

IOWA LAW BULLETIN

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NOTES

WHERE MAY A STUDENT VOTE?—The Constitution of Iowa provides, "Every male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this state for six months next preceding the election, and of the county in which he claims to vote, sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law."¹ While the term used in this and similar constitutional provisions and statutes is "resident", it is generally agreed that domicile, and not mere physical presence, for the required period is necessary to qualify one as a voter.² This is the rule in Iowa.³ Domicile has been defined as the place where a person has his true, fixed, permanent home and principal establishment, and to which place he has, when absent, the intention of returning.⁴ A minor takes the same domicile as that of his father,⁵ so a boy growing up with his family would be domiciled where they are domiciled.

¹ Constitution of Iowa, Art. 2, Sec. 1.

² *Berry v. Wilcox*, 44 Neb. 82, 62 N. W. 249; *Crawford v. Wilson*, 4 Barb. 504; *Opinion of the Justices*, 5 Met. 587; Case Note, 19 L. R. A. (N. S.) 759.

³ *State v. Savre*, 129 Iowa 122, 105 N. W. 387; *Vanderpoel v. O'Hanlon*, 53 Iowa 246, 5 N. W. 119.

⁴ *Holt v. Hendee*, 248 Ill. 288, 93 N. E. 749; *Borland v. Boston*, 132 Mass. 89; *State v. Savre*, 129 Iowa 122, 105 N. W. 387.

⁵ *Lamar v. Micou*, 112 U. S. 452, 28 L. Ed. 751; *Holyoke v. Hoskins*, 5 Pick. 20; *Townsend v. Kendall*, 4 Minn. 412.