acts 1899, c. 134, *State ex rel. Hart v. Comm. Ins. Co.*, 158 Ind. 680, 64 N.E. 466 (1902).

Acts 1901, c. 50, *Ind'pls Northern Traction Co. v. Brennan*, 174 Ind. 1, 87 N.E. 215 (1909).

Acts 1909, c. 87, *Morgan v. State*, 179 Ind. 300, 101 N.E. 6 (1913).

Acts 1913, c. 11, §1, *State v. Billings*, 202 Ind. 135, 168 N.E. 453 (1929).

Acts 1913, c. 51, §2, *Hobbs v. Gibson Sch. Twp.*, 195 Ind. 1, 144 N.E. 526 (1924).

Acts 1913, c. 215, *Nedderman v. State*, 198 Ind. 187, 152 N.E. 800 (1926).

Acts 1921, c. 25, *Crabbs v. State*, 193 Ind. 248, 139 N.E. 180 (1923).

Acts 1923, c. 186, *Jackson, Sec'y of State v. State ex rel.*, 194 Ind. 248, 142 N.E. 423 (1924).

Section 20. "Every act and joint resolution shall be plainly worded, avoiding as far as practicable, the use of technical terms."

Acts 1907, c. 205, *R. R. Comm. of Ind. v. Grand Trunk Western Rd. Co.*, 179 Ind. 255, 100 N.E. 852 (1913).

Section 21. "No act shall ever be revised or amended by mere reference to its title, but the act revised, or section amended, shall be set forth and published at full length."

Acts 1853, c. 34, *Langdon v. Applegate*, 5 Ind. 327 (1854).

Acts 1853, c. 35, §7, *Littler v. Smiley*, 9 Ind. 116 (1857).

Acts 1853, c. 38, §§1, 2, 3, 4, *Wilkins v. Miller*, 9 Ind. 100 (1857).

Acts 1853, c. 38, §4, *Armstrong v. Berreman*, 13 Ind. 422 (1859).

Acts 1855, c. 31, §§1, 2, *Niblack v. Goodman*, 67 Ind. 174 (1879).

Acts 1855, c. 61, *Cowley v. Rushville*, 60 Ind. 327 (1878).

Acts 1859, c. 114, *Dodd v. State*, 18 Ind. 56 (1862).

Acts 1867, c. 117, *Martinsville v. Freize*, 33 Ind. 507 (1870).

Acts 1875, c. 89, *State ex rel. Dickerson v. Harrison*, 67 Ind. 71 (1879).

Acts 1875, c. 91, *Blackmore v. Dolan*, 50 Ind. 194 (1875).

Acts 1883, c. 130, *Feibleman v. State ex rel. Brofn*, 98 Ind. 516 (1884).

Acts 1889, c. 112, *City of Evansville v. State ex rel Blend*, 118 Ind. 426, 21 N.E. 267 (1889).

Acts 1891, c. 160, *Mankin v. Penn. Co.*, 160 Ind. 447, 67 N.E. 229 (1903).

Acts 1891, c. 179, *Void Stoney Creek v. Kabel*, 144 Ind. 501, 43 N.E. 559 (1896).

Acts 1899, c. 16, *Hendershot v. State ex rel. Bennett*, 162 Ind. 69, 69 N.E. 679 (1904).

Section 22. "The General Assembly shall not pass local or special laws, in any of the following enumerated cases, that is to say:"

Acts 1852, 2 REV. STAT. (1852), part 1, c. 8, §38, *Cowdin v. Huff*, 10 Ind. 83 (1858).

Acts 1852, 1 REV. STAT. (1852), c. 98, §130, *Greencastle v. Black*, 5 Ind. 557 (1854).

Acts 1853, c. 21, *Thomas v. Board of Comm. of Clay County*, 5 Ind. 4 (1854).

Acts 1853, c. 93, §3, *Madison & Ind. R.R. Co. v. Whitneck*, 8 Ind. 217 (1856).

Acts 1855, c. 25, *Rice v. State*, 7 Ind. 332 (1855).

Acts 1855, c. 87, *City of Lafayette & Martin County Treasurer v. Jenners*, 10 Ind. 70 (1858).

Acts 1871, c. 17, *Fulk v. Monroe County*, 46 Ind. 150 (1874).

Acts 1871, c. 15, *Campbell v. Ind'p'ls*, 155 Ind. 186, 57 N.E. 920 (1900).



- Acts 1875, c. 48, *Reissner v. Hurle*, 50 Ind. 424 (1875); *Martin v. Reissner*, 54 Ind. 217 (1876).
- Acts 1877, c. 72, *C. C. and Ind. Cent. Ry. Co. v. Board of Comm. of Grant County*, 65 Ind. 427 (1879).
- Acts 1879, c. 37, *Mitchell v. McCorkle*, 69 Ind. 184 (1879).
- Acts 1889, c. 112, *Evansville v. State ex rel. Blend*, 118 Ind. 426, 21 N.E. 267 (1889); *State ex rel. Holt v. Denny*, 118 Ind. 449, 21 N.E. 274 (1889).
- Acts 1889, c. 119, *State ex rel. Jameson v. Denny*, 118 Ind. 382, 21 N.E. 252 (1889).
- Acts 1891, c. 294, *State ex rel. Bd. of Comm. of Benton Co. v. Boice*, 140 Ind. 506, 39 N.E. 64 (1894).
- Acts 1893, c. 130, *Richey v. C. C. C. & St. L. Ry.*, 176 Ind. 542, 96 N.E. 694 (1911).
- Acts 1895, c. 105, *Bd. of Comm. of Jackson Co. v. State ex rel. Shields*, 155 Ind. 604, 58 N.E. 1037 (1900).
- Acts 1899, c. 53, *Kraus v. Lehman*, 170 Ind. 408, 83 N.E. 714 (1908).
- Acts 1899, c. 130, *Bd. of Comm. of Newton County v. State ex rel. Bringham*, 161 Ind. 616, 69 N.E. 442 (1904).
- Acts 1899, c. 189, *Bd. of Comm. of Owen County v. Spangler*, 159 Ind. 575, 65 N.E. 743 (1902).
- Acts 1903, c. 79, *Donaldson v. State ex rel.*, 182 Ind. 615, 101 N.E. 485 (1913).
- Acts 1903, c. 198, *Rushville v. Hayes*, 162 Ind. 193, 70 N.E. 134 (1904).
- Acts 1907, c. 64, *Armstrong v. State*, 170 Ind. 188, 84 N.E. 3 (1908).
- Acts 1907, c. 5, §§11, 12, *Bd. of Comm'rs v. Albright*, 168 Ind. 564, 81 N.E. 578 (1907).
- Acts 1909, c. 38, *Bullock v. Robinson*, 176 Ind. 198, 93 N.E. 998 (1911).
- Acts 1921, c. 160, Acts 1919, c. 55, *Heffelfinger v. Ft. Wayne*, 196 Ind. 689, 149 N.E. 555 (1925).
- Acts 1933, c. 31, *Heckler v. Conter*, 206 Ind. 376, 187 N.E. 878 (1933).

Section 23. "In all the cases, enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the state."

- Acts 1852, 2 REV. STAT. (1852), part 1, c. 8, §38, *Cowdin v. Huff*, 10 Ind. 83 (1858).
- Acts 1853, c. 21, *Thomas v. Bd. of Comm. of Clay Co.*, 5 Ind. 4, (1854).
- Acts 1853, c. 66, *Maize v. State*, 4 Ind. 342 (1853).
- Acts 1875, c. 48, *Reissner v. Hurle*, 50 Ind. 424 (1875); *Martin v. Reissner*, 54 Ind. 217 (1876).
- Acts 1877, c. 72, *C. C. & Ind. Ry. Co. v. Bd. of Comm. of Grant Co.*, 65 Ind. 427 (1879).
- Acts 1879, c. 37, *Mitchell v. McCorkle*, 69 Ind. 184 (1879).

Acts 1889, c. 112, *Evansville v. State ex rel. Blend* 118 Ind. 426, 21 N.E. 267 (1889).

Acts 1891, c. 194, *State ex rel. Bd. of Comm. of Benton Co. v. Boice*, 140 Ind. 506, 39 N.E. 64 (1894).

Acts 1903, c. 158, *State v. Wiggam*, 187 Ind. 159, 118 N.E. 684 (1918).

Acts 1907, c. 64, *Armstrong v. State*, 170 Ind. 188, 84 N.E. 3 (1908).

Acts 1921, c. 218, *Keane v. Remy*, 201 Ind. 286, 168 N.E. 10 (1929).

Section 28. "No act shall take effect, until the same shall have been published and circulated in the several counties of the state, by authority, except in case of emergency; Which emergency shall be declared in the preamble, or in the body of the law."

Acts 1859, c. 93, *Mark v. State ex rel. Bowless*, 15 Ind. 98 (1860).

Acts 1881, REV. STAT. (1881), c. 32, §124, *Cain v. Gade*, 84 Ind. 209 (1882).

#### ARTICLE V

Section 14. "Every bill which shall have passed the General Assembly, shall be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it shall have originated; which house shall enter the objections, at large, upon its journals, and proceed to reconsider the bill,—But no bill shall be presented to the Governor, within two days next previous to the final adjournment of the General Assembly."

Acts 1889, c. 112, *City of Evansville v. State ex rel. Blend*, 118 Ind. 426, 21 N.E. 267 (1889).

Acts 1909, c. 4, *Woessner v. Bullock*, 176 Ind. 166, 93 N.E. 1057 (1911).

Section 17. "He (The Governor) shall have the power to grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law."

Acts 1881 Spec. Sess., c. 36, §§296, 310, *Butler v. State*, 97 Ind. 373 (1884).

#### ARTICLE VI

Section 2. "There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor. The Clerk, Auditor and Recorder, shall continue in office four years; and no person shall be eligible to the office of Clerk, Recorder, or Auditor more than eight years in any period of twelve years. The Treasurer, Sheriff, Coroner, and Surveyor, shall continue in office two years; and no person shall be eligible to the office of Treasurer or Sheriff, more than four years in any period of six years."

Acts 1852, 1 REV. STAT. (1852), c. 115, §7, *The Governor v. Nelson*, 6 Ind. 496 (1855).

Acts 1855, c. 11, *Howard v. State ex rel. Vanater*, 10 Ind. 99 (1858).

Acts 1901, c. 182, *Russell v. State ex rel. Crowder*, 171 Ind. 623, 87 N.E. 13 (1909).

Acts 1903, c. 13, *Gemmer v. State ex rel. Stephens*, 163 Ind. 150, 71 N.E. 478 (1904).

Acts 1929, c. 59, *Enmeier v. Blaize*, 203 Ind. 475, 181 N.E. 1 (1932).

#### ARTICLE VII

Section 1. "The judicial power of the state shall be vested in a Supreme Court, Circuit Courts and such other courts as the General Assembly may establish."

Acts 1881 Spec. Sess. c. 38, §419, *Shoultz v. McPheeters*, 79 Ind. 373 (1881).

Acts 1881 Spec. Sess. c. 36, §111, *Gregory v. State ex rel. Gudgel*, 94 Ind. 384 (1884).

Acts 1889, c. 32, *State ex rel. Hovey v. Noble*, 118 Ind. 350, 21 N.E. 244 (1889).

Acts 1889, c. 224, *State ex rel. Worrell v. Carr*, 129 Ind. 44, 28 N.E. 88 (1891).

Acts 1891, c. 99, §129, *Langenberg v. Decker*, 131 Ind. 471, 31 N.E. 190 (1892).

Acts 1911, c. 117, *Ex parte France*, 176 Ind. 72, 95 N.E. 515 (1911).

Acts 1935, c. 82, *State ex rel. Youngblood v. Warrick Circuit Court*, 208 Ind. 594, 196 N.E. 254 (1935).

Section 4. "The Supreme Court shall have jurisdiction, coextensive with the limits of the State, in appeals and writs of error, under such regulations and restrictions as may be prescribed by law. It shall also have such original jurisdiction as the General Assembly may confer."

Acts 1913, c. 166, *Curless v. Watson*, 180 Ind. 86, 120 N.E. 497 (1913).

Section 5. "The Supreme Court shall, upon the decision of every case, give a statement in writing of each question arising in the record of such case, and the decision of the court thereon."

Acts 1889, c. 32, *State ex rel. Hovey v. Noble*, 118 Ind. 350, 21 N.E. 244 (1889).

Acts 1889, c. 57, *Ex parte Griffiths*; 118 Ind. 83, 20 N.E. 513 (1889); *Griffin v. State ex rel. Griffiths*, 119 Ind. 520, 22 N.E. 7 (1889).

Section 6. "The General Assembly shall provide, by law, for the speedy publication of the decisions of the Supreme Court, made under this constitution; but no Judge shall be allowed to report such decisions."

Acts 1889, c. 57, *Ex parte Griffiths*, 118 Ind. 83, 20 N.E. 513 (1889); *Griffin v. State ex rel. Griffiths*, 119 Ind. 520, 22 N.E. 7 (1889).

Section 9. "The state shall, from time to time be divided into judicial circuits; and a judge for each circuit shall be elected by the voters thereof. He shall reside within the circuit, and shall hold his office for the term of six years, if he so long behaves well."

Acts 1885, c. 19, *State ex rel. Howard v. Johnson*, 101 Ind. 223 (1885).

Section 10. "The General Assembly may provide, by law, that the judge of one circuit may hold the Courts of another circuit, in cases of necessity or convenience; and in cases of temporary inability of any Judge, from sickness or other cause, to hold the Courts in his circuit, provision may be made, by law, for holding such courts.

Acts 1935, c. 82, State ex rel. Youngblood v. Warrick Circuit Court 208 Ind. 594, 196 N.E. 254 (1935).

Section 11. "There shall be elected, in each Judicial circuit, by the voters thereof, a Prosecuting Attorney, who shall hold his office for two years."

Acts 1885, c. 19, State ex rel. Howard v. Johnson, 101 Ind. 223 (1885).

Acts 1929, c. 27, Robinson v. Moser, 203 Ind. 66, 179 N.E. 270 (1931).

Section 12. "Any Judge or Prosecuting Attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the state, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law."

Acts 1897, c. 182, §19, State v. Redman, 183 Ind. 332, 109 N.E. 184 (1915).

#### ARTICLE VIII

Section 1. "Knowledge and learning, generally diffused throughout a community being essential to the preservation of a free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide, by law, for a general and uniform system of common schools, wherein tuition shall be without charge, and equally open to all."

Acts 1855, c. 87, City of Lafayette and Martin County Treas. v. Jenners, 10 Ind. 70 (1858).

Section 2. "The Common School fund shall consist of the Congressional Township fund, and the lands belonging thereto:

The Surplus Revenue fund;

The Saline fund and the lands belonging thereto;

The Bank tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana;

The fund to be derived from the sale of county seminaries, and the moneys and property heretofore held for such Seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue.

All lands and other estate which shall escheat to the State, for want of heirs or kindred entitled to the inheritance;

All lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof; including the proceeds of the sales of the swamp lands, granted to the State of Indiana by the act of Congress of the twenty-eighth of September, eighteen hundred and fifty, after deducting the expense of selecting and draining the same;

Taxes on the property of corporations, that may be assessed by the General Assembly for common school purposes.

Acts 1865, Spec. Sess., c. 38, Bd. of Comm. of Howard County v. State ex rel. Michener, 120 Ind. 282, 22 N.E. 255 (1889).

Section 7. "All trust funds, held by the state, shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created."

Acts 1852, 1 REV. STAT. (1852), c. 98, State v. Springfield Township, 6 Ind. 83 (1854).

Section 8. "The General Assembly shall provide for the election, by the voters of the state, of a state Superintendent of Public Instruction; who shall hold his office for two years, and whose duties and compensation shall be prescribed by law."

Acts 1855, c. 87, City of Lafayette and Martin County Treas. v. Jenners, 10 Ind. 70 (1858).

#### ARTICLE X

Section 1. "The General Assembly shall provide, by law, for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious, or charitable purposes, as may be specifically exempted by law."

Acts 1859, c. 27, §20, Bright v. McCullough, 27 Ind. 223 (1866).

Acts 1872, Spec. Sess., c. 37, §7, clause 8, State ex rel. Tieman v. Indianapolis, 69 Ind. 375 (1879).

Section 5. "No law shall authorize any debt to be contracted, on behalf of the State, except in the following cases: To meet casual deficits in the revenue; to pay the interest on the State debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for the public defense."

Acts 1921, c. 77, Scott v. Ind. Bd. of Agriculture, 192 Ind. 311, 136 N.E. 129 (1922).

Section 6. "No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company; nor shall the General Assembly ever, on behalf of the State, assume the debts of any county, city, town or township, nor of any corporation whatever."

Acts 1921, c. 77, Scott v. Ind. Bd. of Agriculture, 192 Ind. 311, 136 N.E. 129 (1922).

Section 13. "Corporations, other than banking, shall not be created by special act, but may be formed under general laws."

Acts 1873, c. 65, Marion Trust Co. v. Bennett, 169 Ind. 346, 82 N.E. 782 (1907).

Acts 1883, c. 111, In re: App. of Bank of Commerce, 153 Ind. 460, 53 N.E. 950 (1899).

Acts 1903, c. 105, Longview v. Crawfordsville, 164 Ind. 117, 73 N.E. 78 (1905).

Acts 1923, c. 26, Rosecranz v. Evansville, 194 Ind. 499, 143 N.E. 593 (1924).

#### ARTICLE XV

Section 1. "All officers, whose appointment is not otherwise provided for in this Constitution, shall be chosen in such manner as now is, or hereafter may be prescribed by law."

Acts 1883, c. 83, State ex rel. Worrell v. Peelle, 121 Ind. 495, 22 N.E. 654 (1889).

Acts 1889, c. 33, State ex rel. Yancey v. Hyde, 121 Ind. 20, 22 N.E. 644 (1889).

Section 2. "When the duration of any office is not provided for by this Constitution, it may be declared by law; and, if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the General Assembly shall not create any office, the tenure of which shall be longer than four years."

Acts 1895, c. 35, Indianapolis Brewing Co. v. Claypool, 149 Ind. 193, 48 N.E. 228 (1897).

Section 3. "Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that any officer, other than a member of the General Assembly, shall hold his office for any given term, the same shall be construed to mean that such officer shall hold his office for such term and until his successor shall have been elected and qualified."

Acts 1903, c. 13, Gemmer v. State ex rel. Stephens, 163 Ind. 150, 71 N.E. 478 (1904).

Acts 1929, c. 59, Onmeier v. Blaize, 203 Ind. 475, 181 N.E. 1 (1932).

