

*Geo. H. Wright*

PIONEER

Law-Makers' Association

OF IOWA.

REUNION OF 1894.

*4th Meeting*

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## FOURTH REUNION

OF THE

# Pioneer Law-Makers' Association.

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The members of the Association assembled in the auditorium of the Young Men's Christian Association Building at Des Moines, on the 14th day of February, 1894, at 9 A. M., and were called to order by Hon. George G. Wright, President.

Rev. A. L. Frisbie offered a prayer as follows:

Almighty Father, we thank Thee for our being; we thank Thee that Thy mercy has been upon us during the year past; we thank Thee for all Thy blessings extended to the people of this, our beloved commonwealth; we render thanks unto Thee that we have been permitted to settle and dwell in this great commonwealth; we bless Thee for this our State, with its resources, with its wealth and its people, and its promise of the future. Let Thy blessing yet be on this our Iowa; grant that it may go on progressing; may we ever be a virtuous, moral people, and that we may bear our part worthily in the union of which we are a part. We thank Thee for permitting these men by whom the people of this State were ordered and governed to come together once more to renew their friendships, and renew the history of the commonwealth and their individual experiences. We pray that as the years go by they may dwell in peace and happiness in this State which is their adopted home. We pray that Thy blessing may rest upon them. We ask Thy blessing upon the governor of this State, and the members of the legislature now in session; we pray for all these men, that they may be guided aright in all they do and in all their considerations of affairs of State that we may have the best citizenship, the best institutions; and so may it be for all time to come, and unto Thy name be thanks everlasting. Amen.

Music by the choir, "America."

The President, Judge Wright, then delivered the following address:

GENTLEMEN OF THE ASSOCIATION—It is with the greatest pleasure that I welcome you to this capital city of our grand and growing State, and to this, our Fourth Biennial Reunion. The experiment started in 1886 by a few of the early law-makers and officials to inaugurate these meetings, I am glad to

know has proved a pre-eminent success, and we meet now as heretofore, and as I hope will often hereafter, glad that so many can assemble, talk of the past of which we are not ashamed, of the present in which we have great confidence, and plan somewhat for the future, of which we are not afraid. I feel well assured that our coming together will, as have our former meetings, redound to the good of the State, revive many old and pleasant, and yet somewhat sad, memories, as we clasp hands, talk of the old, resolve for the new; and think of those grand pioneer spirits who have within the last two years, stepped from the "topmost round of the ladder of earth to their homes in the skies." Thus impressed, I repeat: I welcome you—dispensing as we have with the usual more formal welcome—to our friendships, to our homes, to our hospitality, to all that you deserve from the people of this growing and prosperous State to those who have done so much for it and them, and who still, as the years come upon you, have an abiding faith for the future—ever ready to form new resolves that Iowa shall be first in agriculture, first in schools and education, first in wise and just laws, first in a moral and upright population,—first in all that will tend to make us the noblest State of the Union; loyal to one flag, to the one Nation, with the largest "N" to be found in all the alphabet or expressed by any type; knowing neither north, south, east or west. So, without more, you are all welcome; thrice and a thousand times welcome.

Gentlemen—In what I have further to say in this paper, which custom demands of the occupant of the chair, may I not first and appropriately, call your attention to the sad fact that many of those with us heretofore or entitled to membership, have passed away since our last reunion.

I mention W. W. Chapman, S. C. Hastings, James D. Bourne, Joseph M. Beck, Hawkins Taylor, George Paul, William Vandever, Thomas F. Withrow, W. W. Williamson, John S. Townsend, William M. Stone, M. J. Williams, Ezekiel S. Sampson, Thomas C. McCall, Nicholas Baylies, Benton J. Hall, James M. Tuttle, Jeremiah H. Murphy, D. E. Brainard, Samuel A. Russell, James L. Williams, A. F. Brown, F. A. Duncan, George F. Greene (and there are doubtless others; I mention these from memory and without the aid of any actual record); but all alike actively, prominently and usefully connected with the history of the Territory or State, or both, prior to and including 1874. I need not say that the list is in all respects a noble one. We think of their lives with pride and pleasure, and yet cannot escape the thought that soon all must pass away, leaving to others the work entrusted to our and other hands by a confiding, hopeful and deserving constituency. Tears for the departed; confidence in the living.

May I be pardoned if I turn your attention to some other matters, and I shall hope to be brief. I said two years since, referring to the history of legislation and official duties generally, that it was easier to administer the affairs of a State once the foundations were securely laid, than to begin anew—to amend than to originate—to conserve prosperity than to create it. This is still true in one view, and yet, there are two sides to the proposition. When we think of civilization and its onward tread we always look to our jurisprudence for the mile-stones which mark and dot its pathway. Some one has said that the common law was a grand inheritance from our English speaking ancestors, and in this respect as in others, "America was the heir of all the Ages." With this law as the foundation, if civilization and new

conditions did not lead to new methods, theories, and substantive as well as adjective law, the work of those who are to amend, not create, would be comparatively easy. But when we reflect that it is not merely to keep the house on the old foundations, occasionally adding a little paint or plaster, patching the roof or replacing a decayed brick or stone; but that storms come, cyclones strike the edifice—that there is need, it may be, for an entirely new structure, and that law in this actively moving age is not a mere abstraction—as well one thing as another if settled and permanent; but must needs keep pace with the constantly changing conditions of the public mind and necessities—we can begin to appreciate how difficult the task of so-called amendments—the great work of conserving as well as creating prosperity. Apply this thought to Iowa and see what devolved upon some of you, and is part of the work of every legislator and official at this time, as it will be for the years to come, and you will plainly see that to amend and keep in the line of progress is by no means easy. Let me advert for a moment to a few of many illustrations in confirmation of this suggestion.

By the common law, the existence of the wife was almost literally merged into that of her husband, while her personal and all rights were such as belonged almost to the benighted days of English legislation and civilization. Her property, once reduced to the husband's possession, was liable for all his debts. The poorest and most despicable scamp could win her affections and be taken to the home of a wife, the purest, truest and best of the land, a home such as he never could have acquired by his own efforts (if he ever could have had any of any kind), and for poor whiskey, gambling debts, unwise not to say worse speculation, all she had could be swept from her to pay such debts, and she, it might be, turned from the home a pauper though it were hers by inheritance or will, or the result of her own industry and frugal habits.

For centuries and until Iowa had an independent existence, this, for the most part, was the harsh rule of the Common Law. Nor could she contract for or about anything without joining with her husband, and she was hence the abject serf of the home, the very slave of the household. Now, however, how great the change; how desirable the advance; how radical the overturning and upheaval of old ideas and rules! And this, the result of advanced thought, of improved conditions and a more intelligent and brighter civilization, to gauge and measure which correctly, and apply the proper remedies, was a work of the greatest moment, devolving upon those whose duty it was to build upon the foundations given to them in the beginning. And the good work goes on, is going on; for now she may have her own property exempt from the husband's debts, dispose of it whether real or personal by will, contract and be contracted with, sue and be sued, prevent the sale of the homestead or its incumbrance or any contract in relation thereto, unless she consents to the same in writing; and how much more in the same direction I have not time, nor is it needful to state—resulting in the elevation of woman and her still greater protection in lines the most desirable,—to culminate it may be, and how soon no one can tell, some say the sooner the better,—in the ballot, to the end that legislation in the line of good morals and the upbuilding of the commonwealth may be the more certainly and sooner assured. We, as well as the wives and mothers

of the State, owe a debt of gratitude to the justice and wisdom of those who improved upon the foundations in this respect, and to none more than Charles Mason, the first Chief Justice of the Territory, and one of the Commissioners reporting the Code of 1851; as true a man and as sound a thinker as any of his compeers or successors.

Again, who would have thought fifty years since or less, when the last vestige of property, real and personal, could be taken from the poor debtor by the writ of the remorseless creditor, and that the common jail was for months if not years the unhappy home of the unfortunate and poor,—a remnant and disgrace of almost any so-called civilization; I say, who would have thought, as the relations of the individual to society and his rights were more intelligently comprehended, that the debtor's jail in Iowa would be forever closed; that there would be given exempt to him and his family not only hundreds of dollars in personal property that he might become a better and more useful citizen, but a home without limit in value, thus assisting to elevate all in the scale of good and desirable citizenship, upon the grand and constantly recognized theory that as a nation of homeless people never can be strong, you conserve national and state prosperity as you make the home more and more sacred. How to do this wisely and well was another delicate and difficult task, and especially as we had to build almost without foundations.

Then, too, go with me into a wider field and see the difficulties that have surrounded and still confront legislative, judicial and executive action. In 1838 and for several years thereafter we were without railroads and almost without banks; knew but little of corporations of any kind, whether private or public, and there was but little if any disparity between individuals as to the amount of property relatively owned and held by each. Our now immense mining interests were in their infancy. Trusts, combines, boards of trade, insurance companies, loan, trust, building and other similar associations, now all over the land for every conceivable purpose, from the "Owl Club" to enterprises involving millions and employing labor and skill almost without limit, were unheard of in our business. All corporations took life by special grant from the legislature and from that alone, none of them existing under general law. There were not perhaps, all told, one hundred private associations having corporate powers, and not one case in a year in any court involving corporate rights or the construction of any statute bearing thereon. And we, too, were in almost blissful ignorance of the schemes and machinations of a city or town council, of a township or county board, of railroads, banks, or the now numberless small companies, the latter organized apparently for no other purpose than to enrich themselves, cheat the people, get something for nothing, defy the law, defraud depositors, and take to themselves larger and increasing powers, whatever the results or consequences. Now, how everything is changed! Of all the cases in our courts, one-half at least in importance involve questions growing out of the acts of private corporations, and the number involving the powers of those public are constantly increasing. So of legislative action. More time is devoted to devising methods of limiting, restricting or defining the rights, privileges and powers of such organizations than to almost any and everything else. County and State officers are called upon daily to make record of and issue certificates to new corporations until they have reached

thousands in number—ininitely more, I humbly submit, than are at all demanded or necessary for the business or welfare of the people. The evil is growing, and as one after another of these mushroom concerns collapse and honest investors are cheated or made bankrupt, the demand increases for more efficient legislation as to numbers or the purposes of these organizations, or the most restrictive methods adopted for their government, examination, or it may be wiping them off the face of the earth. Limitations, restrictions and divestiture of powers; one or both or all; and the more the better.

But this aside, questions of the greatest moment are still constantly presented for legislative action and judicial determination between labor and capital, and so, as the world moves on with accelerated speed and new fields of enterprise and adventure continue to open, new schemes deemed necessary for man's higher development, and new implements for improving his condition, or to add to his wealth or means of livelihood; and as the greed for gain increases, and if possible, the means to be used are less and less regarded, will new questions arise, new legislation be demanded, old foundations torn up, structures entirely new deemed necessary; paint, plaster, roof, weather boarding, brick and stone of the old edifice either torn off or down, or attempted, it may be every two years if not oftener. How wisely, how discreetly, with what discretion and honesty, all ought to come to such work, and how difficult as compared with the infant days of our enterprises or industries will readily occur to all. We are too apt to look afar off to Congress or to the national arm for relief in time of financial or other like distress, or to turn biennially to our State Assemblies for correction of imagined or real multiplied evils which afflict the individual or body politic. We are too apt, I think, to look to law-making, law-tinkering, and not enough to individual action and effort for the welfare, integrity and prosperity of the State and its citizens. Give us honest and well regulated homes, intelligent school officers, faithful township trustees, good road supervisors and county officials, and especially, honest, intelligent and economical incumbents of our city and town offices; and above all, of our city and town councils; and it will make but little difference who are our senators or representatives; who is President, or in his Cabinet, or whether Congress makes laws the wisest or otherwise. The integrity of the Nation, in my opinion, is more menaced every day by the dishonesty, corruption or failure to well discharge duty on the part of those at home in our local offices, and especially in our town and city governments, than by all that Federal Congresses and executives may do or omit. Honest home government, economy on the part of individuals and their more immediate home officials,—these, in my opinion, are the first, main and effective steps to prosperity, and to good and safe administrations and governments, State and National. Thus build on the foundations we have and all will be well. And yet, as suggested, we are not content to thus work or thus act, and still apply to our State Assemblies and to Congress for new legislation, for amendments. And since we will probably continue to do this in view of what we esteem the enlarged capabilities of our people, the growth of our institutions and the needs of an advancing civilization, the work becomes more and more difficult and the demand for the best thought and most discreet action by every argument and upon every ground, greater and still greater.

But I talk too long, as usual. Permit me, however, in behalf of the Association, to express our thanks to prior General Assemblies for their liberality in providing for the publication of our proceedings, and their like intelligent action towards our Historical Rooms at the Capitol, with the added hope that our present and future law-makers will not weary in well-doing, but still assist, as the revenues will permit, a work so valuable to our State, and the preservation of its history, of which all may justly be so proud.

And now, Pioneers,—which means whether in the art of war, legislation, or generally, those who go before to remove obstructions and prepare the way for others,—our work is largely done. Time is making sad gaps in the list of old faces. Those in more active life, though cheering and useful, are not the same and cannot be the same to us. To us it remains to make the most of the opportunities before us while both body and mind avail us, participate in the work around us, and so far as possible, enjoy them. If numbers by death, disease or indisposition, are decreasing, let us resolve that the spirit for good, our pride in the State and resolves to do the best shall be unabated—never flagging. Is it said that we are growing old? Not so. We are not, or should not, except in years, be old; for

He is not old whose eyes are bright,  
Whose bosom throbs, whose heart is light;  
Though four score be his years enrolled,

\* \* \* \* \*  
O'er him whose inmost thought is true  
The sky of winter seemeth blue,  
For if a man have a heart of gold,  
Though white his hair, he is not old.

Above all, let us love home, state, country and Nation. "God and country first, self afterward." Be it ours to say in the language of another:

"We have climbed life's hill together through sunshine and through shade, starting at its foot with the dew of youth upon our brows; we have together tasted the sweet and bitter of life; we have passed over the summit and are descending into the valley. But we shall be laid to rest in this land so sacred to us, so consecrated and endeared to us by joys and by sorrows; by hopes and fears; by prosperity and adversity; by earnest efforts for good, sometimes in vain and sometimes crowned with victory; and this land we leave to our children and our children's children as an heritage; a rich, a healthful land, teeming with prosperity and characterized by civil and religious liberty and Christian civilization."

And again, referring to our relations, and the duties of all, to each other and the public, I repeat, "*God and country first*" and *forever*; "*self afterward*" if ever; better *never*.

Hon. L. W. Ross, of Council Bluffs, responded on behalf of the Association as follows:

MR. PRESIDENT—The Pioneer Law-Makers are grateful for the words of welcome just spoken. We are even grateful for the words of approval and commendation. Approval is more agreeable than censure. Commendation is more pleasurable than condemnation. And, yet, we are not unduly exalted. In our respective places, as citizens and as law-makers, we have simply done what we could, and are now fairly satisfied with our work. Let me say, however, in behalf of those for whom I speak, that it is a favoring

providence which prolongs one's life, so as to enable him to read his own obituary. Unless we are to regard your statements as merely perfunctory, we may now and in this presence, congratulate ourselves as falling within the lines of this providence. We have the congratulations of the living, and in addition thereto, at least an even chance that unborn generations may rise up and call us blessed.

But, passing pleasantries, let me occupy the few moments allowed in speaking of the opportunities as well as of the deeds of the Pioneer Law-makers of Iowa. The painter may have genius, but without brushes, colors and canvas he can never unveil the divine nature within him. So the law-makers of Iowa may have been well endowed and may have been learned in jurisprudence and statesmanship, yet without the proper material in men and in country their genius and learning would have been valueless and their lives without fruitage. After an acquaintance extending through more than a third of a century, with the men and women of Iowa, I am ready to affirm that they have been and are self-reliant and self-respecting—the very highest types of manhood and womanhood. And as to country, no fairer land can anywhere be found. Here nature is at her best. The soil is generous, the springs are perennial, the streams are unfailing, the winds are kindly and the skies are favoring. Here, between two deep flowing rivers, studded with groves and underlaid with mineral, is an area of fifty-six thousand square miles already occupied by two millions of people and capable of sustaining a population of at least twenty million souls. With such men and women, and with such a country, the Pioneer Law-makers have laid deep and broad foundations, promising marvelous results in the near and distant future. From such material and with such opportunities representative men have appeared and a commonwealth has been established—a government of the people, by the people and for the people.

Under the fostering and protecting care of such a government, our population has grown from forty thousand in 1840 to over two million at the present time. The interval is only fifty-four years, but the average annual increase is thirty-six thousand two hundred and ninety-six. Since we have had no great cities—no considerable centers of population, we are satisfied with this factor in our growth.

I do not know the aggregate of the revenue of the territory of Iowa, or of the earlier years of our existence as a State. I am now advised, however, that the actual receipts and disbursements for State purposes alone, for the biennial period ending June 30, 1893, approximate the sum of \$4,000,000. Judging from the past, the amount necessary for the current period, will require at least as large a sum of money. When we remember that the revenue for State purposes is only about one-tenth part of the sum annually gathered from the people, we may begin to form some notion of the accumulated wealth of the State. I am told that the law-makers composing the present General Assembly, are now struggling with the problem of making a dollar of revenue meet four dollars of appropriations demanded. Unless they are wiser than their predecessors have been, they will be compelled to deny some of the extravagant claims in aid of our public, penal, charitable and educational institutions. The old Law-Makers cherish due pride in these institutions. They were present at the birth of many of them. They fully understand the devotion of the managers of these institu-

tions to their respective charges. At the same time we feel like counseling that the State should make haste slowly.

The old Law-Makers had much to do in devising a railway policy for the State. In 1854 there was not a foot of railway in the State. The land grants of 1856 caused the premature birth and abnormal growth of railway enterprises. The lack of practical knowledge in the building and operating of railways, and the limited amount of business, resulted in the sacrifice of a vast volume of individual and municipal wealth. Bitter disappointment and grinding poverty ensued. Disappointment and poverty met not only the early settlers, but the railway manipulators and wreckers. A whole generation has passed since those dark days. And now as we look backward, and out upon the present, and onward into the future, we must confess that the railroads have done much to hasten the development of our State, and to secure the prosperity of the present period. With nearly nine thousand miles of road, exclusive of trackage rights, distributed pretty evenly all over the State, we should not forget that the rights and obligations of the people, and of the railway corporations, are very nearly reciprocal. True, there is much unrest throughout the length and breadth of the State, but it remains for the legislator of the present period, and of the coming years, to adjust, as far as possible, the controversies between capital in one form and capital in another form, as well as the controversies between capital and labor.

A very interesting subject of study in practical government is found in our State institutions of numberless names. A summary attached to the last message of Governor Boies gives the names of these several institutions, and the cost of the same from the foundation of each. The list includes public, penal, charitable, educational and doubtful enterprises. The total cost to the State approximates \$20,000,000. It is not our place to criticise the legislation of the past—perhaps it would be unsafe to do so, for we were a part of the same and must bear our share of the blame, if any. Nor is it our prerogative to dictate as to the policy of the future. We venture to suggest, however, that the people's sifting committee might find employment in looking carefully into these enterprises. Governments should be humane, but never paternal. Too many people and too many organizations seem to be solacing themselves with the notion that God and the State will take care of them.

It is the office of the State to promote the well being of its citizens. One of the principal means to this end, is to teach them habits of industry and economy. The common father of all is good to his children, long suffering, and tender in his dealings with them. He is also wise and just. The State should make reasonable, not prodigal provision, for all who cannot provide for themselves. But the goodness of God and the charity of the State have their limits. Whoever schemes to multiply offices, and to feed from the public treasury, deserves to be treated as an enemy of the State. In my judgment there is really no place for tramps in government, either human or divine. Let me be understood, I do not say that the millions already expended have been wasted. There is indeed much to show for the outlay. We have a capitol building, adequate for the needs of a century. We have large and durable charitable, penal and reformatory plants, protesting against the inhumanity and barbarity of the past. We have school houses for every

four square miles, standing for public education. We have in our people a degree of intelligence and a warmth of soul, nowhere excelled. Admitting all these things, and expressing profound gratitude for them, I still insist that there is no place for tramps in government.

This is called a reunion of the old law-makers. It is now thirty years since the Tenth General Assembly occupied the old capitol building. The Senate roll contained forty-five names. It was not a brilliant assemblage, but it was sensible and solid. I remember with interest Gov. Eastman, our able and genial President; also Senators Clarkson, Cutts, Gue, Moore, McCrary, McJunkin, Parvin, Woolson and others, each in their places, intelligent, conscientious and patriotic. No deliberative body ever labored more diligently for the public good, and so little for personal aggrandizement. Of those named Gue and Moore survive. My memory of George W. McCrary is fresh and warm; though but twenty-nine years old he presided over the Judiciary Committee with the tact of a ripe lawyer and leader of men. His ability for legislative work was of the highest order, and had he remained in politics, and in Iowa, he would surely have been accorded a seat in the Federal Senate. There were in the Senate of the Tenth Assembly but three Democrats—Hesser, Jennings and Knoll; the remainder were all Republicans. The war of the Rebellion was then raging; to the credit of the body it can be truthfully said that all were unionists in thought, word, and action.

Two years later the Eleventh General Assembly convened in the same place, Lieut.-Gov. Gue being president of the body. The contending armies had been disbanded; Lincoln had fallen before an assassin's bullet; Johnson was acting-President of the United States. There was military, but not political peace. The work of reconstruction and rehabilitation was the subject of national concern. The Senate, this time, was composed of forty-three Republicans and four Democrats. I now recall Cattell, Clarkson, Cutts, Hedges, McJunkin, Moore, Parvin, Powers, Richards, Sampson, Stiles, Fitz Henry Warren, Wharton and Woolson, as being among the more active and influential members. General Warren was brilliant and scholarly, but his influence was much impaired by reason of his espousing the cause of President Johnson. He never, however, failed to contribute a wealth of information to any contention in which he took an active part. In debate, upon equal grounds, he was more than a match for the incisive Cutts, or the silver-tongued Richards.

At least one-half of the Tenth and Eleventh assemblies are now at rest, but their works remain to testify of their devotion to the public good.

The report of the Committee on Articles of Association was then read by the chairman, Hon. B. F. Gue, of Des Moines.

#### ARTICLES OF ASSOCIATION.

*Name.*—The name of this association shall be —

*Who Eligible to Membership.*—Its members shall consist of all former state officers, including members and officers of territorial and state legislatures, senators and representatives in congress, members of the cabinet from Iowa, United States supreme, circuit and district judges, members and officers of constitutional conventions, and state boards of education, judges

and district attorneys—who served twenty-five years prior to each biennial reunion.

*Time of Meeting.*—The reunions shall be held at the capital of the State, beginning on the second Wednesday of February of the years in which the General Assembly holds its regular sessions, unless otherwise called by the executive committee.

*Officers.*—The officers shall consist of a president, and one vice president from each congressional district of the State, a secretary and two assistants, and an executive committee composed of three members.

*Election of Officers.*—The officers shall be elected on the second day of each biennial meeting, and hold their offices two years or until their successors are chosen.

*Inaugural Address.*—The address of the president shall be delivered at the opening of each biennial reunion.

*Committee on Publication.*—On the morning of the first day of each reunion, the president shall appoint a committee on publication, whose duty it shall be to take charge of all papers read or received at the various sessions, including resolutions, and letters from absent members, and preserve all records of such meetings. This committee shall, with the assistance of the secretary, prepare the proceedings of each session for publication, and supervise the printing and distribution of the same, and mail a copy of the proceedings to each member.

*Enrollment of Members.*—At the opening of each session the president shall invite all members present to enroll their names, giving their terms of official service, place of birth, number of years in Iowa, and present post-office address. These statistics shall be published with the proceedings.

*Standing Committees.*—The president shall at each session appoint a committee on statistics, consisting of one from each congressional district, whose duty it shall be to prepare a biographical sketch of such members as may die during the two years intervening between the time of their appointment and the next reunion. It shall be the duty of each member of this committee to prepare biographical sketches of such members as may die in the district in which he resides, all of which shall be reported to the next succeeding reunion for publication.

The following additional committees shall be appointed before the adjournment of the forenoon session of the first day of each reunion:

*First.*—On nominations for officers, five members.

*Second.*—On resolutions, five members.

*Third.*—To visit the governor and convey to him an invitation to attend the sessions of the reunion. Two members.

*Fourth.*—To visit each house of the general assembly and extend to them an invitation to meet with the Old Law-makers. Four members, two for each house.

*Executive Committee.*—It shall be the duty of the executive committee to make all necessary arrangements for each successive reunion, and to fill all vacancies in offices.

All officers of this Association shall perform the duties ordinarily devolving upon such offices.

The name being left blank in the Articles of Association, after

some discussion and the suggestion of a number of names, it was moved by Mr. Aldrich that the old name, "Pioneer Law-Makers' Association," be retained for the present, which motion was adopted.

On motion of Mr. Aldrich the report of the committee on Articles of Association was adopted as read.

The President then announced the committees, as follows:

*Executive Committee*—Maj. Hoyt Sherman, Gen. Ed Wright and Col. G. L. Godfrey.

*Publication Committee*—Hon. Chas. Aldrich, Hon. B. F. Gue and Hon. Lafayette Young.

*Statistics*—Hon. J. M. Shaffer, of Keokuk; H. W. Lathrop, of Iowa City; Peter Melendy, Reuben Noble, T. S. Parvin, S. A. Moore, Lewis Todhunter, R. D. Kellogg, Chas. Linderman, John Y. Stone, Gov. C. C. Carpenter and W. L. Joy.

*Nominations*—P. M. Casady, T. S. Parvin, L. L. Ainsworth, F. M. Knoll and N. W. Rowell.

*Resolutions*—J. B. Powers, of Dubuque, P. P. Henderson, of Warren, Samuel McNutt, Col. Alonzo Abernethy and Washington Galland.

*To wait upon the Governor*—Ex-Governor B. R. Sherman and Hon. L. W. Ross.

*To wait upon the House*—Judge Noble and G. W. Bemis.

*To wait upon the Senate*—Ex-Lieut. Govs. Scott and Campbell.

The following address was then delivered by Hon. J. H. Powers, on "A Trip to Des Moines in 1860:"

Rushing into the city by the first train, having taken the sleeper at

"That hour, o' night's black arch the key-stane,"

I found myself in Des Moines in time for breakfast, and ere the duties of the day called for care, was ready for the labors of the hour.

The contrast of this, with a journey from the same place to the capitol in 1860, makes the tales of the Arabian Nights fade into common-place every day occurrences, and the wonders of boyhood's imagination more than equalled by passing events.

Without public conveyance to my home in Chickasaw, to Des Moines, only by stage to McGregor, thence via Chicago to a point at the terminus of the railroad west of Davenport, thence by stage to the law-making city, it appeared to be too much of a swing around the circle to be inviting, and it was decided that we take private conveyance across the State.

Having married a young wife, after my nomination to the senate, and, as it did not seem fitting to leave her on the bleak prairies in the north part of the State, provision had to be made for the transportation of more than one, and as there was but one covered carriage in the county, and I had hired that to bring my new wife to her new home, and as it would carry only two persons without baggage, other means than riding in style of a wedding trip had to be provided.

In the emergency Wm. Tucker, since a member of the house of representatives, consented to take his democrat wagon and convey us to the scene of my new duties.

We started from New Hampton on the last day of the year 1859, with the mercury 26 degrees below zero. We made the first ten miles to Chickasaw and stopped to warm and get dinner. About four o'clock we started for Waverly, and on reaching Horton, fifteen miles, we were obliged to stop to warm. Having warmed and eaten supper we rode to Waverly, reaching there about nine o'clock. Stopping at the first hotel we came to, we took up quarters for the night. On the morning of the first day of January, 1860, the mercury in the thermometer was congealed, and the shell of a house where we stopped, was feeble protection from the cold, and I started across the pond on the ice. There was a little strip of my face exposed, and when I brought up at the hotel, found there was a line of white marking the place of exposure, but it was soon thawed by a application of snow. In the evening we started for Cedar Falls, but so intense was the cold that when we reached Janesville we stopped to warm, reaching Cedar Falls about ten o'clock and found the hotel full, but warm. The next morning was stormy and blustering, but it had warmed up so that the thermometer only marked 26 degrees below zero. Here our party was increased by the addition of Zimri Streeter, the representative from Black Hawk county, and known as "Old Black Hawk," Senator Brown, Editor Smead and several others.

We started to cross Grundy county to Steamboat Rock, distant twenty-six miles, without an intervening house. It snowed all day and progress was slow, and as the cold increased I felt uneasy about the safety of my wife, as she was suffering intensely. A little after dark she was disposed to be quiet, and said she was not as cold as she had been. Knowing too well what this meant, I wrapped her with all the robes and commenced rubbing and shaking her, and on reaching a little sod house about five miles from Steamboat Rock, we stopped to warm, and then it was clear that my wife had barely escaped freezing. The balance of the company went on and had fires built and supper ready when we arrived. In preparing supper the landlady had used all their supply of flour. When we came to retire we were placed in an icy cold room, and on opening the bed we found that one of the sheets was a linen table cloth. It may seem jolly to recall this little incident, but to go into a cold room after having been in the cold all day, with the thermometer 40 below zero and try to warm up a linen table cloth used as the upper sheet, was no laughing matter.

As we had exhausted the hotel's supplies for supper we were obliged to go to Eldora for breakfast. The next morning my wife learned a lesson that may well be heeded by weary travelers, for going through the hotel kitchen the appearance was such that it destroyed her appetite for breakfast. Another day of weary travel and cold brought us to Nevada, Story county, where we passed a comfortable night. Starting the next morning with the prospect of reaching our destination that evening, and having our company increased by the addition of several teams carrying members and senators, we were in good spirits. About sundown we began to feel uneasy, as we saw no symptoms of the town, and seeing a smoke in the distance we turned our teams to the little house on the prairie and on reaching it found that we had taken the wrong road and were then eleven miles from Des Moines.

It was now growing dark and we were assured by the owner that we



Yours Truly,  
J. H. Powers,



could not stay all night. At this "Old Blackhawk" jumped out and told us to unload, as there was plenty of room for both man and beast. The cattle were turned out of the straw barns and the horses put in and we took down the beds so as to make room for all to get into the house. In a short time another lost load came up and "Old Blackhawk" told them to put out their horses and come in as there was plenty of room. The robes and blankets were laid in a shed and myself and wife were thus provided with sleeping apartments while the balance of the guests improved their time in baking biscuits. We reached Des Moines the next day about 11 o'clock and stopped at the Grout House on the east side and at the foot of capitol hill.

At the extra session I came down on horseback in five days, sleeping one night on the prairie, having been lost.

As scarcely a hamlet in the State is more than twenty-four hours distant from the capitol, at the present time, and as we the old pioneers see and feel the progress of the last third of a century, we look back upon those early privations and hardships and gloat over the fact that we were present at the laying of the foundation.

Col. John Scott, of Story county, took the floor and addressed the president as follows:

The stories we have heard this morning call us back to the very early days and turn my mind to a certain time in 1843 when I entered the court house, which, if I remember rightly, was in a boiler shop over a small grocery below in the then slowly growing city of Keokuk. The bench consisted of an up-turned dry goods box, a very solid foundation it seems to me at this distance as I remember it—a solid foundation certainly for the bench. Now as you are kind enough to say you remember it well, so do I. I remember, too, about that time, within a few days after that, I saw the foundations of the capitol—that was to be the capitol building of the State of Iowa, then in course of erection in the then capital of the State, Iowa City. That building still stands and is devoted to proper and valuable uses for the State. Years after that, sir, I came to this village, and the workmen were at that time building a temporary capitol for the State again. The old building, sir, which you remember so well and with which you were so intimately connected, and with which your history as a public official is most prominently connected in the history of this State—a history, sir, that all of these gentlemen will join me when I say many pages of which you have yourself brightly illuminated. As we passed many years up and down the stairway of that old building the steepness of the road made it convenient for us to pass our hands upon the rail—to clasp the rail of the stairway as we went up to assist us in our ascent and when we came down to steady us as we approached the regions below. You yourself, sir, were familiar with the old court room in the capitol at Iowa City, no man perhaps more familiar than yourself with the hand rail of the stairway of the capitol as it once stood. And I remember when I stood at your side at the fair ground as we looked across and saw the old capitol go up in smoke and ashes. Mr. President, there is no one here of all this—after the discussion which we have had, sir, I hardly know what word to use; I do not like to say old, I do not like to say pioneer, but I will say of the members of this Association, there is probably no one here, but what remembers the stairway, and whose hand

has not clasped the rail of that stairway in that capitol. Mr. President, it did not all go up in smoke nor down in ashes. Some of it yet remains, and I have been requested to call your attention, sir, to the practical use that may be made of a relic of the two capitol buildings of Iowa which are no longer used as such. It is composed in part of a round of a chair from the supreme court room of the capitol at Iowa City. I am requested, sir, at this inopportune moment, to present this to you. And as I sat here I have noticed that your hands are not horny as mine with honest toil, and have been, I trust, not bruised when pounding in your efforts to keep order in this assembly.

I thank the gentlemen who constituted this committee to ask me to present this to you that you may not be under the necessity of calling this assembly to order as you have heretofore. I do this, sir, with much pleasure. I pass it to you, sir, with the hope that the day may be far distant when it shall pass as an heirloom to those who shall come after you.

Here Col. Scott handed the gavel to the president, Judge Wright, who responded as follows:

Col. Scott, for yourself and those you represent, and especially in view of the very precious material in this gavel, I give you thanks.

I was especially reminded, Colonel, when you, at an inopportune moment, called attention to the very great difference between your hands and mine, I was specially reminded of that letter you wrote when some person from the north, when you were president of the State Agricultural Society (assuming that you were well up on all agricultural subjects), who had just settled in the northern part of the State from Vermont wrote: "Dear Colonel: I am just from Vermont and have settled in the northern part of the State, and since you are president of the State association I assume that you can give me advice. I propose to go into sheep husbandry. What shall I do?" And you wrote him to buy "The hydraulic ram by all means, that it was better than a Merino for mutton, or a South-Down for wool." So I can understand there is a great difference between you and me, for I never would have confounded sheep to that extent. I thought also, Governor, as you said the fine things you did of me, of the ready ability you possess in that direction, and queried in my own mind where you got this, but you remember my definition of a Scotchman—"A Scotchman is a man who keeps the ten commandments and everything else he can get his hands on."

I take all back I have said upon this subject. I have the kindest of feelings toward you. I do not believe you would keep anything unless it may be the ten commandments!

I shall keep this gavel and turn it over to my successor at the adjournment of this meeting, and it is especially proper that it should come as it does, from one so distinguished in our State as Governor Scott, one who has held the gavel with such distinguished ability, and made from the material it is, from the old capitol and from the old chair that has been distinguished by some of the ablest in the State in days past. (Of course I omit myself in that.) I thank you again, Governor, for it.

A committee from the House arrive and were announced.

REPRESENTATIVE EARLY—Mr. President and Pioneer Law-makers, the House of the Twenty-fifth General Assembly extend to your Association an invitation to visit the General Assembly this afternoon at any hour you may select.

Gov. Gue said:

I move that the invitation so kindly tendered be accepted.

Seconded and carried.

The President said:

On behalf of the Association, gentlemen, I return thanks for your invitation and we shall take pleasure in calling upon you this afternoon.

On motion the committee were invited to seats on the platform.

Song by Mrs. Jesse Cheek.

The Association then adjourned to 1:30 p. m.

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At 1:30 p. m. the meeting was called to order by the president.

Music by the choir—"Bonnie Doon."

The President said:

The next thing in order is five-minute speeches. I will call on Col. S. A. Moore.

Col. Moore said:

MR. CHAIRMAN—I am wholly at a loss; I do not know what to say. It would perhaps have been better for me to have had a little time to pull myself together so I would have something to say. I did not have the pleasure of meeting with the old law-makers this morning, nor since their last meeting have I met but two of them. The first thought that occurred to my mind when I came to this place was, that there were many of you whom I have had the pleasure of meeting in other days, when my county thought proper to entrust me with the responsibility of legislating in her behalf. I was many years younger than now; that was thirty years ago, and I must say for my excessive modesty, I felt it was a burden I could not carry, and I could not lay it down. And when I to-day look over the faces of these old friends, I might say, there is a feeling of sadness comes over me. When I look upon the wrinkled brows of these old men who have trod the rough path of the world by my side, and when I remember that it will be but a little time until we shall cease to come and go and look on the faces of each other; yet there is one comforting reflection about it; we have simply done our duty. And if it is true, and I believe it is, that we are to be remembered only by what we have done, then I am willing to look the record in the face, and I believe the old senators are all willing to do so too. It happened to be our fortune, a good many of us, to be entrusted with legislation for the State in the most trying times that ever come to a State. While it has been

my fortune to meet with a good many of the younger members, those to whom are entrusted the affairs of the State now, I am proud to say we have entrusted the legislation of the State to competent men, who will faithfully discharge every duty imposed upon them; that they will carry out, add to, and build upon the foundation we have laid.

I do not know what to say to you. I am sometimes almost overwhelmed with grief at the changes that have come across those old men. I met an old senator yesterday, one who is much younger than myself, and I hardly knew him. The ravages of time had come upon him; there was silver in his hair. But yet after all, the same warm sunny hearts beat in the bosoms of these old comrades, and when the last hour of death comes, they will go down and meet death as they have met every difficulty in life. I feel, oh! senators, that it is well. Let us go down holding each other by the hands. We have met responsibilities as they came, and we will guide each other's feet down into the silent tomb. I do not want to lose my hold on the old comrades, until we reach the other shore.

The President called upon Col. W. J. Moir, of Hardin county, who said:

MR. PRESIDENT AND GENTLEMEN—When I look around me and see so few that occupied seats with me in the Ninth General Assembly—

"I feel like one who treads alone  
Some banquet hall deserted,  
Whose lights are fled,  
Whose garlands dead,  
And all but he departed."

A Scotchman could hardly risk listening to the song we have just heard without being inspired to talk, but I do not feel like talking very much on the present occasion. I am glad to meet those who settled with me in this State at an early date. I am glad to meet those who settled in this State before I did, and I might say laid the foundation of the prosperity of this State before I was honored with a seat in the Legislature. I know there are many here to-day who remember times away back in Territorial Iowa; no doubt some of you remember the time when the Constitution was adopted in 1846; no doubt you remember those times when the boundary of this State was not fixed as it now is. No doubt many of you remember the time when up and down the Des Moines River a man would have lost his political head if he had undertaken to vote against the Des Moines River Improvement. I remember very well in 1864 the principal discussion and the principal point at issue during that year was whether there should be a resumption of the lands that had been given to the railroads. You no doubt remember it. You no doubt remember the issue. I did not know but what I would lose my political head if I supported the resumption. I am not certain whether I did. Now the State of Iowa is second in railroads, Illinois being first. This grand State we now occupy is not second in anything else. It is first in acres of tillable land; first in corn and hogs, and first in the intelligence of its people. No other state, nation or clime can, with proud Iowa, say there is only 2.4 per cent of its adult population that cannot read. It is second in school teachers, New York being first, and the man who does not feel proud of that, who lives in Iowa, ought to buy the fleetest horse he can find and ride until he reaches sundown.

I said it was not popular at one time to work against Des Moines River improvements. I believe it has become a matter of history for our children to read that two certain men in 1850 were running for Congress. One was named Barnhart Henn, and the other you can guess at. In traveling around one day they saw a man in a corn-field. They started to run to see who should reach there first. It was said Barnhart Henn was swiftest and got there first. When he held out his hand hurralling for the Des Moines River Improvement, he found he was holding out his hand to a scarecrow.

My fellow citizens, this is a grand State; our Nation is a grand Nation; we live in the acme of ages so far as improvements are concerned. It is wonderful when we look back to see the improvements that have been made in the great State of Iowa; it would not do to say we will not ride in the air in a short time.

The Association took a recess until 7 P. M., for the purpose of visiting the State House.

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At 2:30 the members met at the rotunda of the capitol and proceeded in a body to the Executive rooms and were presented to the Governor by Judge Wright, who said:

Governor Jackson, we come down to you from a former generation. I present to you my colleagues, members of the Pioneer Law-Makers Association.

Governor Jackson said:

I want to express to you my fellow citizens the great honor I feel in receiving this call from the pioneer law-makers of Iowa. Sometimes when I think of the State of Iowa in its magnificent progress and its standing to-day, my thoughts frequently go back to the early days in the history of Iowa, and I am reminded sometimes of the illustration of a train of cars going over some magnificent bridge. People stand upon the platform and admire its architecture; they see the elegant proportions of the bridge, its heavy timbers, etc., with trains crossing them safely year after year and year after year, and have no thought of the foundation work away down deep beneath the surface of the water, where possibly a few giant boulders form the foundation of that bridge over which they pass in safety. So when I think of that illustration, I cannot help but apply it to this State of Iowa with its two millions of people, its prosperity everywhere, and its intelligence. Possibly no State in the Union for a period of years has met greater prosperity. I am inclined to believe that away back in the early history of Iowa you people, the pioneer law-makers of Iowa, represent the foundation of this noble State, and are the foundation which has enabled it to make such magnificent advancement.

I feel very much honored to receive this call, and shall be glad to see you at any time personally or collectively.

Judge Wright said:

We can all say to you that we feel perfectly secure as to the foundations.

If you will take care of the cars as they run along we will be all right. It is time for us to repair to the Senate Chamber. We thank you for your very complimentary reception.

The members of the Association then proceeded to the Senate Chamber, where they were received by the President, Lieutenant-Governor Dungan, who said:

MR. PRESIDENT OF THE PIONEER LAW-MAKERS ASSOCIATION—It affords me pleasure on behalf of myself and the senators of the Twenty-fifth General Assembly to welcome you and your associates to this hall. We not only welcome you, but feel highly honored that you have accepted our invitation to be with us to-day. The young statesmen of to-day welcome the sages of the past. And it affords me double pleasure being a young man with the young men to-day and yet uniting myself with the present and past, having the great honor of being a member of your Association. We welcome the men who from the earliest times of the State in its territorial condition and through statehood of to-day were the great architects in building the State of Iowa. We feel greatly honored in thus doing. It is sometimes said you builded better than you knew. I know not how that may be; I know that young statesmen are ambitious. You were all young and I doubt not you were ambitious or you would not have survived so long. But I do know the State you were so instrumental in building, the great State of Iowa, is the most beautiful, most beloved, and greatest State in the galaxy of states in this Nation. We welcome you. Be at home. Take possession. I will give you the insignia of authority. We desire to hear from you and your associates such as you may desire to call upon to-day.

Judge Wright said:

I am the presiding officer now. I wish you to understand that you will have to observe the very strictest rules laid down by the former law-makers, and if any man departs from these rules, though he be the oldest senator on the floor, I will call him from his feet. I am not here to make a speech. I thank you for the very complimentary terms in which you have received us. I knew how it would be. I knew you could not say anything else to save your soul but just what you have said to us. I know another thing; that you could not say anything—talk five minutes without saying something complimentary to the State of Iowa. I have said a great many times that if I found a man in the State of Iowa who didn't live in the very best part of the State I would shoot him down on the spot. Go down to Van Buren county, where Senator Vale lives; down into Davis, where Col. Moore lives; away up into Clayton and Fayette counties, where Judge Noble and L. L. Ainsworth live; then come down toward Marshalltown, where Speaker Stone lives, and Polk county, where Hoyt Sherman and Isaac Brandt live, and every last fellow says he is in the best part of the State. Of course we have a good State, and all live in the very best part of it. That is all right; I have heard it six times already to-day. But it is not for me to make a speech; I have a perfect right and authority to call out a few young men here to respond in my place, and the first person I shall call is the youngest representative; not merely the youngest in years, but he has been here fewer years than anybody else, Professor T. S. Parvin.

Professor Parvin said:

MR. PRESIDENT OF THE SENATE AND GENTLEMEN—Judge Wright promised us that he would not take us by surprise. I am not surprised he called upon me, because he said he selected the best looking man to accompany him as an escort when he might pass into your midst, but I am surprised that he should have thought of such a thing. I am half inclined to make one of his old speeches, because then I would merit his approbation as well as yours, I know.

JUDGE WRIGHT—You could do no better.

PROF. PARVIN—I am glad to look into your faces, as I did yesterday morning. Of the members of this General Assembly, I noticed on yesterday there were some young men. Very few. It was the exception to the rule, while in the long ago it was the rule itself, because we had not been in Iowa long enough; Iowa was not old enough so we could grow old, and it is possible that some of your members might have some advantages in years, but these young men are not only the hope but the pride of the State. We are glad to meet them. I have noticed in looking over the list that some of the best looking members were single. I am not surprised that one of them should advocate the question discussed in your hearing yesterday. It was natural. And I am sure that the men who are single are not so by the grace of God. I remember the first session of the legislature of Iowa, only about fifty-six years ago, the good citizens of Burlington invited us to a grand reception. It was a grand affair, and when we gathered together there were only seventy-five good looking, young, marriageable men. Each one was looking about on the *qui vive* for some fair maiden. Lo, there stood in our midst but one solitary representative of the sex. Had she been some years younger I presume we might have had considerable doubt as to the selection. But as she was advanced in years I can only say, as one of the historians of the history of Iowa, that she remained in single blessedness during the subsequent history of Iowa. It is a pleasing thought to look at the building you occupy and think you are called to order by use of a gavel that is made from some of the old building. I hope the day may be far distant in the future, or it may never come, when any president of this Association shall be called upon to call the members to order by use of a gavel that shall be made of the ruins of this building. I feel complimented by the introduction made, and that I may stand before you the oldest representative present of that Association. There are but two others living who were connected with the government during that year, and both are too old and infirm to meet with us, so I have come to represent the three. I am glad to meet with you to-day. As there are others better qualified and perhaps more ambitious to address you than I, I will thank you for the opportunity I have had of meeting you and for renewing acquaintances of early youth, making new acquaintances, I trust, that will prove as true as the old friendships in years long gone by.

Judge Wright said:

Without introducing anything like politics it has occurred to me that in this body perhaps you are not troubled with many long speeches from Democrats, and I have concluded to give you a taste of another. I will therefore call out another Democrat to make things even. I call upon our

friend from Fayette county, L. L. Ainsworth, who was a member of the senate and also a member of congress.

Mr. Ainsworth said:

MR. PRESIDENT—I suppose the first point that I should make to appear natural here would be to raise a point of order or question of privilege, but I think I have that question of privilege. I dislike, however, in the presence of the senate, to make this a personal matter, but, I remember at the dinner table you announced that each man who would be called upon to say anything here was to have notice at that time. I felt a little chagrined that my name was not mentioned as one of them, but now you have called upon me without any notice whatever. This question of privilege—I sat here in this senate and heard a question of privilege raised in 1860 by a senator, a friend of mine, in which he raised the question of privilege over an article published in the *State Register*. After reading from the *Register* a portion of the article he said, "Mr. President, I said that;" and reading on further he said, "Mr. President, I said that;" and reading on a little further he said, "Mr. President, I said that." Lieutenant-Governor Rusch then said: "What is the question of privilege, Senator?" And he replied, "Mr. President, I said all they published." I think that question was well taken.

Standing here in this Senate chamber and contrasting it with the Senate chamber which your presiding officer and I occupied in 1862—in looking about upon the faces here I find not a face of those who were with me, and looking about upon the dimensions and finish of the walls, I find nothing to remind me that this is the Senate chamber of the State of Iowa as compared with the old Senate chamber, but there is the same responsibility attached to you that attached to us, the responsibility of changing the law where it is apparent that such change is required, but yet, as you know—I will say, by the way, that I have no intention to lecture or instruct you—but I will say that the real duty which presses itself upon representatives and senators, is the duty of preventing laws that are bad. So far as my judgment goes the duty is more in preventing bad laws from being enacted than in procuring the enactment of good laws. I believe, gentlemen, my time has expired.

GOVERNOR DUNGAN—I will call on the senator from Hancock.

Senator Brower said:

MR. PRESIDENT, PIONEER LAW-MAKERS, SENATORS AND CITIZENS—It gives me much pleasure to stand here and witness the incoming of these representatives of another time. It gives me greater pleasure when I contemplate the period they represent, the history they have made and the future they have presented so invitingly before us. We have present in this senate chamber to-day an allegorical picture, you might say. The past and the present. And as we look into that past from the faces of the gentlemen who made that past so far as the material history of Iowa is concerned, I know I must voice the sentiment of those of my fellows who stand about me when I say that that past is an inspiration to us. It strengthens us and lifts up our courage when we contemplate the laborers before us. It is not for me here now to eulogize this State. It offers to every one who travels about its own eulogy. It is for me in the few words I may be permitted to speak to say a few words from the present to the past in the way of grateful

appreciation in the way of recognition of services which must have cost you more than our services will cost us. And I know, when I contemplate the magnificent surroundings by which we are to-day surrounded and look back to the past from which these gentlemen came, and looking at the State as it was then and looking at it as it is now it seems that a miracle of progress had certainly established itself in our midst, invited here by those who are confronting us now. We are proud of our State; we have reason to be proud of our State. We have greater reason to be proud of the men who laid the foundation upon which its prosperity is built, and I want to return thanks, so far as it is in me to express the thanks of the people of Iowa, to the men, the pioneer law-makers, who are our guests to-day.

Governor Dungan said:

I desire to call now upon a senator who by birth and education has had experience and comparison between one of the best governments in Europe and our own. I call upon Senator Groneweg, of Pottawattamie.

Senator Groneweg said:

MR. PRESIDENT—I am very thankful to you for the honorable mention you have made of the government which I had the pleasure to live under in former years. Permit me to say that when I came to Iowa thirty-three years ago I was a young man. It was not material to me where I went or where I stopped. I just happened to select a home on the "Big Muddy," the Missouri river. I stopped there then; I have been there ever since. I have cast my lot, as it were, with the people of this grand and glorious State of Iowa. I call myself now a citizen of Iowa, a citizen of this great and glorious union, the United States of America. When I witnessed the passing in of the pioneers, the pioneers who made the first laws of this State, I could not help but think and to compare our lives to a play. The stage is the world, the theater. One party occupies the stage at a certain time, then their work is done; they pass off and another set of men, a new set, takes their place and how radical is the change. The personnel of the legislature is almost entirely new from what it was four years ago; only one I remember is here to-day who was there four years ago. The others are all new men chosen by the elective franchise of their respective localities to represent them in this body, and so it will go with us here to-day. We are here to-day trying to represent our localities as best we may or as well as our abilities afford. We will be called upon to step aside to make room for new men who will take our places. It will not be long until this will take place. When we remember the hardships these gentlemen have passed through; when we remember the trials and troubles our State was in at the time alluded to by my friend Captain Ainsworth, who has chosen to make comparisons between the senate chamber of to-day and the senate chamber of 1860, let us make a comparison of the State of Iowa in 1861 and the State of Iowa in 1894. There is a great difference between the old chamber and our present one, but let me tell you, Mr. President, there is still a greater change in the State of Iowa. The State of Iowa is far more advanced and far greater in comparison than it was in 1860 and 1861. I thank you for your courtesy.

Governor Dungan said:

I will call upon Senator Cheshire, of Polk.

Senator Cheshire said:

MR. PRESIDENT, CHAIRMAN OF THE PIONEER LAW-MAKERS, AND PIONEER LAW-MAKERS—I stand before you to-day impressed with the great State of Iowa you have piloted for the present generation, but I regret that what I may say here is entirely extemporaneous, without any previous preparation, because on an occasion like this when the men of the past who laid the foundations of this magnificent empire visit the capitol it behooves us young fellows who are attempting to fill the places you filled to put our best foot forward. But I welcome you to-day to this chamber and the city of Des Moines, and say to you, gentlemen, if you don't see what you want upon the shelves walk into Governor Dungan's room and demand the rest. I say to you, also, I am proud to be a native of this State. Why, gentlemen of the Pioneer Law-Makers' Association, if I had not been born in Iowa I would have desired to have been born again on reaching this noble State. For, as Judge Wright has said, of all the commonwealths of this grand constellation of states; of all organized governments upon this habitable globe; of all kingdoms or empires in the past or present; of all republics that lived and died in the past or of all the republics living to-day, there is no state in any republic, in any kingdom, in any empire on this globe, that compares with the great State of Iowa. She sits between the Mississippi and Missouri rivers like a queen on her throne. There are more of the people of Iowa who own their homes in proportion to the population of the State than any equal extent of territory on God's footstool. Why, it has been said by the chairman of your organization that here is the most contented people; wealth is more equally distributed among the inhabitants of Iowa than in any other state of the Union. It has been said here repeatedly, in this chamber and in the other, that the order of intelligence of the people of the State averages higher than any other state, and when we come to consider among this constellation of states the other great states of the Union, and what they have done, and see that Iowa is ahead of each and all, that is the highest tribute we can pay to your early career as members of the Hawkeye State. The wise laws which you enacted forty years ago, many of them are still upon the statute books of the State, after forty years of trial, and after forty years' practice, and we legislators of to-day are unable to improve upon the legislation of thirty or forty years ago. It has been said by some governor or lieutenant-governor that you builded better than you knew. When you were law-makers, when you came to this young empire, if some one had told you that in 1894 Iowa would have been the tenth State in population in the Union, and the first state in all that makes a state in the United States; if you had been told that railways would have marked their courses across the State from east to west, from north to south, from north-east to southwest, and diagonally over the State in every direction; if you had been told the number of miles of railway she has to-day, you would have said it was impossible. The wildest dreamer of those days could not have pictured the greatness and grandness of the empire in which we live to-day. I believe that the present proud position of this State among the states of the nation—I believe that the pinnacle that Iowa has reached is

due more to the sure foundation you have laid than to any other reason or cause which has contributed to it. I remember that Governor Grimes, and the young chairman who sits here, chairman of your Association, and Governor Kirkwood—who is in the shadow and eve of life but whose mind is unclouded and whose memory still remains clear—I say I remember that those men forty years ago, when the Code of 1851 was written, and when the laws which related to married women especially, were re-written, and the spirit of the age and men who wrote that Code and those laws, changed the laws magnanimously in favor of the women of Iowa; and those laws have been greatly added to and increased, and let us hope that the time will come when there is no statute in the books but what gives equality not only to women of the State but to every citizen, white or black, male or female, of whatever condition.

Mr. President, I thank you for the kindness you have extended to me. I again bow in the presence of these gray haired law-makers and say, may the remaining portion of their lives slip peacefully down to the resting place to which we are all going.

Gov. Dungan said:

You have heard from the gentleman on the Muddy Missouri. We would like to hear now from one on the "babbling brook," the Mississippi, Senator Palmer.

Senator Palmer said:

MR. PRESIDENT, HONORABLE GENTLEMEN OF THE PIONEER LAW-MAKERS' CORPS—As I witnessed the procession of these honorable pioneers coming into this chamber this afternoon, I felt that we boys ought to congratulate ourselves on the fact that we had such forerunners as these, and it brought to my mind that the reason for the growth of this grand State of Iowa must be—the reason must have been the fact that we had such men as these to go before us. When I go back a few years I am reminded that this commonwealth was only about fifteen years old when it was called upon for volunteers to defend the flag of the Union. It was these men as they sat in the councils of legislation who were prompt to legislate in the interests of the old flag as they would be now. And I say, Mr. President, that we to-day ought to congratulate ourselves on the fact that we had such pioneers as these to give us such laws as brought this grand State to the position it now occupies, a position second in rank to no other State in the Union, and along with the other States of the Union forming a government second to no other government under the sun. And we need to congratulate ourselves on the fact that we have had such a line of legislators as these. I hope this present Association will show itself equal to the emergency and not drop out a single link in this grand chain but that the history of our State may be linked together in golden links on down until time shall be no more.

Governor Dungan, said:

It is evident that the mistake I made is a very happy one. I intended to call on Senator Harper, and made a mistake, and now I call upon him.

Senator Harper said:

MR. PRESIDENT AND MR. CHAIRMAN OF THE PIONEER LAW-MAKERS' ASSOCIATION, AND SENATORS—I have been to-day what we called in school a bad boy, and I have been saying words here to-day that I find to be unpopular, and when the President of the Senate began to talk about the babbling brook that babbles down my way, my heart came up into my mouth, and I says that is me. But when he called on Senator Palmer out in Washington county, I felt very much relieved, but it got me after all. I thought I had shriveled up, and I have shriveled up in my own estimation and the estimation of others ever since about twelve o'clock. [Laughter.] Gentlemen, I belong to that class of people that are called Democrats, and I come from the "very best part of Iowa;" I come from the "Flint Hills," down there where the young lady is that our friend, Judge Parvin, talked about. I am sorry to say that the Judge was not successful in that courtship, for if he had been, I would have been related to one of the old pioneers. But I want to tell the Judge here now, to-day, privately, and I hope it will not go any further, that our girls down there are very conservative. I found that difficulty myself; and I presume that the Judge will agree with me in that statement. Now, in addition to being shriveled up to-day, and I am still on the shrivel, I will say that I have not been great a great while, but only great about four or five weeks ago, and so I reasonably expected, taking all these things together, to escape the eagle eye of our most splendid Governor. But it is a proud honor, indeed, to be selected out of this body of splendid men—such as we are—us boys—and asked to talk to those gray heads I see on the other side. It is an honor that I had no expectation of participating in. I expected to sit here quietly and listen to the words of wisdom falling from those old wise heads. Gentlemen, in reaching across the chasm that divides you and me to-day, I want to say that while Iowa is not my birthplace, while I was born away back across a few of the rivers where—well, it is so far I won't say much about it—it is where McKinley came from. [Applause.]

GOVERNOR DUNGAN—Where McKinley is.

SENATOR HARPER—McKinley was there. He seems to be still there. I was born there, and I presume that they, foreseeing at an early age that I was liable to become a Democrat, cast me off. I came to Illinois, and from there I came to Iowa twelve years ago, and I want to tell you just now that I do not know any other State in the Union. (Applause.) I am proud of Iowa, proud to-day coming from the first city that welcomes you as legislators, I am proud to stand side by side by my brother Senator who welcomes you to this city, and who represents the city in the Senate. I am proud, sirs, to say to you that I want to welcome you here to-day in behalf of Burlington, Iowa, where you first met and laid the foundation for the wise, proud and just laws that have stood the test for so many years. But I have the fault of talking too long. After having said that, and thanking you for your kind attention, I will close. (Applause.)

GOVERNOR DUNGAN said:

I will call for one more short address from Senator Harmon.

Senator Harmon, of Buchanan county said:

MR. PRESIDENT, CHAIRMAN OF THE PIONEER LAW-MAKERS, AND SENATORS—When the honor of extending the invitation of this body to visit our legislative halls was accorded to me, I did not expect to be called upon for any remarks upon this occasion, so I delivered my address to them in their own rooms by assuring them of the cordial welcome to these halls. I am not in the habit of making speeches here, and I have one of the best reasons for this habit. I was quite young when elected to this body. My predecessor, one of the well-known men of the State, who is before us to-day as one of our visitors, came to me soon after my election, and addressed me something like this: "Young man, would you take some advice from one who has been through the legislative mills?" I said, "Yes." "Well," he says, "vote just as you please, and don't make any foolish speeches." I tried to follow that advice, and would not speak here to-day except to add my mite to the lavish tributes which have been offered by my brother Senators. Something has been said to-day about compliments. Mr. President, when we look at this State of which we are all so proud, of which it has been said we boast constantly in season and out of season, and point to her great institutions which are the pride of the citizens of this State, and turn to our venerable visitors and say to them, this is all your work, we have bestowed the greatest compliment that is now in our power. I am glad to day that I am able to number among my personal friends many of our distinguished visitors. I trust we who are members of this present General Assembly shall live to be pioneer law-makers. Those who shall succeed us in these legislative halls will be as glad to meet and greet us as we are glad to-day to meet and greet those who laid the foundation of this great State, and made it possible and profitable and pleasant for us to be here. I assured these gentlemen of a cordial welcome. I believe they will say that my promise has been fulfilled. I thank you for your kind attention.

Governor Dungan said:

I had in my mind calling upon another gentleman who is a bachelor, but his speeches are so good they will keep. If you do not desire to stay longer we will not insist upon it.

Chairman Wright said:

We would be glad to remain here until to-morrow morning if we could. I wish to say to you that Governors Scott and Campbell compose a committee from our body to extend an invitation to you from us. I wish they may be recognized at this time for that purpose.

Col. Scott said:

Mr. President—The invitation with which I am charged from the Pioneer Law-Makers Association is that the Senate will do us the honor to join with us in our deliberations to-morrow afternoon, and I extend this invitation on behalf of our Association and on behalf of the President, where we will be, I trust, at least as willing if not as able to extend our hospitality to all who may call, in the same generous, cheerful spirit you have extended toward us this afternoon. And while I have your attention I want to say that I am most profoundly impressed by the hope that was expressed by the last senator upon the floor that he might some day be a pioneer law-maker

himself. It is a worthy ambition. Mr. President, perhaps he and perhaps others of the younger members of the Senate scarcely realize the position which we now, not in our declining years, but in our growing years occupy; for a man with a clear conscience knows nothing, so long as he lives, but to look towards a clear sky and growth. I trust the senator and his co-senators may live, each and all of them, to be pioneer law-makers, and receive the crown of triumph which is extended to us to-day.

The President said:

I congratulate him upon his prospects of realizing his wishes. I remember a long time ago when I was a small boy passing through a certain—I believe they called it God's acre, upon which certain texts were inscribed upon the mile-stones, one of which was, "As you are now, so once was I; as I am now so you shall be. Prepare, prepare to follow me." I want to say for the encouragement of senators who are here, that you will become pioneer law-makers. You will go through the storms that are below the clouds, reaching the proud elements which we occupy, looking down where we can see from clear empyrean heights, where we once lived, upon the trouble and toil—looking down upon these small emulations which seem almost quarrels, that are on the earth below—and it is a grand place to be—it is a grand place to be where one can, in these serene days, occupy the position by the side of the companion of his early youth, and his children and the grandchildren shall stand to one side and give him the warmest place by the fire on the coldest day, and it shall all be done in that cheerful, respectful way in which they say, "We must do this for grandpa."

My young friends, you will all get there in time if you live, and I know you all intend to live while you can see anybody living, and I would advise you to do it. About these quarrels I spoke of in the earth below that we look down upon from such a distance from our haven of peace, I know something about what they are. They do not come from any unworthy ambition, but they come from the spirit in man to do his duty as his duty presents itself to him. I can illustrate this in no other or better way than in a story of the old days of Daniel Boone and the other early settlers of Kentucky, of the spirit in which a man who was to go to one of his neighbors several miles through the woods for some purpose. He says: "I will go to my house and get my rifle." "Well, I would not bother about going to your house for your rifle. You are not going to die until your time comes." "No, I am not going to die until my time comes. But suppose I should see an Indian and his time had come and I had no gun." Now I could conceive of you men having such a feeling as that as you go through the world—no animosity at all towards anybody with whom you come in contact, but simply anxious that the will of the Lord be done.

Now as we are about to adjourn one word more. A great many years ago I delivered an address, telling about the excellences, virtues and intelligence and the influence of the pioneer lawyers of the State upon its progress. After I had finished an old lawyer came to me and said: "I didn't know we were such a good set of fellows as you make us out after all. I don't know after all whether we are as good as you make us out to be, but I believe every word you say!" Mr. President, it is said that a legend is a historical narrative destroyed by traditions. Iowa is not old enough to

have any traditions yet, it is all history. It is history that Iowa believed thirty years ago and more that the constitution of the United States was a charter of life and not of death. It is history that the people of this nation believed in the one nation, the United States all together, and Iowa believed that just as sincerely as any other State of the union. It is history that when it was attempted to take down the flag and destroy the unity of this nation that attempt, by the efforts—by the heroism of Iowa men and the heroism of men all over the nation, was rammed down the throats of the rebels and all shot to pieces at Pittsburg and Appomattox court house. It is history that during all the life of Iowa there has never been a charge against any official, legislator or otherwise, of bribery or any acceptance of or attempt to bribe men in the discharge of their duties as officials of the State. It is history that this building in which we now stand was built under the supervision of three as honest and true and faithful and industrious men as the State ever had. There is no fraud from turret to foundation stone. There may be a time when we shall have traditions which will destroy history, but we have not got them yet. We may go back a little and say, according to tradition, such men as Ainsworth, Noble, Henderson, Miller and Dungan at one time represented the State in the general assembly of the State of Iowa. That tradition you can hardly believe. But we have the history and that is enough.

Mr. President, let me hope in parting, as an humble citizen of the State, that the time may never come when we will be ashamed of any part of the history of our State. And if we shall be true to the past, to the foundation, we need not be afraid of the future. Then its record shall be all that we desire, and we can continue to praise each other and to praise Iowa, for she deserves it.

Here the Pioneer Law-Makers proceeded to the House of Representatives.

Speaker Stone in receiving them said:

MR. PRESIDENT OF THE PIONEER LAW-MAKERS AND PIONEER LAW-MAKERS—I take great pleasure in extending to you a cordial welcome on behalf of the members of the Twenty-Fifth General Assembly, and I assure you it is a great pleasure to the members of this body to stop in the onerous duties of legislation and receive as guests the honorable body it now has with us.

Judge Wright on behalf of the Association said:

MR. SPEAKER—In behalf of the gentlemen over whom I have the honor to preside, and it is a great honor, I accept the compliment extended to us, and express great pleasure that we are able, so many of us, to be here this afternoon. Our meetings would scarcely possess a tithe of the pleasure they do if it were not for the fact that we can meet at a time when the General Assembly is in session and meet you here in this hall and have you meet with us in ours. We have extended to you, as you are aware, an invitation to meet us to-morrow, and we hope we shall have the pleasure of seeing you. And I want to say, as I said two years ago, we don't want you to come by card; we want you to come in person; we are old-fashioned and do not

believe in calls by cards. Therefore we shall expect you all to-morrow afternoon at the time indicated.

It is no part of my place or duty to make a speech on such occasions as this, for I have persons at my command who are always ready to make speeches on these occasions, and, therefore, I am relieved of such duty. I shall call upon two or three persons now, but if any man shall say anything about what a great State Iowa is, how it has prospered, what success it has had, or how big and great it is as compared with any other state in the Union, I shall regard him as out of order and shoot him on the spot. You must talk about something else. The first gentleman I shall call upon will be Senator McNutt, formerly of Muscatine.

Mr. McNutt said:

MR. PRESIDENT—It is twenty years since I made a speech, and now to be called upon in this way! If I fail, of course you can only expect me to fail. Thirty years ago the county of Muscatine sent me to represent it in part in the Tenth General Assembly. We met in the old building across the way, and how different were our surroundings then from what you have now. And were it not that our president has forbidden by strict injunction any allusion to the progress and grandeur of this young State of ours I would be disposed to make somewhat of a comparison, but sir, these two buildings as they stand here to-day are the comparison of the condition of things existing then and now. Notwithstanding the injunction of our president, sir, I do feel disposed to say that I glory in the State of Iowa; that I glory in the progress she has made; that I glory in the intelligence and virtue of her citizens, and I will say, sir, that sometimes—sometimes when I think of these boys, these boys which have been sent to make laws for the State, I am sometimes a little uneasy as to what they may do; as to what record they may make. We old fellows are proud of the record that we made. We glory in it. We think that in those dark days of our country our fellow citizens chose the best men of the State to represent them, and I hope, sir, that they have done the same thing in electing the persons that now occupy these halls. There is one thing, sir, that we old men do think of; we know, sir, that it is not wealth; that it is not magnificent buildings; that it is not castles or costly dwellings that make a state or make a nation, but it is the men and the women—virtuous and intelligent men and women that make a State, and so long as the State of Iowa consists of that kind of population, there is no danger to her institutions—no danger impending over this country. Let us remember, sir, that it is the intelligence and virtue of the citizens that is the strength and the glory of this entire land. Now, when I used to make speeches in the hall over the way, and I am free to confess, sir, that I can't do justice to myself without talking about an hour as a preface, and yet I was allowed but five minutes to say what I need to take an hour for. I know that this Twenty-fifth General Assembly will act wisely and prudently in the enactment of laws. I learned in my ten years of experience here that it was often safe to vote no, to say no; and I have come to the conclusion that the less laws enacted by the legislature the better for the people; just the least you can do—just the least changes you can make because the time, conditions and circumstances change, and the laws must be changed to suit these conditions and circumstances. I do think that in the present day there

are some laws that should be modified in order to meet certain conditions especially in certain localities of the State. Pardon me, Mr. President for talking too long. I thank you for the invitation and the opportunity to speak, and will now give way to some one else.

Judge Wright said:

I will next call upon Judge Reed.

Judge Reed spoke as follows:

MR. SPEAKER AND MR. CHAIRMAN— I have heard a great deal about gray hairs and we have been addressed by the presiding officer of this House as venerable men and that is perhaps proper. I want to say in the outset that if any person present believes that we belong exclusively to the past or that we live in the past I wish him to disabuse his mind of that. The men who constitute this Association many of them are venerable men; many of them have lived long and their services date back to the early history of the State and while we are proud that they have taken some humble part in the formation of that glorious record they call the history of the State of Iowa, still they may well be proud also that while in some things they are proud of the history of the State they belong to the present; they have the same interest in the present events that you have; they are animated with the same hopes. Gentlemen of the Assembly, the subject of the greatness and glory of Iowa has been mentioned frequently to-day until it has become a forbidden subject, forbidden by our chairman. Assuming that all that has been said of Iowa is true and taking it for granted, we may reasonably inquire what is the reason and cause for this grandeur and greatness. It is the wise legislation that these men have enacted. That is one cause, but over and beyond all that there is another cause. These men were but the representatives of the people who sent them to the General Assembly to formulate these laws and when these laws were formulated they were but the expression of the will of the people who sent them here. So it does not depend entirely upon a few, but it is to be attributed to the character and the virtue and the intelligence of the people of Iowa. Now it has happened for the last five or six years I have been thrown very much in contact with people of other states, and I have been frequently inquired of what manner of people have you there. My answer has always been that we have all the material resources for the best State in the Union; that there was nowhere else upon the planet another fifty-five million of acres capable of producing so much for the support of the people. And that our people were on a common level; that we had no extremes of either wealth or poverty. We had no great aggregations of capital; we had but few millionaires, while the annual products went up to hundreds of millions of dollars, it was distributed among all the people, and as a consequence the people were intelligent, virtuous, contented and happy. Go back into the history of the Nation in those troublesome times, and every man of my age has had some experience in connection with it, and look at the character of the men that compose the senators of the United States from Iowa. They compare with the representatives of any State in the Union. Those senators during the war, and subsequent to the war, exercised an influence equal to that of the representatives of any State in the Union. It

was so in the lower house of congress. But it is not to that alone that our influence has extended. The young men, the descendants of early settlers of Iowa, have gone out and have occupied this whole country west of us, and it has been my pride to point to the fact that the members of that association are everywhere standing at the head of the bar. If I ask any lawyer in Iowa to name the man who stood nearest the head of the American bar, if he was an intelligent man, if he is acquainted with the facts, his mind would naturally go to that man at the head of the New York bar, the head of the American bar, the law student in Iowa, the practitioner in Iowa, the judge in the Federal court of Iowa, that grand man, John F. Dillon. And it is true with almost every other state. My duties often call me to the west, and I find Iowa men prominent in Denver as well as cities on the Sound. The other day I was in San Francisco and there met a man who was at one time eminent in Iowa Legislature as speaker of this house, occupying the same position there that he occupied here. I will tell you here a little matter of reminiscence. The other day the son of an Iowa lawyer and an Iowa judge came before the court of which I had the honor to be a member and argued the case that was being submitted. My associates coming from four other States, listened to that argument. It was wonderful in its clearness, conciseness and quiet tone, everything about the man indicating that he was thoroughly sincere and thoroughly honest. My associates on my right, when he had finished, said that is the finest argument we have had in this court, and I said that was an Iowa man. We have sent them into every State west of the Missouri and Mississippi rivers, men of that class, and we have got them by the hundreds in every county. This influence has not only gone to the west, but has gone to the east. I will tell you another incident. It happened at one of the great political conventions of 1888 in the city of Chicago. As is the custom of delegations, the delegates called at the headquarters of one of the delegations of one of the eastern cities—the State of Indiana. Six or seven men engaged in the work of receiving addressed them, and I was assured by one of the men from this State that every man among them when he came to make his address assured the Iowa people that he had one day the honor of being a citizen of Iowa. These were men of pre-eminence in the politics of their states. So this influence, I say, has not been local only. It has gone abroad, it has permeated the nation. And it has been wise, not only in the character of legislation but in the character of the people who demand that legislation at the hands of those representatives. Mr. Speaker and Mr. Chairman, I could not without infringing upon the time of others speak longer. I am gratified that I have the privilege of belonging to the Association of the Pioneer Law-Makers. I am greatly gratified at the reception that I as an individual and my associates have received at the hands of this body. (Applause.)

Speaker Stone said:

I have the honor of presenting to you Representative Sawyer, of Sioux City, who will respond on the part of the House.

Mr. Sawyer said:

MR. PRESIDENT AND MR. SPEAKER—I have imagined as I sat here, that I saw a look of embarrassment upon the President's face as he listened to

the encomiums of the gentlemen on the State of Iowa, notwithstanding his injunction that they should refrain from such laudations on this grand and glorious State, but nevertheless, feeling as we do, we cannot do less or say less than that we have transgressed the rules laid down. As I look into the faces of these men, most of whom are venerable with age, my thoughts go back to the early history of the State, and I can imagine some of you held seats in the Territorial legislative halls, at the time when the immortal Whittier wrote the words familiar to all:

"Looking westward, I hear the trampling pioneers of nations soon to be,  
The first low wash of waves where soon shall roll a human sea."

To-day the human sea does roll over the magnificent prairies of Iowa, and where there were thousands, or a few hundred thousands, there are to-day more than two millions of happy, prosperous people. I think, perhaps, the present legislature is remarkable in the membership, in that it links the present with the past; for while we have those who have never sat in the legislative halls before, yet we have our venerable friend from Lee, who more than half a century ago, before this State had its birth, sat in the halls of legislation of the Territory. As I have listened to the words that have fallen from the lips of these men, I have also felt that they, although advanced in years, still have work to do, and their wisdom may serve to guide and direct us in the affairs of the present time. It is well for us to seek wisdom from those who are older and wiser in experience than we. I also say that the work which you, my venerable friends, and the work which we do to-day cannot be judged by the present. History writes our records with impartial hands, and truly estimates the worth of our every endeavor. And now, may I not say to each and every one of these whose heads are silvered over with age, his opportunities and influence are no less to-day than in youth. And—

"As evening twilight fades away,  
The sky is full with stars invisible by day."

Speaker Stone said:

I now have the pleasure of introducing the youngest member of our House, W. O. Weaver, of Louisa county.

Mr. Weaver said:

MR. SPEAKER, AND PIONEER LAW-MAKERS OF THE STATE OF IOWA—I deem it no disparaging title to be the youngest member of the Twenty-fifth General Assembly, nor do I consider it a small honor to be called upon to respond on an occasion like this. For it is indeed your work that has brought us here, not that we are here to overturn the work which you have done, but merely to broaden and widen the foundation you so artfully constructed. Many of the questions which you have dealt with have given place to problems corresponding with the advancement and development of the State. Many of you whom I see here this afternoon dealt with the small Territory along the eastern part of the State with a modified government thereof, and we are here as members of the Twenty-fifth General Assembly to enact laws to cover ninety-nine well-governed counties. You dealt, many of you, with turnpikes and the natural courses of streams. We are here to provide government for railroads in almost every civil township within the

borders of the State. Where once the surveyor chained the western prairies we to-day enact municipal laws for that region. And when I look into your faces this afternoon I feel like repeating the words of the sage, that "Surely the sower has seen his grain garnered." Our institutions of the State of Iowa are but the mere reflection of the lives and character of those men who came here and moulded our early laws and institutions. It is but the mere outgrowth of those pioneers whose spirit was for the upbuilding of a broad commonwealth and our State has advanced in correspondence with them. From the time of the first territorial legislature in Burlington in 1838, and in the old stone structure in Iowa City until here to-day in the center of so vast a population we are sheltered with this magnificent structure, has the progress of our institutions kept pace with the intelligence of our people. Who among us this afternoon can estimate the influence of these characters upon the early institutions of the State. Mr. Speaker, I am reminded that you have among you to-day one from whose life I could write the history of many of our several institutions. Many years ago a son desirous to take up the study of law appealed to his father, who not only undertook the instruction of his own son, but also the sons of several of his ambitious neighbors, and this system of instruction grew, and the number of students grew and more teachers were added until to-day we have as the product of this school the law department of the State University, which is second to none, I may say, to any state institutions of the nation. This same individual has interpreted our statutes and given us the basis for our law, which placed him beside the most eminent jurist of our nation. It is useless for me to refer to that, your honor, at present, but while I gaze into the faces here of those who yet linger among us, I am reminded of another character who is not present to-day, but whose influence we must all feel; a man who from the earliest inception of the institutions of this State has given his entire time to the upbuilding of the broad commonwealth; a man who was, I might say, the founder of our banking system—of our currency; a man who controlled the affairs of this State in the darkest hour of its existence, at a time when neighbors were brought face to face in the struggles that followed. When the homes of the busy villagers were hushed, the work-shop closed—it was at such a time that he was called upon to protect an endangered nation, with not a dollar in the treasury. It was during such hours as these that the governors of the northern states were debating as to the best policy to adopt in the interest of the union, and in consequence they assembled at Washington to consult President Lincoln in person. Mr. Lincoln consulted each one of them with a view to ascertaining their wishes, and as he approached the last one of those governors he extended his hand with the remark, "Well, Governor, what can I do for your State?" and the man whom he addressed arose from his chair, and with a voice that never was known to falter in time of need, replied: "I came here not to find out what you could do for my State, but I came here to find out what my State could do for you." That man was Samuel J. Kirkwood. And I am proud to say here this afternoon that it may be said to the great credit of the State of Iowa that more than one-third of the members on this floor breathe the same loyalty as did our war governor. I am speaking here this afternoon to recall to your minds Grimes, Francis Springer, Miller and many others who are sacred to

the memory of this State. Well, when we look back and behold the grand structure you have left it reminds us of a continuous chain of mountains with some of its peaks towering upwards, while others below are on a direct line, yet requiring all to form a symmetrical development. So it is with the early settlers and Pioneer Law-makers of Iowa. Many of you men were chosen as leaders; men were chosen who became judges and guides of our law and the safeguards of our liberties. And it required that other men, perhaps less prominent, should take their places and fill up the rank and file. But it required the planning of all for the purpose of developing a systematic law as this State now shows. To-day, as we are assembled here, all those men should be remembered, all should be honored, for it is to them and each of them that we owe our present prosperity and happiness.

Judge Wright said:

Before I introduce another gentleman, if you will give us time to hear from one more, I am requested by one who was a member of the Territorial legislature of Iowa, and who is perhaps the oldest living legislator in the State, to inquire of those who are present how many, if any, of the entire number representing the Territory in territorial days are living, and how many are here now?

Prof. Parvin said:

I presume I would come under that head.

Hon. Daniel F. Miller said:

I wish to know if there is anybody besides myself who was a member of the Territorial legislature? I was a member of the legislature six years before Iowa became a state.

Mr. Hartsock said:

I was an officer of the Senate in the last session of the legislature of the Territory.

Hon. Daniel F. Miller said:

I take it that my white head is the only surviving member of the legislature of the territorial days of Iowa.

Judge Wright said:

If you will listen for a few moments longer I will take pleasure in calling out a distinguished gentleman from northeastern Iowa, Judge Noble from Clayton county, to say a few words.

Judge Noble said:

MR. SPEAKER—It is rather unfair in my venerable friend to be responsible for calling me out at this stage, but, however, as he has done so, I will address a very few words to this body. It is now forty years, Mr. Speaker, or will be on the first Monday of December next, since I had the honor of being chosen to the position now occupied by yourself. When I consider those who composed the Fifth General Assembly, which met on the first Monday of December, 1854—when I think of the one hundred and fifty men

who composed that General Assembly and with whom I was acquainted, I confess to a feeling of sadness when I come to consider the subject. I thought I was about the average age of the men of the Fifth General Assembly of the House of Representatives. Possibly I was mistaken, but I thought I was about the average age of the members of the House at that time, and not far from the average age of the members of the Senate. In fact, when I think of Coolbaugh, and of Browning and Tracy, of that walking encyclopedia, Fisher, of Clayton county, Shield, of Hamilton, and Dr. Dewey, of Fremont, and a number of others whom then I supposed were about my age, who long since have gone, and when I consider that of all that vast number of men, one hundred and fifty, not more than ten or fifteen can I locate as now living, I confess to a feeling of sadness. I will say that in the Fifth General Assembly, as our honored President has forbidden any talk in honor of Iowa, I will venture to talk a little of the honor conferred by that Legislature upon my beloved county of Clayton—an honor that probably never will be again bestowed upon any county in Iowa. Both the President of the Senate and the Speaker of the House were chosen from the county of Clayton, and you cannot wonder that I have a very warm feeling for the portion of Iowa called Clayton county. I am not going outside of Clayton county to speak of Iowa other than to say that it has always suited me well enough, and suits me to-day.

Two years ago I had occasion, in that Senate chamber, I think, to address the members of the Senate for a few moments upon a subject, that in my mind, was one of vast importance to Iowa, and although I thought at the time that it might be regarded as not in my particular sphere to speak on a subject of that character, yet I made an appeal to the members of the legislature to be liberal in providing for the comfort of the people of Iowa, and for the education of Iowa, in a liberal appropriation for the World's Fair. And I thank every member of both houses of the legislature that they did make that happy provision. I thank them, too, that the Governor of our State selected a commission to manage the affairs of Iowa in that great educating arena of the world that has conferred an honor upon the State such as has not been conferred upon any other so far as my knowledge goes, and that is that they have provided for the comfort and convenience of the people of Iowa and have not exceeded the appropriation which the legislature gave to their disposal. I apprehend that Iowa is the only State that has the honor of spending less money for that great object and purpose than was appropriated. I will say I was at that Fair a great many times. I believe more people visited the Iowa State Building than any state building upon the ground. I believe they were provided for there most comfortably. I believe that the people of Iowa owe a debt of gratitude to the commissioners, especially to General Ed Wright, who was at home with everybody, and who made everybody comfortable who visited the Iowa State Building. Each seemed to vie with the other in providing for the information and comfort of her people. I am proud of Iowa on account of her exhibit at the World's Fair. While there was nothing about it that was very gorgeous, nothing about it that was very expensive, it presented the best educational lesson upon the leading staples of Iowa that was ever produced in this country or probably ever will be again, and all things considered we have reason to be proud of the action of the last general

assembly of Iowa, and I hope we will be of the general assembly that is now in session. However, we have not reached that period in history that we want to talk about that. We can only hope for the best that we may have those results in the future.

Judge Wright then said:

Now, just before we are to retire, one word: Some one has said that if all the good and happy things, and the many eulogies pronounced upon a man after he is dead were pronounced or said of him before he died, he would be unwilling to leave the earth and go to heaven even. Hearing all of the good things of Iowa to-day, notwithstanding the violation of all the rules I have laid down in this hall, and in the other, I have thought that Iowa, like the Indianian, is so proud of its history and record that she does not propose to die and Iowa never shall die.

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Wednesday evening at 7 p. m. the Association met at the Y. M. C. A. building and was called to order by the president who said:

The first thing in order is a selection by the Banjo Club.

The club appeared and rendered the selection.

The next business in order will be an address from Senator McNutt. The Senator will announce his subject and you will know what it is before he gets through anyhow.

#### RECOLLECTIONS OF THE TENTH GENERAL ASSEMBLY OF IOWA.

In the history of States and of Nations there are epochs or periods that are marked and noted. These noted periods stand out prominent in the story of the passing centuries. In the history of the United States of America the epoch known as the "Great Rebellion," or the time in which the slaveholders attempted to dis sever the Union and to establish what they called the "Confederate States of America," constituting a new nation, was one of the most remarkable events of history. Not only remarkable in the history of the great republic of America, but it is one of the most remarkable events in the history of human progress.

That epoch brought men to the front fitted for the time in which they lived. Men, too, who but for the new and strange circumstances arising and taking place would have never been heard of. Abraham Lincoln would have passed his years unknown as a Springfield lawyer, and Grant would have continued to sell leather in Galena unknown to fame.

The Tenth General Assembly of Iowa met in the darkest days of our republic's history. The great war of the rebellion was then raging fiercely, and the result was yet undetermined and in doubt. A number of the states, covering more than one-half the territory of the Union, and having some eight millions of inhabitants, had organized themselves into a new nation, which had a president, a congress, and an army numbering hundreds of thousands of soldiers, commanded by skillful generals, and had also on the high seas a navy destroying the commerce of the loyal states—the states which remained true to the old constitution and the laws. And what was

dangerous and fearful then, and regretful to mention now, there were many citizens in these loyal states who sympathized with the Southern rebels, and who opposed every measure adopted by the administration of Abraham Lincoln, in the effort to suppress the slave-holder's rebellion, enforce the laws, and restore the flag of our Union to its rightful place over all our territory.

Those in favor of sustaining the administration and putting down armed rebellion, included members of all former political parties, Abolitionists, Republicans, Whigs and Democrats, and called themselves the Union party. Those who opposed the measures of the administration, and opposed the war, called themselves the Democratic party; but they were called by the Unionists, by way of nickname, the "Copperhead party."

A generation has passed away since this dark and terrible period in our country's history. But it was a terrible period indeed, and those of us who passed through it remember well the fearful and doubtful condition of public affairs, and of social and civil life in the free states, still loyal to the administration of Abraham Lincoln.

Political and partisan feelings, hates and prejudices, were intense and bitter. Neighbors and neighborhoods were often divided and hostile. Even members of the same family were sometimes divided on the questions at issue, and became enemies to each other. The majority of the citizens of Iowa were Unionists, and in this condition of our country the members of the Tenth General Assembly were elected in the fall of 1863, except eleven senators who held over. Thus it was that in the darkest days of our nation's history the members of the Tenth General Assembly were chosen from among our citizens, and met in the old capitol building in Des Moines on the 11th day of January, 1864. The Senate numbered forty-six members, only four of whom were Democrats, and forty-two were Unionists. One of the Democrats was from Lee county, one from Allamakee county and two from Dubuque county. The House of Representatives numbered ninety-two members, only six of whom were Democrats, and eighty-six of them were Unionists, or as the Democrats called them "Black Republicans." One of the Democrats was from Allamakee county, one from Davis county and four from Dubuque county.

This was my first term as a member of the House of Representatives, and many a time during all the thirty years since then, my mind has wandered back to the days of that session, and I recall to memory that General Assembly as a body of earnest, honest men. No truer or better men ever met as a legislative body, in this or any other State. I can say from my personal knowledge of them, that there was neither a drunkard nor a gambler, nor an immoral man, a member of either house. It appears to a looker-on that in those dark days of our country, the people of Iowa, by a common impulse, chose to serve them the very best men they could find in the several senatorial and representative districts; and such indeed they were.

The House was permanently organized and elected my colleague, Jacob Butler, Speaker. He was an earnest, impulsive and ready talker. He was well known over the State, and had some political aspirations, especially toward a seat in Congress. Jacob Rich, then of Buchanan county, was elected Chief Clerk; George P. Abel of Polk county, and S. A. Clark of Henry county, were elected first and second assistant clerks, respectively;

A. D. Aldrich of Lee county, engrossing clerk; C. S. Wilson of Madison county, enrolling clerk, and funny old Zimri Streeter of Black Hawk county, sergeant-at-arms.

Samuel J. Kirkwood was the retiring governor, John R. Needham the retiring lieutenant-governor and president of the senate. Wm. M. Stone the incoming governor, Enoch W. Eastman the incoming lieutenant-governor and president of the senate, and W. F. Davis, of Muscatine, was elected secretary of the senate.

On the 12th of January, Governor Kirkwood sent in his message in which he treated fully the matters of State finances, school and university lands, the half-million acre grant, Des Moines river land grant, swamp land grant, agricultural college grant, supreme court, state university, state historical society, charitable institutions, penitentiary, organizing and arming volunteer companies, and national affairs. Under the latter head the governor said: "I became satisfied during the early part of last summer, that designing men, in this as in other loyal states, were making preparation for an armed resistance to the authority of the general government. The law of congress providing for a draft, to fill the ranks of the Union Army, contained a provision that was eagerly seized upon to array the poorer of our people against the government, upon the specious pretense that the object of the law was to discriminate between the rich and the poor, to the injury of the poor. The action of the government in freeing and using the slaves in the rebel states for the suppression of the rebellion was represented as a scheme by the government to overrun the free states with freed slaves, to the prejudice and injury of the poor white men. The government had, in some instances, arrested and imprisoned, or sent beyond our lines, persons whose restraint the public interest required, and this was interpreted to mean an intention on the part of the government to break down the defenses of civil liberty, and to establish a despotism. The entire policy of the government, as interpreted by these men, was that the war was waged, not for the preservation of the union, but for the abolition of slavery; that the object of the government in seeking to abolish slavery was to bring the freed slaves north and force their labor into competition with that of the poor white men. That by the draft the government sought only to force the poor white men of the country into the army, to effect these objects so prejudicial to their interests, and that while these objects were being effected, the government intended to overthrow our free institutions, and establish in their stead a despotism.

In these words Governor Kirkwood described the conduct and the teachings of the leaders of the opposition party of that day, which called itself "Democratic." In the next paragraph he says: "It is passing strange that intelligent men could be found so wicked as to make these statements, and that other men could be found so ignorant and so foolish as to believe them. But it was so. These statements were made through the press, and from the stump, in the most violent and exciting language, apparently with all the earnestness of conviction, and thousands of honest but deluded men believed them, and in consequence entertained feelings of deep hostility to the government. Secret societies were organized in many, if not all of the loyal states, the members of which were secretly armed for the avowed purpose of protecting themselves against what were called

arbitrary arrests, but, as I am satisfied, with the intent on the part of the leaders to bring their members into armed collision with the general government in case any attempt should be made to enforce the draft. The natural result of these teachings and of this action was seen in the bloody riot that occurred in the chief city of the Union (New York), and in similar smaller outbreaks in other places."

The governor then went on to tell of the murder of a Mr. Talley, at South English, and the rebel mob spirit that was aroused there, and the volunteer companies that from necessity were raised to protect our citizens from the raids of rebel guerillas from Missouri and northwestern frontier Indians. He dwelt at length on our duty to the soldiers in the field who were imperilling their lives in the Union cause, and our duty to their destitute families at home.

This farewell message of Gov. Kirkwood to the Tenth General Assembly forms a prominent and truthful page in the history of our State and nation; and I refer you to it for further details.

On the 18th of January the Speaker announced the standing committees of the House. The principal ones were the Ways and Means, and the Judiciary. On Ways and Means were Gilchrist, of Clayton; Merriam, of Lee; Bereman, of Henry; Weare, of Linn; Runyan, of Benton; Oliver, of Monona; Littler, of Washington; McNutt, of Muscatine; and Richards, of Dubuque. The Judiciary consisted of Bereman, of Henry; Moir, of Hardin; Stiles, of Wapello; Russell, of Washington; Hale, of Mills; Burke, of Bremer; Holdridge, of Buchanan; Wolf, of Cedar; Joy, of Woodbury; Elliot, of Taylor; and McCormick, of Marion. Most of the members of these two committees have passed to the "great beyond." Thirty years have thinned their numbers.

"Leaves have their time to fall,  
And flowers to wither at the north wind's breath,  
And stars to set—but all—  
Thou hast all seasons for thine own, oh Death."

Some of them attained prominent positions. Oliver became a judge and a member of Congress. Wolf also was sent to Congress and Hale was made governor of Wyoming territory.

In these days of honest economy the committees had no salaried clerks. Each committee chose one of its members for clerk, who served without pay. The honor was considered sufficient pay. I was chosen clerk of the ways and means and kept the record of our proceedings in a little blank book, and I had a paper box in which I carried around the bills and resolutions referred to us.

At this date a very considerable number of fugitive slaves had come into this State from Missouri. Many had come during the fall and early winter, and under a then existing law of the State it was unlawful for negroes to come into Iowa, and they could be arrested and put in jail till they gave security for good behavior and ability to support themselves. The Secretary of State, James Wright, noticing that I took an active part in the House proceedings, came and informed me that there were a number of negroes confined in the Des Moines jail, under the State law, at the instigation of persons opposed to the national administration, and he asked that I devise some means to stop those arrests and set free the persons now

imprisoned. I thought this matter over and that evening I wrote a bill entitled, "A bill for an act to repeal chapter seventy-two of the acts of the Third General Assembly of Iowa, entitled an act to prohibit the emigration of free negroes into this State"; and next day, January 19, I introduced the bill, which was read a first time. Russell, of Washington, moved to lay it on the table, and called for the ayes and noes, and the ayes were eighteen and the noes seventy-two. So the bill was not laid on the table, but was referred to the committee on the judiciary, which on the 29th reported back the same bill, word for word, with a preamble attached and called it a substitute, and recommended its passage. On the 1st of February the bill was passed, with only five members voting no, and they were one republican and four democrats. The bill passed the senate without amendment, was signed by the governor, and the imprisoned negroes were set free, and no more arrests were made. This act made Iowa, in reality, one of the free states of this Union, and it is found as chapter seven of the acts of the Tenth General Assembly.

As an indication of the feelings that prevailed in the minds of the "Unionists" of the House, it may be proper to mention here, as a matter of history, that on the 15th of February I offered a joint resolution in relation to lands in Iowa, owned by rebels then in arms against the government, which is recorded on page 222 of the Journal, thus:

*"Resolved, That the General Assembly of Iowa hereby memorialize the Congress of the United States to confiscate and grant the aforesaid lands, lying within the State of Iowa, to the use and support of the widows and orphans of the soldiers from Iowa who have died, or may die in the service of the United States during the present war against treason and rebellion."*

On the adoption of this resolution the vote is recorded on page 223 of the Journal, and stood ayes seventy-seven, noes six. The noes were one Republican and five Democrats. The sixth Democrat was absent. Votes like this, in that dark time of our nation's struggle for life, gave color and occasion for the statement that the leaders of the Democratic party of the north were in sympathy with the leaders of the Rebellion in the south. If they were not, then their own action, and the record which they themselves made, did them a great wrong. Of course, as a consequence they suffered in public opinion, and even jokes were thrust at them in a disparaging way. For instance, one day a patch of the ceiling plaster in the old hall fell with a crash upon the floor. It fell in the open space between the outer row of seats and the hall door, and the Democratic members sat in that row near where the plaster fell. Of course, every one was startled; but as soon as quiet was restored a member jumped up and moved that the sergeant at arms be ordered to provide helmets for the members' heads to protect them from the falling plaster of the ceiling. Then another member jumped up and moved on amendment that the "copperheads" be excepted, because their heads are hard enough already. This occurred when we met after dinner, and though the speaker was in the chair, he had not yet called the House to order, and so these motions did not go on record.

One of the most important measures enacted by the Tenth General Assembly was known as Senate File No. 89, an act to prohibit the circulation of foreign bank notes in this State. Senator B. F. Gue, of Scott county, was the author of the bill, and he has furnished me with the history of its pas-

sage through the Senate, preceded by a sketch of the reasons why such a law was necessary, which I will give in his own words, thus:

#### THE BANISHMENT OF 'RED DOG' AND 'WILD CAT' FROM IOWA.

"When Iowa became a State by the adoption of the constitution of 1846 the party then in the majority decreed by that instrument that the General Assembly of this State shall prohibit by law any person, association, company or corporation from exercising the privileges of banking, or creating paper to circulate as money. No corporate body shall be created, renewed or extended with the privilege of making or putting in circulation any bill or other paper to circulate as money.

"The democratic party of those days stood for 'hard money,' to-wit, gold and silver, but neglected, by a strange oversight, to prohibit the circulation of foreign bank bills, and the citizens of Iowa soon found their State flooded with the hardest assortment of 'red dog' and 'wild cat' currency that ever afflicted a defenceless people. Irresponsible banking concerns from the backwoods of Maine to the everglades of Florida; from Canada to Arkansas; from North Carolina to Nebraska, rained down upon Iowa's brokers and produce buyers their beautifully engraved promises to pay, and the commission offered by the interested manufacturers of this ready made money, was sufficient to smother the scruples of the consignees, and they set to work to exchange the alluring bank bills for wheat, pork, beef, barley, oats, corn and potatoes, as rapidly as possible. Bank note detectors were in better demand than Bibles, while gold and silver were hidden away in old stockings, to be fished out only to enter land and pay taxes, for 'Uncle Sam' and the county treasurers were not dealing in the beautifully engraved bank notes, whose mission was to get as far away from home as possible, and wander about the rural districts of a 'far country' till they were too ragged and worn to retrace their steps homeward. It soon became apparent that gold and silver could not do the increasing business of our prosperous State, and that some kind of paper money must be provided.

"The financial crash of 1857 ruined the shaky banks all over the country, and gold and silver were hoarded everywhere, until good money almost disappeared from circulation. Various schemes were devised in Iowa, to procure money to transact business. One Davenport banking house established a bank at the little Mormon village of Florence, in Nebraska. A Des Moines banker established the Bank of Nebraska, and a Davenport milling and mercantile firm had their handsomely engraved due bills in bank note form. As there was no law regulating these bills, or requiring their redemption in coin, the volume of their issue was only limited by the capacity of the printing press on which they were manufactured. These and similar transactions made it apparent that Iowa must provide a sound system of banking.

"The new constitution adopted in 1857 removed the prohibition of banking, and the legislature of 1858 enacted an excellent banking law, under which the State Bank of Iowa was established. A few years later the National bank act, modeled in several particulars after the Iowa plan, gave the country a sound paper currency. Then came the issue of greenbacks directly from the United States Treasury, and sound money was plenty. But still depreciated paper money was crowded upon the people by produce

buyers and private bankers, the poorer currency always finding men to push it on shares. Our citizens were yearly losing immense sums from the failure of these foreign banks, and heroic measures alone could banish the worthless stuff from our State.

"I was a member of the Senate from Scott county, in the Tenth General Assembly, and on the 25th day of January I introduced into that body Senate File No. 89, a bill prohibiting the circulation in Iowa of foreign bank bills. The act provided:

If any person pay out, or offer to pay, or in any manner put in circulation any bank note, bill, or other instrument intended to circulate as money, issued by any bank, individual or corporation elsewhere than in this State, except United States Treasury notes, National bank notes or bills of the State Bank of Iowa he shall be deemed guilty of a misdemeanor, and shall upon conviction be fined five dollars for every such note or other instrument so paid out or offered to be paid out.

"The bill was referred to the Committee on Banks, and ordered printed.

"When the news went out that such an act was pending in the Senate, a strong effort was made by all brokers and private bankers and produce buyers to defeat its passage. They sent a formidable lobby to the capital to kill the bill that would cut off their large profits made in putting the 'wild cat' currency out among the people. But the people who had been so often victimized by the worthless stuff were also heard from. Hosts of letters came urging the prompt passage of the bill. The papers of the State took up the discussion, and the conflict extended to all sections. Senator T. W. Woolson (father of Judge Woolson of the United States district court) was chairman of the Committee on Banks, and an able lawyer. He gave all parties to the contest a patient hearing, and finally decided to recommend the passage of the bill. A majority of the committee sustained him, while a strong minority headed by Senator Patterson reported that in their judgment it was unwise to interfere by legislation with the rights of individuals to contracts, and recommended its indefinite postponement.

"On the 15th day of February the bill came up for consideration, and was fought by every means known to parliamentary practice. Among the well known lawyers who resisted its passage were Senators McCrary, Bassett, Hunt, Patterson and Burdick. I defended it to the best of my ability in the debate, giving my reasons at length, supported by facts, as to the losses sustained by our own citizens through the selfish greed of the manufacturers and dealers in the worthless irredeemable paper over which our State had no control. Senator Woolson met the legal objections in an able argument, and sustained the measure on its merits as legitimate legislative protection to our people.

"When the roll was called upon its passage the vote stood 27 yeas to 13 nays. Up to this time the opponents of the bill felt sure of being able to defeat it. But when it passed the Senate by a vote so decisive, they became alarmed, and prepared to concentrate all their efforts upon killing it in the House. I conferred with some of its friends in that body, and placed the bill in charge of Samuel McNutt, of Muscatine. Its fate in the House can best be told by him." (Signed) B. F. GUE.

Now, in order to show the unpublished and personal maneuvering that is often necessary to secure the passage of a measure that has strong opposition, I will here relate the inside history of the progress of this bill in its various stages in the House of Representatives. It was reported to the

House on the 16th day of February and referred to the Committee on Ways and Means. At the committee's next meeting it was taken up for consideration, and on a vote it was found that of the ten members of which the committee consisted, six were opposed to the bill, and only four were in favor of it. So the majority recommended that the bill do not pass. The four in the minority were Bereman, Littler, Runyan and McNutt, and we declared that we would submit a minority report. The majority did not wish to have a minority report made, and then voted to consider the bill farther at a future meeting, a week hence. On that day we stood divided the same as before, and the majority made the same motion and vote for another week, which prevailed. The thought then occurred to me that the majority of the committee being opposed to the bill, did not intend to report it in time for the House to act upon it, and I so stated to friends of the measure, for I had already canvassed the House and had a list of the members showing how they stood. Believing that something must be done I went to Mr. Spurrier, of Johnson county, and having told him how we stood, asked him to offer a resolution ordering the Committee on Ways and Means to report to the House Senate file No. 89. He took my resolution and said he would offer it if Mr. Gilchrist would not report that bill this forenoon. I then went to Mr. Gilchrist and told him that Mr. Spurrier had a resolution which he meant to offer, ordering the Ways and Means Committee to report to this House Senate file No. 89, which would be discreditable to our committee, and it would be better to report the bill before such a resolution might be offered. "Certainly," said Mr. Gilchrist, "I will make the majority report against the bill forthwith," which he did, as is recorded on page 363 of the Journal. I had already written the minority report, which was signed and in the possession of Mr. Bereman, who had agreed to offer it. He did so, as is recorded on page 364 of the Journal, and is in these words: "We, the undersigned, members of the Ways and Means Committee, to whom was referred Senate file No. 89, a bill for an act to prohibit the circulation of foreign bank notes in the State of Iowa, beg leave to dissent from the report of the majority of the committee on that bill. We believe that the provisions of that bill are just and wise, and well calculated to advance the best interests of the people of this State, and we therefore recommend that the said bill do pass." So the bill with both reports went on file on the Speaker's table.

I took care to watch its progress from day to day, toward the top of the pile, until it was on top, and would, in order be next acted upon; but it did not come up before us in its order, and I went and found it down toward the bottom of the pile. I then determined to ask leave to call it up and have it acted upon. This was a motion which was customary for members to make. I made that motion and the Speaker said, "The gentleman from Muscatine is out of order, for there is a rule of this House requiring a two-thirds vote of the House to take up any bill reported against by a committee." This announcement by the Speaker astonished me, and holding up our pamphlet of printed rules asked the Speaker to refer me to that rule. He replied it was not among the printed rules, but he had declared it from the chair to expedite business and for the public good. I then lifted my arm and shook my head at the Speaker and exclaimed in a loud voice, "We will reach that bill yet." The House by this time was interested in what

was going on between me and the Speaker, and John Russell, of Jones county, taking the floor told the Speaker that such a rule was never heard of in this House, and he had been a member before, and the Speaker could not make such a rule. The Speaker replied that he had announced it from the chair, and it would remain the rule until the House should order otherwise. While this discussion was going on I wrote a resolution to condemn and annul the Speaker's rule and, taking the floor, asked leave to introduce a resolution. The Speaker promptly declared me out of order, which was correct because we were then working on bills on their second reading. Dr. Sears, of Poweshiek, jumped up and moved that the rule be suspended and the gentleman from Muscatine have leave to introduce a resolution, and the House voted aye. I then introduced the following resolution which is found on page 488 of the journal:

*Resolved*, That the rule (if any such exists) which requires a two-thirds vote to take from the table a bill adversely reported upon by a committee, is hereby rescinded, and a majority shall in all cases, be competent to take from the table any bill in its order.

Samuel Russell of Washington, an old lawyer, ex-member of the Ohio legislature, and a polished orator, opposed my resolution, flattered the honesty and earnestness of its author, but said he had written it in a moment of haste, and on reflection would probably wish to change some of its phraseology, and so he moved to refer it to the Committee on Rules. But the friends of the bill saw the object of the motion, and voted it down, and on the question being put, the House adopted my resolution. I then moved to take up Senate File No. 89, a bill to prohibit the circulation of foreign bank notes in this State, upon which the ayes and nays were called, and resulted in ayes, 48; nays, 35. So the bill was taken up, and the fight on it lasted two days, during which every art and device known to parliamentary practice was used to modify, amend and defeat the bill. In the course of the debate the speaker left the chair and made a violent speech against the bill, declaring that if it was carried into effect, it would drive out of the State currency that was absolutely necessary to carry on business, that he had twenty thousand dollars interest in a bank in Muscatine, and he knew what the result would be—it would be utterly disastrous to the farmers and laboring men, and ruinous to business, and so on.

Oliver, of Monona, followed him, and though Oliver was opposed to the bill, he was opposed to the Speaker coming down on the floor to make speeches, and in sarcastic tones exclaimed: "Our Speaker is neglecting the duties of the position to which we elected him, and coming down on this floor to influence our votes; he jumps around among us like a stump-tailed bull in fly time." This short speech and forcible simile were so apt and applicable, and so well uttered as never to be forgotten by some of us. Finally after a heated discussion, and many efforts to amend and kill the bill, it was passed on the 17th day of March, just as it came from the Senate, by a vote of forty-nine ayes to thirty-eight noes, and is chapter fifty-three of the session laws of the Tenth General Assembly. That act still remains on the statute books, and no attempt has ever been made since to repeal it. I have stated that this Legislature was composed of earnest, honest, and moral men, and the historical facts here related are not inconsistent with that statement. These facts simply show that where men's personal inter-

ests are concerned their actions may be influenced and controlled by those interests, and yet the men themselves honestly believe that they are acting strictly in the line of duty. Or, as the Scottish poet has it:

"For och! mankind are unco weak,  
And little to be trusted—  
If self the wavering balance shake,  
'Tis rarely right adjusted."

Memory now recalls the Tenth General Assembly as a body of earnest, honest men, some of whom differed as to the best line of policy for the national government to pursue in that dark day. I would fondly mention the members individually, give my recollections of their several personal peculiar characteristics and records, but that is impossible in these remarks. Our country survived the life and death struggle through which she passed in the conflict of civil war. Many of our best and bravest citizens, north and south, perished in that conflict. Our nation passed through the fires of purification. She suffered the pangs of transformation from a slave-harboring land to a glorious free republic on whose soil the foot of a slave should never more tread. The flag of our union, carried mainly by the freemen of the north, triumphed over all opposition and was acknowledged victorious

"On the field of Appomattox,  
By its famous apple tree,"

when the confederate chieftain, General Lee, surrendered his sword to the conqueror, the immortal Grant.

In other lands and in other nations the fate of vanquished rebels is had indeed. Death, banishment and confiscation are their lot. But it remained for the great Republic of America to show to the world an example of mercy, of lenity, and even of forgiveness, unparalleled in all the pages of history. In our glorious land armed rebels and traitors against our government, who had slain thousands of our citizens in the unholy war, were not punished. When conquered and captured they were simply told to go home and sin no more, and all would be well.

Since that eventful day our nation has prospered as no nation ever before prospered. And now the continued prosperity of our great Republic depends solely upon the virtue and intelligence of her citizens. No matter in what land these citizens may have been born, here we must all be Americans, and Americans only. No discordant or foreign factions can be encouraged in this country. We must all be united for the best interests of this glorious land in which we live, and we shall continue to have

"A union of lakes, a union of lands,  
A union of states that none can sever,—  
A union of hearts, a union of hands—  
American Union forever."

Music by the choir, "Star Spangled Banner," followed.

The President then called upon Hon. L. L. Ainsworth, of Fayette county, who said:

**MR. PRESIDENT AND PIONEER LAW-MAKERS**—The word address which the President has used is not the correct word. All the other men selected to do anything here were to deliver addresses but if you look at the program you will see they say I am to talk to you. Now, before I commence to talk

to you on the subject allotted to me I want to tell you one thing. In the legislature of 1860 the speaker was a German from Davenport. He made a peculiar ruling that I presume was true from the standpoint of his party. When the Senator from Wapello rose to a point of order, claiming that another senator was out of order from the fact that he was abusing the Democratic Party, the speaker replied, "I want the Senator from Wapello to understand that it's always in order to abuse the Democratic Party." Now to go to the legislature of 1860 and 1862 when we met in the old State House. In 1860 there were of course old members who had had one session of experience, and there were new members most of whom had had no experience in legislative matters. There were among those legislators also a number who had had experience for years—experience in the territorial legislature—experience in the early legislatures of the State and knew much of legislation, but I think that I can say to you Pioneer Law-Makers, that those men who had been there for two years before and who had been in the prior legislature in the opinion of the new members were "back numbers." I was one of the new ones and when we went to work it was the fire and the life and the energy and judgment of the new members which we felt was about to run that thing, did't we, Governor Scott?

GOVERNOR SCOTT—That's about the way it was.

AINSWORTH—We went at it and soon we discovered that experience in legislation was worth something as well as in any other matters. We found we had men there who were educated at legislating; that we had men capable of giving us pointers all the time as to what was to be done. I believe in fact, in that body there was one gentleman, pure, patriotic, honest and able, who did more for the legislation of 1860 than any other man in the Legislature. I refer to Gideon S. Bailey, of Van Buren county, a man who had served for four sessions in the Territorial Legislature; a man who had been a member of the First Constitutional Convention; a man who never permitted a bill to pass through that Senate unless he had carefully criticised it, and yet a man who was not popular with us because we thought he scolded too much, just as the obdurate child frequently thinks his parents scold too much, and yet, as the parent makes the child walk in the correct path, so Gideon S. Bailey did more to make that Senate walk in the correct path than any other man in it. I am happy to know that he is still living in his home in Van Buren county, in this State. I want to say here that Van Buren county is remarkable in some respects. Gideon S. Bailey was succeeded in 1862 by McCrary, who had had some territorial experience with Bailey, and who was a good man. The reason that Van Buren county men are usually good is that they look about and if they find a man in that county that has got anything in him they help him. See what they have made out of Judge Wright and Clay Caldwell and those fellows! Now, in that Legislature there were other men of ability. There was James F. Wilson, now our honored United States Senator, who had had experience in the House and who had been a member of the Third Constitutional Convention, and who was one of the ablest legislators of the State of his age, who demonstrated as chairman of the judiciary committee in the House of Representatives afterwards that Iowa lawyers were fit to take the lead in the Congress of the United States. There was John W. Rankin, Chairman of the Judiciary Committee, a lawyer of ability, and Hurley, of Louisa county, always able.

There was D. S. Wilson, of Dubuque, who had served in the Territorial Legislature, and a man of ability, a man of education, and also a man that had only one fault, and that was that he was too kind. He did not desire to injure anybody else's feelings, and if the avowment of his sentiment would hurt the feelings of the man with whom he was associated, he hesitated to do it. I was with him in the army. He was my Colonel, and I actually believe that his kindness of heart would have led him to let an enemy escape before he would fire at him. I say this not to detract from Colonel Wilson's merit, but because it was the true picture of the man. The Senate of 1860 possessed a coterie of men who were financiers who were seldom equaled. Coolbaugh—need I name Coolbaugh's name to Iowa Pioneers as a man of distinguished financial ability? as a man of genial disposition and an able man in every way. Pusey of Council Bluffs; the people of his congressional district or the men who have associated with him in the Congress of the United States have said more than I can say of him. Gray, of Lansing, Allamakee county, quiet, not talkative, but a man with financial ability such that when he said anything in the Senate regarding the financial matters, the senators were led to adopt the views that he held as a rule. Saunders of Mt. Pleasant; you know the name. We lent him to the people of Nebraska, and they sent him to the United States Senate on account of his worth and strength of character which he acquired in the State of Iowa. Patterson of Muscatine, though at the head of a failing banking concern, was a good financier. It was not his fault but the fault of those with whom he was associated that wrecked the State Bank at Muscatine. Patterson has been described to the people as a wit. He was more. He was a man of worth. He was a man of legal ability. He was a man of financial ability. He was more. He was one of the kindest-hearted and best of men. Let me tell you how you will know. After his failure in 1860, and before the extra session in 1861, an incident occurred at the time of that extra session which will illustrate fully what kind of a man A. O. Patterson was. I will correct my dates. Between the session of 1858, of which he was a member, and the session of 1860, financial misfortunes had overtaken him. During the session of 1858 he had a negro by the name of Sam who was here with him at Des Moines, waited upon him and was his man, and Patterson looked after him, and cared for him, and paid him. When he was ready to start for the session of 1860 he says to Sam: "I can't take you, Sam. I have not the money to take you there and care for you, but I must leave you," and he came to Des Moines without Sam. The next stage (for we came by stage in those days) that rolled into Des Moines brought Sam, and he went to the house where Patterson had taken up his headquarters and said, "Massa Patterson you hadn't no money to bring me and I had money to come, and I came to wait on you just as I used to. If you want anything, let me know, and I will work to pay my board." A man who could attach a negro to him like that had a heart and was worthy of being a friend of any person. In that Senate were other men, and the balance wheel of that Senate was those other men, men like James M. Kent of Cedar county; Geo. F. Green of Jackson, a very effective and experienced county judge, who expected that Iowa would go to the bow-wows if the county judge system was not continued, but in every other respect was a man of good judgment and good sense. Those men were the men who held the boys in check.

I ought here to say one word regarding one other member of the Senate and then I have done with personal allusions. And that is in justice, I believe, to one of the best men that was in that Senate, who was in the legislature wrongfully attacked, and that was Harvey English, of Fremont county. Living on the border of the State as he did, where there was feeling between partisans, he was accused, by radical men of the opposite party, of a lack of loyalty to the Union, but it was my fortune to associate with him and to know him well, and I believe he was as loyal a man as there was in the Senate. I believe he was as loyal a Democrat as there was in that Senate, and Democrats in that Senate sent four officers to the Union army. The Democrats in that Senate furnished General Bussey. He was the youngest member of the Senate and the military distinction which he achieved is one of which the entire State of Iowa is proud, and I believe to-day that Harvey English was as loyal as was General Bussey. We met with a terrible loss in that Senate on account of the loyalty of the members of it. When Colonel Scott decided that he was better fitted for a military man than for a legislator he went into the army, and we lost a good and able legislator and the army gained a good and efficient officer. When Captain Powers went out with the company from his own county we lost another good legislator. When Captain Taylor, another, and so on, I might go on and enumerate those men of 1860, who went out from the Senate to the battlefield, but it is not necessary. The records of the State show that. I know there was a little fraction of men in the Senate—small—I might hope to say very small—who held to the idea that any man who had been a Democrat that did not clothe himself in sack-cloth and ashes and curse himself for having voted the Democratic ticket and declare that he would ratify everything the Republican party had done or might do was a copperhead, and proceed to kick at him, but I am happy to say, gentlemen, that the result showed that the kickers were a great deal more injured by the operation than were the kicked. Now, when the Senate had become organized they had work to do. The Code of 1851 had been the last intelligent expression, I might say, of the laws of the State. Don't understand, Pioneer Law-Makers, that I want to in the least detract from the intelligence of those legislators who were between, but I say that a Code which is constantly changed by amendments without reference to the body of the Code is really not an intelligent exposition of the law. It is when the whole law is collected so that upon reading the Code you can read the law upon the subject that it becomes the intelligent expression of the law.

A commission had been appointed in 1858 for the purpose of changing the Code of Practice and the Criminal Code, and of revising the balance of the laws. They had reported. That commission was composed of three able lawyers, I think, as could be found at that time in Iowa. W. T. Barker, of Dubuque, was a lawyer, a successful jury lawyer of extensive practice, and a lawyer of critical mind. William Smyth, of Marion, had been an attorney of large experience, learning and ability. C. Ben Darwin, of Burlington, was a man of learning and large ability, but utterly unfit for any position in the world from the fact that he assumed that anything that suited anybody else was utterly unfit for use by him. And in reporting the Code he was opposed to everything which any court in the world had ever sanctioned as being good law. He went about hunting little pieces of stat-

utory laws in this state, and that state, and in the other state, and sticking them together and claimed that that was law. He went to San Francisco, where men are not so critical, and I understand has succeeded comfortably well. But they reported a Code which in the main was a good one. We tussled and quarreled over it to some extent, and we gave it to the people of Iowa, the House and the Senate together. We had a Joint Judiciary Committee meeting. Don't let me be understood as claiming that the Judiciary Committee of the Senate and House of the State of Iowa did that. It would be gross egotism in me were I to do that, because in the House were lawyers like J. C. Hall, Judge Claggett and Clay Caldwell, and like Rush Clark, all of them men of ability, and all of them men who gave invaluable aid in the compiling of the law. But when we got done we had such a revision as worked well in the State of Iowa. In the committee we had simply a contest between conservatism and radicalism. We had contests between those who wished to make everything new, and those who wished to avail themselves of that which was old. Judge Hall led the conservatives, and Clay Caldwell came very near leading the radicals, and the Code was made by concessions by both parties, and unlike most compromises it suited pretty well.

We had other questions. That legislature had the revision of the revenue law, and the two Committees on Ways and Means worked together with that and finally, having come to something like an agreement, they gave to Gurley, of Davenport, the making up of a bill which should be just and not stringent, so as to collect the taxes, and he worked manfully and bravely and produced a revenue law which has been, with some amendments, the revenue law of the State from that day to this, and one which it is extremely problematical whether the one reported by our present commission is not a worse law than that.

But we had other questions. I come now to the question which shows that the people of 1860, or rather 1859-60 had no sense or else that there had been a miracle worked. Some of the older people will remember. Of course I don't remember, but my friend, Judge Wright, and Mr. Parvin and some of the older members will remember that one of the principal issues was whether the insane asylum at Mt. Pleasant should be completed or not. Judge Nourse, who was then stumping the State, claimed that it ought to be completed. My friend McClintock, who was opposed to him, claimed it would cost too much money to build it. When we met the question whether it should be completed was before the Senate and House. The representatives generally claimed that it never ought to have been begun. They admitted that they had been swindled in the plans. That it was going to cost a great deal more money than ought to be put in an institution of that kind, but thought it was better to finish it. The democrats thought it better to throw away what had been done, and I myself had the honor of proving to the Senate conclusively that it would be an even one hundred years before there would be crazy people enough in Iowa to fill that house [Laughter]; but rather than waste the money that had been put in there under the management of Senator Saunders the appropriation was made. Well, since that I have been in the legislature again. In 1872 I was in the House. Another insane asylum has been built at Independence. I live in a neighboring county to Buchanan. When I came down to the legislature I

came to tell them that our county was filled with crazy people and the insane asylum in Buchanan county was not big enough to hold them. That was twelve years after I demonstrated that we could not fill this one at Mt. Pleasant in one hundred years. That tends to show the growth of the State, for relatively there are no more crazy people than then. It is an honor to the State of Iowa, however, that it has made a place where our unfortunate insane can be taken to where they can be cared for; where they can in many instances be restored to reason—where they bring out those whose minds are affected and give them freedom rather than to confine them and treat them in the brutal manner they used to be treated. But the Legislature of 1860 had tougher problems than of those to deal with. Those were trifles compared with what we had to do. I want, briefly, to call your attention to some of them. It may be assumed and has been assumed that the record of the trials and tribulations and grand efforts of the Legislature are found in the laws they enacted. It's the laws they do not enact, it is troubles they have to overcome in other directions which requires the greatest ability on the part of the legislator, but we had questions which were of great moment and our action on them would not get fairly into history if I did not call your attention to them. Now, in the Senate Journal of 1860, on page 230, I find resolutions which I read to you:

*Resolved*, That a committee of three be appointed (the House concurring), one from the Senate and two from the House, to confer with the City Council of Des Moines, and if they can give good and satisfactory security, the Treasurer of State is hereby authorized to loan them, for two years, with ten per cent interest, an amount out of the State Treasury, sufficient to build a sidewalk from the end of the sidewalk now finished, on Court Avenue, to Fifth Street, thence north up to Walnut Street, thence east to the Capitol building."

That did not pass, but we had it to discuss, and we had it to consider, and we had it to act upon. I don't remember whether it was rejected because the city could not give security, or because we did not think it was a good investment, but it went down. That did not end our troubles, however, for on page 317 of the same journal, I find the following which was offered by Mr. Gray, whom I have spoken of as being a financier and a very careful man—he offered the following resolution:

*Resolved* That the Secretary of State is hereby instructed to cause to be laid a sidewalk from the end of the plank walk on Court Avenue, to the Capitol; said sidewalk to be two plank at least one foot wide, laid two feet apart, running parallel with the street; said sidewalk to remain the property of the State."

If Mr. Gray had not been a very careful man, he would have made it three planks instead of two. On the same page Mr. Rankin offered the following resolution:

*Resolved*, That after the 4th day of March next, the Senate will hold an evening session on Mondays, Wednesdays, and Fridays of each week, commencing at 7 o'clock," to which Mr. Drummond offered the following amendment: "And the Secretary of State be instructed to furnish each member of this body with a pair of good gum boots, to enable him to get through the mud on Capitol hill, going and returning from the Senate." Mr. Duncombe offered the following amendment: "And the Secretary of State be instructed to furnish each member of this body with an Indian pony, to enable him to get through the mud on Capitol hill, going and returning from the Senate."

Those were all voted down but it shows you the trouble that we had. It was one of those serious things with which the Senate had to contend.

There was another thing with which we had to contend. I do not find it in the record. I remember that the then senator from Chickasaw county, in one of the terrible blows and storms which we sometimes have here, became afraid that the building would blow down and the assembled legislative wisdom of the State of Iowa would be lost, and we had a discussion as to whether or not we should leave and go to the court house and hold our sessions there. The resolution is here and provides that on and after such a date we shall hold our sessions in the court house on the West Side. That didn't pass for the reason that some of us thought that if we were destroyed by the falling of the building, they would find other men to take our place.

There was another question of great importance in that Legislature. A bill was introduced to make cattle, sheep and grain a legal tender for debt. It was referred to a special committee, and I will read to you the report of that special committee:

"The committee to whom was referred Senate File No. 172, entitled "an act to define what shall be a legal tender in certain cases," beg leave to make the following report, to-wit:

"Your committee have labored assiduously over the above bill, and have brought a very large amount of legal ability, of a very high order, to bear upon it, and it is with great tribulation, after spending many sleepless days and nights over it, and independent of the wisdom, intelligence, and strength of mind they have spent over said bill, they have consulted talent, the possessors of which would not, in the least, be insulted if compared with a Webster, a Choate, or a Reverdy Johnson.

"(Your committee, of course, mean members of this honorable body,) and are sorry to have to give it as their opinion, that such an act, would doubtless be very useful indeed, and no doubt result beneficially to a large number of the citizens of this State, if it was not for a very foolish provision contained in an equally foolish and useless instrument, commonly called 'the Constitution' of the United States, which a lot of fellows adopted at Philadelphia a few years ago (when it would have been better for the human family, no doubt, had the framers of said instrument stayed at home and broke prairie). Said provision will be found by any of the members of this body who can read the English language, in article 1st, section ten, of that instrument, which emphatically says that no State shall 'make anything but gold and silver coin a tender in payment of debts.'

"Your committee beg leave to express their regret that the fellows who framed that instrument, had no knowledge of a higher law, nor never consulted the General Assembly of Iowa, or they certainly would have included in the instrument, not only cattle, sheep, and grain, as a legal tender in payment of debts, but spotted pigs and pointer dogs."

**MR. CHAIRMAN:** Who wrote that report?

**MR. AINSWORTH:** It is signed J. H. Powers, J. A. Johnson and A. O. Patterson. Mr. Powers probably could tell you who wrote that. There was a discussion over that, but there came one of the most difficult questions we had. A motion was made to expunge all notice of bill No. 172 from the record, but Senator Davis, of Clinton, who was an old Whig, made an argument against expunging it, yet the general make-up being Republican, they stood by the whig doctrine and kept it on the record.

But we had other questions. The Senate was insulted because of an article written by Ingersoll, in which he said that one of the Senators had a fine body, and that it was a pity that God had not given him a mind commensurate with his body. We had recently passed a bill making the Little Sioux navigable. We, in our righteous indignation, expelled Mr. Ingersoll from the Senate. We refused to let him report there any longer, but he

apologized. He said that he meant no disrespect to the Senate; that he only told what he deemed true, and would suggest an easy way out of it—would suggest that the Senate pass a bill giving to the Senator brains suitable for his body, and that he had no doubt we could do it, as we had made a stream navigable without any water in it. Then we reconsidered the act of putting him out, as the apology was ample, or ought to have been. We had all these knotty questions to rustle with, and it is a wonder that we ever got through with as good a reputation as we did.

Judge Wright says I'd better quit, but I tell him I am not through. I am not going to last much longer.

I do not say that the Senate of 1862 was the peer of the Senate of 1860. The times had changed. The period of the two was different. We had different questions to struggle with. The war had come upon us. We had everything of that class to provide for, and they were all good, true and loyal men. They were the legislators who looked after the interests of the country and after the interests of the State of Iowa well and faithfully, and if you don't all know it, by the consent of Gov. Gue and the consent of the members of the Senate which he presided over, I would say that he was one of the most careful and considerate legislators I ever knew. When he went after any particular measure, he went after it intelligently and in such a manner as to accomplish that which he sought. Gov. Dungan was a good legislator, too, but we men who had been there the session before, pushed him back a little. We did not give him altogether the chances that the others members had. And another thing, there was in that legislature a man who was the chairman of the Judiciary Committee, who from his legal experience—from his Judicial experience—from his natural ability, and from the culture and education which he had acquired as Judge of the Supreme Court in the State of Iowa, sitting as associate of our President, put all us lawyers back. He was a man who was able to stand there, and while Duncombe was an able lawyer, and while there were other able lawyers in the Senate, Judge Woodard as Chairman of the Judiciary Committee, took the work off the hands of the others.

We had one other question like the difficult questions we had in 1860. That was when a resolution, regarding the making of a Brigadier General, came into the Senate, recommending the appointment of some one as Brigadier General, and it was moved by some one that the name be stricken out, and that after the words "the people of the different senatorial districts having expressed their confidence in" — (and here we inserted the entire list of senators), "be it resolved that our Senators in Congress be instructed, and our Representatives requested, to obtain the appointment of these persons as Brigadier Generals, or to any other positions of profit and trust." Well, there we were. We knew our ability. We made our recommendation. But after we attempted to pass it—when we attempted to pass it, there were some of them concluded if they voted for it they might lose their position in the Senate and become private citizens; so it was beaten, twenty-one votes against it and nineteen for it. That was the only real struggle we had in that Senate of any consequence. We gave in that Senate to the soldiers that had gone to fight for the country, the ballot. We did for the country all that the State of Iowa could do. The Senate and House of 1860 and 1862 were as loyal as was ever any Senate and House, and if, as Senator

McNutt said, this loyalty was stalking abroad in Iowa in 1864, it was because so many Senators and Representatives of 1862 had gone to the war. We voted our bonds—voted more bonds than the United States government wanted, to help out. We did everything which we could do, and we left our acts for our fellow pioneer law-makers and subsequent law-makers and the people of Iowa to examine and approve or disapprove, but I do not stand here to applaud or to condemn the others.

Washington Galland here said:

GENTLEMEN—I see no better opportunity than the present to appear as the representative or substitute for a gentleman, a member of this Association, whom all of us would have been exceedingly glad, I have no doubt, to have heard from personally. I refer to Hon. Daniel F. Miller, who was a member of the Territorial Legislature of 1840. As I have his written address, it will require about fifteen minutes to read it, I presume. I will now ask the members of this Association to allow me to read it.

The President said:

If there are no objections the paper will be read.

Mr. Galland proceeded to read as follows:

*Mr. President, and Gentlemen of the Pioneer Law-Makers' Association of Iowa*—I notice in your circular that you have appointed me to speak before you concerning the Iowa Territorial Legislature of 1840, of which I was a member.

I would be very glad to speak before you on that theme if my health permitted; but I am now, and have been for the several past weeks, confined to my room by that most miserable of all diseases, la grippe, and, cannot, therefore, fill the appointment which you have made for me; but if you will excuse my absence I will dictate a few remarks to be written and laid before you, which you can have read.

I was a Representative from Lee county in the Territorial Legislative Assembly of Iowa in 1840. It consisted of two parts: A council by name, and similar in character to the Senate of our State legislative assembly, and a House of Representatives. Our territorial governor was Robert Lucas, who had formerly been a governor of the State of Ohio; and his private secretary was Hon. T. S. Parvin, the present distinguished light and leader of masonry in Iowa. Governor Lucas has long since paid the debt of nature; and of all the members of that legislative assembly, I believe there are but two yet spared to mortal life besides myself, to-wit: Alfred Hebard, of Red Oak, Iowa, and Francis Springer, of Columbus Junction.

Iowa was organized an independent territory in July, 1838. In those days the legislatures met annually, and the consequence was that the legislature of 1840, when I had a seat, was the third legislative assembly of the territory of Iowa. The legislature met at Burlington; and all there was of the territory of Iowa at that time, was a strip of country fifty miles wide, on the west bank of the Mississippi river, extending from the north line of Missouri on the south, to where is now the south line of Minnesota, on the north; and the population of the territory in that year (1840), consisted of about 42,000 inhabitants.

The balance of what now constitutes the State of Iowa was possessed and rambled over by the Sac and Fox and Sioux Indians.

The council met in the basement of a newly-built but small Catholic church. The House of Representatives had its sittings in an unfinished Methodist church; the pulpit of the church answering for the Speaker's chair. That was a famous building in its day, because besides being a church for preaching and Sunday-school teaching and prayer-meetings, it was the court house of Des Moines county where district court was held for many years; and it was also general town hall for the public gatherings of the city, both municipal and political, and it was known generally throughout the county by the distinguished name of "*Old Zion Church.*" Some years ago I versified its history in the following lines:

#### OLD ZION CHURCH.

Old Zion Church of Burlington  
 Was famous chapel in its day,  
 Ere Hodges on the gallows swung,  
 Or Black Hawk tribe had gone away.

There preachers preached on Sabbath day,  
 And Mason there held court of yore,  
 And legislative chambers sat,  
 And ground out statutes by the score.

And there the wise men of that day,  
 Oft met to talk and hold debate  
 Concerning needs of Burlington,  
 And other things to regulate.

There Methodism had a hold—  
 There took its start in Hawkeye land.  
 And for sincerity of faith,  
 Was then, as now, in all things grand.

Of bricks it was the first church built  
 Upon the Black Hawk purchase ground;  
 And stately in its size and form,  
 Its structure was in all things sound.

It was the work of settler men,  
 Built in the days of Pioneer.  
 And should have stood a monument,  
 Old Settler memories to cheer.

But ruthless hands its wall tore down,  
 While good men wept to see it fall,  
 And where it once in honor stood,  
 Now stands an operatic hall,  
 Where dancing and dramatic plays,  
 Usurp the thoughts of former days.

\* \* \* \* \*

And where are they—those men of yore,  
 Who built that church with open hand,  
 Those settler men? Gone—passed away,  
 But rest now in supernal land.

I will not here speak of the virtues and talents of the two living remnants above referred to, of that legislative assembly, because they are still with you, and you personally know them to be men of great moral and intellectual worth. But I will say a few words of some of the departed members of that legislative assembly. In the House with me there were two

highly gifted gentlemen, but of very different natures (both lawyers), M. D. Browning and Shepherd Leffler. The first named gentleman was a bundle of brain power, he surpassed in wit and sarcasm, and was great in speech before a court and jury, but especially before a jury. In those days imprisonment for debt was a common occurrence under the laws of Iowa, and I regarded it as a remnant of barbarism, and introduced a bill for its repeal. Browning opposed its repeal with all the arguments he could muster, aided by his wit and sarcasm, and having the prejudices of most of the members on his side, succeeded in defeating my bill. But in a few days after that bill was defeated, a personal friend of Mr. Browning was immured behind a prison wall for debt, which moved the sensibilities of his heart, and he came home and said, if I would re-introduce my bill he would help me to pass it. I re-introduced the bill, and with his aid got it easily passed through the House of Representatives; but it failed to pass the council. That relic of barbarism was repealed by subsequent legislation. I think that Leffler had equally as much brain power in the way of argument as Browning, but he was without any wit or capacity of repartee, whatever; and was a cool, calm, strong thinker and speaker. Nine years afterwards he was my colleague in the Congress of the United States, and I ever regarded him as an honest man. He was a strict member of the Methodist church. I visited him while he was on his dying bed, and a glow of resignation and happiness seemed to beam from his countenance, and as he extended his dying hand to me and bid me farewell, he said for his last words, "God bless you, Miller."

In the Council there was a man of remarkable character, both for the eccentricities of his mind and for his personal appearance; that was General Jesse B. Brown. He was six feet six inches in height, with high and fully developed forehead, and with piercing black eyes. He had been for some years a captain of dragoons in the regular army of the United States, and after he left the army settled at Fort Madison and engaged in the merchandise business. He had been there but a little while before he was elected a member of the Second Territorial Council of Iowa, and was there honored by being elected President of the Council. Though a man of much strength of intellect, he was subject occasionally to the infirmities of intemperance; and was presiding in the Council one day when being a little too much under the influence of liquor, he fell into a doze as he sat in his seat. There was quite an exciting discussion going on at the time, and the members perceiving the condition of their president good-naturedly went on with their speeches as if everything was right in the Council chamber. Directly one member commenced his speech with a stentorian voice, which aroused the General, and he, supposing it to be an attack of Indians, called out in military tone, "Injuns, by thunder!" That set the house laughing, and put an end to the business of the Council for that day.

He was also a member of the Third Territorial Legislature when I was, and we roomed together, though we occupied different beds. There was a fire-place in the room and each morning of the session he would get up about an hour before day and stir up the fire, put on his pantaloons and socks and slip his feet into his slippers, then wash himself and put on his necktie and comb his hair, and then would turn round and dance an Indian war dance around the floor, singing the Injun gutturals of "Oh he! Oh he! He oh! He oh!" and winding up his gymnastics with an unearthly Injun yell. He

would then finish dressing himself and take his cane and go out into the dark and wander around the streets of Burlington until daylight, when he would return to our room. I never asked him why he indulged in such eccentricities because he was a much older man than I was.

In 1851, when I was representative in Congress, I held the appointment for one of the examiners at West Point Military Academy. I gave him the benefit of that appointment, and learned afterwards, with much satisfaction, that while at West Point he conducted himself with such sobriety of conduct and military bearing that he received the special commendation of General Scott, then head of the United States army.

In 1856, burdened with the weight of years, he returned to his native home of Kentucky, and was there when the throes of the Rebellion commenced, and took a bold stand against the doctrine of secession. He died in 1863. I loved him dearly during our earthly acquaintance, and I hold his memory in high reverence.

In 1840 a colored man had no right in Iowa which a white man was bound to respect. He could not give testimony in a court of justice against a white man in a civil proceeding, and any white man could go before a justice of the peace and file an affidavit alleging that a certain colored man was his slave; and simply from that affidavit the justice was authorized by law to issue a writ to any constable to arrest the colored man and hand him over to the possession of his alleged master, not even giving the colored man the benefit of a court hearing on the question of his freedom or slavery. I introduced a bill in the House of Representatives to secure to colored men the rights of a court hearing when arrested as a slave, and in doing so I stirred up a hornet's nest of opposition all around me; but I would not yield to the clamor of friends to withdraw the bill, and I finally succeeded in forcing a vote upon it. There were three men in the House of Representatives who closed around me and stood by me and voted with me in that dilemma. They were Colonel Asbury B. Porter, of Mt. Pleasant, Iowa, who was a brave officer in the Union army during the late Rebellion; Peyton Wilson, a noble old Quaker of Henry county, and Thomas Wilson, a farmer of Jefferson county, who came in company with me from Pennsylvania when I first came to Iowa. These three were friends of freedom when it cost a great deal of nerve to stand up for the cause of the colored man, and to brave the prejudices and insults of the white community. With the exception of us four, the balance of the members of the House of Representatives voted against my bill and so it was defeated.

Ten years afterward I went through pretty much the same ordeal on the same subject of slavery, and stood as a Representative in Congress with only six other members, who were with me the sole advocates of the freedom of the slave, exclusively, under all circumstances and under all conditions. If it were not out of place, I would be pleased here to relate a little circumstance connected with my election to the Legislature of Iowa in 1840.

In July, 1839, I made a visit to Pennsylvania. The travel in those days to and from the west was by steamboats on the Ohio and Mississippi rivers, and on my return home in the early part of December, 1839, when the steamer arrived at the foot of the rapids of the Mississippi, where the city of Keokuk now stands, the captain of the vessel informed the passengers

that the river was so low that he could not go over the rapids unless the passengers went ashore and walked around the rapids to lighten the boat, which we all readily consented to do. There were several hundred of us, and we scattered out and made our way up along on the beach of the river, and through the brush on the banks as well as we could. I was in a little crowd of four or five walking together, and when we arrived at a point on the river where the town of Galland now stands, we saw a little log cabin of round logs, standing amongst the trees, with a considerable amount of smoke coming out of a mud built chimney, attached to the building. The weather was quite cold, and we concluded to go into the building and get warmed. We knocked at the door and heard a faint voice say, "Come in." We opened the door and stepped in, and saw laying on straw on the floor, a white headed old man with his wife and several pretty well grown up children; and the only furniture in the room was a three-legged stool, near the fireplace. After we had stood some time by the fire and warmed ourselves, I turned my attention to the old man, and said to him: "Old man, when I went east last summer, there was no such poverty in Lee county as I now see before me. Where did you come from?" He replied in a feeble voice: "It was not always thus with me and my family; a few weeks ago I was living comfortably on a farm of my own near Far West, in Missouri, where a mob broke in upon me and my neighbors, killed many of my friends, and I and my family escaped by running over the prairies, my way lighted for several miles by the burning of my own home; and you see I am just here without any property, with our lives only saved."

With us standing by the fire was a man whose home was near Far West. Missouri, and who was going to Galena, Illinois, to engage in some mining business. When the old man had answered me as above stated the Missourian said, "Are you a Mormon?" The old man replied, "Yes, I belong to that persecuted race." The Missourian said, "Damn you, I wish we had caught you and had disposed of you so you could not have got out of Missouri." The brutality of the sentiment expressed by the Missourian excited my anger beyond all reason; and a scene followed between me and the Missourian which it is not necessary here to relate. Next year when I was a candidate for the Legislature of 1840 I learned that great crowds of Mormons had come into Iowa and settled in the vicinity of the said old man's home, and contiguous neighborhoods. I was living then at Ft. Madison and so I mounted my horse and concluded to ride down and see the new-comers and do some electioneering with them. When I reached the place where the old man's cabin had stood I found a log cabin village with several hundred inhabitants had suddenly sprung up. But unfortunately I had hardly arrived in the village before I was seized with a distressing ague chill. I was so sick I could not sit up, and a gentleman directed me to a house rather better than the other houses in the village, where he told me I could be accommodated. I went there, and a kindly looking, white-haired old gentleman, the proprietor of the house, took my horse from me, sent him to a stable, and invited me into his house and put me to bed. He sat by my bedside the most of the day and administered to my wants with the kindness of a father. Late in the afternoon I recovered sufficiently to start for home, but while speaking to the old man about my return I said to him: "Your face looks familiar to me, and I think I have seen you heretofore

somewhere." I then asked him: "Didn't you about a year ago live down below here in a little log cabin where some men came in to get warmed one day, and a young man there resented some severe language which a Missourian had indulged against you as a Mormon?" "Yes, I remember it well," he said, "and I and my family have expressed the wish a hundred times to have the pleasure of meeting the young stranger who thus defended us." I then said, "He is here before you." He ran out and called his wife and family and they came in and made much ado over me. When I left his house that evening and was getting on my horse to return to Fort Madison he said to me, "What brought you here?" I told him I was a candidate for the House of Representatives and was electioneering, and I gave him my name and told him I lived at Fort Madison. He replied: "Now, Mr. Miller, go straight home and don't go out electioneering any more. My people, the Mormons, hold the balance of political power in this county, and I am the uncle of Joseph Smith, the Mormon Prophet. I will go over to Nauvoo to see the Prophet and tell him what I know about you, and he will see that you get every Mormon vote in this section of the country."

I took his advice and went home, and stopped, electioneering; but on the morning of the election there went the word from the Prophet at Nauvoo, Illinois, to the Mormons on the Half-Breed Tract in Lee county, Iowa, that it was wisdom and the word of the Lord that all Mormons in Lee county, Iowa, should vote for that young lawyer at Fort Madison, named Daniel F. Miller. And the result was, that on election day I received a much larger vote than was given to any other candidate, and was, of course, elected. I might have been elected to the Legislature in 1840 without the Mormon vote; but that vote made my election a certainty by a big majority, considering the number of votes polled in the county. And I found then, that whatever might be said against the Mormons in other matters, whether true or false, certainly the sin of ingratitude could not be truthfully charged against them.

D. F. MILLER.

Mr. Galland said:

MR. CHAIRMAN—While I am on the floor there is another matter I wish to refer to the committee on resolutions. Since our last meeting Rev. C. S. Percival, poet laureate and honorary member of our Association, has passed over the river. I move that this be referred to the committee on resolutions for the proper action.

The President said:

It will be so referred.

Here the choir sang "Tenting on the Old Camp Ground."

The Association then adjourned until to-morrow morning at nine o'clock.

Wednesday morning, January 15, 1894, the President called the Association to order, which opened with a song by the choir.

Prayer by Hon. J. F. Hopkins:

Our Father Who art in heaven, before Whom all created beings are called to bow and to pay adoration, we would desire this beautiful morning before entering upon the duties of the hour, to approach the Divine Presence, and to thank Thee for what Thou hast done for us during all the years of our lives. We thank Thee, Our Father, that Thou hast dealt so kindly with many of us in sparing our lives for the many years we have lived upon the earth. We thank Thee that we have come together under such favorable circumstances as we do this morning. We pray Thee that Thou wilt bless and direct the deliberations of this body. We pray that to Thy honor and Thy glory much good may be accomplished. We would ask Thee to bless the social features of this Association, and we thank Thee that we have the privilege of coming together and of knowing old acquaintances and of forming new ones. We pray Thee that Thou wilt bless this occasion to each and every one of us. Direct us, we pray Thee, in the deliberations of this Association, and that we may be so directed that this Association shall continue on down to become a social benefit to us all. Our Father, we pray that Thou wilt not alone bless us and all people, but as a nation, and direct us to Thy name's honor and glory. Preserve us and keep us the hollow of Thy hand, secure from danger and harm, from temptations and evil. Direct us in all of our deliberations by the unerring counsel of Thy spirit, and when we have done with life and with labors, own us in Thine upper and better Kingdom, we ask in the name of Christ. Amen.

The President said:

The first thing in order is the report of committees and miscellaneous business. Are there any committees ready to report? Any miscellaneous business?

The motion was made by Judge Noble and seconded by Col. Godfrey, that at each of the following biennial meetings of the Pioneer Law-Makers, a banquet should be held which would become a part of the program of the meeting, which motion was carried.

Judge Casady said:

The committee on nominations is ready to report.

We have agreed upon the report, and recommend the following names:

For president, Hon. Geo. G. Wright; for secretaries, Capt. C. S. Wilson and John N. Davis; for vice-presidents, first district—Edwin Manning, of Van Buren county; second district—Samuel McNutt, of Muscatine county; third district—F. M. Knoll, Dubuque county; fourth district—Reuben Noble, Clayton county; fifth district—T. S. Parvin, Linn county; sixth district—James Hilton, Monroe county; seventh district—Col. John Scott, Story county; eighth district—Lieut.-Gov. S. L. Bestow, Lucas county; ninth dis-

trict—L. W. Ross, Pottawattamie county; tenth district—Walter C. Willson, Hamilton county; eleventh district, Rodney A. Smith, Dickinson county.

The chairman said:

The next business in order is the election of officers, and I ask Judge Noble to take the chair. (Mr. Noble takes the chair.)

Mr. Abernethy said:

I move that the report of the committee be adopted.

Motion seconded and carried.

The Committee on Resolutions was called upon to report, and presented the following:

The members of the Pioneer Law-Makers Association in this their Fourth Biennial Reunion desire to place upon record their sincere regrets that so many of the members are prevented from meeting with us by reason of the infirmities of age and the severe storm that has so recently swept over the State and country. This is especially true of our associates of territorial years (1838-1846), among whom we may mention Gen. Geo. W. Jones, delegate in congress from the territory of Michigan when Iowa was attached to it (1834-1836), then of Wisconsin of which Iowa was a part in 1836-1838, and later a citizen and officer in Iowa; of Hon. Thos. S. Wilson, the oldest living attorney in Iowa (1836), and one of the judges of the territorial court (1838-1846); Dr. Gideon S. Bailey, a member of the first (1838) and several later territorial legislatures in both houses; of Hon. Alfred S. Hebbard, Red Oak, a member of the second (1839) and later years; of Hon. Samuel Murdock, Elkader, a member of the house in 1842, the first session held in Iowa City, and others. Especially do we miss the presence of Daniel F. Miller, Keokuk, a member of the present house, who commenced his legislative career as a member of the third legislature in 1840, and who now after fifty-four years have passed comes to the capital to give the State the benefit of his ripened experience and great learning. Of these men and members who helped to make Iowa, do we hold the fondest recollections and greatest esteem. In their declining years may we invoke the benediction of the Good Being who has watched over them and us and crowned our labors with such an abundant success in making our beloved Iowa the gem of the prairies and the jewel of the Mississippi valley.

WHEREAS, This Association of Pioneer Law-Makers with an earnest desire to rescue from oblivion and collect and preserve the records of the history which the members in part have been so instrumental in making in the years gone by, did most heartily endorse the paper presented by Mr. Parvin, one of its oldest members, and memorialized the General Assembly four years ago to create the Historical Department, and place it in charge of one of our members, Hon. Chas. Aldrich. And,

WHEREAS, The General Assembly did most heartily endorse and give effect thereto by proper legislation, it is both meet and proper that the Association should declare, and,

Resolve, That its high appreciation of the efficient services rendered by that and a subsequent Assembly in wisely providing so beneficent a means, and we trust this present enlightened Assembly—whose public spirit and appreciation is patent to all—will give it their fostering care; further be it

Resolved, That we recognize and appreciate the efforts and the success that has crowned so far the Historical Department.

T. S. PARVIN,

The President said:

GENTLEMEN—You have heard the resolutions, the question is upon their adoption.

They were adopted by a unanimous vote.

Mr. Galland reported a memorial resolution in regard to Rev. C. S. Percival, as follows:

IN MEMORY OF REV. C. S. PERCIVAL,

Honorary member and Poet Laureate of the Pioneer Lawmakers Association of Iowa

WHEREAS, Since our last Assembly at Des Moines in A. D. 1892, the Great and Supreme Lawmaker and Ruler of the Universe has, in the course of obedience to His natural Laws and Divine will, permitted to be removed from terrestrial life to a celestial abode beyond the grave, our venerable and much esteemed Brother, the Rev. C. S. Percival, Poet Laureate of this Association, and late Chaplain of the Iowa Soldiers' Home at Marshalltown; therefore, be it

Resolved, That by the demise of our Brother the Association has lost a most worthy and valued member; the Iowa Soldiers' Home a Chaplain and a sincere friend whose great heart was in full sympathy with the members of that institution; the Church of his belonging has lost a minister of whom it will be said by those who knew him best:

"None knew him but to love him,  
None named him but to praise."

Society has lost an ornament and valued member, while literature has lost any further contributions or embellishment in poetry or prose from his inspired pen or the charming versatility of his genius; and his bereaved widow and children mourn the loss of the best of companions, the wisest of counselors and the kindest of friends. May the God of all comfort reconcile them and us to our loss, and make us all rejoice in the eternal gain of the departed one.

Resolved, That in respect to the memory of our lamented friend and Brother, these proceedings be recorded in full in our journal and published therewith, and that copies of such published journal and proceedings be transmitted to the surviving widow and children of deceased.

L. L. Ainsworth said:

MR. CHAIRMAN—I am requested by the members from outside the city of Des Moines to express to you and to the Executive Committee of the Association of Pioneer Law-Makers our thanks for the care you take for our morals when we come here. Two years ago you took us to a church, and this time to the Y. M. C. A. hall, and have kept us in that class of influences. We desire, however, to say that if your reason for doing so is because we are becoming bad you are seriously mistaken, but we hope you will continue to keep good moral places of resort for us during the entire continuance of the Association.

The Chairman said:

I think I will call upon Gen. Ed Wright to explain that. General, you know about the places of resort in the city.

Gen. Ed Wright said:

MR. CHAIRMAN—It needs no response. The gentleman knows all the places of resort in the city.

Judge Wright said:

I can assure you that we are always glad to receive you and we are all

happy to know you have reformed and that you do not need looking after. We shall continue to do as we have for we do not know what will occur hereafter. I will assure you it is a matter of great pleasure on the part of the Executive Committee and the gentlemen residing here to do all we can to make the members of our Association as comfortable as possible. We only wish we could have you here every twelve months, but we can have you only every two years, and we will try to do the best we can. Two years from this you understand, Judge Noble, there is to be no violation of the prohibitory law, and if you come here with the expectation that there will be, you will be mistaken. I understand that Judge Fairall was to have been present, but he has sent a paper. A paper was sent in by Col. Jed. Lake, which we will now have read by the Secretary.

(Paper here read.)

COL. JED LAKE'S ADDRESS.

MR. PRESIDENT AND MEMBERS OF THE PIONEER LAW-MAKERS ASSOCIATION OF IOWA—When I was asked to be present and say a little about the legislature of 1862, at this our Fourth Reunion, I little thought that I would be afflicted so as to render my presence impossible. For more than thirty years I had enjoyed such excellent health that the idea of ill health did not enter into my calculations. But like all the rest of the human family, we soon or late find out that we have to succumb to time and ill health. As such has rendered my presence impossible, it has seemed right for me to tell you a few things that I might have alluded to in case it had been practicable for me to be present.

I could have recalled how most of us, then young and inexperienced in the ways of the world, had gathered at Des Moines from all parts of the State. As there were no railroads into the Capital city at that time we came by stages and private conveyances. When we met at the Capitol and organized for the term, how there were but a few that had the necessary knowledge to lead us in the correct way to a successful organization of the House. After many blunders, and much criticism by those that knew how the thing ought to be done, we finally succeeded in electing the officers and commenced the work of the session. The votes for Governor were canvassed and the result declared. Then came the inauguration. This was not preceded by such ceremony as is now thought necessary to induct a man into the office of Governor of Iowa. We had listened to the message before this, but now came the inaugural address. The message had dealt with business matters. The inaugural was filled with patriotism. The Governor told us of the great perils of the Nation, and that it was his determination to stand by the government of the United States and to see that Iowa did its full duty in maintaining the same. Also, that no secession or rebellion would be tolerated in Iowa so far as he could prevent. These sentiments were put forth with all the earnestness of which the then Governor was capable. It filled us full by its unequivocal position in favor of the Union.

There were several incidents, some comical and amusing and some serious, that occurred during the time, many of which would be interesting to the members of that House, but which it is not worth while to write out now. One little incident, however, will be remembered by most of us as long as we live. The gentleman from F— county was making a speech in

a very fine thin voice, but the best he could do, when the gentleman from D— county called out: "Louder; I wish the gentleman would speak louder." With a glance at the interrupter, and without raising his voice, the gentleman from F— said: "Mr. Speaker, I thought the gentleman's ears were long enough to hear the slightest whisper!"

The shouts of laughter and cheering that followed this sally were such that the remainder of the speech was not heard, if made. Many other things transpired that were of interest then and tended to enliven the sittings. But there was one of especial importance.

The House had before it a bill on which many of the members felt it their duty to speak. It was being warmly discussed, when Frank Palmer was seen to go up to the Speaker's desk and hand to the Speaker, Hon. Rush Clark, a telegram. Without waiting for the person to conclude his remarks the Speaker rose up and said, "General Grant has captured Fort Donelson!" Then there was shouting and hurraing and a general rejoicing. Then some one struck up the Star Spangled Banner. It was never sung with more spirit and vim than then. Then we adjourned until the next day. Soon after the adjournment was announced Adjutant-General Baker mounted a chair in the hall and shouted as he only could: "I move that the prohibitory liquor law be suspended for twenty-four hours. All in favor say 'aye.' It is carried unanimously."

It would not be proper to relate how the time was passed the rest of that day. On the next day when some one was berating the Assembly for the acts of the day before the gentleman from C— county arose and said: "Mr. Speaker, I want my constituents to know that I was intoxicated with *joy*!"

There are many other things that I would like to mention about the members and the incidents of the session. But it would take too much time to do it justice. I would like to dwell upon some of the individuals if it was proper to do so. But I must let that pass now.

At the extra session held in August, provision was made to put the Iowa troops in the field and to pay the expenses that had been made and to take the vote of the soldiers in the field. This was a session of business. When it adjourned so many of the members of the Senate and House had enlisted in the army that there were not enough members left to make a quorum if the Governor had desired to have another extra session. It would be pleasant to speak of the achievements of some of these men in the army. But that is outside of their work as law-makers and it is not best to do so now. I very much regret, Mr. President and gentlemen, that I cannot be with you, but such are the circumstances surrounding me now that it is not possible to do so. Hoping that you will all have a good time and be much pleased with the meeting, I am

Fraternally yours,

JED LAKE.

Col. Alonzo Abernethy then read the following paper on

#### RECOLLECTIONS OF THE ELEVENTH GENERAL ASSEMBLY.

Soon after the return of the last remnant of Iowa's eighty thousand volunteer soldiers from the civil war, the Eleventh General Assembly convened January 8, 1866, in the old capitol, to confront some legislative problems, as the Twenty-fifth is now doing in the new capitol.

If by chance one of these earlier members had not meantime found occasion to revisit Des Moines until now, he might possibly have occasion to inquire of somebody where he was at. Instead of coming in from any direction for the last thirty-five miles, at least, on the old-time stage coach, he may now enter from every direction on an elegantly upholstered passenger coach. Instead of coming to a town of six thousand people, he enters a city of over sixty thousand. Instead of a State with eight hundred miles of railroad, he now finds one with about nine thousand miles. Instead of helping to inaugurate Gov. Wm. M. Stone, who had been elected by a meagre seventy thousand votes, he finds that another body has just inaugurated Gov. Frank D. Jackson, who had received the suffrages of more than two hundred and six thousand Iowa freemen.

#### ORGANIZING THE HOUSE.

The members addressed themselves at once to business. The House was fully organized before the close of the first full day's session. This included the election of both temporary and permanent Speaker, the election of all other officers, and the adoption of its standing rules.

#### DEMOCRATS SCARCE.

As our Democratic friends in those days of small beginnings, could muster all told but fourteen votes in the House, the main battle had to be among Republicans themselves, and by common consent soon narrowed down to a choice between that astute embodiment of legal lore, C. Ben. Darwin, of Burlington, and the plain farmer-soldier, Gen. Ed Wright. At first the honors seemed tending toward the great lawyer, but when it was discovered that forty-three of the one hundred members had recently doffed the blue uniform, there was a sudden rallying to the standard of the tall form of the gallant General. Though the eloquence of his accepting speech was condensed into five short sentences, he was easily voted, before the end of the session, the best Speaker Iowa ever had. Indeed, Iowa has needed his services for about twenty-five of the intervening twenty-eight years, and the greater portion of these years are engraved in her magnificent capitol.

The genial and courteous Wm. Hale served as temporary Speaker. This cultivated, strong man, after honoring the State and Nation by years of faithful service, has long since finished his labors. Chas. Aldrich, the popular Chief Clerk, has given generous service, both public and private, in promoting some of the highest interests of the commonwealth, as has also C. S. Wilson, his efficient first assistant.

#### CONTEST OVER THE RULES.

Apparently but one man in that venerable body, adequately appreciated the importance of properly amended parliamentary rules for the government of the House; and that man was honest John Russell, of Jones. When the eloquent Samuel McNutt, of Muscatine, promptly moved before noon of the second day, that the rules of the last House be adopted as the standing rules of the House, and Mr. Russell moved, as a substitute, the appointment of a committee to prepare a code of permanent rules, the substitute was relentlessly voted down. In this first picket line skirmish, the eloquent Irishman easily carried the House against the more philosophic and prophetic Scotchman.

When some one immediately afterwards moved that R. S. Finkbine be employed to make a diagram of the House for the use of the Speaker, the motion was promptly voted down, showing how little the members appreciated the æsthetic genius of a fellow member afterwards so conspicuously inscribed in every part of the noble structure of which all Iowa is so justly proud.

When next day Mr. Finkbine, who was an old member, moved (doubtless from sheer force of habit) that each member be furnished a good knife, Major Hoyt Sherman, who was possibly expecting to be made chairman of the committee on ways and means, moved to amend by adding the words, "at a cost not exceeding \$2," and another needy member moved to amend the amendment by adding "and a good shaving kit, comprising razor, soap, lather-box and brush," and still another to add, after the words "knife," and "sheep-shears," by which time the House became so thoroughly scared at the numerous wants displayed, that the whole thing was unceremoniously tabled. But for all that, each member received his little gold pen, pen-knife and eraser, and by a later order, all officers and employés of the House also were furnished with knives, "at a cost not exceeding \$2.00."

#### DISSEMINATING INTELLIGENCE.

Another one of our preliminary problems to be settled, was the number of daily papers that should be ordered by the House for each member. After several motions and amendments made to limit the orders to "papers published in the State," to "loyal papers," and the number to "twenty," "twenty-five," and "thirty" dailies, or their equivalent in weeklies, it was finally decided that each member should have thirty dailies, and that members be allowed to select three published outside the State. As a matter of fact there were just twelve daily papers published in the State at that time.

When a little later provision was made for distributing to members copies of all Supreme Court Reports "now on hand" or "to be published during the present term," one of the thoughtful members from Lee, Mr. Ballinger, offered a resolution, that doorkeepers should also be included in the distribution of Supreme Court Reports, but this generous Democratic impulse for disseminating intelligence, met with no favor and was ruthlessly voted down.

#### SIZE OF IOWA IN 1866.

If the friends of Governor Jackson have been able to count him in by a larger vote than his illustrious predecessor received, twenty-eight years earlier, it is doubtful if their committee on mileage can make a much larger showing than our committee did at that time. We all stood up in our places, as our names were called, and bore testimony to the magnificent proportions of our beloved State, "by the usually traveled route." My distinguished friend, Judge Fellows and his colleague from Allamakee were entitled by the committee's report to mileage for nine hundred miles travel to Des Moines and back. It was generally supposed in those days that Winneshiek county was about the same distance from the Capital "by the usually traveled route," and accordingly its representatives were allowed mileage for nine hundred miles each. The senior member from Fayette in whose superior wisdom, the junior meekly acquiesced, had to be satisfied with seven hundred and seventy-five miles mileage. Let them beat that if

they can, even if they should compute the usually traveled route now, as occasionally then, by way of Chicago.

#### IOWA ABOLISHING SLAVERY.

The first public act of the Eleventh General Assembly was the unanimous ratification of the Thirteenth Amendment of the Constitution of the United States, forever abolishing slavery. Care was taken that this solemn act of the representatives of the people of Iowa, should be done in a sufficiently formal manner to carefully perpetuate, at the same time, the act itself, and the names of those whose high privilege it was to record their votes in favor of its adoption.

#### HANGING JEFF. DAVIS.

Another burning question before the country, demanding immediate attention, was the importance of promptly hanging Jeff. Davis for treason. Accordingly Col. Sapp, of Pottawattamie, who was a natural leader and great debater, introduced a resolution, "That the arch traitor, Jefferson Davis, ex-president of the so-called Southern Confederacy, is guilty of the highest crime known to the constitution, and it is due, both to the living and the dead, that he should expiate his crimes on the scaffold." Being introduced by so great a radical as Col. Sapp, some of our Democratic friends felt a suspicion that a little politics lurked in the resolution, and made a feeble attempt to modify it, but without avail, for it went through by eighty-nine yeas, with only seven nays.

#### DEMOCRATIC RECONSTRUCTION.

Thereupon, Mr. T. S. Wilson, of Dubuque, the veteran Democratic Constitutional lawyer of the House, doubtless feeling keenly the lack of conservatism exhibited by the last violent action, arose in his place, and proposed a rather lengthy preamble and resolution, the pith of which may be stated: "Whereas, no state can constitutionally secede, and all acts of secession are null and void from the beginning, that none of the states lately in rebellion has ever been out of the Union; therefore, *Resolved*, That we condemn the doctrine of State suicide, and the reduction of any State to Territorial vassalage." But Col. Sapp, the wily chairman of the Committee on Federal Relations, immediately gobbled the resolution, and took care that nothing was ever heard of it thereafter.

#### ELECTING UNITED STATES SENATORS.

Senator James Harlan having recently resigned to enter President Lincoln's cabinet, leaving Iowa's great statesman, James W. Grimes, alone in the United States Senate, two senators must be elected, one for the short and one for the long term. However rich the soil of Iowa may have been in those earlier days, its crop of senatorial timber was not nearly equal to that of more recent times, as two men only, in all the State, aspired to those lofty honors. After a brief but spirited contest between those two princely men, Ex-Governor Kirkwood was chosen for the short term and Ex-Senator James Harlan for the succeeding long term. And the verdict of the State and country was that the Iowa Legislature had done its duty well. Messrs. John T. Stoneman and H. T. Trimble were the Democratic candidates for those offices. The vote stood one hundred and eighteen to twenty. These two men, also, had they been elected, would have honored the State.

## ERASING THE COLOR LINE.

Long before January, 1866, the people of Iowa had made up their minds that the colored people had earned the right, all over the south and on many of its battle fields, to the elective franchise. But the constitution of Iowa made color a bar to its exercise. The word "white" was found on examination, to be inserted in six different places in the constitution disqualifying colored people from voting, holding office and the like. When the astute committee on constitutional amendments had taken sufficient time for due deliberation they reported a resolution to strike out the word "white" from five of the six places.

Some members believed it would be more than a shame for the Iowa Legislature of 1866 to leave the word "white" even once as a blot on the constitution; and that one, too, where it barred the colored citizen from holding the one office of State Representative alone, though not that of Governor, United States or State Senator, nor indeed any other office or privilege, with the single exception named. One of the sharpest battles of the session was fought over this simple question of principle against policy; and under the zealous leadership of Mr. Darwin, chairman of the judiciary committee, policy finally prevailed over principle, and for more than twenty years longer the word "white" must needs blot the constitution of Iowa, notwithstanding the Fourteenth amendment, which declares that "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

## THEN AND NOW.

One need not, in this year of grace 1894, turn many pages of the House Journal of 1866 to be reminded that the world does move. Let me recite an illustration or two.

Claims were introduced and allowed for lumber furnished and used in the building of military stockades of Estherville and Spirit Lake, Iowa, to provide against Indian depredations from the western plains. Maj. Gen. G. M. Dodge received the thanks of the General Assembly for his efficient management in protecting the western borders of Iowa and the great overland routes across the plains from the incursions and depredations of hostile Indians. The Secretary of the Interior was urgently solicited to make immediate provision to abate the insufferable evils caused by Omaha and Winnebago Indians in their thieving incursions into the "thinly settled portions" of northwestern Iowa. A resolution was presented by Mr. Bennett, of Washington, that "Whereas the occupation of Mexico by the forces of the Emperor of the French, and the attempted organization of the imperial government of Maximilian are absolutely subversive of republicanism in that country, and in hostile violation of the well-defined policy of this government; therefore, Resolved, that we enter our solemn protest against any interference by foreign powers in the affairs of the Republic of Mexico; and the exercise of imperial power over that country by Maximilian is but the deliberate murder of a nation and the basest act of usurpation."

## DES MOINES RIVER NO LONGER NAVIGABLE.

One or two of the problems which the Eleventh General Assembly had to solve illustrates, at least to us at this distance, what marked *physical changes* Iowa has undergone under the hand of civilization. Up to that

time, 1866, the Des Moines river was a legally recognized navigable stream, across which no dam or bridge could be built which would tend to obstruct its free navigation by legally chartered river steamboats. But finally the time had fully come when those ambitious Des Moines river cities in embryo must succumb to the inevitable and surrender for good the great privilege of holding direct water communication and commerce with the outer world. Such was the nature of the law passed at this session, repealing all the laws requiring locks to be constructed in dams and draws to be constructed in bridges across the Des Moines river. Turkey river was also declared to be no longer navigable "from the town of Eldorado in Fayette county, up to which the said river is now navigable."

#### THE IOWA LEGISLATURE IMPROVING THE MISSISSIPPI RIVER.

There was at least one commendable trait of the Eleventh General Assembly; it did not hesitate to undertake any enterprise, from that of drying up the channel of the Des Moines river to dredging out that of the Mississippi. On the 7th of February the legislature received an invitation from the Board of Produce Exchange of the city of Dubuque to visit that metropolis and attend a convention on the 14th to consider the subject of improving the rapids of the Mississippi river. The gentleman from Buchanan, Mr. Wilcox, had a resolution all drawn up in form: "That this assembly accepts the invitation to consider the subject of the improvement of the Mississippi river." The resolution was at once and unanimously adopted; not even Mr. Barker or Mr. Wilson, who could generally be relied on to protest against Republican extravagance and foolishness in any form, interposed an objection.

The question of going to Dubuque, however, was not, after all, to be settled without spending a few hours of valuable legislative time in settling questions of detail. The gentleman from Polk thought the 12th would be about the right date, but the yeas and nays being demanded that date was voted down. The gentleman from Linn moved to lay the trip to Dubuque on the table, and on that question demanded the yeas and nays; but the motion did not prevail. Another roll-call on fixing the 10th proved more satisfactory. The economic member from Black Hawk moved to amend by adding: "Provided, That there shall be no expense incurred to the State, either as per diem, or traveling, or for postage." He had probably figured out carefully how much postage it would cost to go to Dubuque. But a call of the roll proved that this was not a "reform" legislature, and so the amendment did not prevail.

The "fernensters," however, were not yet quite ready to surrender, and so another moved, "That no member shall be regarded as under any moral or pecuniary obligation to draw his per diem or postage for the time of such absence." On another roll call this final effort was crowned with victory, forty-six voting to release over-scrupulous members from the obligation to draw postage, while but thirty-five voted in the negative.

On Monday (the 12th) a special train was sent down to Nevada, the nearest railroad station to Des Moines, and carried the General Assembly of the State of Iowa, or what was left of it, to Dubuque just in time to escape a terrific snow storm. The railroad blockade was found to be so formidable as to cut off their line of retreat. After waiting in Dubuque until the sup-

ply of roast turkey and chicken salad was getting distressingly low they executed a brilliant flank movement around through Illinois, and by way of Davenport and Iowa City to the end of the Rock Island railroad at Newton, I think, whence the old stage coach brought them again safely to Des Moines.

One luckless member went down the Saturday before to spend Sunday with his old Greek professor at the State University, and Monday morning took the regulation stage coach of the day intending to intercept the legislative caravan at Cedar Rapids. But the easy going custodian of Uncle Sam's mail did not reach the city, twenty-eight miles distant, Monday night until the train had been gone half an hour up the Dubuque & Southwestern toward Farley. By noon of the next day the train on which he was seeking to follow found itself so completely blockaded at Anamosa as to be neither able to go forward or backward and began to prepare to go into winter quarters. A day or two later, when the storm had abated, a livery brought him, together with two other travelers, back to Cedar Rapids whence he returned by next train and coach to Des Moines.

If any future legislator should chance to recall the incident of this legislative junketing trip he should be careful not to lose sight of the fact that it was made "for the purpose of improving the Mississippi river."

#### ADOPTING SOLDIERS' ORPHANS.

Another important question was, how to take care of Iowa's soldiers' orphan children. No one questioned the duty, and no one knew how it ought to be performed. Already five hundred destitute little waifs had been gathered into two hastily improvised homes, at Davenport and Cedar Falls, and were being fed, clothed and taught by private charity. After a good deal of discussion and some needless crimination, the legislature wisely decided to adopt and maintain the two Orphan's Homes, and so adopt and tenderly care for all the children of the slain soldiers who might need such homes.

#### TO PREVENT SUCKERS, BORDER RUFFIANS AND JAYHAWKERS FROM VOTING IN IOWA.

A crying evil that was never heard so loudly before nor since, as in the years immediately succeeding the war, was the evil of illegal voting by non-residents. The greatest complaints and charges came from the large cities and border towns of the state. No doubt there was considerable illegal voting. It was not so much an importation of paid vote, as practiced in later years, as it was a voluntary rallying of party friends to lend a helping hand to friends in need.

Both parties made serious charges, and yet the leaders of both were loth to attempt registration restrictions for fear of popular disfavor. However, the committee on Elections in the House, recommended a bill for a registry law, which finally passed the House by a large vote; though it was afterward smothered in the Senate by a handful of spectacled invertebrates. Two years later the same bill in substance was passed, cured the evil and was then repealed. Was again reenacted in a modified form some years later and again cured the evil; was once more repealed.

#### A LITTLE SPICE.

No legislature of which "Bob" Finkbine was a member, could very wel.

get through a session without having a little spice interspersed here and there, in the daily routine of business. As chairman of the committee on ways and means it was his official duty to submit a good many "reports" to the House. Here is a sample:

"The committee on ways and means to whom was referred the petition of John Clayton, of Dallas County, have had the same under careful consideration and have instructed me to report that they have given the subject their best attention, and have unanimously concluded that the petitioner could never have been a member of the popular branch of this General Assembly, for if so, he would not have fallen into the mistaken idea that the members thereof needed watching. Your committee fully concur in the prayer of the petitioner, that this General Assembly should do something for the sake of suffering humanity generally, and the petitioner particularly, to lighten the burdens of taxation. To accomplish this end, we are assured by the petitioner that 'he will ever pray,' and we recommend that he do so 'without ceasing.' There is one positive declaration in the petition which suggests itself to the minds of the committee, as being strictly true and particularly applicable to the members of this General Assembly; it is, 'that this thing of working two hours a day don't pay,' and we submit this part of the petition to the careful consideration of the House, trusting that in its wisdom it may devise some means to make it pay. We are confident that, could the petitioner witness the earnest zeal, untiring energy and unyielding perseverance displayed by members of this House in their honest and industrious efforts to regulate everything, from the laying out of a township road to reconstructing the general government, he would admit it unnecessary to pray for 'working members.' We recommend, however, taking all the circumstances into consideration, that the prayer of the petitioner be granted."

FINKBINE, *Chairman.*

#### BEGINNING THE BATTLES WITH CORPORATIONS.

One more problem of 1866 I will mention and desist. I allude to it chiefly to show when and where the great contest for supremacy between the people of this country and the railroad corporations began: That it was an Iowa Legislature, elected when Iowa soldiers were marching home, in the flush of victory, from the great war, that they had the nerve, and the courage, and the long-range view to snuff another battle in the distance, and to begin to form the line to face it.

Very early in the session, Major Clark, of Tama, offered a resolution, "That the Attorney General be requested to communicate to this House, at as early a day as practicable, his opinion, whether or not, the General Assembly has the power to restrict and regulate the tariff and prices for passage and freights over the several railroads in this state." Ten days later an elaborate answer came from this illustrious dignitary, which after learnedly discussing irrelevant questions, and citing a formidable list of precedents and authorities beginning with the convenient Dartmouth College case, and passing down the whole vista of recent history, finally summed up: "The conclusion to which I have arrived is, that the General Assembly has no power to restrict and regulate the tariff of prices for passage and freight over the several railroads of the state."

In the face of this Johnstown flood of legal lore and official opinion, the House pushed stubbornly forward, and two months later, rashly passed an act by a vote of 69 to 9, unmistakably indicating their purpose both to restrict and to regulate railroad corporations.

As an incident worthy of mention in connection with these early efforts to assert and exercise legislative control of corporations, I add the following:

The opinion of Attorney-General Bissell was a great disappointment to those of the General Assembly who believed that the legislature had the

right to control the railroad corporations and limit and regulate their charges for freight and passage. Among this number was W. T. Barker, an eminent lawyer of that time, also Representative from Dubuque. Mr. Barker prepared a reply to Mr. Bissell's opinion, which he delivered in the House in the discussion of a resolution upon the subject. The reading of this elaborate paper made such an impression that immediately on its conclusion, Mr. McNutt, of Muscatine, moved that three thousand copies of Mr. Barker's speech be printed for the use of the members. This motion could not be entertained while the resolution was pending without unanimous consent. Such having been given, it was adopted by a unanimous vote, which action of the House is without a parallel in the history of Iowa legislation.

#### THEIR LAST ROLL-CALL.

Of the one hundred members elected to this House, two had completed their labors before the end of the session—Hon. D. A. Stockton of Keokuk county, and Hon. N. T. Brown of Louisa. Both were young men. The record says, of the first: "Mr. Stockton has fallen a victim to the rebellion, and sacrificed his life on the altar of his country's good. It was in the field and camp that his naturally robust constitution was broken—and there he contracted that disease which terminated his life. He was a young man, in the prime of life and in the full vigor of manhood, and has left a wife and three children to mourn his untimely death. He was a kind and loving husband, and a considerate and indulgent father."

Of the second: "Less than two weeks have elapsed since a stranger looking at this body of men would have pointed out Hon. N. T. Brown as one likely to outlive the majority of us. Some ten days previous to his death, while sitting at his desk, now vacant before you, he felt so sick and chilly, of what he supposed to be only a bad cold, that he was compelled to leave this hall, and repair to his room; from that room he never returned. His wife and son arrived several days before his death, and watched by his bedside till the last sad hour. He was but a little over forty-six years of age. I state but a simple truth in saying that as a husband, a father, a devoted Christian, and an estimable neighbor, no man stood higher among those who knew him. He was known as that noblest work of God, '*an honest man.*' The people of Louisa county loved plain Farmer Brown for his goodness, they honored him for his virtues, and they trusted him for his integrity; and their love, their honor, and their trust were all well placed."

Among the members of this General Assembly which showed so little respect for authority or precedent, a long list might be named who have since also, as well as in the Eleventh General Assembly, done notable public and private service in the State and Nation.

There were Maj. Farwell, Gov. Walden, Senator Oliver and Judge Reed, who afterward represented Iowa in Congress.

There were Henderson, of Marshall, McKean, of Jones, and Fellows, of Allamakee, who have been placed on the bench.

There were Russell and Wright, Cattell and Cutts, and Finkbine and Linderman, and Stiles, who have later served as State officers.

Some have won distinction as journalists, among them I recall Gov. Benj. F. Gue, Coker F. Clarkson, L. D. Tracy and D. G. Goodrich.

There were financiers in Hoyt Sherman, G. W. Bassett, John Meyer and L. Dwelle.

And there was a long list of men who have made records in the legal profession, among them Gen. Glasgow, Cols. Sapp and Godfrey, Joy and Rogers, Leake and Ross, Richards and Bolter, and Wilson and Barker of Dubuque, Patterson and Powers, Lawson and Woolson.

#### THE SENATE.

We, who were younger, of the House, sometimes ventured over into the Senate Chamber to witness its dignified proceedings, under the unassuming leadership of Lieut. Gov. Gue, to study the venerable faces and listen to the wisdom of the dignified Senators.

Conspicuous among them we now recall Gen. Fitz Henry Warren, with stately form, polished mein and silver tongue, and C. F. Clarkson, whose stern countenance, powerful frame and contempt of sham made him the terror of all demagogues. There were Theron D. Woolson and John A. Parvin, H. C. Henderson and Ezeikel Clark, whom nature had made conspicuous figures among any body of men. But many, many recollections of that interesting session crowd upon the memory for which there is no longer room for utterance.

Judge P. M. Casady read the following paper on the

#### ORGANIZATION AND NAMING OF IOWA COUNTIES.

In 1834 the territory west of the Mississippi river was attached to Michigan Territory. In the acts of the Territorial Legislature we find the following:

AN ACT to lay off and organize counties west of the Mississippi river.

SECTION 1. All that part of the district which is situated north of a line to be drawn due west from the lower end of Rock Island to the Missouri river, shall constitute a county and be called Dubuque.

SEC. 2. All that part of the district which is situated south of the said line to be drawn west from the lower end of Rock Island, shall constitute a county and be called Des Moines.

This act was approved September 6, 1834.

The territory included in the boundaries of the county of Dubuque contained all of the northern half of the present State of Iowa, all of the State of Minnesota west of the Mississippi river, and all the territory of the States of Dakota east of the Missouri river, being the largest territory ever included in the boundaries of one county.

The county of Des Moines included all of the territory of the south half of the present State of Iowa. The same territory now includes forty-four organized counties.

The members of the Territorial legislature of Michigan, in session in the city of Detroit, I presume did not think it would be necessary to name and define the boundaries of any other counties west of the Mississippi river for many years to come, as at the time it was supposed and generally believed that the Great American Desert included the greater part of the country and would not and could not be successfully cultivated during the present century.

At the first session of the Wisconsin Territorial Legislature, held at the town of Belmont, the large territory of Des Moines county was divided as follows, to-wit: Lee, Van Buren, Henry, Louisa, Musquitine and Cook. The act was approved December 7, 1836.

The next session of the Wisconsin Territorial Legislature was held at Burlington in 1837. The county of Cook became extinct, and the following counties were created and taken from the original county of Dubuque, to-wit: Scott, Clinton, Jackson, Clayton and Delaware.

What called my attention to the necessity of having a number of new counties named and boundaries defined, was a map-seller offering maps for sale showing the boundaries of the fifty counties named and organized on the map, and all the balance of the State *an entire blank*, the territory lying in the west and northwest part of the State being the part not laid off in counties.

December 10, 1850, being the eighth day of the General Assembly which commenced at Iowa City on the 2d day of December, 1850, the Senate Journal states that "Mr. Casady gave notice that he would, on to-morrow "or some future day, introduce a bill for an act defining the boundaries of "twenty-five new counties."

On the 11th day of December the Journal states that "Mr. Casady, in "pursuance of notice, introduced Senate File No. 5, a bill for an act to "establish new counties and define their boundaries, which was read a first "and second time and on his motion referred to the Committee on New "Counties."

The Committee on New Counties consisted of Messrs. Hendershott, Cook, Alger, Lewis and Casady. On December 16th, Mr. Hendershott, chairman of the Committee on New Counties, to which was referred Senate File No. 5, reported a substitute therefor. On the same day Senate File No. 5 was read a second time. Mr. Espy moved to lay the bill on the table, which motion was disagreed to.

On motion of Mr. Casady, the Senate resolved itself into committee of the whole for the consideration of the bill, Mr. Leffingwell in the chair. After some time spent therein, the committee rose and by their chairman reported the same back to the Senate with one amendment and asked leave to sit again on Saturday next at two o'clock P. M., which leave was granted.

On the 21st of December the bill was read a third time, passed, and title agreed to. Prior to the passage of the bill, Mr. Morton, "with the unanimous consent of the Senate," moved to strike out the name of "Mason" in the first section and insert the word "Union," which was carried.

On January 2d, 1851, the bill was returned from the House with sundry amendments. The Senate disagreed to the amendments made to the bill by the House. The House refused to recede from its amendments to Senate File No. 5, and asked a conference thereon, Messrs. Summers, Allender and Crawford having been appointed managers to conduct said conference on the part of the House. The president appointed Messrs. Casady, Everson and Lowe, a committee to manage a conference on the disagreeing vote of the two houses on "Senate File No. 5, & bill for an act to establish new counties and define their boundaries."

The committee was called together as soon as practicable. Messrs. Everson and Lowe, two of the managers on the part of the Senate, refused to attend, stating they had given the matter but little attention and that they could not aid in the conference. The managers on the part of the House attended, Messrs. Summers, Allender and Crawford. The report of the conference committee was soon agreed to except as to the name of Bun

combe. The managers on the part of the House said the members were opposed to the name; but after the statement was made that the name was suggested in honor of Col. Buncombe, a soldier of the Revolutionary War, and that North Carolina had named one county Buncombe, the only one in the United States; that the county was the most elevated one in the State; that it would be appropriate to name the northern part of Iowa, Buncombe, being the most elevated part of the State of Iowa; the managers yielded, the report was agreed to, written out and submitted to the respective houses and adopted January 6, 1851.

The reason of the change of the name of "Mason" in the first section of the bill, which name had been placed there in honor of Charles Mason, formerly Chief Justice of the Supreme Court of the Territory, and at that time the principal Code Commissioner, was that it would be considered an injustice to other men occupying prominent positions in the State about the age of Mason—such as Governor Hempstead, Senators A. C. Dodge and George W. Jones, James W. Grimes, Henry W. Starr, and others. The name of "Union" being suggested by Senator Morton, senator from Henry county, met with the approval of the senators. Judge Mason was deservedly popular, but for the reason stated the name was dropped.

#### FLOYD COUNTY.

The county of Floyd was named in honor of William Floyd, one of the signers of the Declaration of Independence, a delegate from New York, and the first name mentioned in the delegation from that State.

In the original bill introduced, the name "Floyd" was suggested in honor of Sergeant Floyd, who was a member of the Lewis and Clarke expedition, died in camp and was buried on the east bank of the Missouri river south of Sioux City. At his grave was a cedar post with a cross placed. The remains and post were removed after the settlement was made at Sioux City in order to keep the post from falling into the river. At the time, the river emptying into the Missouri river at Sioux City was named Floyd river, to commemorate the sad death of Sergeant Floyd. The proposed county had the same boundaries of the present county of Woodbury. The House amended the bill by striking Floyd out and inserting Waukon. This name was retained to please the members who wanted a few Indian names.

The reason said to be for a committee of the whole Senate, was to give the members an opportunity to suggest names. When the committee was ready for business I remarked to the chairman that I had a list of Indian names, some of which might meet the approval of senators. He replied, "Read the names." The first name read was "O-wer-chooney-winker." The name had to be read a second time before the members of the committee could understand. The chairman asked what did the name mean? He was informed that it meant a beautiful prairie flower. A number of other names were read, but none seemed to meet the views of those who desired Indian names. The committee, after spending a short time, and after suggesting an immaterial amendment, rose and asked leave to sit again.

#### WRIGHT COUNTY.

The county of Wright was named in honor of Joseph A. Wright, then Governor of the State of Indiana, one of the most popular men in the State

at that time. He served the State as Governor seven years, a longer time than any other man. The last time he was elected Governor, I believe he ran about twenty thousand ahead of his party.

Two members of the Committee on New Counties were former residents of the State of Indiana, to-wit: Senator Freeman Alger and myself, and all were of the same political faith of Governor Wright except Senator John P. Cook. While the bill was pending before the Senate, Senator W. E. Leffingwell moved to strike out the name of Wright, stating that the name had been suggested in honor of Senator George G. Wright, that he was a young man and we did not know what he might be guilty of. One Senator suggested that it was named for Silas Wright of New York; a member of the committee stated that the county was named for Governor Joseph A. Wright of Indiana. He then remarked that he would withdraw his motion; that he understood the county would not be settled for fifty years.

Senator Leffingwell was regarded as the leader on the Democratic side and Senator Wright was the actual leader on the Whig side and so recognized by all the members. At the time Leffingwell made the motion to strike out the name of Wright, Senator Wright seemed to be unable to reply to him, notwithstanding he was generally ready and apt at repartee. He was confused for the time being.

It was determined by Dr. Clark (then a resident of Andrew, Jackson county), Andrew J. Stevens (a citizen of Fort Des Moines), and myself to recommend that three names should be given of three colonels who fell at the battle of Buena Vista. The names selected were as follows, to-wit: Col. John J. Hardin, of Illinois; Col. Yell, of Arkansas, and Lieutenant-Col. Henry Clay, Jr., of Kentucky, the talented son of Henry Clay. Three battle places should be commemorated by the names of counties—Cerro Gordo, Buena Vista and Palo Alto. Three names we deemed proper to give to the Irish patriots, Mitchell, O'Brien and Emmet. Also the following names should be honored: Major Frederick Mills, who was a leading lawyer of the city of Burlington, member of the law firm of Mills & Stockton before he was commissioned. He fell at the battle of Cherubusco, near the City of Mexico. It is said that the spirited animal he was riding got the advantage of him, ran with him, leaped the ditch and into the ranks of the Mexican army where he was killed. Our worthy and genial member of this Association, Capt. I. W. Griffith, a member of Capt. Guthrie's company in the battalion commanded by Major Mills, was in the battle of Cherubusco and has a vivid remembrance of that engagement.

Capt. Edwin Guthrie, an early pioneer of the Territory of Iowa, was a resident of Fort Madison before his appointment as captain of the only company enlisted in Iowa Territory for service in the war. He was a whig in politics, had served as warden of the penitentiary, had been frequently spoken of as a suitable man to represent Lee county in the Legislature. He died from wounds received in Mexico before the close of the war.

General William O. Butler, a distinguished citizen of Kentucky, who was a major-general of volunteers in the war with Mexico, and in 1848 a candidate for Vice-President on the Democratic ticket.

William J. Worth, a major general who distinguished himself in that war. He died at San Antonio in 1849 while he was in command of the United States Army in the Department of the Southwest.

Harrison was named after General William Henry Harrison, the first Governor of Indiana Territory, who served in that position until he was appointed by President Madison Major General of the Northwestern Army, and the ninth President of the United States. Ex-President Harrison is his grandson, and is great grandson of Benjamin Harrison of Virginia, a signer of the Declaration of Independence, and twice Governor of the State, and who held many other offices in the Old Dominion.

The territorial legislative assemblies failed to honor the distinguished names of Adams and Harrison, the first having had two honored Presidents of the United States prior to 1851, and the latter one President and since that time another, Ex-President Benjamin Harrison. Also the name of Franklin had not been honored,—the statesman and philosopher of Revolutionary times, and whose name has been honored more than any other by the names of counties, cities and townships, he having 63; Jackson comes next with 61; Washington third with 49; Jefferson, 47; Madison, 44; Monroe, 43; Garfield, 24.

Buncombe retained the name from 1857 until after the battle of Wilson Creek in Missouri. In this battle the First Iowa Volunteers were engaged and it was the first battle in which the Iowa troops were under fire. Brigadier General Nathaniel Lyon was in command, and was killed in the battle. Lieutenant Col. Merritt of the First Iowa distinguished himself in this battle, being in command of the Union forces after the fall of General Lyon. The General Assembly, wishing to honor General Lyon, looked over the counties for the purpose of seeing what one might be stricken out, and still having some prejudice against the name of Buncombe, decided that Lyon should take the place of that name in the list of counties.

Hardin county was named in honor of Col. John H. Hardin who fell at the battle of Buena Vista during the Mexican War. Hardin belonged to the distinguished Kentucky family of that name, and came from his native State when young, settling in the new State of Illinois. He was a member of Congress from that State in 1844. He made a campaign speech advocating the election of Henry Clay for the presidency; this speech was distributed generally throughout the country, particularly in the West.

Audubon county was named in honor of the ornithologist and naturalist, John James Audubon, who died in New York City, January 27, 1851, a few days after the passage of the bill. Audubon visited the Republic of Texas in 1837 and called on the president, General Sam Houston. He found the capitol building without a roof, the president's house consisted of two rooms made of logs. The cabinet treated him very civilly, invited him to a grogshop where he and they drank grog; afterwards the president and he took a drink of grog together. The capital was then at the village of Houston and a very uninviting place.

Bremer county, named in honor of Fredericka Bremer, the Swedish traveler and author, was the second county named in honor of a woman; Louisa being the first, named in honor of Louisa Massey, a lady of Dubuque who a short time before the passage of the act creating the county had shot a ruffian who had threatened the life of her brother. She was a heroine, and among the early pioneers heroes and heroines were highly respected and honored whenever an opportunity was presented. The name Bremer was suggested by Hon. A. K. Eaton, then a member of Delaware and other

counties, now a resident of Osage, Mitchell county. Mr. Eaton at the last meeting of our society delivered an able address on "Recollections of the Third General Assembly," particularly the part the House took in that session.

I am of the opinion that the societies managed and controlled by the women should give the early Pioneer Law-makers some recognition and credit for honoring two of their number in such a manner.

Kossuth county was named in honor of the Hungarian patriot and leader, who was then making a tour of the United States. When he visited St. Louis, Missouri, Hon. John A. Kasson, then a resident of that city, made the welcoming speech to him on behalf of the city. For about a quarter of a century Kossuth has resided in Turin, Italy. A few years since a delegation from Hungary visited him at his residence and presented him with a box of *dirt*, taken from his birth-place, and in their remarks, among other things, said to him: "You have refused to visit Hungary; we now bring a part of Hungary to you"

At the request of Charles Aldrich, Curator, some two years since, Miss Anna Ruttkay, a resident of this city, wrote to her grandmother, Madame Ruttkay, sister of General Kossuth, requesting her to obtain the autograph of her distinguished brother for the Aldrich Collection, which request was granted. The same can now be seen in the Collection in the Capitol, in the rooms set apart for that purpose.

The President announced:

The next thing in order is the hearing of the address of Hon. Chas. Beardsley.

Governor Gue said:

Dr. Beardsley is not able to be here, and the address will be read by the Secretary.

The address of Hon. Chas. Beardsley was read by the Secretary, as follows:

#### THE THIRTEENTH AND FOURTEENTH GENERAL ASSEMBLIES OF THE STATE OF IOWA.

In attempting to give some account of the Thirteenth and Fourteenth General Assemblies of the State of Iowa, I shall confine myself mainly, as to personal matters, to the Senate of the two bodies, and more particularly to that of the Thirteenth, which I entered at the beginning, January 10, 1870, as the Senator from Des Moines county. Prior to 1860 Des Moines county was entitled to two Senators; since that date to only one.

My predecessors in office were Milton D. Browning, Samuel Fullenwider, Alfred S. Fear, George Hepner, Enos Lowe, W. F. Coolbaugh, Lyman Cook, John G. Foote, Fitz Henry Warren, and Charles L. Matthies. Browning and Coolbaugh served two terms of four years each, and the others one term each with the exception of Warren and Matthies, who together served but a single term. They were all men of ability, of good reputation, and well known in their day.

## THE REAL PIONEERS.

Mr. Browning was an able lawyer and a prominent member of that remarkable group of men who were living in Burlington, Des Moines county, in 1838, when the Territory of Iowa was organized. It included James W. Grimes, Henry W. Starr, Charles Mason, A. C. Dodge, E. D. Rand, L. D. Stockton, David Rorer, and others not so well known, but of like character. They were men of marked ability and honorable ambition, of great independence and individuality of character, strong, resolute, persevering. They came from widely separated communities, and brought with them the best traditions and culture of their respective sections of the Union, and they gave their highest thought and their united efforts in establishing here between the two great rivers of the continent a commonwealth which should be surpassed by none in the virtue and vigor of its laws, and in the justice, humanity, and solidity of its institutions. These and such as these were the true pioneers of Iowa. We who came at a later date could not if we would, and would not if we could, take from them the peculiar pre-eminence which must always be theirs. They laid the foundation upon which others have built. They marked out the path in which others have trod. They started the ship of state upon its goodly voyage, and will be forever honored and illustrious in its annals.

Messrs. Lowe and Hepner were members of the First Constitutional Convention, which met at Iowa City, October 7, 1844; and the former of that also which met at the same place, May 4, 1846. Mr. Hepner was also a member of the House of Representatives of the first, second, fourth, and fifth Legislative Assemblies of Iowa Territory. Mr. Coolbaugh was, by general consent, a (perhaps the) leading banker and financier of the State, capable and ready in business and debate. Gen. Warren was a brilliant editorial writer on a local paper as early as 1844, First Assistant Postmaster General in 1849, a prominent Republican candidate for United States Senator in 1855 (as was also Browning on the opposite side), a distinguished soldier and very nearly the Republican nominee for Governor in 1863, elected to the State Senate in 1865 without opposition, he resigned the following year to accept the mission to Guatemala. He was brilliant and versatile, but lacked that poise and balance of mental endowment, which, in Governor Grimes, for instance, appeared as the genius of common sense. Gen. Matthies was not only a brave and gallant soldier, but enjoyed the unique distinction of having been one of the first, if not the first, to offer his services to the Government on the breaking out of the rebellion. He also was chosen to the Senate without opposition. Of the men I have mentioned all have been removed by death except Messrs. Cook and Foote, who still survive, and are passing the evening of long and well spent lives in serenity and peace in the midst of relatives and friends where for nearly half a century they have enjoyed the highest esteem and respect of their fellow-citizens.

## STATE OFFICERS IN 1870.

At the time of the meeting of the Thirteenth General Assembly, as stated above, Samuel Merrill was Governor and about to enter upon his second term; Madison M. Walden, Lieutenant Governor elect; Ed Wright, Secretary of State; John A. Elliot, Auditor; Samuel E. Rankin, Treasurer; Cyrus C. Carpenter, Register of the State Land Office; Abraham S. Kissell,

Superintendent of Public Instruction; and Nathaniel B. Baker, Adjutant and Inspector General. Of these, Merrill, Wright and Carpenter remain with us, the others having passed away. Of the Supreme Court, Chester C. Cole was Chief Justice; George G. Wright and Joseph M. Beck (with one vacancy,) Judges; and Henry O'Connor, Attorney General. With these distinguished citizens time has dealt very gently. After twenty-four years of service as a member of our highest court, Judge Beck departed this life a few months since; the others with ripe experience and due honor continue until this day.

#### THE THIRTEENTH GENERAL ASSEMBLY.

in point of ability, character, patriotism, devotion to duty, and usefulness to the State, was not very different probably from those preceding and following it. Standing midway between the admission of the State into the Union and the present time, it may be taken as a fair example of all. In it were men of first-rate ability who had then or have since occupied high places in the public service and acquitted themselves with honor and distinction. It would be pleasant to particularize but quite impossible with the time and resources at my command to do justice to all. As to the House I will only mention that Aylett R. Cotton was Speaker, and Messrs. M. E. Cutts, Charles Dudley, William Harper, John P. Irish, Geo. W. Jones, John A. Kasson, John F. Lacy, William Mills, Samuel Murdock, J. G. Newbold, Fred O'Donnell, Galusha Parsons, Henry O. Pratt, N. W. Rowell, John Russell, John Y. Stone, A. H. Stutsman, John W. Traer, and James Wilson were some of its leading members.

The life statistics of the Senate show the usual variety except that all its members were married. The age of the oldest was sixty-six years, the youngest twenty-eight; the average forty-two. The heaviest man among them weighed two hundred and two pounds avoirdupois, the lightest, one hundred and twenty-four; the average was one hundred and sixty. None of them was born in Iowa. The oldest settler had been here thirty-five years, the youngest four years, while the average time of citizenship was fourteen years. They represented in their nativity eleven states of the Union and three foreign countries. Ohio claimed fourteen, New York seven, Pennsylvania seven, Connecticut four, Indiana four, Maine two, Tennessee two, Illinois, Maryland, Massachusetts and Vermont one each, Ireland four, Schleswig-Holstein one, France one. As to reported occupation there were seventeen farmers, seventeen lawyers, five merchants, four bankers, two editors, two physicians, one coal operator, one merchant miller and one real estate dealer. As to religion there was a still greater variety, to-wit, nine Liberals, nine Presbyterians, six Methodists, six Congregationalists, four Baptists, two Episcopalians, two "Orthodox," two Quakers, one Christian, one "Christianity," one Roman Catholic, one Universalist, one Lutheran, one Reformed Presbyterian, one United Presbyterian, one "Pure," one "What is Right," and three without religious preferences. Fourteen had been in the military service of the United States during the civil war.

#### PERQUISITES DISCONTINUED.

In those days a member at the opening of the session found upon his desk a package containing a pocket-knife, a gold pen, a portfolio and one or two other useful articles—perquisites, which in themselves small, amounted

in aggregate cost to a considerable sum. Members accepted these things with reluctance, and it was evident that the custom of furnishing them could not long survive. One eccentric member of the House refused to open or have anything to do with the package, and ordered it removed out of his sight. It was also customary for each house by resolution to allow its respective members to order a certain number of daily papers, or their equivalent in weeklies, to be sent to certain of their constituents, which they should designate, for the purpose of keeping them informed as to the proceedings of the General Assembly. At this session both houses spent considerable time in deciding as to the number each one should have. A respectable minority voted against the whole business. Others were inclined to vote in the same way, but said they had been besieged before leaving home by citizens asking that they be sent papers in this way, and they felt obliged to grant such requests. The number of dailies voted to each member usually ranged from twenty-five to fifty. Newspaper and postage bills had become large. Thus, in the Twelfth General Assembly, the appropriation for postage was \$16,212.33, and that for newspapers \$23,702.29, nearly \$40,000 00 for the two, while the per diem of members amounted to only \$62,626 00. The newspaper and postage bills of the Thirteenth General Assembly were but little less than those of the Twelfth. In the Fourteenth Assembly the House declined, after a lengthy discussion and numerous roll-calls, by a vote of fifty-one to forty-five, to "vote an appropriation for any papers subscribed for by its members." Before the close of the session an act was passed substituting a salary of \$550.00 for each regular session in lieu of the per diem of \$5.00, and discontinuing all allowances for stationery, postage, newspapers, or other perquisites. Besides discontinuing an unpleasant and troublesome custom, the new law effected a considerable saving to the State. Thus in the Twelfth General Assembly the appropriation for postage, newspapers, and pay of members amounted to \$102,576.62, while under the new law the compensation of members, all perquisites being forbidden, amounts in the aggregate to \$82,500.00. The perquisite business had grown to be a nuisance. It has not been revived and is not likely to be.)

#### PUBLISHING DEBATES.

I am not aware that any of our General Assemblies, except the Thirteenth, has had its debates reported and published in full. In 1870 Orwig & Co., publishers of the Des Moines *Bulletin*, issued a legislative supplement containing such report. It consists of a newspaper volume, bound in pasteboard, of two hundred and sixty-one pages, ten by fifteen inches in size, and of four columns each. The reporting was fairly done, but the paper is poor, much of the type is small, and as the volume is neither paged nor indexed it is not convenient for reference. But its existence raises the question whether the time has not come for the State to publish in good and permanent form the full debates and proceedings of its General Assemblies? Such report of an average session would probably make a volume of from six to nine hundred pages in the style of the Congressional Record, as now published, whose volumes vary from five hundred to one thousand pages. The cost of such a publication would not be a serious burden to the State, while its value historically and otherwise would be considerable. It occurs to me that the Twenty-sixth General Assembly, marking the beginning of

the second half century of the State's existence, would be a good one in which to take this forward step, suitable preparation being made therefor by the General Assembly now in session. I respectfully commend the subject to the attention of the latter body.

#### ELECTING UNITED STATES SENATORS.

In both the Thirteenth and Fourteenth General Assemblies there were animated senatorial contests—that is, among the Republicans, who had a great majority in both houses—but not so animated as were some similar contests in previous years. Gov. Grimes, who was chosen Governor for a term of four years, August 3, 1854, was a member of the House of the Fourth General Assembly which met at Iowa City, December 6, 1852. Writing from there on that date he said: "The all-engrossing subject is the election of United States Senator. It has been the subject of one bloody fight, and many more are anticipated. Of course, being a Whig, I take no part in the controversy." But these rough-and-tumble methods were discontinued long before 1870. In the Thirteenth General Assembly, George G. Wright was chosen for the full term, beginning March 4, 1871, and James B. Howell for the unexpired term of Gov. Grimes, who had resigned while in Europe the previous summer. In the caucus the northern part of the State was pretty well united in the support of William B. Allison, and made such an exhibition of strength and purpose as to indicate his success when, two years later, he was pitted against Senator Harlan, who was then a candidate for the fourth time, having been successful in three previous elections. This latter contest in the Fourteenth General Assembly was memorable not only for the strong sectional spirit displayed, but in the fact that it retired, while in full vigor, one of the most able and popular United States Senators the State has ever had, and at the same time introduced one who has proven himself not inferior in practical ability or in his hold upon the people to any of his predecessors or contemporaries. Besides the consolidated north, Mr. Allison had strong influences in his favor, corporate, financial, etc., which added to his own skillful management and that of his friends, made his victory comparatively easy and emphatic. The whole number entitled to vote, 120. On the second regular ballot Mr. Allison received 63, Mr. Harlan 40, and Mr. James F. Wilson 17. As showing the friendly personal feeling existing between the rival candidates, and the sure forecast of the one who was beaten, I mention this incident: When I returned to Mr. Harlan's room at the hotel after the caucus, he said: "This ends my political career." And then after a moment's reflection, added: "Let us go and congratulate Mr. Allison." Proceeding to the latter's headquarters we found him in the midst of several score of enthusiastic friends who were fairly screaming themselves hoarse with joy, but who, on seeing Mr. Harlan approaching, ceased their uproar and opened a way to the place where Mr. Allison was standing. The latter was evidently much surprised, as he exclaimed, "Mr. Harlan! Why, Mr. Harlan!" In a very graceful and dignified manner, perfectly self-possessed and plainly sincere, Mr. Harlan congratulated his successor, and after a few words of conversation withdrew. The incident made a deep impression on those who witnessed it. The friend and adviser of Lincoln, the defender of Grant on the floor of the Senate, one of Iowa's stalwart and influential Senators during the war period, and the most pow-

erful political speaker who has appeared in the history of our State, quietly stepped down and out. Twenty-two years have elapsed since that eventful evening. The old Senator has never wavered from the principles he supported while in office, has remained always true to the party which honored him, and deeply interested in the honor and progress of the State. He will always be remembered as one of its most useful and illustrious citizens.

#### REPUBLICAN MAJORITIES.

As I have said, both the Thirteenth and Fourteenth General Assemblies were largely Republican. In the former there were in the Senate forty-three Republicans and seven Democrats, and in the House eighty-seven Republicans and thirteen Democrats; in the latter there were in the Senate forty-two Republicans and eight Democrats, and in the House seventy-seven Republicans and twenty-three Democrats. Except in the election of officers by the respective Houses, United States Senators, and other officers chosen in joint session, and in a few other cases, the ratification of the Fifteenth Amendment of the Constitution of the United States by the Thirteenth General Assembly, for example, partisan politics rarely appeared in the proceedings. In the Fourteenth General Assembly James Wilson, of Tama county, was Speaker of the House, and among its new members of prominence were Ed. Campbell, Jr., John F. Duncombe, John H. Gear, John W. Green, and B. J. Hall. H. C. Bulis, of Winneshiek county, was Lieutenant-Governor and President of the Senate, and among the new members were Geo. W. Bemis, John E. Burke, Edward J. Gault, E. B. Kephart, M. A. McCoid, John L. McCormack (deceased), B. B. Richards, J. N. W. Rumble, J. J. Russell, John Shane, John Y. Stone, George R. Willett, and James A. Young (deceased).

#### RAILROAD LEGISLATION.

In both the Thirteenth and Fourteenth General Assemblies the questions connected with railroads occupied more attention than those connected with any other subject. They included public aid in building, rates for transportation of passengers and freight, taxation, fencing of track, and many other minor points. The maximum fare was fixed at three and a half cents a mile, and on first-class roads at three cents, which is still the law on this subject. As to freight, the chief complaint was as to discrimination, a greater charge for less service, partiality to favorite shippers, etc. The natural development of the railway system caused the consolidation of lines east and west of the Mississippi river, which took away from the towns on the eastern border of the State the peculiar advantages which they previously enjoyed as termini of eastern lines and as points of transshipment. So that the series of discussions which began in the Thirteenth General Assembly and culminated in the "granger law" of the Fifteenth, had their origin largely in the Mississippi river towns which contended for such a reduction of local rates as would enable them to ship to and from the interior towns of the State on about the same terms they had hitherto, and be free to select any market either east or south, and to escape, if possible, the fate that was sure from the beginning to overtake them, that of becoming way stations on continental lines. There was also much complaint of the advantages enjoyed by places where the junction or crossing of lines made competition practicable, to the extent at least of a considerable reduc-

tion of rates, which was balanced by a greater charge for shorter hauls to less favored points. In 1879 a number of lines were completed through the State to a common terminus at Council Bluffs and gave rise to the celebrated Omaha pool, which the State tried to break up by a law forbidding it, but found the matter was beyond its jurisdiction. This was also a principal element in the discussions which resulted in the granger or restrictive law of 1874.

The taxing of railroads was also a subject of very animated debate. The Thirteenth General Assembly passed an act levying a tax on gross receipts—one per cent on the first \$3,000 per mile, two per cent on receipts over \$3,000 and under \$6,000, and three per cent on the excess over \$6,000 per mile. One-fifth of the tax thus collected was to remain in the State Treasury, and four-fifths were to be apportioned among the counties in proportion to miles of main track in each. It was contended by some that railroad property should be assessed by local officers and taxed as was other property; and that the division of the tax as made by the bill was unfair to localities where there were considerable accumulations of railroad property in addition to main track; and further that the principles of taxation according to value should be applied to all property alike. But all objections were voted down and the bill became a law. It did not prove satisfactory, however, and the Fourteenth General Assembly repealed it and passed an act putting the assessment of railroad property into the hands of the executive council, who were to annually assess the property of the different corporations and the taxes to be collected were in accordance with the assessable value of each mile of main track, to be levied, collected and distributed as other taxes are by proper local authorities. This law also remitted the taxes which had been levied under the law which it repealed. Earnest protests were filed in both houses against the passage of this act, but it still remains, though that part remitting taxes was declared unconstitutional by the supreme court. As a partial offset to the unjust division of the tax, a section was added to the bill passed by the Thirteenth General Assembly and continued in that of the Fourteenth, exempting railroad bridges across the Mississippi and Missouri rivers and authorizing their assessment and taxation as other property in their respective localities. There are now about twenty of these bridges. The one in Des Moines county has yielded an annual revenue of about \$5,000 for the last twenty-three years.

#### OTHER LEGISLATION.

Among other permanent acts of the Thirteenth General Assembly was a new law for the government of the State University which improved the rules in the conduct of its business, took away its local and provincial character and put it on higher and better grounds of usefulness; one providing for the new capitol—a measure much criticised then, but whose wisdom and timeliness have since been demonstrated to the satisfaction of everybody; a law covering sixteen pages relating to the care of the insane, which was supplemented at the next session by a provision for the appointment by the Governor of a committee of three visitors (one of whom shall be a woman) to the hospitals for the insane, endowed with ample authority to make all needed investigations, and for the correction of abuses; a law for the prevention of cruelty to animals; a drainage act; an act for funding county indebtedness; numerous amendments to the Code, etc. Then

there was also a large number of local and temporary laws enacted. The joint resolutions numbered twenty-seven and covered a wide range of subjects; as, for example, the removal of the national capital, the congressional franking privilege, the initial point of the Union Pacific railway, the civil contest in Cuba, the Fox and Wisconsin river improvement, water communication between the Mississippi valley and the Atlantic ocean—a lengthy document covering fourteen printed pages; and many others, including the ratification of the Fifteenth Amendment of the Constitution of the United States.

#### WOMAN'S RIGHTS.

At the beginning of the session the House broke the record in reference to the employment of women, by electing Miss Mary E. Spencer, a daughter of one of the Representatives from Clinton County, to the office of engrossing clerk. Two years later the Senate elected a young woman to the same office and gave employment to several others in different clerical capacities, and at the close of the extra session, by resolution, commended them for their good work, and advised succeeding General Assemblies to give like employment, and expressing the opinion that such action was no longer an experiment. It is hardly necessary to say that this advice has been followed by each succeeding General Assembly and the habit is not likely to be discontinued. Both houses of the Thirteenth passed a joint resolution proposing an amendment to the constitution granting the right of suffrage to women; but it failed in the Fourteenth. There were, however, in both these bodies, many minor changes in the laws affecting the rights of women and all in their favor, showing that the public sentiment of the State was well advanced in the higher stages of civilization, man's treatment of woman, in the laws made exclusively by him, being a good criterion by which to judge of his enlightenment and progress in civil life. Perfection, however, has not been attained, and there remains much for the current and future General Assemblies to do all along the line.

#### CODE REVISION.

The Fourteenth General Assembly enacted laws providing for free public libraries, the taxation of railroad property, the building of an additional penitentiary, the inspection of coal mines, the improvement of streets and alleys, water-works in cities and towns, official visiting of hospitals for the insane, improvement of the State Library, short-hand reporters for courts, the abolition of capital punishment, with numerous amendments to the Code in relation to civil and criminal practice. The Thirteenth General Assembly had provided for the revision of the Code by appointing Wm. H. Seevers, John C. Polly and Wm. J. Knight commissioners to revise the statutes of the State, to complete the duties assigned them and report to the Governor by July 4, 1871, who was required to print one thousand copies—two copies each to be sent to members of the Thirteenth and Fourteenth General Assemblies. The Fourteenth at its regular session spent much time on this report, but being unable to complete the consideration of it, the whole subject was postponed to an extra session which met in January, 1873. Messrs. Seevers, Knight and W. J. Hammond were appointed commissioners of revision and instructed to include the acts of the Fourteenth General Assembly, and to print their work in bill form under proper titles

and send two copies each to the members who were also provided with the bills in bound volumes. At the extra session in 1873 this work was taken up. The bills were divided by alternate numbers between the two houses for initial consideration. The extra session met on the 15th of January and adjourned on the 15th day of February. A bound volume of the bills just referred to, with all amendments carefully incorporated, lies before me as I write, and shows with what assiduity the members worked during the time they were together. The Code was subsequently published under the editorship of Wm. H. Seevers.

#### COMMON SCHOOLS.

In the important matter of public education some things were undertaken in both of these Assemblies which could not be carried to success, and which still remain in abeyance. For example, in the Thirteenth, Wm. Harper, of Des Moines county, chairman of the committee on schools, introduced an elaborate bill codifying the school laws and adapting them to the township-district system, which could have been adopted then with much less difficulty than now. But the House killed the bill. The change is still advocated by our most intelligent and experienced educators. Thus the Superintendent of Public Instruction in his report for 1888-89 speaking of the township system says: "This subject has been so ably discussed by each of my predecessors in office that it does not seem necessary to spend much time upon it in this report. If the people of the State could be made to understand how much time, and money, and strength, is wasted in carrying our present complex system into effect, and how much the efficiency of the schools could be increased by the adoption of the civil township as the unit, they would demand that the legislature take immediate steps toward accomplishing that result." He follows this with facts, figures, and arguments to show its correctness. In the Fourteenth the chairman of the committee on schools in the Senate introduced and secured the passage of a bill, both at the regular and adjourned sessions, for compulsory education. In both instances it was defeated in the House, and it still remains to be adopted, though succeeding superintendents have advocated it and showed its necessity by carefully gathered statistics. Superintendent Akers, for example, in his report for 1886-87 goes into the matter at length, in response to a resolution of the Twenty-first General Assembly. He shows that while seventy-five per cent of the school population of the State was then enrolled only forty-six per cent of that population was in average attendance on the public schools! Such facts as these should arouse our people. It is feared that our rising statesmen do not take as much interest as they should, or as their predecessors did, in this great question of popular education. Of past chief executives none stands higher than Governor Grimes, and of all his services to the State and the nation as pioneer law-maker, governor, and United States senator, none does him greater honor or will be longer remembered to his credit than what he did in founding the free public school system of Iowa. Let his successors conserve and carry forward the great work which he so wisely and patriotically began.

#### THIRTEENTH PERSONALS.

Of the fifty-one Senators serving in the Thirteenth General Assembly death has overtaken twenty-three, namely Bill, Casady, Cathcart, Clarke,

Dixon, Dunham, Dysart, Griffiths, Havens, Hurley, Ireland, McCulloch, McKean, Mitchell, Mulkern, Murray, Newell, Patterson, Pierce, Rice, Tuttle, Vale and West. Of these ten were farmers, six lawyers, three merchants, one real estate dealer, one editor, one banker, and one physician. It will be remembered that the average age of members at the opening of the session was forty-two. The average age of the ten farmers deceased at the same time was forty-eight, that of the lawyers thirty-six, and of the merchants forty. Further on in this paper I give brief biographical sketches of these deceased brethren. As to the remaining twenty-eight members time will permit me to scarcely more than mention their names. As a rule they still reside at their old homes in the counties or districts represented by them. While a few are well along in life and have retired from business as well as from politics, the most of them are in good health and strength and abundantly able to speak for themselves.

Benjamin F. Allen of Polk county, a member of the Senate in the Thirteenth and Fourteenth General Assemblies, has spent much of his time for the last five years in California, "working for Uncle Sam." He still retains his homestead in Des Moines and considers the Capital city his home.

Charles Atkins of Monona county, a member of the Senate in the Thirteenth and Fourteenth General Assemblies, has been for many years a resident of Omaha, Nebraska, and until recently was engaged with the U. P. R. R.

Granville G. Bennett of Washington county, adjutant of the Nineteenth Iowa Infantry, a member of the House in the Eleventh and of the Senate in the Thirteenth and Fourteenth General Assemblies, was appointed a United States judge in the territory of Dakota many years ago, and was afterwards a delegate in congress from that territory. He is now practicing law in Deadwood, South Dakota.

Henry C. Bulis of Winneshiek county, member of the Senate in the Twelfth and Thirteenth General Assemblies, was elected lieutenant-governor in 1871, and presided over the Senate of the Fourteenth General Assembly. He served many years as one of the regents of the State University. The practice of medicine has been the business of his life, though he has stepped aside occasionally to discharge the duties of some office thrown in his way.

Frank T. Campbell of Jasper county, captain in the Fortieth Iowa Infantry, was a member of the Senate of the Thirteenth, Fourteenth, Fifteenth and Sixteenth General Assemblies; was elected lieutenant-governor in 1877 and again in 1879. He subsequently served as railroad commissioner for several years, first by appointment from Governor Larrabee and again by election. He now resides in Des Moines.

James Chapin, of Benton county, a member of the Senate in the Twelfth and Thirteenth General Assemblies, moved several years ago to California, and has his home now at Los Angeles.

Hans R. Claussen of Scott county, Thirteenth and Fourteenth, was born in Schleswig-Holstein, and resides in Davenport. He was the oldest member of the Senate, being then sixty-six. He is in good health, and bears his four score and ten years, I doubt not, with the equanimity of a philosopher. A very fine old gentleman as all who knew him in his earlier years will readily believe

George W. Couch, of Black Hawk county, resigned his senatorship soon

after adjournment of the Thirteenth General Assembly to engage in business in Chicago, where he now lives.

William G. Donnan of Buchanan county, a member of the Senate of the Twelfth and Thirteenth, Twentieth and Twenty-first General Assemblies, the representative of the Third District in Congress for two terms, 1871-75, and Chairman of the Republican State Central Committee in 1883, still practices law in Independence.

Samuel H. Fairall, of Johnson county, a member of the Senate of the Twelfth, Thirteenth, Fourteenth and Fifteenth General Assemblies, and for many years Judge of the eighth judicial district, has recently resigned the latter office.

Liberty E. Fellows of Allamakee county, a Democrat and a good man, was born in Vermont, was a Senator in the Twelfth and Thirteenth General Assemblies, with some subsequent experience on the district bench, and now practices his profession at Lansing.

Joseph Grimes of Delaware county, was one of the older members of the Senate in the Twelfth and Thirteenth General Assemblies. He is still living in a fair state of preservation for one of his years, being nearly four score. He has been a very useful man, and is highly esteemed by his fellow-citizens.

Augustus H. Hamilton of Wapello county, Major of the Thirty-sixth Iowa Infantry, Senator in the Twelfth and Thirteenth General Assemblies, and long-time editor of the *Ottumwa Courier*, has recently retired from that paper, and is now, I infer, enjoying some well-earned leisure.

Theodore Hawley, of Webster county, Senator in the Twelfth and Thirteenth General Assemblies, is practicing law in Kansas City, Missouri, whither he went in 1889, after a residence of twenty-nine years in Iowa. It is not strange that he has a warm affection for the State which was so long his home.

Emmons Johnson, chosen to succeed Rufus B. Clark, deceased, served two weeks at the close of the session of the Thirteenth General Assembly, and now resides in Waterloo.

Isaac W. Keller, of Ringgold county, member of the Senate in the Twelfth and Thirteenth General Assemblies; pursues the peaceful tenor of his way and the practice of law in Mt. Ayr.

Frederick M. Knoll, of Dubuque county, member of the Senate in the Tenth, Eleventh, Twelfth and Thirteenth General Assemblies, is a native of France, a farmer by occupation, a Lutheran in religion, a Democrat in politics, and a steady going citizen of his adopted State and country. He is three score and has the promise yet, I hope, of many years of usefulness.

William Larrabee, of Fayette county, among his other titles to distinction, has that of the longest service in the General Assembly. He was a member of the Senate from the Twelfth to the Twentieth inclusive, and resigned in the middle of his fifth term of four years to accept the office of Governor to which he was twice elected. He retired from that office with the often expressed determination not to accept a political office again, a resolution to which he has steadily adhered.

Matthew Long, senator in the Twelfth and Thirteenth General Assemblies, representing Iowa and Poweshiek counties, removed to Des Moines in 1875, from there to California in 1884 on account of his health, and in 1886 to Marshfield, Missouri, where he is now successfully engaged in raising fruit and fine stock.

Robert Lowry, a Senator from Scott county, in the Thirteenth and Fourteenth General Assemblies, accepted a United States government office in the territory of Dakota, some years ago, and now lives at Huron, South Dakota.

Samuel McNutt, of Muscatine county, was a member of the House in the Tenth, Eleventh and Twelfth General Assemblies, and of the Senate in the Thirteenth and Fourteenth. More recently he has been in the United States consular service.

Napoleon B. Moore, of Page county, Senator in the Twelfth and Thirteenth, lives now at Fort Worth, Texas

Robert Smyth, of Linn county, Senator in the Twelfth and Thirteenth, is still living, according to my information. He was born in Ireland, was a Lieutenant-Colonel in the United States Army, and is now about eighty years of age.

Henry C. Traverse, of Davis county, was a member of the House in the Eleventh, and of the Senate in the Twelfth and Thirteenth, and has been for several years a judge in the second district.

William F. Vermillion, of Appanoose county, Captain in 36th Iowa Infantry, was chosen to the Senate for the unexpired term of Lieutenant-Governor Walden; served in the Fourteenth; lives at Centerville.

William P. Wolf, of Cedar county, Captain Company I, 46th Iowa Infantry, was a member of the House in the Tenth, and of the Senate in the Twelfth and Thirteenth; had also a brief term in Congress, and was again a member of the House in the Twentieth, when he was Speaker. He was chairman of the Republican State Central Committee in 1884.

James D. Wright, of Lucas county, Surgeon 47th Iowa Infantry, was a member of the Senate in the Twelfth and Thirteenth, and now lives in Chariton.

In thus referring to the living members of the Senate of the Thirteenth General Assembly I have doubtless omitted to mention many positions of honor and trust held by them, not having at hand the necessary data for a complete history in any case. In the biographical sketches which follow I give such information as I have been able to obtain. And in a number of instances, though I exercised due diligence, I was unable to get anything beyond the meager facts of the original record. I am aware that even the fullest of these notices must come far short of doing justice to their subjects.

#### BIOGRAPHICAL NOTICES OF DECEASED MEMBERS.

EDWARD M. BILL, of Albia, Monroe county, was a farmer, born in Connecticut in 1820, came to Iowa in 1850, served in the Senate in the Twelfth and Thirteenth General Assemblies. He was a quiet, steady-going member, rarely speaking, a man of good judgment, dignified in bearing, honest and upright in character. Mr. Bill died several years ago.

JEFFERSON P. CASSADY was born in the State of Indiana in 1828, and died at Council Bluffs, Iowa, April 27, 1892. Mr. Cassady came to Iowa in 1852. He served in the Twelfth and Thirteenth General Assemblies, representing Cass, Mills, Montgomery and Pottawattamie counties in the Senate. In the latter body he served on the committees on public buildings, charitable institutions, orphans' home, and senatorial districts. He was a Democrat in politics and a Presbyterian in religion. Mr. Cassady took a fairly active part in legislative proceedings, discharging his duties faithfully and enjoying

the confidence and good will of his fellow members. In the later years of his life he was in feeble health, and was unable to attend the meetings of this Association, as he frequently expressed a desire to do. Mr. Cassady was a well known and highly esteemed citizen of Council Bluffs where he resided for so many years.

JOHN M. CATHCART was born in the State of Indiana, in 1819; came to Iowa in 1858, and settled on a farm near Attica, in Marion county, where he continued to live until his death, in 1888. He was a quiet, attentive member of the Senate, rarely speaking, never attempting to lead in legislation, but always prompt and careful in the discharge of the duties devolving upon him. One who knew him long and intimately says: "He died as he lived, faithful and true"—a brief, but fitting and comprehensive eulogy of a good man.

RUFUS B. CLARKE was born in the State of Connecticut, in the year 1828. By his own efforts he obtained a liberal education, studied medicine, moved to the State of Wisconsin where he was practicing his profession when the war of the rebellion broke out. He served as surgeon of the 41st regiment of Wisconsin volunteers. He remained in the army until declining health made further service impracticable. He came to Iowa in 1866, stopping a while in Floyd county, and soon afterward settled at Janesville, Bremer county. His talents and character were such that he soon commended himself to his fellow-citizens, and at the election in the fall of 1869 he was chosen to represent the district composed of Bremer, Butler and Grundy counties in the Thirteenth General Assembly. When the session opened he was too ill to come to the capital. Letters received from him said that he hoped to be in his seat after the recess. But he never came, his death occurring about the middle of February, while the General Assembly was in session. Those who knew him personally spoke in high terms of his character, patriotism and ability.

JOHN N. DIXON was born in Fayette county, Pennsylvania, in 1821; died in Mahaska county, Iowa, in December, 1888. His parents belonged to the Society of Friends. With them when very young he removed to Columbiana county, Ohio, where he grew to manhood and was fitted for college at Mt. Pleasant, Ohio, and in due time entered the institution at Athens; but before completing his college course he began the study of law, to which his parents objected so strongly that he gave it up, returned home, and being an only son, worked with his father on the farm. He soon became interested in horticulture, and grew a fine young nursery, out of which he planted a large orchard on his own land near the Ohio river. After his marriage he was elected a member of the Ohio State Board of equalization. In 1855 he moved with his family to Iowa, settling in Pleasant Grove township, Mahaska county, where he bought about one thousand acres of land and began general farming, but paid special attention to sheep, of which he had at one time three thousand head. He never gave up his interest in horticulture. In 1869 he bought a farm in Garfield township, Mahaska county, and planted, besides small fruits, eleven thousand apple trees, making at the time the largest apple orchard in the State. He had some fruit five years after planting, but never a large crop until 1880, when he had over 84,000 bushels of apples. I had the pleasure of calling on Mr. Dixon just as he had completed the gathering of this enormous crop of

apples. The exhibition was very large and very fine, far surpassing anything I ever saw in that line. He met with much trouble from the leaf-robber or curculio, for which, by careful study and experiment, he discovered a remedy, which has been adopted by horticulturists, and for which he received a prize from the State Horticultural Society—an institution of which he was at one time President. He was also a trustee of Iowa Agricultural College for some years. Mr. Dixon represented Mahaska county in the Senate of the Thirteenth General Assembly, having been chosen to the unexpired term of the lamented John R. Needham. As a legislator Mr. Dixon was active and intelligent, quick of apprehension, and a ready speaker. At home he was public-spirited, taking a lively interest in, and contributing freely of time and money to all projects for promoting the prosperity and welfare of the community and of the State at large. He was of a fine personal appearance, a genial and companionable gentleman, and greatly esteemed by all who knew him. His remains were laid to rest in the cemetery at Oskaloosa by the Masonic fraternity, of which he had long been an honored member.

LEWIS BRIGHAM DUNHAM was born in the State of Connecticut, October 6, 1806; died in Jackson county, Iowa, January 1, 1892. He was graduated at Union College in 1829, read law in Utica, N. Y., and was admitted to the bar in Brookville, Pennsylvania, in 1836, and practiced there for twelve years, and for four years was deputy State attorney. In 1845 he came on a prospecting tour as far west as Rock Island, Illinois. He returned to his old home in Pennsylvania in 1847, and resumed the practice of law. In 1856 he settled in Maquoketa, Jackson county, Iowa, where, in connection with his brother-in-law, O. Von Schrader, he established a private bank, which was afterwards merged into a branch of the State Bank of Iowa, and still later into the First National Bank of Maquoketa. In 1871 he disposed of his interest in that bank, and in company with D. M. Hubbell, who subsequently retired, founded the Exchange Bank of Maquoketa, of which he was president at the time of his death. Mr. Dunham was a Democrat in politics, and in 1842 and 1843 represented his district in the Legislature of Pennsylvania. In the Twelfth and Thirteenth General Assemblies of Iowa, he represented Jackson county in the Senate. In the latter body he served on the committees on roads, new counties, Senatorial districts, and horticulture and forestry. He was a man of excellent judgment, quiet and unobtrusive, intelligent and careful in the performance of his duties, and well liked by his associates. In the records published at the time Mr. Dunham's age was mistakenly given at fifty-three, while from the more accurate record given above, it will be noticed that he was ten years older than that. From his appearance no one would have suspected the mistake. He continued younger than his years, and one week before his death he was apparently in good health, active in mind and body, and attending to business as was usual with him. The immediate cause of his death was pneumonia, following a severe attack of the then prevailing malady, *la grippe*. Mr. Dunham was thrice married, and left at his death a wife and three children. He was prosperous in business, warmly beloved by his family and friends, and much thought of by all who knew him. In his death the State lost one of its most valuable citizens.

JOSEPH DYSART was born in Huntington county, Pennsylvania, July 18,

1820; died in Dysart, Tama county, Iowa, September 7, 1893. At the age of nineteen he came west with other land-seekers, landing at Burlington and hoping to secure a location near Mt. Pleasant. He was disappointed, returned to his old home, entered Dickinson College at Carlisle, Pennsylvania, and at his graduation there in 1845 was the valedictorian of his class. From 1847 to 1853 he was a teacher in the state of Mississippi, for some time the principal of an academy there which he had assisted in organizing. He also studied law and was admitted to the bar in Mississippi. He was then for two or three years a farmer in Lee county, Illinois, and in 1856 moved to Benton county, Iowa, where he bought a half interest in the *Vinton Eagle*, that he might have a medium through which he could express the increasing abhorrence of slavery which a residence in the south had given him. He edited the political columns of the paper in 1856 and 1857, and in the following year was county superintendent of schools. In 1861 he was elected State Senator from Benton and Tama counties to fill a vacancy caused by the resignation of Thomas Drummond. In 1863 he moved to his large farm in Tama county, where he resided until his death. In 1865 he was elected to the Tama county board of supervisors, where he served six years, and later two terms of four and three years, respectively, or thirteen in all. He was chosen to the State Senate from the district composed of Tama and Poweshiek counties, serving in the Thirteenth and Fourteenth General Assemblies. In 1873 he was elected Lieutenant-Governor on the ticket with Governor Carpenter, and presided over the Senate of the Fifteenth General Assembly. In October, 1849, Mr. Dysart was married in Pickens county, Alabama, to Miss Esther E. Wayne, who, with four children survives him. Mr. Dysart was well equipped for the duties of public office. He was a scholar and a gentleman; a good speaker, a forcible writer, a man of affairs, well informed and thoroughly devoted to the highest public interests. He was honored and beloved by his neighbors, and very highly respected by all who had the pleasure of his acquaintance.

GEORGE E. GRIFFITH was born in Pennsylvania in 1823, removed to Iowa in 1853, and settled in Warren county where he pursued the occupation of a farmer. He was a member of the House in the Eleventh and of the Senate in the Twelfth and Thirteenth General Assemblies. In the Thirteenth he was a member of the committees on agriculture, railroads, incorporations, and public buildings, serving as chairman of the one last named. He introduced the bill, which became a law, providing for the erection of the new capitol. He was an active and substantial member, discharging his duties with care and fidelity, realizing the responsibility devolving upon the law makers of a new and growing State. Nearly twenty years ago he moved with his family to Missouri; and died at or near Warrensburg in that State, May 21, 1885, where some members of his family still reside. Mr. Griffith carried with him to his new home an active interest in Iowa affairs, and pleasant recollections of his colleagues in the Legislature.

JOSEPH WARREN HAVENS was born in Franklin county, Ohio, May 17, 1841, and removed to Taylorville, Illinois, where he learned the trade of marble-cutting, and followed it until 1863, when he married, removed to Keokuk county, Iowa, and associated with his brother, purchased the *Sigourney News*, with which he was connected until the latter part of the year 1878. He served in the Thirteenth and Fourteenth General Assemblies as

the Senator from Keokuk county. He was on the committees on federal relations, printing, compensation of public officers, and chairman of that on representative districts. He did not speak often, but could be entertaining, caustic and amusing when he chose, as his speech on the geological survey of the State demonstrated. He charged that the State geologist was prejudiced in favor of a particular line of proposed railway and gave a vivid description of that official as he was said by the speaker to have travelled up and down that line "occasionally entering an already developed coal mine, and then with eyes beaming with the light of geological science, and a face smutty with coal dust; making a bee-line for the nearest editorial sanctum to write up in general terms a highly wrought newspaper puff for that locality." It is hardly necessary to add that that particular line of road did not pass through the county represented by the critic. Mr. Havens was one of the most promising of the younger members of the Senate, and but for an unfortunate habit which had already begun to assert its dominion over him, might have been one of the most distinguished. After leaving the *Sigourney News*, he worked on the Council Bluffs *Nonpariel* and other papers until a short time before his death, which occurred at Boone, February 8, 1887. His remains were buried at Sigourney, beside those of his wife. One familiar with his career says, "he was not a financier, never accumulated much property, and died very poor. Poor Warren, what he might have been."

JAMES SIMPSON HURLEY was born in Champaign county, Ohio, May 18, 1829; died in Louisa county, Iowa, of paralysis, October 14, 1891. His parents, David and Elizabeth (Downs) Hurley, Quakers and natives of New Jersey, were pioneer settlers in Champaign county, Ohio, from whence they emigrated to Louisa county, Iowa, in 1840. David died in 1846. James S. taught school one winter. Except as to this and six months at Knox College, Galesburg, Illinois, he lived and worked on a farm until he was about twenty-three years old, when he commenced the study of law in Wapello, in the office of B. F. Wright. In 1854 he attended law school in Dubuque. He was admitted to the bar the same year, and commenced the practice in Wapello which continued until his death. He was elected prosecuting attorney in 1855 to fill a vacancy, and the following year was chosen for the full term. During the incumbency of this office he was frequently called on to perform the duties of county judge. He was a member of the Senate in the Ninth, Tenth, Thirteenth and Fourteenth General Assemblies, serving on important committees and doing valuable work, particularly in the Fourteenth, when he was chairman of the Judiciary Committee and took a leading part in the revision of the Code. Mr. Hurley was originally a Whig, then a Republican, zealous, but not bitter. Before the days of railroads Mr. Hurley used to go to State Conventions in Des Moines, a distance of one hundred and twenty-five miles or more, in his buggy. He was a delegate to the Republican National Convention in Chicago in 1880, when Garfield was nominated for President. Mr. Hurley and Miss Mattie Garrett, of Garrettsville, Ohio, were married in 1857. Of their children one son and three daughters survive. Mr. John Hale, of Wapello, and Mr. Hurley were law partners from 1871 until the latter's death. Mr. Hurley took a very active interest in promoting the welfare of the community in which he lived, and was in all respects a public-spirited, warm-hearted and patriotic citizen. He was modest and

retiring in disposition, and while as a legislator he was active and energetic in the discharge of his duties; he was not given to much speaking, and seldom if ever occupied the floor except to explain or make clear some point or measure under consideration. Among many things for which he is gratefully remembered in the community where he made his home for half a century is this, mentioned by his long-time partner, Mr. Hale: "I personally know that Mr. Hurley was the originator of the project for a north and south railroad through Louisa county, that finally brought about the incorporation of the company that built the B., C. R. & N. Railway. He worked two years faithfully before he got up interest enough to set the matter going."

ALEXANDER BAIRD IRELAND, M. D., was born March 12, 1818, at Sevierville, Sevier county, Tennessee, and died at Fremont, Illinois, August 29, 1878, of typho-malarial fever. He was the fourth of nine children born to Thomas L. and Hannah Wood Ireland. His father was a farmer in moderate circumstances; his mother a daughter of a well known and talented Baptist minister, the Rev. Richard Wood. Up to eighteen years of age his life was spent at home on the farm, when the family moved to Schulyer county, Illinois, and two years later to Tazwell county in the same State. Upon moving to Illinois, young Ireland engaged in teaching in the public schools, which calling he continued for five years; and having studied medicine in the meantime, was able to enter the Illinois Medical College at Jacksonville, from which institution he was graduated with honors in 1846. The same year he located at Andrew, Jackson county, Iowa, where he practiced his profession until 1852, with the exception of one year, 1850, which he spent in California. In 1852 Dr. Ireland moved to Camanche, Clinton county, Iowa, which was then one of the most important points in the eastern part of the State. In 1854 he married Mary E. Cady of New Berlin, New York, who died in 1873. Of their five children, three are still living. He continued the practice of medicine up to the time of his death, meanwhile serving his fellow citizens in many public stations. He was the first mayor of Camanche, elected in 1857, and again 1859. He was prominent and active both as a Mason and Odd Fellow, and held the highest local offices in both those orders. He was Senator from Clinton county in the Thirteenth and Fourteenth General Assemblies. As a legislator he was careful and conservative, not speaking often, but always attentive to business, and enjoying the highest esteem of his fellow members, his faithfulness and high character challenging their respect and his kindly and courteous ways awakening their friendship and admiration. One who knew him well says: "He died as he lived, a consistent, conscientious man, respected by all and loved by many."

E. S. McCULLOCH was born in Davidson County, Tennessee, July 3, 1812, and died in Harrison township, Lee County, Iowa, April 5, 1877. When quite young he emigrated to Montgomery county, Illinois. There he enlisted in and served during the Black Hawk war. In the fall of 1835 he came to Iowa, and settled at the place where death found him. March 25, 1841, he married Minerva A. Paisley, who preceded him to the 'better land' several years. In 1841 he was chosen to the lower branch of the Territorial Legislature and was re-elected the following year. In 1850 he was a member of the House in the Third General Assembly. In the

Fifth and Sixth General Assemblies, he was a member of the Senate. In the Eighth he was again a member of the House; and in the Thirteenth and Fourteenth of the Senate. At the meeting of the Thirteenth General Assembly, Mr. McCulloch had the distinction of having been in the State thirty-five years, of being a genuine pioneer, a soldier of the Black Hawk war and a member with fourteen years' legislative experience—in all these particulars standing at the head of the list. He was a man of modest disposition, good intelligence, fine spirited, and very faithful and conscientious in the discharge of his public duties. He seldom, if ever, took part in debate, introduced few bills, and offered fewer amendments to those introduced by others, yet he was withal a useful member and one universally liked by his associates. Knowing him it was easy to understand why he was so popular with his constituents, and quite impossible not to admire his noble traits of character. A local history says: "He died respected and beloved by all who knew him," a statement which those who shared in his legislative experience will have no difficulty in giving full credit.

JOHN MCKEAN was of Scotch-Irish descent. He was born in Lawrence county, Pennsylvania, July 19, 1835. His father was for forty years a Presbyterian minister. John and his brother James came to Jones county, Iowa, in 1854, and prepared a home for the family in Scotch Grove township, where his father had previously purchased a section of land. John entered Jefferson college, Pennsylvania, in 1856 and was graduated with the highest honors of his class in 1859. He soon after settled at Anamosa and in due time commenced the practice of law there. He was a successful practitioner and a popular citizen from the beginning. He represented Jones county in the House in the Eleventh and Twelfth General Assemblies, and in the Senate the Thirteenth and Fourteenth. In the latter he had the pleasure of securing the passage of a bill for an additional penitentiary to be located at Anamosa, a measure introduced by him and advocated with persistent zeal for several sessions. He was an active and influential member of every body in which he served. He was a man of marked ability, a ready and logical speaker, friendly in his intercourse with fellow members and of unbending integrity. After retiring from the Legislature he was twice elected to the district bench where his services were able and impartial, and highly appreciated both by the bar and by the public. Judge McKean was for a long time ruling elder in the Presbyterian church, and was also well known in the councils of Masonry and Odd Fellowship. After a long and painful illness he died in Dubuque, August 8, 1891, surrounded by the members of his grief-stricken family. A noble man and a good citizen, his memory will long be cherished by all who knew him.

ISAAC J. MITCHELL was born in Cincinnati, Ohio, May 31, 1827; died at Boonesboro, Iowa, August 11, 1883. While preparing to teach school he worked on a farm for two dollars a week. He taught at Laurel, Ohio, and Brazil, Indiana, and attended Asbury University one term, when he stopped on account of failing health. He came to Boonesboro, Iowa, in 1855, and the next year assisted in the organization of the Republican party. He studied law while engaged in the drug business, and was admitted to the bar in 1858. He was chosen a member of the State Board of Education the same year, and served two years. He was a member of the Senate in the Twelfth and Thirteenth General Assemblies, serving in the latter on the

committee on railroads, constitutional amendments, and internal improvements, and was chairman of that on enrolled bills. He took an active part in legislative proceedings. He served some time as a Trustee of the State Agricultural College, and in 1874 was elected Judge of the Eleventh Judicial District and served four years. Mr. Mitchell and Mrs. Amanda M. Denison were married in 1860. In religion he was liberal, and though not a church member, sympathized and coöperated with the Methodists.

MICHAEL B. MULKERN was born in Ireland in 1829, died at his home in Dubuque in 1871. Mr. Mulkern came to Iowa when he was twenty-four years old. He was a lawyer, winning many friends at the bar and among his fellow-citizens. He was elected a State Senator from Dubuque county in 1869 and served in the Thirteenth General Assembly, but before the meeting of the Fourteenth he passed away. He took an active part in legislative proceedings, was a ready speaker, and participated often in debate. He was a democrat in politics, a Roman Catholic in religion, courteous in bearing, genial and sparkling in conversation, although even then the disease which carried him off was well under way. In the Fourteenth General Assembly fitting eulogies were paid to his memory.

BENJAMIN F. MURRAY was born in Hancock county, Ohio, August 20, 1838, and died at Winterset, Iowa, May 7, 1890. He came to Madison county, Iowa, in 1854. With the exception of one year at Mt. Pleasant, his education was obtained in the common schools. He studied law with Judge Leonard at Winterset, and pursued the practice there. On the first call for troops in 1861 he enlisted in the Third Iowa Infantry. He was taken a prisoner at the battle of Shiloh, and was in most of the southern prisons. He was honorably discharged from the army in 1863, and resumed the practice of his profession at his old home, serving as District Attorney for the year 1864. He represented Madison county in the House in the Twelfth General Assembly, and in the Senate of the Thirteenth and Fourteenth. He would probably have been the republican nominee for Congress in 1876, had his health remained as good as usual. He was never strong, and the long prison life doubtless hastened the fatal disease which ultimately carried him off. His brain became affected, his mind clouded, and he was never himself again. He spent years in the hospital for the insane at Mt. Pleasant and afterwards at Clarinda, but his faculties were hopelessly obscured. Mr. Murray was a successful lawyer, at one time a partner of M. L. McPherson, and at another of S. G. Ruby. He died as above stated and was buried by the G. A. R. and Masonic order. He was a very active member in the legislative bodies in which he served, and no one perhaps surpassed him in quickness of perception and decisive action. Mr. Murray was married in 1864. Mrs. Murray still lives at Winterset and four of their five children are living. One who knew him well in his bright as well as in his cloudy days says, "He had a warm, loving heart, and wonderful magnetism, with scores of loyal friends who were always anxious to follow him as a leader; he was a leader of men and had his health been good he would probably have attained his highest ambition."

HOMER E. NEWELL was born in Chenango county, New York, in 1836. Completing his college course in 1857, he came the same year to McGregor, Clayton county, Iowa, and engaged in the drug business, which he continued until 1879. In the meantime he served sixteen years in the city

council of McGregor and four years in the State Senate, being chosen to the Twelfth General Assembly without opposition, and serving in that and the Thirteenth. In the latter he served on the committees on ways and means, state university, penitentiary, medical institutions, and compensation of public officers, being chairman of the last two. He was a cultivated gentleman, of agreeable manners, attentive to business, a ready speaker and a useful legislator. In 1879 he removed with his family to Kansas City, Missouri, and engaged in the wholesale drug trade. Soon thereafter his health began to give way, and he went to Nebraska, hoping the change would be beneficial, but he continued to fail, and died there in 1881, leaving a wife and two children, a son and daughter, both now married, the latter living in Boston, as does also Mrs. Newell; while the son lives in Nebraska. Mr. Newell is pleasantly remembered by his associates in the Senate, and by his former fellow citizens in Clayton county, where he was for more than a score of years a prominent and useful citizen.

JOHN G. PATTERSON, of Charles City, Floyd county, a lawyer by profession, born in Pennsylvania in 1831, emigrated to Iowa in 1857, was a member of the State Senate in 1864, 1866, 1868 and 1870. In the latter year, that is, in the Thirteenth General Assembly, he represented the counties of Chickasaw, Floyd and Howard. In previous years other counties had been attached to the district represented by him. His chief service in the Thirteenth General Assembly was as chairman of the committee on railroads, a burdensome position in those days. Mr. Patterson is remembered as an industrious, hard-working member, active and zealous alike on the floor and in committee. He was fatally injured in a railroad accident in Clay county, this State, on the 29th of October, 1878. He lived but a few hours after the occurrence.

ABIAL R. PIERCE was a Senator from Jefferson county in the Twelfth and Thirteenth General Assemblies. He was born in the State of Maine in 1820, and died at his home in Lockridge, Jefferson county, about the year 1890. He became a citizen of Iowa in 1857. He was major of the Fourth Iowa Cavalry. In the Thirteenth General Assembly he served on the committees on county and township organization, Reform School, military and internal improvement, being chairman of the latter. He was a man of good ability, fairly active in legislative work, and faithful in the discharge of his duties.

WELLS S. RICE represented the Senatorial District composed of Hardin and Marshall in the Thirteenth and Fourteenth General Assemblies. He was born in Ohio in 1820, came to Iowa in 1852, settling in Marshalltown, Marshall county, where he was engaged as a merchant. In the Thirteenth General Assembly he served on the committees on railroads, military, commerce and incorporations. Mr. Rice's death is reported to have taken place in Oklahoma a year or two ago.

MARCUS TUTTLE was born in the State of New York in 1830, and died at Spencer, Iowa, some years ago. He came to Iowa in 1854 or 1855. He was a merchant in the town of Clear Lake, Cerro Gordo county, and in the Twelfth and Thirteenth General Assemblies represented in the Senate the district composed of the counties of Butler, Cerro Gordo, Franklin and Grundy. In the Thirteenth he was a member of the committees on railroads, senatorial districts, constitutional amendments and commerce, being

chairman of the latter. He was a quiet member, rarely occupying the floor, but attentive to business, and impressing his associates as a man of integrity and patriotism.

JACOB GARRETSON VALE was born in Washington township, York county, Pennsylvania, July, 7, 1821; died in Harrisburg township, Van Buren county, Iowa, February 17, 1874. His parents were of the Friend's church. His father died when he was two years old. From that time until he was sixteen, he lived with an uncle, receiving such education as the common schools afforded. At the age last mentioned he set out for himself, working on a farm for \$6.25 a month. Determined to have a better education, he was soon able to enter the Friend's boarding school, at Mt. Pleasant, Ohio, where he completed an English course, having for a class and room-mate, W. H. M. Pusey, of Council Bluffs, an honored member of this Association. Mr. Vale taught school for eight consecutive years in Smithfield, Jefferson county, Ohio, and in this time studied law, going once in two weeks to Steubenville to recite to Edwin M. Stanton, the famous War Secretary of the rebellion period. Also during this time Mr Vale was chosen county surveyor, and did valuable service in that comparatively new country. It was while pursuing this avocation that he met, for the first time, Miss Annie Rex, who subsequently became his devoted and helpful wife. In 1850 they came to Iowa, settling on Sugar Creek, near Primrose in Lee county, where a good corn crop the next year—the noted wet season—laid the foundation for a comfortable fortune. In 1856 they moved to a farm in Van Buren county, which became their home, where Mr. Vale lived and died, and where Mrs. Vale still resides. Mr. Vale was an enthusiastic Whig, then a Republican, and like many another Iowa farmer at that time, eagerly devoured the contents of the *New York Weekly Tribune*. His early training made him a strong anti-slavery man. During the war, not being a strong man physically, he contributed freely to the local bounty fund, and by organization and addresses did what he could for the Union cause. After coming to Iowa Mr. Vale dropped the practice of law and devoted himself successfully to agriculture and stock-raising. He was a candidate for the Legislature on the Whig ticket, in the early fifties, in Lee county, but was defeated, the county being then, as now, strongly Democratic. In 1869 he was elected to the State Senate from Van Buren county, and served in the Thirteenth and Fourteenth General Assemblies, where his education, knowledge of the principles of law, general intelligence and strong common sense made him a very valuable member. He took an active and special interest in schools and institutions of higher education as well as in all measures affecting the great agricultural interests of the State. He was a lover of good English and was sometimes good humoredly called "the grammarian of the Senate." Mr. Vale was a member of the United Presbyterian church. He was an upright and useful citizen, a true friend, an honest man. He died at the comparatively early age of fifty-three. His wife, two married daughters and one son, Hon. B. R. Vale, the present well-known Senator representing Van Buren and Jefferson counties, survive him.

JOHN P. WEST, a farmer of Henry county, was born in Ireland in 1825, came to Iowa in 1856, was a sergeant in the Fourteenth Iowa Infantry, and represented Henry county in the House in the Ninth and Eleventh General

Assemblies, and in the Senate in the Thirteenth and Fourteenth. He was an active member, vigorous and pugnacious in a legislative sense, and conscientiously faithful in the discharge of his public duties. He emigrated to California many years ago, and died there as I am informed. I regret that I have not been able to get further particulars in regard to him.

MADISON M. WALDEN was born October 6, 1836, on Scioto Brush Creek, Adams county, Ohio. He was reared on a farm. In his early life he attended school at a log house two miles from home. In 1852 he came with his parents to Lee county, Iowa, residing on a farm near Primrose. In 1854 he entered Denmark Academy where he remained one year. In 1855 he attended college at Mt. Pleasant, two terms, and then returned to Ohio and taught one term in Warren county, near Morrowtown. The same year he entered the Ohio Wesleyan University, at Delaware, graduating in the scientific course in June, 1857. Having no funds except what he earned, he engaged to teach in Champaign county, Ohio, and at the same time kept up with his classes in college. In 1858 he taught a term in Miami county, and in 1859 graduated in the full course of study and received the degree of Bachelor of Arts. In 1859 he came west as far as Illinois and taught one term, and then came to Iowa, and was employed as Principal of the public school in Centerville, the building being on the identical spot where his late residence now stands. In 1860 he went south with the idea of following his profession as a teacher, although in the meantime he took up the study of law. Not finding a healthy condition of affairs in the south he returned to Centerville early in 1861, and enlisted in the first company raised for the war in Appanoose county. May 16, 1861, he was commissioned captain of Company D. Sixth Iowa Infantry, and was mustered into service at Burlington, Iowa, July 17. He was detached from his company at Jefferson City, Missouri, the following October, and was sent home to recruit men to fill the ranks depleted by sickness. He enlisted troops at Centerville, Albia, Chariton, Osceola, and other points in southern Iowa, afterwards joining his regiment at Sedalia, Missouri. While at home Madison M. Walden was united in marriage to Fannie A. Holt, October 14, 1861. Three children were born to them, Mary, Albert, and Miner (all now dead). He took an active part with his command at the battle of Shiloh, and the following December, 1862, was obliged to resign on account of severe hemorrhage of the lungs. In the summer of 1863 he was enrolling officer for Appanoose county, and later he raised another company for the service, and was mustered in as captain of Company H, Eighth Iowa Cavalry, at Davenport, September 30. In 1864 he was with Sherman on the Atlanta campaign, and took part in many severe battles. He was captured July 30, 1864, in the rear of Atlanta, where he had gone with his regiment, in General McCook's division, to tear up the railway. He was imprisoned first at Macon and thence taken to Charleston, and placed under fire of the Federal guns. In October he escaped from the prison and reached his regiment at Columbia, Tennessee, in time to take part in the battle of Franklin. Early in 1865 he was assigned to duty as Provost Marshal on the staff of General Croxton, commanding first brigade of the First Division Cavalry Corps. For ten years following the war Mr. Walden was editor and proprietor of the *Centerville Citizen*. He was county superintendent of schools from 1866 to 1868. He was a member of the House in the Eleventh General Assembly

which met in January, 1866, and of the Senate in the Twelfth which met two years later. He was elected Lieutenant Governor in 1869 and presided over the Senate of the Thirteenth General Assembly. In the autumn of 1870 he was elected a member of Congress where he served from March 4, 1871 to March 4, 1873. He afterwards published the *Centerville Tribune* for several years. At the earnest solicitation of friends he consented to accept the nomination for the State Legislature again and was elected a member of the House of the Twenty-third General Assembly which convened January 13, 1890. Later in 1890 he received an appointment in the U. S. Treasury Department, which position he held at the time of his death. He died in Washington, D. C., July 24, 1891. His remains were brought to his home in Centerville, Iowa, where they were laid to rest by the side of his children. His widow still lives at the old homestead in Centerville. At the time of the meeting of the Thirteenth General Assembly Lieutenant Governor Walden was thirty-three years old. He was a model presiding officer—a manly form, handsome countenance, a good parliamentarian, prompt in decision, courteous and impartial, he easily won the respect and friendship of those with whom he was associated. Cordial and pleasing in manner, pure and upright in habits and character, a brave and patriotic soldier, his memory must always be a delight to those who knew him well.

I have thus, Mr. President and gentlemen of the Association, accomplished the task as well as I could under the circumstances, of giving some account of the Thirteenth and Fourteenth General Assemblies. I am aware that it is very imperfectly done. I think I could have done it better had I known earlier—say twenty-four years earlier—that I was to undertake it; and the thought occurs to me that it might be well in the interests of the Association and the work it was founded to do, if each house of succeeding General Assemblies, before dispersing at its regular session, would informally appoint a committee on history and biography, with instructions to report at a meeting of this Association twenty or twenty-four years later. If the committee should consist of three the chairman could do the work, keeping it in such shape that it could be taken up in the event of his death by the next in order on the committee; and thus every biennial meeting would have a careful history of at least one General Assembly. This orderly arrangement need not interfere with the genial flow of anecdote and reminiscence which usually enlivens an occasion of this kind. We have a noble and promising Commonwealth. To have a part in the making of its laws, and to do that part conscientiously and well, ought to gratify the honorable ambition of our best citizens; while the history of legislation and suitable biographical notices of those who have answered the last roll-call in this sphere of action, would be both interesting and valuable. The expectation that such a history was to be written and a permanent record made of it in the proceedings of this Association would tend to increase the thoughtfulness and sense of responsibility in legislative work, and to some extent, at least, would quicken and inspire those who are to come upon the stage at a later period in the progress and growth of the State. To awaken a laudable ambition, to bring the best qualified citizens into public service, to keep down all selfish, corrupt and unworthy motives, and to kindle the fires of a pure and lofty patriotism, are purposes entitled to our constant and increasing regard. And we are not likely to be too often reminded that

“Ill fares the land to hastening ills a prey,  
Where wealth accumulates and men decay.”

The next paper was read by Charles Aldrich, entitled "Captain Thomas Drummond."

The first time I ever saw an Iowa Legislature in session was in the month of February, 1858. I was then living in Webster City, Hamilton county, where I had started *The Freeman* newspaper the previous summer. That winter was an open one, there being but little snow. A fellow townsman, Hon. Walter C. Willson, a member of the preceding legislature—the last which met in Iowa City—drove across the country in a light open wagon, carrying Mr. George Smith, another early settler and myself. The most of the way coming down, we traveled over the prairie, four or five miles east of the road, which followed the sinuosities of the timber belt the greater part of the way. There had been the usual autumnal prairie fires, and the ground was bare and quite smooth. Mr. Willson was a thorough pioneer and able to pick his way regardless of the wagon road. We reached the capital without other incident than narrowly escaping a ducking through the ice in Squaw Fork, a deep prairie creek in the south part Hamilton county.

At that time the only legislative body I had ever seen in session was the United States Senate, a week or two after the inauguration of President Frank Pierce. I need not say that this was an interesting experience to a pioneer editor as far from shore as Webster City was at that time.

The old Capitol—now such an interesting ruin—had not long been built, and stood in the midst of thick woods. James W. Grimes, the very able Governor, had been elected United States Senator but a few days before. Elijah Sells, one of the ablest men who ever filled that office, was Secretary of State. John W. Jones, of Hardin, who died in Des Moines during the last year of Governor Larrabee's administration, was State Treasurer. Oran Faville, of Mitchell county, a most courtly and dignified gentleman, was Lieutenant Governor. Stephen B. Shelledy, of Jasper county, was Speaker of the House. Of a few of the members of the House I have always retained very distinct impressions. Our member was Cyrus C. Carpenter, a gentleman who was heard from in other useful capacities in subsequent years. He was a young man of apparently not more than twenty-five.

George W. McCreary, of Lee, had appeared in public life for the first time. He was a young man of about twenty-two. He was smooth-faced and most boyish in appearance, but wearing an air of seriousness and dignity that would have been most becoming in a gray-haired judge. I heard him speak briefly on some pending bill, and I recall the fact that he commanded the attention of the House.

I remember Dennis Mahony of Dubuque, quite an old man, afflicted with some nervous disorder which caused his head to shake, giving his eyes a very curious and unsteady appearance. But when he spoke, deprecatingly of certain trivial and undignified proceedings then on foot, everybody listened attentively, and the House accepted his advice.

Old Zimri Streeter of Black Hawk, was one of the characters of that House, as he was of the next one. He was a wit and a wag, with all his rude speech and lack of culture. Mahony besought a member to withdraw a resolution which had been introduced in a mere spirit of badinage. "Old Black Hawk" rose and said: "Let it be withdrawed, it has sarved its purpus." The House

indulged in a hearty laugh, and the resolution was speedily laid aside, the House coming down to the serious work in hand.

Belknap of Lee, was also a member, not older, perhaps, than Carpenter. Something above the medium height, red-cheeked, fair-haired, with flowing beard, he was one of those men who would attract attention in any assemblage—one you would probably turn to look back at if you passed him on the street. How he and McCreary climbed the ladder of fame in after years are matters of national history.

M. M. Trumbull, later "the hero of the Hatchie," where he won his brigadier's star, was another member who made his mark that winter, though he, too, was one of the youngest members.

Another well-remembered member was James F. Wilson. I interviewed him in the hope of securing his support of a bill I had brought along in my pocket, providing for the publication of the laws in two newspapers in each county. He was a slender, smoothly-shaven, neatly-dressed young man, with not much color in his face, having a half-clerical sort of look. He had won a foremost place in the Iowa Constitutional Convention of the year before, as I heard frequently mentioned. I found him somewhat conservative in expression, though inclined to know all the whys and wherefores relating to the measure.

B. F. Gue, one of the members from Scott, full-bearded, red-cheeked, fine-looking, on the hither side of 30, was a man of mark in that body.

"Ed Wright, of Cedar," was as noted then for the thoroughness with which he transacted business as at any subsequent period of his life. He was the best informed man in the House on parliamentary law, and whenever that body got into a tangle, he had the address, coolness, and knowledge, so necessary to straighten out the kinks.

But next to our own representative, the man of whom my memory is clearest, was Thomas Drummond, of Benton county. He was then editing *The Eagle*, which was one of the best-known county-seat papers in the State. Tom, as everybody called him, could not have been older than twenty-five, and he may have lacked even a year or two of that. He was of slender build, rather above the medium height; his hair was as black as a raven's wing; his complexion rather dark, and his eyes like jet: he had a bright, laughing eye, but it flashed like fire when provoked to anger. I have often heard it said that he claimed descent from Pocahontas, though I never heard him allude to the matter. I remember, however, that he was occasionally mentioned by editors with whom he had newspaper tilts, as "Mrs. Pocahontas." I first met him at the Scott House, a favorite boarding-place with the members. I believe it stood not far from the office of the *Daily Capital*. It was kept by Alexander Scott, who donated to the State a portion of the ground upon which our beautiful capitol now stands. Tom freely used what Gen. Fitz Henry Warren afterwards called "the energetic idiom"—in fact, he "swore like a trooper." When I was first introduced to him he gave me "a piece of his mind," and with a degree of emphasis which I have never forgotten. The point was this: I had warmly supported Governor Grimes for United States Senator, believing—and I never have changed my mind on that point—that he was the greatest man in Iowa, and for that matter, in the Northwest. Tom had supported F. E. Bissell, of Dubuque, largely upon the ground that he was a *northern man*, while

Grimes lived in Burlington, not far from Mt. Pleasant, the home of Senator Harlan. Tom deprecated the idea of giving all these offices to men living "down in the pocket." I did not care where the Senators lived—if they were the two ablest representative men in our State. I will not try to produce his language, but he gave me a "cussing" for not "standing up" with him for a northern United States Senator. "But for you and two or three other newspaper men," said he, "we could have had a Northern Senator." We both freed our minds on this topic of the day, neither convincing the other that he was wrong. I was under the distinct impression that I had "stood up." But I had a good time with Tom, and from that time until his death we were fast friends. I can scarcely account for this even now, for our habits were totally different. He was a wild youngster, indulging in sundry dissipations which I will not stop to particularize. But he was an impulsive, large-hearted, breezy, good fellow, whose eccentricities of behavior were always freely forgiven. Actions which would have irreparably ruined an average good character never affected him in the least. A cold bath in the morning banished all traces of a night's hilarities, and he came into the House in the morning in all the glory of high spirits, clear complexion, sparkling eyes and pearly teeth. Even the staid old Quaker members who only saw him on the floor, deemed him a model of all the proprieties. At the very worst, they only regarded him as "a little wild," but not more so than could be readily condoned in one whose other qualities made him so genial and companionable. He was a ready speaker and popular debater. Graceful in action, handsome in person, a born orator, thoroughly informed, as became a journalist, he was a man of mark, easily a leading member of the legislature, as I believe he would have been of the Congress of the United States, had he been chosen to that theater of usefulness.

During this session he secured the passage of the bill for the location of the Blind Asylum at Vinton. He may be regarded as the founder of that institution, and it certainly never had a more vigilant supporter or so eloquent a defender.

At the next session—1860—Drummond came to the Senate. Unusual efforts were put forth to build the Insane Asylum at Mt. Pleasant, and it was determined by the Republican majority to suspend work for the present on the Blind Asylum—in fact, to "sit down upon Tom Drummond." This awoke all the wrath that was in him. But his party counted its chickens before they were hatched. It had a majority of but three, including Tom Drummond. There were two members who would to-day be styled "mug-wumps." They voted with their party when it suited them, but could not be counted on at all times. They favored the appropriation for the Blind Asylum and were opposed to the other institution, unless both could be treated alike. The Democrats stood solidly by Tom, and he was therefore able to bring things to a dead-lock. The speech he made against the proposed action of his party, and in favor of "my Blind Asylum," as he called it, was one of the most powerful and scathing that ever woke the echoes in the old Capitol. Prominent Republicans, even Governor Kirkwood—besought Tom to give up the fight and not "block the wheels of legislation." But he was immovable and his friends sustained him. He boldly declared on the floor of the Senate that the Mt. Pleasant Asylum should not have a dollar, nor should any member have his per diem, unless the Blind

Asylum was taken care of. He carried the day and won his point. The Senate came down from its high horse and gave him the appropriation he asked for. The Blind Asylum went ahead, though the second story was unreasonably and awkwardly shortened in from the original plan, making a deformity of the beautiful edifice that Tom Drummond's foresight would have made of it. But if it is a benefit to the city of Vinton to have that great charity in its midst, the citizens should place within its grounds an enduring monument to the memory of their first citizen in those pioneer times.

Drummond had in him all the elements of the soldier. Possibly "he was sudden and quick in quarrel." He certainly would have been had he believed himself imposed upon in any way.

"He bore anger as the flint bears fire,  
Which much enforced, shows a hasty spark,  
And straight is cold again."

But it was as a soldier that he was destined to crown his life of usefulness and end his days. As soon as the first indications of the great civil war became visible he told his friends that he was "going into it." In February, 1861, he organized a military company in Vinton—being the first man to enlist. He left for Washington the same month, some two weeks before the inauguration of President Lincoln. Not long after reaching the Federal City he was offered a second lieutenancy in the United States regular cavalry. He was not long in reaching a captaincy, and at one time his lineal rank in the army was higher than that of Gen. Custer—and they were both in the same regiment. He was appointed lieutenant-colonel of the Fourth Iowa Cavalry, in which he served several months. Upon being mustered out of that regiment he returned to his own command only to be detailed for recruiting service, with headquarters at Cleveland, Ohio. He remained at his post, or in this duty, for over a year. But near the close of the struggle he was ordered into the field with his regiment, just in time to take his part in the battle of Five Forks, Virginia. In this engagement, when the fighting was really over, he was struck by a random shot and so severely wounded that he died during the following night. He was buried in the churchyard at Dinwiddie Court House, where his grave was seen by Cyrus C. Carpenter, afterward Governor of Iowa, who was a captain and commissary of subsistence in Sherman's army which marched from Atlanta to the Sea. At the time of his death I was taking *The New York Daily Tribune*, and in reading the account of the battle of Five Forks, I saw the announcement that Capt. T. Drummond had been mortally wounded and was dead. I marked and sent the paper to Hon. Frank W. Palmer, who was then publishing *The Des Moines Register*. In the issue of April 29, 1865, he printed the following paragraph:

"DEATH OF CAPTAIN DRUMMOND.—Yesterday we received a copy of a New York Daily, sent to us by a friend, containing a list of the killed and wounded in Sheridan's command, during the five days' fighting preceding the fall of Richmond and surrender of Lee. The name of Captain Drummond, Fifth U. S. Cavalry, was among the list of officers reported as mortally wounded, and on the margin of the paper was written: 'That is our poor Tom.' Our Iowa readers will remember Thomas Drummond, as editor of the *Vinton Eagle*, member of the House of Representatives from Benton county in the first General Assembly which convened in this city. He was subsequently elected Senator from that county and served during one session. When the war broke out, he was commissioned as a first Lieutenant in the Regular Army, and when the Fourth Iowa Cavalry was organized, he was commissioned as Lieutenant Colonel.

He served with this regiment several months, and was then transferred to the Fifth Regular Cavalry, in which he was promoted to the rank of Captain. This is the officer of whose death our friend now notifies us. We hope the information may not be well founded, but *fear* that it is. Captain Drummond had his faults, who has not? He was a devoted, self-sacrificing friend, an earnest, able advocate by tongue and pen of just principles, and a gallant defender of his country in the field. Peace to the memory of this brave Iowa soldier."

Thus perished "one of the bravest of the brave," freely giving his young life that our nation might live. He was one of the foremost of our rising Iowa politicians, one of our most able and versatile editors, one of our clearest-headed legislators. If he had glaring faults, he was also possessed of magnificent qualities of head and heart. Had he continued in civil life there can be no doubt that he would have attained higher recognition than that of State Senator. His nature was irrepressible, but his aims as a public man were praiseworthy in the highest degree. He contended for progress, improvement, education, substantial sympathy for the unfortunate classes—benevolence, charity, in their highest, noblest manifestation—sympathy for those most deeply afflicted.

I thank you for the opportunity you have given me, to place upon your records this humble tribute to my early friend. He was one whose memory should not be allowed to perish, but kept forever green in the Annals of Iowa.

The President then called upon Walter C. Wilson, of Webster City, who responded as follows:

In 1856 I was nominated for Representative from the territory which now composes some nineteen counties of the northwestern part of the State, with a majority of something over nine hundred against me. I carried the election by eighty-five votes. I attribute my success somewhat to the fact that the Capital was so remote that my opponent did not care to undertake so great an enterprise and so much hardship as he would have to undergo in reaching the Capital of the State. When it was time for the Legislature to meet, I found the undertaking was somewhat embarrassing myself, but after providing myself with a mule I rode to Marengo and thence by the Western Stage Company Line to Iowa City. I found myself embarrassed with a mule upon my hands, and wishing to make some disposition of the animal, I remarked that I thought I would have to make some person a present of the mule. There was a Jew in the company who said he would take him, but I said to him, being somewhat short of expense money, that I thought I would have to receive a small compensation, and finally agreed to part with the animal for \$80.

When I had reached Iowa City I was notified that my seat would be contested. I remarked then that I felt it was a mistake, as no man would venture an undertaking of that kind. I had received the votes of the whole northwest. My opponent never entered an appearance.

As a matter of history, I will tell you something of the organization of Hamilton county. I introduced a bill forming Hamilton county, which then comprised a portion of Webster county. When I introduced the bill I had Webster City designated as the county seat. My friend, W. T. Barker, suggested that it might be a mistake to designate Webster City as the county seat, as the custom had been to appoint commissioners to locate county

seats. I said to him that would not do; if the bill was passed I wanted something that would be to my own interest. I stated to him that I had named the new county Hamilton, which would bear the name of the President of the Senate, Hon. W. W. Hamilton, of Dubuque. He said he guessed that was right, and that would be sufficient to take care of it in the Senate, and we would undertake to take care of it in the House. The bill was introduced in the House and called up upon its first reading; the rules were suspended, and the bill read a second time and passed, and the title agreed to. It was immediately reported to the Senate by the Hon. W. P. Hepburn, Chief Clerk. Governor Kirkwood was then in the Senate. He asked to have the bill immediately taken up that had just been reported, as he understood it had some reference to the President of the Senate. The bill was taken up and read the first time, the rules were then suspended and the bill read a second time, title agreed to and passed, and referred to the committee on oysters, of which Judge Hamilton formed a very conspicuous part.

I might say to you, gentlemen, that the county of Hamilton and Webster City have been the pride of my life, having been a citizen of Hamilton county for some forty years. The town of Webster City is now a town of some 4,500 inhabitants. At the time it took the name of Hamilton county it did not contain to exceed 100 inhabitants.

I wish to mention the names of some of the prominent members of the House and Senate. I will name W. T. Barker, of Dubuque, Mr. Cort, a gentleman by the name of Holmes, and the Speaker, Mr. McFarland. In the Senate W. W. Hamilton, Samuel J. Kirkwood, W. F. Coolbaugh, Mr. Grinnell, and Test of Council Bluffs. There were many bills passed, and some that we have always looked upon with pride, that, I feel were as essential to the welfare of Iowa as any laws that were passed before, or have been passed since that time. The disposition of our land grants, the railroads, and distributing the institutions of the State. I had the great pleasure of casting my vote for the removal of the Capital of the State of Iowa from Iowa City to Des Moines.

There was a bill introduced locating a blind asylum in Oskaloosa, Mahaska county. I moved to amend the bill by striking out "Oskaloosa, Mahaska county," and inserting "Webster City, Hamilton county," and came within three votes of locating the blind asylum at Webster City. My amendment failed, and we defeated the bill, and Vinton in the next Legislature following, secured that institution. I am very much pleased to know the institution was located in a pleasant and convenient part of the State, but I do think Webster City would have been much superior.

After the adjournment of the Legislature and on my arrival home, the first evening, a messenger came from Fort Dodge, notifying us that the citizens of Spirit Lake had been massacred by the Indians, and wishing us to send a party of men, fifty at least. We went to work, and had our company ready to leave at 9 o'clock the next morning. They met with two companies at Fort Dodge, and after a hard and tedious march, reached Spirit Lake just in time to bury the dead, and learned that the Indians had left. After their return, in about ten days, a messenger came rushing into Webster City saying that the Indians were coming down the Des Moines and Boone rivers, massacring the people, and the whole settlement on the Des Moines and Boone rivers rose in a body and fled for Fort Dodge and Web-

ster City. I immediately sent a messenger to Iowa City with all possible dispatch, requesting Governor Grimes to send us the whole arsenal of the State, that the Indians were massacring the settlers all along the Des Moines and Boone rivers. He sent me four boxes of muskets, and requested that I should receipt for same. I did so, and armed the settlers, and never had a greater trouble in my life than I had in regaining the arms and satisfying the receipt that I had given; but, as I am satisfied that the Governor meant to favor me, he accepted what I returned, and said he thought I had done nobly.

Our next experience was from Boone county the day after the report of the massacre. Judge McFarland and Captain McCall started with a company of one hundred men, taking teams, provisions, and everything that was necessary to cope with the Indians. When they came within five miles of our town we met them with a delegation and escorted them into town. Judge McFarland straightened himself up on his bay horse and said, "If you have any Indians, bring them on, the Boone tigers are here; we are ready for Indians." In answering the Judge, I said to him I didn't think there was an Indian within a thousand miles of us, but the people were scared, and I saw no way that I could prevent it. We appreciated their presence as fully as we could if there had been balls six inches thick upon our public square, and if the Indians or any other trouble befell Webster City we should know just where to go for assistance.

I thank you kindly, Mr. President, and Pioneer Law Makers of Iowa.

Adjourned to 1:30 P. M.

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At 1:30 P. M. the Association was called to order by the President.  
Judge Noble said:

I desire to make a suggestion in regard to a slight change of programme, and I desire to call the attention of the Executive Board to a subject for consideration. Your present programme denies the opportunity, within the time allotted for our present exercises here, to give any attention to those of our friends who are now members of the legislative body, except it be a single moment of time that we may snatch from our constant attendance upon this meeting three times a day. We must either lessen our work, as I see it, or increase our time so as to make it three days instead of two. We ought to have one day for no other purpose than to visit the Capitol and the two Houses of Legislature, and to confer with our friends and Representatives and Senators upon matters of public importance, as we see and look upon it. Now you go to the Capitol and call upon the Governor, but there is no time for consultation as to the great public interests of our people. I desire to call attention to this and move in pursuance of that idea that the Executive Committee be required to inquire into the propriety of changing the programme so that it shall be three days instead of two, taking the middle day for visiting the Capitol, the members of the Legislature, and for communication with the Legislature.

We are called the old Pioneer Lawmakers, and those who are acquainted with the members of our Association expect to talk with us. They want to

have an opportunity to talk and confer with us in regard to what our people need at home, and what is proper to be done. We get no time for that at all. We have to go either on purpose for it, or else make provisions for it while here in our regular order of business. I move that the committee be instructed to inquire into the expediency of a three days' session of the Pioneer Lawmakers instead of two as at present.

The motion was adopted.

Capt. I. W. Griffith said:

MR. PRESIDENT, I have the honor of introducing to you the Governor of Iowa, together with the Senate and House of Representatives of the Twenty-fifth General Assembly.

The President said:

Governor of the great State of Iowa, with this hand I welcome you to these our deliberations, and I trust you will have an abundantly good time. And you, Mr. President of the Senate and Mr. Speaker of the House of Representatives, I receive you in the same way, and I want to assure you that you are to feel perfectly at home and anything not tendered you, you shall have if you ask and it is in our power to give.

One of the members of our early legislature used to commence even a talk of two minutes with a preface and start out by quoting an "incontrovertible proposition." That was a good many years ago. I have often thought, how on earth could he preface anything in this way. I remember also that prince among men, one of the most successful legislators, and one of the most useful men the State ever had, Josiah B. Grinnell, who at two of our meetings at least, when we waited upon the General Assembly, in both houses said to them: "Gentlemen, you are the finest body of men I have ever seen assembled in the State of Iowa as a Legislature." So if I were to state that incontrovertible proposition I would be following him. "Gentlemen, you are the finest set of men I have ever seen in the State of Iowa." But I used to controvert that point with him and insist that it was not true when he was in the Legislature. If you go back to 1848-50 when Judge Cassidy and myself were young men in the Assembly you will see the ground of my objection—oh no, not at all—that won't do. But I will repeat what I said, that the incontrovertible proposition is, that you are a good looking set of men (that its like) at least when judged by your presiding officers. [Laughter.]

Now, we are exceedingly glad to see you this afternoon. We are sorry you could not all come. We had places for all of you, and you have places in our hearts. It is true that there are some old men around you who have passed through the heat and burden of the day. They can hardly realize that they come up here every two years for the purpose of seeing young men like you still engaged in the work. But they come with the greatest pleasure every two years, and there are few things that give them greater pleasure than to come over to the Capitol and to receive you as we do here.

On behalf of the Association, I welcome you. They representing the past, and you representing the present. And although they represent the past, they are not indifferent to the present; they are not out of the present by any means, but they propose to labor and struggle for the benefit and

upbuilding of this great State of which you heard so much yesterday, making it better and better. Some one has said that the man who undertakes to step from his tombstone to Heaven would make a mistake, unless there is more than usual, and deservedly so, on his tombstone. No, it is the life we live, the work we do. It is our adherence to what is right—our devotion to it, our devotion to the truth, our devotion to virtue. It is this that insures us a stepping stone; that takes us up the highest ladder on earth, and, as I said yesterday, brings us nearer and nearer to our home in the skies. The cars came thundering through the mountains—deep is the cut and dangerous the place. Near by, as the cars came thundering on, was the young brother and sister in danger; no means of escape. As the train came nearer and nearer, he says, "Sister, keep close to the rock and we shall be safe"—and in the cleft of the rock they were safe as the cars thundered through. So in life; keep near to the Rock, higher than all. Then the tombstone does not make so much difference; it does not matter whether there is any at all, or what may be upon it. That goes for nothing.

I welcome you and I greet you, Governor Jackson. I welcome you as the representative of the State. We are exceedingly happy to see you this afternoon. You, also, Representatives and Senators, we welcome you, and trust your remaining with us may be pleasant. We trust that some of the young men who are here with us may have something to say, and we shall also be pleased to hear from the Governor and those whom these two presiding officers may be pleased to call from your bodies.

The chairman said:

The next thing in order is a word from Governor Jackson, whom I now have the honor of introducing.

Governor Jackson said:

MR. PRESIDENT, PIONEER LAW-MAKERS AND FELLOW CITIZENS—I agree that it is a matter of deep gratification to me to have the pleasure and honor of being present a few moments at your deliberations. I was impressed with the remarks which your president has just made in regard to the history written across the tombstone. I want to say to you Pioneer Law-Makers of Iowa, that it seems to me, if I read the history correctly and rightly, that there should be no anxiety in your minds as to what history will be written across the tombstone of early Pioneer Law-Makers of our State. That history is found in the foundation of our state institutions of which we are all so proud; that history is found in the laying of that foundation demanded in the laws of our State by which this magnificent State has developed, progressed and prospered to a greater extent than any other state that constitutes this great union of ours.

Let me assure you that the history of the Iowa Law-Makers is written in the hearts of more than two millions of Iowa people, who are grateful for the laying of the magnificent foundation by which this great commonwealth has been built. I assure you that I feel it a great honor, not only upon this occasion; but any other, to be present and meet with the gentlemen who have given their lives in the past, who have given their best energies to the perpetuation and upbuilding of this magnificent State.

The Chairman said:

This gentleman to my left who belongs to us, but whom we have loaned to you for the present, we want to hear a word from.

Lieutenant-Governor Dungan said:

MR. PRESIDENT AND MEMBERS OF THE ASSOCIATION—I have but a word at this time, but I do desire to say that word. I have been thinking of what was said yesterday, and what has doubtless been said here, and what the people of Des Moines have said in receiving these old veteran Law-Makers. Looking back to the past with so much thankfulness for what has been done, the question occurred to my mind, while that is all true the present is the supreme hour in the history of any State on any proposition that may be made for the well-being of the people. The past remains irrevocable; the future depends upon the present integrity and honesty of the present actors on the stage; the past is for our example. The future is for you, and you have the advantage of the past, but the present is supreme over the past, because the future depends so much upon the action of the present and the wisdom of the past. And the history of the times expect that you will so utilize the present that you may, if possible, be of service to the future. This is the one thought I desire to express. I suppose my friend, Judge Fairall, if he is here, has told you all about it; but I have no time to refer to these matters as I would like to if I had met with you during your sitting. I thank you.

The President said:

We will now hear from the head of the most numerous body of the State, a man who has a pretty *hard name*, but who does exceedingly well under all the circumstances.

Speaker Stone said:

MR. PRESIDENT AND PIONEER LAW-MAKERS OF IOWA—I am indeed, very glad to be with you on this occasion. I regret exceedingly that there are no more members of the House of Representatives here to participate in your deliberations this afternoon than there are. But I want to say that body over which I have the honor of presiding is a laborious and working body. They desired very much to be present with you this afternoon, but they said, "we have work to do; we have our committees to attend to, and that is of superior importance." We like to enjoy ourselves socially; we like to meet the distinguished citizens who, above all men, are responsible for the grand State of Iowa. We like to associate with you, but we are engaged in arduous labors and as many of us as could will be present with you, but I regret to say that there are only a few who found it possible to be here to-day. I think that the gentlemen composing this Association are fortunate beyond all men. It takes centuries to grow, but those who took part in the founding of the States and our Nation really have left to us the completest structure. It is the happy fortune of the gentlemen whom I am now addressing, to see Iowa start from almost nothing and become the foremost State in the magnificent galaxy of States in the Nation, and you, gentlemen,

should be proud of the structure you have reared; you have turned over to the younger generation of citizens of Iowa a noble work, and I assure you it is the purpose and intention of those with whom I am associated to-day to perpetuate the work which you have started in such a glorious manner.

Judge Wright said:

Before we hear further from the gentlemen who represent the two houses, I want to present a gentleman who will talk to you just a few minutes. He was a member of the Third General Assembly; of the Senate with me. I was the youngest member and he was the oldest.

Judge Casady said:

MR. CHAIRMAN—I have not a speech written out, but I have a map I wish to show to the gentlemen. The old Pioneer Law-Makers are something like soldiers when they meet together and fight over the old battles again. We speak of the things that occurred in our time. I speak of the times when I was a member. Judge Wright speaks of the time when it took two men to represent Van Buren county; I speak to you of the time when I represented nine counties; Madison, Warren, Marion, Dallas, Polk, Jasper, Marshall, Story and Boone, and the country north and northwest. When I arrived at Iowa City, I lived thirty-five miles further west than any other member of either branch of the General Assembly. There were something over fifty counties organized and their boundaries defined, and the rest was a blank, every particle of it. I introduced a bill to define the boundaries of this county, and that finally made out sixty counties in the Third General Assembly.

There were fifty-five men who came to Dallas county and they were Mormons, and they all voted against me because I was not sound on the Mormon religion, but by some kind of an accident I was elected.

I will say that in that session of 1851, there was the great question of passing the code. We talked code in the morning at breakfast and talked code at noon and talked code at night; everybody talked code. I will say that Judge Wright was one of the principal men on the code committee. I was putting in lots of time on the question of boundaries of counties. I will say another thing that may be a surprise. Judge Wright has always been ashamed to mention it. That committee worked fifteen days at one dollar a day and the judge has been ashamed that he would stay there fifteen days and pay his own board. I will say further that at this session the Homestead Law was passed. It was in the code. It has come down to us from that time, some forty-three years. Some of the present members have made an attack upon it, but I think it will go through. That law was passed in 1851, and I suppose attempts have been made to change it at every session; but it still stands, and perhaps about the only thing that stands in that code is the Homestead Law of 1851. I am still in favor of that law, although you may make some changes at this session. Judge Wright made a speech in favor of its adoption. I remember talking to one man who said I had made up my mind to vote for it, but it will be repealed at the next session of the Legislature; the people will not stand anything of the kind, but it still stands as a law of the State.

Now, gentlemen, we have Judge Wright here, and others, to make welcome speeches. We are all glad to see you, and, as I said, we have to go back and talk over these old matters, because they occur to us as we are looking back. We are not looking forward as you gentlemen who are before me. I will refer to but one other matter. One of the members in the House of Representatives stated he was elected Speaker from Clayton, and Fisher was elected President of the Senate from the same county, and he stated that it was the only time it occurred that both offices went to one county. In the Third General Assembly Enos Lowe was President of the Senate and Major Temple was Speaker of the House of Representatives; both resided in Burlington. I ask the Judge's pardon for referring to that fact, because we want to keep the history as straight as we can. I understood that Judge Wright says no man is to talk longer than two minutes, excepting himself. I only wish to exhibit this map to show you the counties the Third General Assembly was made up from, fifty counties. I will not say anything further, but thank you for your attention.

Judge Wright said:

I will never get caught so again. Judge Casady came to me this morning and said he would like to have the opportunity of saying a few words. He talked about two Senators from Van Buren county, and one from Polk, etc. I will say, I knew every man in Van Buren county that voted for me, and he only one man in a hundred, and hence was elected!

Col. Godfrey said:

MR. PRESIDENT AND GENTLEMEN—I do not suppose I have anything especial to say this afternoon. You forbade us yesterday talking about Iowa and its greatness; that injunction was hardly necessary for me, because I concluded about three years ago I would never say anything about Iowa, and especially I would never tell the truth about Iowa, and I will tell you why I came to that conclusion. As you are aware, Mr. Chairman, my duties have taken me out of the State for the last eight or ten years, and consequently I have been in Salt Lake City during the past year. There I met a great many Hawkeyes, as you find them everywhere. There are so many there they have formed an organization and called it the Iowa Organization, and they have a membership of somewhere between 200 and 300; they have their annual meeting in the winter, inviting all the Iowans to banquet speeches. I have attended one or two of these meetings. Three years ago I got an invitation. I was not in Salt Lake City; I was at home, and found it would not be convenient to attend, and thought I would write them a letter, as a great many gentlemen have written letters to that organization that could not be present. I sat down and wrote a letter. I had been reading the statistics of Iowa and the crops, and I thought it would be interesting to the people of Utah to know what Iowa was doing. I embodied some of the statistics that I had been reading. I told them they ought to be thankful that they had ever lived in a State like Iowa, one so far in advance in all that went to the comfort of mankind. I told them we had just harvested 335,000,000 bushels of corn, worth \$125,000,000. I also told them the number of bushels of wheat, and what it was worth, and oats, rye, barley and flax, and the value of our horses, cattle, hogs, sheep, wool,

butter, cheese, poultry, and all that, making a grand total output of the state of Iowa of over \$400,000,000 in one year. I took it from the statistics. Thus far I know, and what I now relate I only heard. I mailed the letter and it was read at the meeting, and I am informed that when it was read when they got into the statistics they just stamped and cheered, and some good friend of mine moved a vote of thanks for the letter and its information, and some gentlemen moved an amendment; he said he had no objection to a vote of thanks, but said he would make an amendment and moved I should be crowned the monumental liar of Iowa. So you see I got a reputation by telling the truth as I got it from reports in the newspapers. I took the report and sent it to them and have been crowned the monumental liar of Iowa. So it is not necessary to caution me about talking about the resources of Iowa. I am done with it. Other gentlemen can talk about it if they choose. But I am glad to meet the old pioneers. I was especially glad this morning when one of the members referred to an old member of this organization. I refer to Elijah Sells, former Secretary of State and who now lives at Salt Lake City and who, during President Harrison's administration, was secretary at Salt Lake. He is the first man, except Judge Cole, that I became acquainted with in Des Moines, and I have known him ever since. He wanted me to say to this society that he received the invitation and present his kindest regards to each and every member of the old Pioneer Law-Makers Association. I was glad when he was referred to in such kind terms. Notwithstanding he was not in the early Legislature of this State, yet he was hardly equalled and not surpassed by any member of this organization; he requested me to present his compliments and asked me to especially remember him to the members of this organization.

The Chairman said:

I trust the Honorable President of the Senate will call out such members of the body as he desires to hear from.

Governor Dungan said:

Your president thinks that all the good in Iowa comes from Van Buren county. One of the oldest senators of the present General Assembly, Senator Vale, comes from that county. We will hear from Senator Vale.

Senator Vale said:

GENTLEMEN.—You are accustomed to surprises, and no doubt you will be surprised if I attempt to speak. You recognize the fact that we are not all built alike in Van Buren county, and we experimented with these public speakers to such an extent that we became heartily discouraged with our efforts in that direction, and shipped them to other parts of the State, as we want to deal with a more substantial class of men; men who are better rooted and grounded at home, and that want to even do better. Now we all recognize the fact that Judge Wright has intimated to you that every distinguished man Van Buren county has furnished, and it is a good place to come from. In consequence of that fact I want to say to you, gentlemen, that we now regard it as a grander and better place to remain, and we propose to remain in Van Buren county as long as the good Lord will let us.

I entertain very kindly feelings and very kindly sympathy for the gentlemen who constitute this organization. I regret exceedingly I was not in time to hear the paper from Senator Beardsley on the Thirteenth General Assembly. My acquaintance with the assemblies of Iowa—the past assemblies of Iowa—depends largely upon that personal touch with which I came in contact with those past assemblies, and my good father having been a member of the Thirteenth and Fourteenth General Assemblies and the session of 1873. I was as familiar with all the workings of that Assembly as I am with the present. I have, at my rooms at this time, the whole pile of what General Wright called the “rogues gallery”—the pictures of the members of that Assembly. I look over those pictures with a great deal of interest; I see some resemblance in those pictures to some of these gentlemen present; I recognize the fact that those were great and important days—important occasions; I remember well the fact of the tussle that was had, looking toward the building of the present State House; I remember the tussle these gentlemen had over the question of female suffrage; I remember in the Fourteenth General Assembly the tussle that was had to get this foundation stone, etc. Suffice it to say that, youth as I was at that time, and I am only a youth yet, I remember the circumstances, the things that transpired then, simply by reading and listening to what was transpiring as vividly, probably more vividly, than I do those things that have transpired in comparatively recent years. I want to say that it is always the case that the student who enters perhaps the junior class in college looks up to the seeming dizzy height of the seniors and those who are to graduate with wonderful awe—wonderful veneration, feeling that he may hardly ever dare to ascend those heights; but as he advanced thitherward himself those heights seem to come nearer to him—in seeing them dwindle into insignificance until they come nearer and nearer to him, until, at last, possibly, if he is ever so fortunate as to reach the heights himself, he realizes to his heart's content that there is not as much in it as he supposes. I mean simply that you gentlemen have the knack for which God created you, and you did your work nobly and well. I trust we may do the work equally as well so that possibly some one in the future may be so infatuated with the achievements of the present General Assembly that they may be able to say some good things of us, as we are warranted in saying of you, gentlemen.

The President here said:

GENTLEMEN OF THE ASSOCIATION—I regret that the engagements of the Governor are such that he feels compelled to leave. I am sure that public business demands his return to his office, therefore, Governor, we will excuse you.

Speaker Stone said:

MR. CHAIRMAN—When you gentlemen were legislating for Iowa there was a vast region in the northwest part of the State which was then unknown to you; that now is the home of enterprising citizens, and the land is filled with cities and wealth. We have, as the representative of that district, the Hon. E. D. Chassell.

Mr. Chassell said:

**MR. PRESIDENT AND PIONEER LAW-MAKERS**—It is indeed an honor to be the guest of this assembly of patriarchal patriots, and it is a privilege which we men of this late generation are happy to enjoy. As Speaker Stone has told you I am here to represent, as best I may, a small part of northwestern Iowa, the county of Plymouth. It is part of the great blank space on the map shown by Judge Casady, the venerable gentlemen who once represented that then trailless wild which has since been formed into forty-nine of the State's most wealthy counties. If I should attempt, in a feeble way, to tell you of the changes and development that have come since the pioneer days when they were designated by a blank space on the map, you would be likely to compliment me with a resolution like the one with which my other friend, Col. Godfrey here, was honored in Utah—with being a colossal fabrication. If your sense of courtesy to a guest ruled the resolution out of order, you would mentally conclude that my early life had been spent in the study of the classics of Baron Munchausen.

Speaking as one of the younger entered apprentices of the Legislative fraternity on Capitol Hill, I am glad to acknowledge the pride with which we, who are now taking our first footsteps in legislative experience, regard you, our able predecessors. We are trying to sustain the State whose foundations you laid so well. It is eminently fitting that these meetings of the Pioneer Law-Makers should be held during the Legislative sessions, because the boys of to-day can profit by the experience of you boys of yesterday.

We have looked with eyes of longing upon these badges you wear, and calculated the years that we will need to wait before the lapels of our coats can bear the same emblems. We know that those decorations are not obtained by political intrigue or personal favoritism, but like the iron cross of the German Emperor, are bestowed only upon those who have rightfully earned them.

"It was twenty-six years ago that I served my first term in the General Assembly," said a man with one of those badges to me to-day. Twenty-six years ago—how well I remember that time for it was then that as a small boy I came to Iowa with my father's family. We came to the end of the railroad and stopped and took a steamboat to cross the great river on the eastern boundary. Then we rode to the end of an Iowa railroad and stopped again and took a humble wagon. We went out on a trail through the prairie grass until we came to the end of that and stopped again, this time to stay at a prairie farm, where the wolf and the prairie chicken were our most intimate neighbors. And that was in central Iowa. But, gentlemen, by the sinister gleam in the President's eye, I see that he is about to put into execution the threat of yesterday, to shoot on the spot any man who brags about the great State of Iowa. I will desist, but look around you and your own vision will paint for you the picture in stronger colors than I could draw it.

It is said that "the evil men do lives after them but the good they do is oft interred with their bones." I am sure that there is not land enough in Iowa to dig graves long enough and broad enough and deep enough to inter with our pioneer law-makers the good that they have done.

We, your guests, are looking forward to the time when we will meet as you do. Then we will call our Democratic brethren over from their little Cherokee strip to our Republican land of Caanan, to a land that flows with milk and beet sugar. All our little partisan differences will be forgotten and we will tell the boys who come to greet us of the good times we used to have.

When that time comes we hope that it can be truthfully said that the laws we enacted were fair to men and women of all classes; that we have not specially favored the rich nor wronged the poor, that our work has been to better the moral as well as the commercial prosperity of the State we all love so well; and to make the bright star Iowa shine more brilliant than ever in the constellation of the Union.

Col. Myers, who was called upon, said:

MR. CHAIRMAN—I feel first-rate. I believe I was born in just the right time. I was in the army in various battles, and I do not wish or desire to be in any other place, because I might have been shot; but I feel first-rate, because I live in this great State of Iowa. I am sorry I cannot boast of having spread over so much territory as some of my friends who have been speaking, and who represented one-fourth of the State. I would not have been sufficient for that much—spreading over so much I would have been too thin. Those gentlemen who represented the State prior to myself were capable of doing it. I am glad to know you all feel we have a great State; I am glad to know that you appreciate it; I am glad to know that all the adjectives in the English language can be exhausted, and you have not said all that can be said about the State of Iowa, because they are not sufficient; I am glad to know that there is no place in God's world where, within such territory, there has been such progress made as in the State of Iowa; it stands the peer of all that has ever been in the history of the world, in intelligence, in wealth, in all that ennobles manhood and womanhood. I am afraid I have talked too long; I am afraid I have trespassed a little out of the ordinary course, because while I feel so good, there has been something said that pains me. When you say our State develops and goes on in grandeur and has three hundred and thirty-five million bushels of grain, which I suppose is true, no place in the world or State in the Union has ever seen any such production, and it will make one hundred and fifty bushels of grain to every man, woman and child in the State, and over four bushels of grain to every man in the whole United States. It is a grand thing. I am sorry to have any of our members making such statements. I am afraid he will have to be brought before the bar and made to promise he will not tell it any more. He forgot George Washington and his hatchet. It won't do. I believe in the old Methodist way of doing things. I do not know but it was in the meeting where our honorable chairman was when it happened that they became very enthusiastic in the prayer meeting. Every once in a while some member would say "amen" to everything that was said, no matter whether it was appropriate or not; "amen" was said to everything. His minister took him to task one day and he said he would try to do better. The next time they had a prayer meeting they all got enthused with the spirit and everybody seemed to be praying until he said, "amen, hit or miss." And so it seems to me we ought to say "amen" to

this great State of Iowa, "hit or miss." I am sorry that we cannot have a monument built to our friends, but I will tell you why we cannot have monuments: that is not what makes the world move, it is the spirit we put into things. In the army in 1864, when they went through the county and city where John Brown was tried and hung, the boys would strike up the old John Brown song.

"John Brown's body lies mouldering in the grave,  
His soul is marching on," etc.,

both old and young.

It is the grandest consolation and grandest opportunity we have to put our souls in the movements and into the things that surround us, and if the members of our Legislatures will put their souls in the laws, we will have grand movements and grand conditions in the State of Iowa, and the influence will go on and on after we go down to our graves. Like John Brown's soul, we shall not have lived in vain. We influence our times, and the spirit of our generation will be catching to the younger ones coming on, and so these pioneer lawmakers, I hope, have, in their feeble way, put enthusiasm in the young men here. While I regret the absence of the members of the House, and I see many of them to-day, I hope their idea is to put their souls into the work and help to make this State a power in the States of this Nation, and the center and hub of the whole world.

Owen Bromley said:

MR. PRESIDENT AND MEMBERS OF THE ASSOCIATION, AND MEMBERS OF THE GENERAL ASSEMBLY—The first time I saw your President was the 10th of August, 1860, and I am in some way inclined to think that as I became a member of the Tenth General Assembly, I am somewhat indebted to him. I was speaking—there were two stands at the same time—I never thought at all that I was fit—I never was a young man, but as I saw at a distance, a gentleman stand and listen to me who stood and listened during the whole of the speech—I think that Gov. Grimes was speaking on the opposite side of the stand—I began to think I was "some pumpkins." Some people began to tell me I was up for the Legislature. Some began to tell me that by and by I would get there, and I thought I would not get there from Van Buren county, as I heard that my distinguished friend here had a great many warm and intimate acquaintances. So I thought the best thing I could do was to migrate from there to Jefferson county. Then there was another reason for leaving Van Buren county. There were some people there who were a little bit afraid of me, and I was a little bit afraid of them, too. Among the number—the present distinguished gentleman from Van Buren—I never hinted it to him—his father was a gentleman whom I admired very much, and he was afraid of me and I was afraid of him, and so I emigrated from there to Jefferson county, and so I had not been there long before I became a member of the Legislature and no man was more glad of it than the father of the gentleman from Van Buren county; he was glad I became a member. I do not know whether it was because I was out of his way or not, but anyway it turned out good for both of us. I do not know whether I became a member because I left, or whether his father became a member because I left.

I am glad I am a citizen of the State of Iowa. I was born poor. It cost me something to come over to this country. There are a great many people

that it don't cost them anything to come to this country. I am glad for having come; I am glad to be a citizen of the State of Iowa. I like Iowa because of the number of things I won't mention, but let me say this to the members of the Legislature, especially to the younger portion of them, never let it be said of you as it was said of the children of Israel, when they had to suffer in consequence of some of their actions, "they forgot the God of their fathers." If we could only impress this upon the young members of the Legislature, and upon the young people of this country, to never forget the God of their fathers, I think it would be well for us all. I am inclined to think sometimes that there is a tendency in the times to turn their heads sometimes and thus forget the God of their fathers and go astray, and the consequences are they get in a great many errors and are not able to live or talk up to the right mark. I am not going to discuss politics, but there are some serious problems affecting the people to-day. Here are the people of the United States—there has been a period during which the population of the United States increased 23 per cent and crime and pauperism have increased 45 per cent. This is a serious question. Unrest is increasing, terrible evils are surrounding us; the question is engaging the people of what is to become of the unemployed. They have to be fed. As I was coming up the street this morning I saw a woman whose name was in the paper this morning, Mrs. Gibson, who applied for work. It is said she had a sick husband and six children and a team, and the husband could not use the team as he was sick and she came for work. They told her to go to the proper officers for relief. When I was coming up to the meeting this morning I saw her and asked if she was Mrs. Gibson, and she said "I am." And I said that there was a piece in the paper, I want to know if it is a fake; and she says, "I must have something to do for my family." She emphasized the "must." When I spoke to my friend Casady he said, "certainly they won't allow her to work on the streets." He said before she should do the work on the streets he would see that she should have work—before she should disgrace the city of Des Moines. I believe I could make a speech if there was time. I am glad of the opportunity; I am glad to have said what I said. I will say in conclusion, be men for the time, meeting the needs of the times; men of determination; men of will; men of courage, and when you have to meet the greater and more important questions, don't be cowards.

The President said:

That now ends the program for this afternoon, and I now leave it to you to say, gentlemen, who shall be heard from. I do not like to call out any one because they always preface by saying they are taken by surprise, when I know they are not.

Col. Moore said:

MR. CHAIRMAN—I feel that it is due to the Hairy Nation that I make a few remarks touching upon what has been said in reference to the Hairy Nation. I felt a little bit aggrieved and had no opportunity to reply to our worthy President while over at the new Capitol, when he very singularly remarked in that smooth way of his, that he would have no reference made to the grand, distinguished sons of Iowa, and Iowa itself. He referred to

the Senators from Van Buren and Davis counties, and thought perhaps they would often speak of Van Buren and Davis counties as a part of this great and glorious State of Iowa. He was a little facetious, and I want to set the mind of our good President at rest by saying that there has been indeed a wonderful change come over the Hairy Nation since he used to come through that part of the Hairy Nation and sit down and talk with our people by the light of the tallow dip. A wonderful change has come over the Hairy Nation since the days when our people came there for the express purpose of building homes for themselves and their children. It was indeed for us a Hairy Nation, but these times have passed and gone by, and the rude cabin has given way to the stately mansion with its smoothly rolling gravel walks winding gracefully through the groves and flowery shrubs, while the early pioneer sits with slippers on feet and listens to the prattling streams from the fountain that make music as sweet as it was ever the lot of man to hear. That is Davis county! And we want to invite our President, when he comes down there, to see the difference, the change that has come over our people; where every foot of land is capable of cultivation; where the farmer gathers his sheaves of ripened grain as he sings his harvest song.

Governor Gue said:

As Chairman of the Committee on Invitations, I have received some very interesting letters from some of our honored members, and I will read the names and turn them over to the Secretary for publication.

The Chairman said:

If there is no objection these letters will go to the Secretary for publication in the minutes of our proceedings.

It is so ordered.

Judge Wright said:

I want to say to you that in all respects I regard this much the best, most profitable and interesting of all the meetings we have had. I think the papers in all respects have been better, and this with all due respect to those who have given papers before. I beg to assure these gentlemen of the General Assembly that they are full of interest connected with the history of Iowa. There are few things that would be of more interest to the people of Iowa, and do more for the preservation of the history of Iowa than the publication of these papers. I trust there will be no doubt that the General Assembly will do as they have done in former years, provide for the publication of these proceedings, and for their binding. Many gentlemen, eminently able to do the work, have furnished papers and read them or sent them to us, and I therefore congratulate you, gentlemen, that our meeting has been so prosperous and beneficial to the State.

The Association here joined hands and sang "Auld Lang Syne," after which the meeting adjourned *sine die*.

## INTERESTING STATISTICS.

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The following was sent to the President after adjournment, which is of sufficient interest to warrant publication with the proceedings of the Association:

GEORGE G. WRIGHT, *Des Moines, Iowa.*

DEAR SIR—Since my return from our very pleasant and successful reunion, I have gone over the records of the past and now enclose you three sheets, one giving the survivors of the several departments during Territorial times, the second the survivors of the Territorial Legislature. It may be possible that there are some other living members, whose names I have not entered. I have entered for 1842 the name of Isaac Lewis, who resided in Van Buren county, but removed to Missouri. He was living and I met him at Keosauqua, when I went to deliver an address at the Pioneers Association. On the third sheet I have given the names of members and officers of the Second Territorial Convention 1844-46. I am not positive that Thomas J. McKean is living, though he was a year or so ago and I think he is still living.

I think, Judge, it would be well to publish in our forthcoming proceedings, these papers or the substance of their contents, so we might know the few living members of Territorial times and then watch the progress of events to note deceases as they occur. It will assist you in the preparation of your address for our next meeting. I therefore enclose papers to you to make such use of as you please.

Judge Fellows of Lansing is with me to-day and expressed his regret that he could not have been with us at Des Moines last week. The recollections of the week will be a pleasant spot in my memory while memory lasts.

I trust you and family are well and be ready for subsequent reunions.

Very truly yours,

T. S. PARVIN.

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### TERRITORIAL GOVERNMENT OF IOWA, 1838-46.

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#### SURVIVORS.

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##### EXECUTIVE DEPARTMENT.

T. S. Parvin, Private Secretary to Governor Lucas, 1838-39. First Territorial Librarian, 1839, appointed by the Governor.

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##### JUDICIAL DEPARTMENT.

T. S. Parvin, District Attorney Territory, 1839-40.  
Governors, Secretaries, Auditors, Treasurers, Representatives in Congress, Judges, Clerks, Marshals United States, and Territorial District Attorneys (except Parvin), Reporters, etc., all deceased; Legislators, all except seven; Members first two Constitutional Conventions, all except five.

## SURVIVORS OF THE TERRITORIAL LEGISLATURES 1-8, 1838-45.

FIRST, 1838.—*November.*

- 1.—Dr. Gideon S. Bailey, Van Buren County, House Representatives, Vernon, Iowa.

## SECOND, 1839.

- Dr. Gideon S. Bailey, Van Buren County, House Representatives, Vernon, Iowa.

## THIRD, 1840.

- Dr. Gideon S. Bailey, Van Buren County, Council, Vernon, Iowa.

- 2.—Judge Francis Springer, Louisa County, Council—Albuquerque, New Mexico.

- 3.—Daniel F. Miller, Lee County, House Representatives, Keokuk, Iowa.

- 4.—Alfred Hebard, Des Moines County, House Representatives, Red Oak, Iowa.

## FOURTH, 1841.

- Dr. Gideon S. Bailey, Van Buren County, Council, Vernon, Iowa.

- Alfred Hebard, Des Moines County, House Representatives, Red Oak, Iowa.

- 5.—Caleb H. Booth, Dubuque County, House Representatives, Dubuque, Iowa.

## FIFTH, 1842.

- Judge Francis Springer, Louisa County, Council, Albuquerque, New Mexico.

## SIXTH, 1843.

- Judge Francis Springer, Louisa County, Council, Albuquerque, New Mexico.

- Alfred Hebard, Des Moines County, House Representatives, Red Oak, Iowa.

- 6.—Robert Smythe, Linn County, House Representatives, Mt. Vernon, Iowa.

- 7.—Gen'l Wm. Thompson, Henry County, House Representatives, Bismarck, N. D.

SEVENTH, 1844.—*May.*

- 8.—Judge Sam'l Murdock, Clayton County, House Representatives, Elkader, Iowa.

- 9.—Frederick Hancock, Van Buren County, House Rep's'nt's, Bentonsport, Iowa.

EIGHTH, 1845.—*December.*

- Judge Sam'l Murdock, Clayton County, House Representatives, Elkader, Iowa.

## OFFICERS.

T. S. Parvin, Secretary Council 1840, Cedar Rapids, Iowa.

Judge John F. Kinney, Secretary Council 1845, San Diego, California

Gen'l William Thompson, Chief Clerk House Representatives, 1845, Bismarck, N. D.

## SURVIVORS OF THE FIRST CONSTITUTIONAL CONVENTION, 1844.

Dr. Gideon S. Bailey, Van Buren County, Vernon, Iowa.

Judge Thomas J. McKean, Linn County, Anamosa, Iowa.

Richard B. Wyckoff, Jackson County, Lyons, Iowa.

Eljah Sells, Muscatine County, Salt Lake, Utah.

J. C. Blankinship, Bloomfield, Iowa.

## SECOND CONSTITUTIONAL CONVENTION, 1846.

Hon. Alvin Saunders, Henry County, Omaha, Nebraska.

Judge J. Scott Richman, Muscatine County, Muscatine, Iowa.

Dr. Sylvester G. Matson, Jones County, Viola, Iowa.

John J. Sellman, Bloomfield, Iowa.

Gen'l William Thompson, Secretary, Henry County, Bismarck, N. D.

## LETTERS FROM ABSENT MEMBERS.

HON. JOHN A. KASSON.

WASHINGTON, D. C., February 8, 1894.

*Hon. B. F. Gue, of the Executive Committee:*

DEAR GOVERNOR GUE—I have received your invitation to be present with the Pioneer Law-makers Association at their Fourth Reunion. It has long been my purpose to be with them on this occasion; but a severe influenza, from which I have just recovered by means of a visit to the South, has compelled me to forego the journey homeward to Des Moines at this inclement season.

While many of my colleagues of the Twelfth, Thirteenth and Fourteenth General Assemblies have passed to other regions, including the unmapped country "beyond the river," many must still remain in the State they have helped to develop. It would be a great pleasure to take their hands once more, and to recall the stirring incidents of our legislative experience, especially the story of the founding of our State Capitol, which extended through all these assemblies. The meeting with our predecessors dating back to Territorial times would also be full of interesting recollections. I hope these reunions may be liberally supported by the presence of the fathers of the State. May the ennobling impulse which they gave to it in the direction of public education, of the Christian religion, of temperance, and of patriotic loyalty to the Union be forever maintained, and preserve to Iowa her greatness and her prosperity.

I am very truly yours,

JOHN A. KASSON.

HON. JAMES F. WILSON.

WASHINGTON, D. C., January 30, 1894.

*B. F. Gue, Esq., Chairman, Des Moines, Iowa:*

MY DEAR SIR—I have received the invitation to be present at the Fourth Reunion of the Pioneer Law-Makers Association of Iowa, on the 14th and 15th of February, for which I return you my thanks.

I should be glad, indeed, to be present on this occasion, but owing to my engagements here I am unable to do so. I sincerely hope that the occasion, as I am sure it will be, will be one thoroughly enjoyed by all present.

Again thanking you for the invitation, I am yours truly,

JAMES F. WILSON.

HON. GEO. W. JONES.

DUBUQUE, IOWA, January 30, 1894.

*Geo. G. Wright, President, Des Moines, Iowa:*

MY VERY DEAR FRIEND—Your very kind letter of the 20th inst., and the program without day, have both been received and I thank you most sincerely for both of them. I am very grateful for your kind allusions to our beloved friends, Judge Casady and his noble son Simon. I am very glad to

hear that they and their families, and you and yours, are all enjoying excellent health and hope such may continue to be the case for all time to come. I fear I shall not be able to visit Des Moines to participate in the rich treat which you have prepared for the 14th and 15th prox.

Your grateful friend,

GEO. W. JONES.

HON. HIRAM PRICE.

*Hon. B. F. Gue:*

WASHINGTON, D. C., February 3, 1894.

DEAR SIR—By this day's mail I have your circular letter inviting me to be present at the Fourth Reunion of the Pioneer Law-Makers Association on the 14th and 15th of this month. For this invitation I am much obliged, and if a railroad could convey me there in eight or ten hours I would gladly avail myself of the pleasure of being with you. But the eighty years behind me admonish me that what physical strength yet remains to me must be carefully husbanded. In 1853 I visited your city for the first time and tried to persuade the then citizens that a railroad could be built to that place. My statements were received with a good many grains of allowance. I think I recognize on your program a few names of persons who were then there, and it would be pleasant to greet them after these many years.

Very truly,

H. PRICE.

HON. JACKSON ORR.

*Hon. B. F. Gue:*

DENVER, COLORADO, February 2, 1894.

MY DEAR SIR—Your invitation to be present at the meeting of the Pioneer Law-Makers Association of Iowa, to be held at Des Moines on the 14th and 15th of this month, is received, and it gives me pleasure to find myself remembered in this connection, as well as to assure you that I can think of no assemblage at which it would give me more pleasure to be present. I regret that my duties here will not permit me to attend and have the opportunity of renewing old associations among the Iowa Law-Makers whom I have always pleasantly remembered.

Very respectfully yours,

JACKSON ORR.

HON. JOHN P. IRISH.

*Hon. B. F. Gue:*

SAN FRANCISCO, February 6, 1894.

DEAR SIR—I had lotted on attending the reunion of the Pioneer Law-Makers' Association of Iowa, but unexpected affairs here prevent. It would have been a pleasure to meet with the few survivors of the very earliest public bodies which laid, when the land was new, the foundations of the institutions under which I was born, and to greet also their successors who have nobly maintained the integrity of the earlier work. In recent years I have become familiar with all the commonwealths planted between the Missouri river and the Pacific ocean, and have been touched by the influence upon every one, exercised by the men of Iowa, and the strong infusion of their codes and court procedure, with the work of the law makers and the bench of my native State.

Iowa has been happy in her freedom from public scandals, in the uprightness and good example of her public life, and in the morality, humanity and character of her public men. I do not go too far in saying

that for these things of high credit she is indebted to the refined manhood of her law makers, transmitted into the justice of her laws.

Very truly,

JOHN P. IRISH.

HON. THOMAS HARDIE.

DUBUQUE, IOWA, February 7, 1894.

*Hon. B. F. Gue, Chairman Committee on Invitations, Des Moines, Iowa:*

DEAR SIR—Your invitation for the Fourth Reunion of the Pioneer Law-makers' Association of Iowa on the 14th and 15th insts. has been received, with thanks for your courtesy. I would be delighted to avail myself of the opportunity to meet with and renew my acquaintance with members of the Sixth and Ninth General Assemblies, but I am much in fear that official duties will, on the dates named, prevent my doing so. However, if I can possibly arrange matters so as to go, I will do so. Under any circumstances you have my best wishes for a profitable and happy meeting. If not present I would esteem it a great favor if you will send me one of the badges for preservation in my family.

Very respectfully,

THOMAS HARDIE.

HON. J. M. KENT.

CLARENCE, IOWA, February 7, 1894.

*Hon. B. F. Gue, Chairman of Committee, etc.:*

Your kind invitation to attend the Fourth Reunion of the Pioneer Law-Makers Association was received on the 2d inst.

At first I thought, "yes, I will go." But this morning it seems doubtful whether I will be able to attend. I am now in my 80th year and feel well, but dare not expose myself to many changes of places, or seasons. Whether I come or not, my best regards to you, and all of the pioneers.

"Old Cedar,"

J. M. KENT.

HON. JOHN RUSSELL.

ONSLow, IOWA, February 13, 1894.

*Hon. B. F. Gue, Des Moines, Iowa:*

FRIEND GUE—I received your invitation to attend the meeting of the Pioneer Law-Makers' Association to be held at Des Moines on the 14th and 15th insts.

I regret the fact, that I will now be unable to attend the meetings. I had thought of starting for it on yesterday evening, but the worst storm of the winter continued all day and had the effect of blockading the roads, so that I concluded it would be unadvisable for me to go. I have no doubt it will be a very interesting and enjoyable gathering to those who will have the pleasure of attending. I think it would be especially so to myself, as I notice that Col. Jed Lake is to deliver an address on the Legislature of 1862, and L. L. Ainsworth is to talk of the Senate of the same year. This would be very interesting to me, as that session was my first advent in Legislative experience. I had never before seen a Legislative body in session, and like most sensible greenhorns, found it necessary to observe and listen to the operations of those of some experience in previous Assemblies before I could safely take much part in the business of the session.

I can well remember many of those who were prominent in that important and historical session—many of them have gone to the spirit land and their voices will no more be heard in attempts to regulate and improve the

public affairs of this now great State. Rush Clark, the genial and model Speaker has long since departed this life, and left behind him a public record that will stand the test of criticism and approval. "Charlie Aldrich," our Chief Clerk, is still with us, as industrious as ever, and now devoting his remaining years to making a collection of material for the future historian to correctly guide him in writing up the early history of our noble State.

But a few weeks ago I read a notice of the death of an old friend, member of the House, as well as of other and later General Assemblies, J. Wilson Williams, of Des Moines county. He, Judge Mitchell, of Polk, and myself, were members of the Committee on Public Lands, and remained intimate friends ever afterward. Both of them have passed away and left behind them untarnished records and lives of public usefulness. Many others with whom I have been associated in this and later General Assemblies, have also passed away, whose associations will remain ever green in the memories of us all who yet survive.

Were it not that I might encroach on the grounds of my friend "Sam," now Judge Fairall's talk on the session of 1862, I would feel tempted to rehearse some of my own recollections of the stirring events that transpired in that memorable Assembly. He, or Jed Lake, will no doubt tell of that exciting episode which occurred when the news of the surrender of Fort Donaldson was received in the House. The Star Spangled Banner was sung by the whole Assembly standing—with a meaning that it never had before. "The spirit and the understanding" was in it all the way through.

General Baker was present, and when we were about to adjourn for a holiday afternoon, he mounted the Speaker's stand and moved that the prohibitory law be suspended for the balance of the day, which was done by general consent. Grand, patriotic, unselfish, genial, kindly, benevolent soul, he too, is numbered with the dead.

Very truly your friend and old associate,

JOHN RUSSELL.

HON. G. S. BAILEY.

VERNON, VAN BUREN COUNTY, IOWA, January, 27, 1894.

*Hon. Geo. G. Wright:*

DEAR SIR—Your kind letter inviting me to the Reunion at Des Moines on the 14th of February of the Pioneer Legislators of Iowa, was received in due time and I have delayed the reply, hoping I might be able to come, but, my dear sir, I feel that my physical condition is such that I would not be able to stand the excitement of meeting the old Pioneer Legislators. I am rather of a nervous temperament. I fear it would prostrate me. I will be eighty-five years old the third day of next June.

Please excuse me and give my kindest regards to all the old Pioneer Legislators of Iowa, and tell them they cannot imagine how often I reflect back upon those times, and it gives me melancholy pleasure. A happy time to all, and believe me as ever,

Your friend,

G. S. BAILEY.

HON. S. B. ROSENKRANS.

WEBSTER CITY, February 9, 1894.

*Hon. B. F. Gue and Committee:*

GENTS—Your kind invitation to the Legislative Reunion received. It would afford me great pleasure to attend, and renew old acquaintances and

associations and form new ones. But at present I don't see how I can attend. Thanking you for the invitation and hoping that all who attend may have a royal good time, I am,

Truly yours,

S. B. ROSENKRANS.

HON. NORMAN BOARDMAN.

*Hon. B. F. Gue:*

LYONS, IOWA, February 10, 1894

DEAR SIR—I am in receipt of your invitation to attend the Fourth Reunion of the Pioneer Law-Makers Association of Iowa.

In answer, beg leave to say that it would afford me much pleasure to meet with my old friends on the occasion, especially those of the Ninth and Tenth General Assemblies, as I see some of them are specially invited to take part in the proceedings. Please remember me to them.

The weather is so changeable and my health not being very firm at my advanced age, I do not feel it prudent to attend the meeting of the Association.

I am very truly yours,

NORMAN BOARDMAN.

HON. JOHN G. FOOTE.

BURLINGTON, February 3, 1894.

*Hon. B. F. Gue, Chairman of Committee, Des Moines, Iowa:*

DEAR SIR—Your kind invitation to attend fourth reunion of the Pioneer Law-Makers' Association of Iowa, is at hand. Its reception brings to my mind the faces and pleasant associations of my Senatorial membership, and incites a desire to meet and enjoy with them the interesting programme prepared for the occasion. Of this I must forego the pleasure, as the requirements of old age are best subserved in the conveniences and comforts of the home. May the future reunions of the Iowa Law-Makers' Association be enabled to continue to dwell with satisfaction and pleasure upon the high character and wisdom of its legislation.

Yours truly,

JOHN G. FOOTE.

HON. N. H. BRAINERD.

IOWA CITY, February 8, 1894.

*Hon. B. F. Gue:*

DEAR SIR—I am much obliged for the invitation I have received to attend the fourth reunion of the "Pioneer Law-Makers' Association of Iowa," the 14th and 15th of this month. That will be a meeting of choice and congenial spirits, with whom I would gladly associate but for the infirmities of age, which forbid to me winter excursions from home. I shall take much pleasure in the reading of your proceedings.

Most truly yours,

N. H. BRAINERD.

HON. J. L. DANA.

NEVADA, STORY CO., IOWA, February 8, 1894.

*Hon. B. F. Gue, Des Moines, Iowa:*

DEAR FRIEND—I received your invitation to be present at the fourth reunion of the Pioneer Law-Makers' Association, and I assure you it would give me great pleasure to be with you on that occasion and to greet and take by the hand the men who have helped make Iowa's history, and have done so much to make Iowa the grand State it is, but I am sorry to say my business at court here will deprive me of that pleasure. I am very respectfully yours,

J. L. DANA.

HON. H. L. HUFF.

ELDORA, IOWA, February 6, 1894.

*Hon. B. F. Gue, Chairman of Committee on Invitation, etc., Des Moines, Iowa:*

MY DEAR SIR—I am in receipt of your invitation to attend the fourth reunion of the Pioneer Law Makers' Association of Iowa, to convene at Des Moines on the 14th and 15th inst. Nothing would give me greater pleasure than to do so. But I have business engagements on both of those days that make it out of the question for me to be with you on that occasion. There certainly cannot be a more interesting body of men convene at Des Moines this season than the pioneer legislators of Iowa, and to meet with them would be a pleasure to any old legislator of Iowa, and I certainly regret that I cannot be with you. I am very truly yours,

H. L. HUFF.

HON. W. G. THOMPSON.

MARION, IOWA, February 17, 1894.

*Hon. B. F. Gue, Des Moines, Iowa:*

DEAR SIR—I regret that on account of our long term of court I was unable to meet with the old law-makers. I did not acknowledge your kind invitation sooner as I hoped to be able to get away from court. Hoping that all may be spared to meet again, and that I may be with them.

I am, as ever, your friend,

W. G. THOMPSON.

HON. J. W. JENKINS.

KANSAS CITY, MO., February 18, 1894.

*Hon. Ed Wright:*

DEAR SIR—Your circular and invitation to attend the fourth reunion of the Pioneer Law-Makers' Association are received. I regret exceedingly that I shall not be able to attend your reunion. I have thought each year since the organization of the Association that circumstances would be more favorable "next year," and that I would not fail to attend the meeting, but the more favorable "next year" has not yet come. Thanking you for your kind invitation, I remain yours truly,

J. W. JENKINS.

[From Ex-Governor Briggs' son and wife.]

JOHN S. BRIGGS AND MARY E. BRIGGS.

KIRKSVILLE, MO., February 16, 1894.

*Hon. Geo. G. Wright, President Pioneer Law-Makers of Iowa, Des Moines, Iowa:*

DEAR SIR—Accept our congratulations and greetings, that so many of the patriarchs of Iowa are again permitted to assemble, to join their hands and unite their voices as one, in that grand old chorus, "Auld Lang Syne." Permit the wish that Heaven's choicest blessings may be yours—

And as the sun goes down in a golden glow,  
May the heavenly city lie just below.

We have the honor to be, very sincerely yours,

JOHN S. BRIGGS.  
MARY E. BRIGGS.

## BIOGRAPHICAL SKETCHES.

## COL. ALONZO ABERNETHY.

ALONZO ABERNETHY was born April 14, 1836, in Sandusky county, Ohio, but lived chiefly at Bellevue in that State, until March, 1854, when he removed with his father's family to Illyria in Fayette county, Iowa. He received his education in the public schools of Bellevue, Ohio, Burlington Academy, Burlington, Iowa, and the University of Chicago, leaving the senior class in that Institution in August, 1861, to enter the service, and returning at the close of the war to graduate in 1866. Enlisting in the Ninth Iowa Infantry, company F, at the organization, he served three years and eleven months with his regiment, going out as private and returning as Lieut.-Col. in command. He was in every battle fought by his regiment, nearly forty in number, including Pea Ridge and Arkansas Post, Ark., Vicksburg, Jackson and Brandon, Miss., Cherokee Station, Barton, Crane Creek and Tuscumbia, Ala., Ringgold, Resaca, Dallas, Big Shanty, Kenesaw Mt., Atlanta, Jonesboro and Savannah, Ga., Columbia, S. C. and Bentonsville, N. C. He was twice wounded, once severely at Pea Ridge, March 7, 1862, receiving a gun-shot wound in right ankle, which confined him in the hospital for four months. The Ninth Iowa is said to have lost more men killed and mortally wounded than any other Iowa Regiment, including seventy-four at the battle of Pea Ridge.

Having spent his early life on a farm Col. A. chose to follow the life of a farmer, and on his return from the service at once went to work to improve a small farm bought with the savings of his pay as a soldier, beginning at \$11 a month. He has always kept up his interest in farm life with the hope of making it his chief and permanent interest; has always owned an Iowa farm, and still has a 250 acre farm under fine cultivation near Osage, though much of the time since leaving the service he has been called to give his time chiefly to other duties. On returning from the war in 1865, Col. A. was elected to represent his county in the lower house of the Eleventh General Assembly, which convened in Des Moines, January 8, and adjourned April 3, 1866. In 1870, having removed to Denison in Crawford county, he was elected Principal of the Des Moines Baptist College in which position he served for one year, and has been a member of its board of trustees continuously since. In the Republican State Convention of 1871, Mr. Abernethy was nominated for Superintendent of Public Instruction of the State, and was elected by a majority of 42,256 over his competitor. He was elected for a second term in 1873, and for a third term in 1875, at a time when there was a strong sentiment in the State and in the Republican party against electing state officers to a third term. During his time of service, the law providing for Teachers' Normal Institutes was enacted, which law has done more for Iowa schools and teachers than any other enactment in the history of the State. The State Normal School was also established during this term.



*Alonzo Abernethy.*



In September, 1878, in response to a second invitation from the board of trustees of the University of Chicago, he resigned his position of Superintendent of Public Instruction to accept the temporary presidency of that institution. After two years' service in this position, during which he made a summer's vacation trip to Europe, he returned to his Denison, Iowa, farm. But in July, 1881, Prof. Abernethy was again called to public service as principal of Cedar Valley Seminary, an institution of learning established by the Baptists of northeastern Iowa, at Osage, in 1862. He still fills this position, the Seminary enrolling annually from two hundred to two hundred and fifty students, its property and endowments having increased in the thirteen years from ten to seventy thousand dollars. In January, 1868, Col. Abernethy was married to Miss Louise E. Eaton, daughter of Dr. Sewell R. Eaton, who has ever since made for him a typical Christian home. They have had five children, two of whom only are living, Herbert and Clara, the two youngest. Mr. Abernethy is a man of active temperament, though of studious habits; is over six feet tall, and has never been seriously ill in his life.

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#### HON. L. L. AINSWORTH.

BY A. N. HOBSON.

LUCIAN LESTER AINSWORTH, the eldest child of Parmenas and Keziah Webber Ainsworth, was born in New Woodstock, Madison county, New York, June 21, 1831. His ancestors were of English descent, having settled in America in the early Colonial days. His grandfather moved to New York, where the father of Mr. Ainsworth was born, and where he still resides at an advanced age. Mr. Ainsworth's great grandfather served in the Revolutionary war and died as a prisoner on an English ship, a martyr to the Colonial cause.

Young Ainsworth received his early education in the public schools of his native State and subsequently attended Oneida Conference Seminary at Cazenovia, New York. At intervals during his course at the seminary he taught school and was said to be a very popular teacher and educator. After finishing his course at the seminary he commenced the study of the law in the office of Miner & Sloan, then the leading attorneys at De Ruyter, New York, and was afterwards admitted to the bar in Madison county in 1854. Shortly after his admission to the bar he removed to Belvidere, Illinois, where for one year he practiced law with J. R. Beckwith, under the firm name of Beckwith & Ainsworth.

Thinking the newer west offered greater advantages to young men than those afforded in Illinois, he came to Fayette county, Iowa, in August, 1855, locating at West Union, and shortly thereafter commenced the practice of law. The country was then new and sparsely settled, the law unsettled and practice crude. Lawyers then traveled the circuit, following the court from place to place—a practice long followed but now obsolete as the growth of the counties in population and wealth has produced in each county its local bar—now equal to all usual requirements of the profession.

Many of the earlier lawyers of the State became eminent locally through the practice here referred to, and none certainly in a greater degree than the subject of our sketch, who has an extensive acquaintance throughout northeastern Iowa, and the State as well.

Mr. Ainsworth at once acquired a large and profitable business and from his first appearance in Iowa was recognized as a lawyer of unusual strength, a position which he has ever since retained. He has been engaged in general practice and his name is connected with many important cases in which legal principles of great importance have been settled. Well grounded in the fundamental principles of the law, a close student of the law, learned in the technical rules and practice, precise in his application of legal principles, a natural advocate, quick to perceive the point in issue and adapt himself to the situation—he is, and always has been, a lawyer of unusual strength and cleverness as a practitioner, and has by years of practice justified the estimate of his friends that he is one of the most successful advocates his portion of the State has yet produced.

A prudent and careful counselor, conscientious in the discharge of his duties as an attorney, advising against litigation when it can be avoided, Mr. Ainsworth possesses in a peculiar degree the confidence of the people among whom he has lived and practiced. Possessed of unusual talent as a jury lawyer, a thorough tactician, full of resources, with an unusual knowledge of apt Scriptural quotations, and appropriate illustrations culled from his extensive experience and reading, with an active vein of wit and humor, he proves himself always a formidable opponent.

Mr. Ainsworth early evinced an interest in politics and in the fall of 1856 was a candidate for county attorney, but the county was overwhelmingly Republican, he a stranger, and was defeated as a matter of course. His defeat was expected from the start, but his candidacy gave him an opportunity to become acquainted with the people of his county and educated him in campaign work, which at a later date did him good service.

In the fall of 1859 he was nominated for State Senator in the district then comprising Fayette and Bremer counties, and was elected over Hon. Aaron Brown who had then served one term in the Senate and who was afterwards prominent as Colonel of the Third Iowa Infantry in the war of the Rebellion, and subsequently as a member of the House of Representatives in the Iowa legislature, and as Register of the Land Office.

Mr. Ainsworth served during two regular sessions and also during two special sessions of that body. During this early legislative experience he served as a member of the Committee on Judiciary and Railways, and was a very efficient member of each, but particularly the former, which then had charge of the revision of the laws of Iowa—and the fruits of which labor was the revision of 1860.

In the meantime the strife of civil war had spread over the land and Hon. Samuel J. Kirkwood, the war governor, gave him a commission as captain in the Third Iowa Infantry, which was then forming in Iowa. But as a special session of the legislature had then been called he felt that he could be of greater use to his constituents by serving out his term in the Senate than by entering the army, so declined the appointment, but gave the commission to his former law partner, Hon. C. A. Newcomb, now of St. Louis, who accepted the position and went to the war as captain of



Your Friend  
L. S. Ainsworth



Company F. Afterwards, in the fall of 1862, Mr. Ainsworth recruited a company for the Sixth Iowa Cavalry then forming, and on January 31, 1863, he was commissioned as captain of Company C, Sixth Iowa Cavalry, under command of the late Col. D. S. Wilson. The regiment was ordered to the west to engage in the campaign against the Indians, and was for some months stationed at Fort Randall, Dakota.

August 21, 1863, the command left the Big Cheyenne and on September 3d encountered the enemy at White Stone Hill, at or near the present site of Frederick, South Dakota. A sharp engagement followed. Captain Ainsworth was in command of Company C, and this company, with three others, were detailed as a scouting party. The troops, some two hundred and sixty in number, advanced and discovered a large body of Indians at White Stone Hill. The Indians were engaged in parley until the main body of troops were notified and had an opportunity to advance. Upon the arrival of the balance of the command the Indians fired upon the troops and then retreated. The fire of the enemy was returned with effect. Under cover of the night the Indians retreated and the prairie was strewn with provision, packs, tents and ponies, and the Indians speedily placed themselves beyond the reach of the soldiers.

The Sixth Iowa Cavalry in this encounter was detailed to surround the Indians and drive them in and the regiment received a flattering report of its action in the campaign. The regiment took part in several other engagements, among others that of Tah Kū Kohuta, on July 28, 1864, and was finally mustered out of the service at Sioux City, Iowa, October 17, 1865. Service on the frontier was largely confined to garrison duty, and only occasionally were the troops permitted to engage in conflict. The soldiers were just as brave and patriotic as those engaged in southern service, but opportunity was lacking to most of them to distinguish themselves on the field of battle; but their service, while lacking these opportunities, was just as essential to the welfare of the nation, and was full of hardship and privation and fraught with dangers as great as other branches of the service.

After leaving the army Mr. Ainsworth returned to West Union and re-engaged in the practice of law with Captain C. H. Millar, which engagement continued until July, 1873.

In the fall of 1871 Mr. Ainsworth was elected to the Fourteenth General Assembly as a member of the House of Representatives, and served during the sessions of 1872 and 1873, and was, during his term of service, a member of the judiciary committee, rendering valuable service in the formation of the Code of 1873.

In 1874 Mr. Ainsworth was elected to the Forty-fourth Congress to represent the Fourth District of Iowa, and served as a member of the committee on post-offices, post-roads and private land claims.

At the succeeding election he declined a re-nomination, and enjoyed the distinction of being the first Democrat to represent Iowa in the Congress of the United States in a period of twenty years.

Since his retirement from Congress he has devoted his entire time to his profession, and has held no office except that of school director, a position to which he was elected for several successive terms. Mr. Ainsworth has taken an active interest in all matters relating to education, and for a number of years was a member of the school board of West Union, and gave this

position the same thoughtful care he did the greater offices held by him, and his work received the commendation of his neighbors by repeated elections to the position.

In addition to his work in behalf of the public schools he has also taken an interest in higher education, and has served for several terms as one of the trustees of the Upper Iowa University at Fayette, Iowa.

Mr. Ainsworth has been considerable of a student; has kept abreast of the times in general reading, and has one of the largest and best selected private libraries in the county. In addition to his legal studies he has as a branch thereof made a special study of the subject of insanity, and has with the exception of two terms, occupied the position of a member of the commission of insanity in the county ever since its organization, and is an incumbent of the position at this time.

Mr. Ainsworth was married December 8, 1859, to Margaret McCove who was born in Louisburg, Pennsylvania, November 20, 1833, and is a daughter of Joseph and Eleanor (Nerius) McCove. She came with her parents to Freeport, Illinois, in 1839 and subsequently came to West Union on a visit to her sister, and it was on this occasion she met Mr. Ainsworth. She is a woman of unusual force of character and energy and modest and retiring withal. Of superior natural ability, extensive reading, liberally educated, herself always a student, she is a fitting helpmeet to the subject of our sketch. Six children, five sons and one daughter, have been born to Mr. and Mrs. Ainsworth, five of whom still survive, all settled in life except the youngest son, now a student in the medical department of the State University of Iowa.

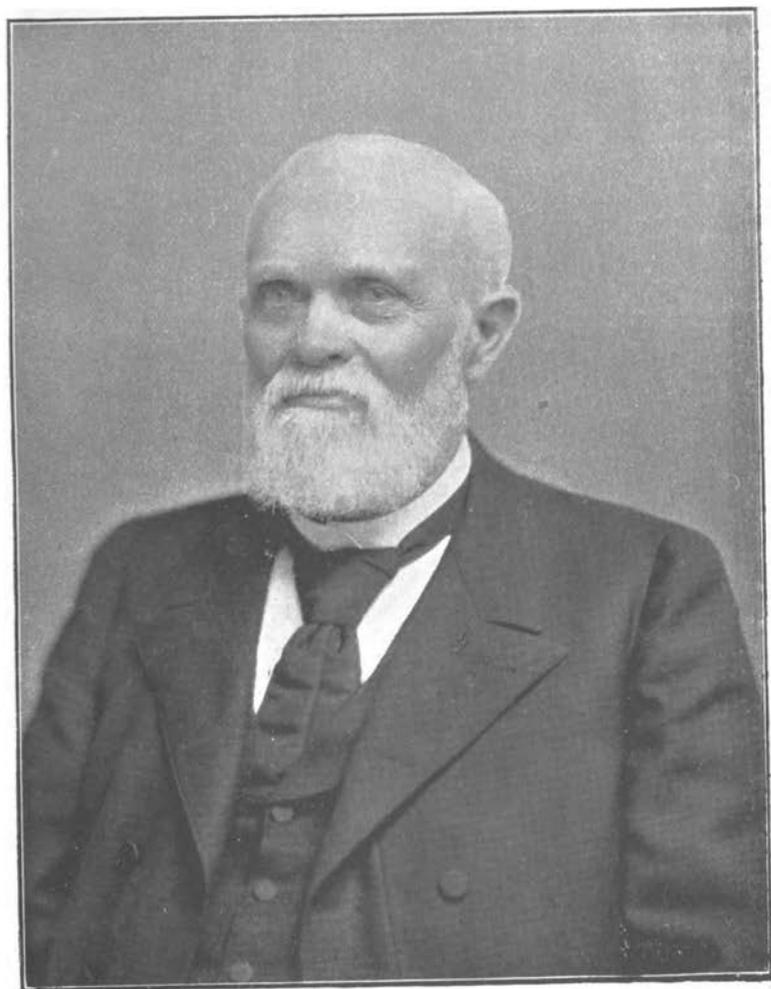
Mr. Ainsworth is a member of the Masonic orders, and a charter member of the West Union Lodge No. 69, and Langridge Commandery No. 47, Knights Templar. Prominent in social circles, always welcome at the social gatherings of his neighbors and friends, always active in all questions incident to the development of a new country, he is now and always has been a prominent character in the life of the county. Now in the prime of life with many years of usefulness apparently ahead of him, he is a leader in a community unusually rich in the number of its men of character and reputation.

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HON. GEORGE W. BEMIS.

BY STEPHEN TABOR.

The subject of this brief biography might truthfully quote, as equally applicable to himself, the opening sentence of the Memoirs of General Grant: "My family is American and has been for generations, in all its branches, direct and collateral," and to the believer in the potency of hereditary influences in the formation of character, he affords an example of the cumulative results of such an ancestry. Thoroughly imbued with the spirit of our institutions, cherishing an unwavering faith in the ultimate universal establishment of the fullest human liberty, and recognizing no social dis-



*Geo W Bemis*



inction based upon any foundation other than personal merit, he presents a striking type of the ideal American.

The son of Eleazor Bemis, he is a descendant, in the paternal line, of Joseph Bemis, an English yeoman who emigrated to this country, settling in Watertown, near Boston, in 1640, and through his mother, Susan Hartwell, of William Hartwell, who located in Concord, Mass., in 1686. Patriotism, industry and integrity seem to have been the salient qualities which marked his progenitors, and instances of exceptional longevity point to exemplary habits and well-conducted lives. In this connection, the following quaint obituary notice, published in *The Massachusetts Spy*, of December 26, 1810, is worthy of reproduction in full:

"DIED, IN SPENCER, CAPT. EDMUND BEMIS, AGED 90.

"There are some things worthy of record in the life of this aged and war-worn veteran. His father was one of the first settlers of Spencer, having removed from Sudbury about the time of the birth of this son, or about the year 1720. This son, Edmund, has been very remarkable for his habits of honesty, industry, and temperance which produced a long life, health and happiness.

"He early entered the service of his country, and was a lieutenant at the reduction of Louisburg in the year 1745. At this siege he was a zealous and active officer. After the French had surrendered to the victorious armies of New England it was found that they had spiked their cannon, intending thereby to render them entirely useless to their captors. It had been heretofore deemed an impracticable thing, after a gun was thus spiked, to drill it out, or by any other method whatever, to render it again fit for service. The commander of the American forces offered a premium to any one who would undertake the task, if he should prove successful. Lieut. Bemis undertook it, and by a process heretofore unthought of effected the desired object. Instead of drilling, as was supposed to be the only practicable method, he collected a large quantity of wood around the cannon and setting it on fire heated it to such a degree that with a cold punch the spike was easily driven into the barrel. Thus was he the author of a successful discovery to his country, which has ever since been followed with complete success.

"After the reduction of Louisburg he was captain in the war with France, which succeeded, at the close of which he returned to seek repose among his friends, which he has since enjoyed without interruption."

George Washington Bemis was born October 13, 1826, at Spencer, Mass., where he remained until 1837, when his father removed to Alabama, Gene-see county, New York. This change of residence was an event of no small moment, and involved a journey of many days fraught with more adventures and possible dangers than are now incident to an ocean passage or trans-continental tour. The section of New York into which he was thus brought was then a part of the ever-advancing frontier, and he gave a sturdy lad's assistance in the arduous labor of subduing the rugged face of nature to the needs of civilization. This task performed, his summers were spent in working on the farm which he had helped to wrest from the surrounding wilderness, and his winters were devoted to making the best use of such advantages as were offered by the primitive country school. The list would be a long one which included the names of all the men of prominence who owe much of their success to the efforts of the Yankee pedagogue of that period, whom Halleck describes as

\* \* \* \* \* "teaching  
The A B C from Webster's spelling book,  
Gallant and godly, making love and preaching,  
And gaining by what they call 'hook and crook,'  
And what the moralists call over-reaching,  
A decent living."

A course at the Cary Collegiate Seminary at Oakfield supplemented this instruction, and that he profited by every educational opportunity is shown by his early election to the office of superintendent of the township schools. His interest in political matters dates from the presidential campaign of 1840, and in 1848 he disgusted his father—an ardent Whig—by casting one of the eleven anti-slavery ballots “which leavened the lump” of four hundred polled in that district for the opposing candidate. He remained an enthusiastic and uncompromising Abolitionist throughout the struggle which terminated in emancipation. He has always, too, been a zealous advocate of woman suffrage. He taught school for two years in Wisconsin and in April, 1854, came west to visit an acquaintance. So enamoured did he become of the broad and fertile prairies of Iowa during his stay that he determined to adopt Independence as a place of residence, and went into the land business. Shortly afterward he became engaged to Miss Narcissa T. Roszell and, in the February of 1855, he went to New York, whither the young lady had preceded him, and brought her back his wife. This proved an exceptionally happy marriage—a union of congenial tastes and hearty co-operation of progressive aims. It was blessed by three children: May, who did not long survive early womanhood, and William S. and Arthur R., young men who have now established homes of their own.

Mr. Bemis was elected a member of the Eighth General Assembly in 1859, and served in the lower house during the regular session of 1860. It may be of some interest to mention, as an illustration of the changes wrought in a few decades, that four days and three nights were consumed in going from Independence to Des Moines, and that the capital had neither a railroad nor a telegraph line at that time. The session lasted nearly three months, and the legislators had to deal with business of great importance, including a revision of the Code, and an attempt to mitigate the “hard times” then existing by remodeling the revenue laws. Mr. Bemis introduced an important bill in relation to the duties of county surveyor and was largely instrumental in substituting the present supervisor system for the then existing county judge rule. The extra or “war session” which followed in June, 1861, was one that demanded action in affairs of much moment, and in all the deliberations he took a prominent part, his sagacious influence being very apparent. As one of a special committee of five, he was sent to investigate the construction of the insane asylum at Mt. Pleasant, out of which some ugly scandals had arisen, and he performed other and important duties.

Upon the expiration of his term, he was made a postal clerk on the Illinois Central Railroad between Dubuque and Sioux City, a position which he held for seven years. In the fall of 1869 he was appointed by Governor Merrill, one of the Commissioners of the Hospital for the Insane at Independence, to fill the vacancy caused by the death of Albert Clarke, and he acted as Secretary and Treasurer of the Board until his resignation in December, 1871. He was reappointed by Governor Carpenter in April, 1872, and served in the same capacity until July, 1892, during which time he received and disbursed more than a million dollars. He was elected from Buchanan county to the State Senate in 1871, and was justly regarded as one of the most efficient members of that body, giving to its records little in the way of oratory, but much service in a conscientious application of practical

business judgment to the questions which presented themselves for consideration. He served as chairman of the committee on the State University and was one of the committee on appropriations. He also secured for the hospital at Independence, without a dissenting voice in the Senate, an appropriation of \$200,000, the largest ever granted. He was chosen Treasurer of State in 1876 and re-elected in 1878, conducting the affairs of that extremely responsible office in such a manner as to win expressions of general approval.

He was a member of the first board of supervisors of Buchanan county and, apropos of his candidacy for that office, he once told an amusing and characteristic anecdote. On the day of the election he returned from an eastern trip to learn, with surprise, of his nomination. The struggle was an intensely hot one, party feeling ran high and the result of the battle was in great doubt. He started for the polls with the modest intention, as in previous instances, of voting for his opponent, but it occurred to him on the way that he was no more justified in "scratching" than any other voter, and he deposited a straight ticket in the box. "I received a majority of exactly one," he concluded, "and so became the choice of the people."

Mr. Bemis is of rather more than medium stature and somewhat full habit. His physiognomy and the general contour of his head recall portraits of Charles Darwin, and in many respects he is not unlike that eminent iconoclast. A long public career has left him with an unblemished reputation. He has held great pecuniary trusts with an integrity that has never known the shadow of suspicion, and in every situation he has been the champion of temperance and sound morality. It is fitting that, with good health, a keen relish for all intellectual and wholesome recreation, surrounded in his pleasant home by the friends and neighbors of half a century, he should be able to say with Adam, in "As You Like It"—

"Therefore my age is as a lusty winter,  
Frosty, but kindly."

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#### HON. NORMAN BOARDMAN.

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This distinguished citizen and Pioneer Law-Maker, died at his home in the city of Lyons, Iowa, on the 30th day of April 1894, at the ripe age of eighty-one years. He was the author of the proposition to organize the Pioneer Law-Makers Association of Iowa, and was a leading member of the first reunion, which, on February 24 and 25, 1886, was held in Des Moines. In 1890 this Association became permanently established.

The following is a sketch of his active and useful life:

Norman Boardman was born at Morrystown, Vermont, April, 30, 1813. His ancestors, as far back as the year 1639, came over from England and located on the then outskirts of civilization, and bought of the Indians, a large tract of land near where Wethersfield, Connecticut, now stands. His father, Ozias Boardman, true to the Pioneer instinct of the family, emigrated to what is now Morrystown, Vermont, in the year 1793, at which place he built a home, developed a farm and surrounded himself with a happy family, the subject of the sketch being one of the twelve children. Mr. Board-

man, in his boyhood, worked on the farm during the summer and attended the common school in the winter. As soon as he was able he taught school in the winter and earned money to pay his way through the Johnson's Academy, from which institution he graduated when twenty years of age. He remained on the farm until he was twenty-five years old, when, with the desire to do for himself, and to see more of the world, he started for the great undeveloped west. This was May 9, 1837. He visited Buffalo, Detroit, Chicago, Joliet, and Quincy, and journeyed down the Mississippi as far as Louisiana, Missouri. He taught one term of school in Missouri, and returned via the Mississippi and Ohio rivers and Miami Canal to Cleveland, and thence home.

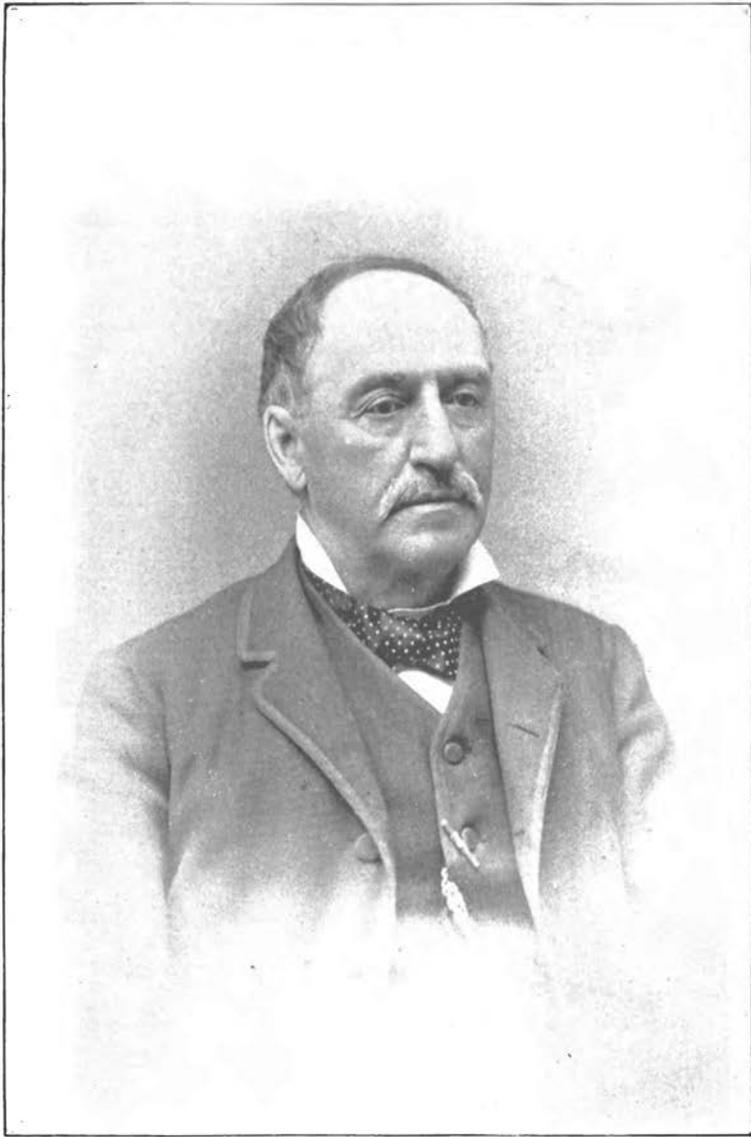
He commenced the study of law at once and was admitted to the bar September, 1839. He practiced his profession with marked success until 1852, when he again visited the west, going to St. Paul, Minnesota, stopping at Dubuque, and Peoria, Illinois, on his return. Next year, 1853, he went west again, leaving his family at Potsdam, New York, until he could find for them a permanent home. This he finally did, locating at Lyons, Iowa, to which place he moved his family, September 25, 1855. His principal business from this time until his death was real estate, in which he was very successful. His confidence in the value of Iowa's rich soil became early established, and he was always satisfied to confine his real estate operations to his own State. In the spring of 1854, in company with Dr. Downs, William H. Gibbs and Mr. Hess, he went to Mitchell county, Iowa, purchased eighty acres of land, which they platted and named Osage, in honor of Orin Sage, of Ware, Massachusetts, a partner of Mr. Gibbs.

Mr. Boardman always had the esteem and support of the community in which he lived. When he attained his majority he was a democrat in politics. In the early days of his law practice he was tendered the nomination of his party for the General Assembly of Vermont, which he declined. In 1845, during President Polk's administration, he was appointed Deputy Collector of Customs. In 1849 he was nominated and elected State Attorney, while his party was largely in the minority. He left the Democratic party in 1854, after the passage of the Kansas and Nebraska bill, and became a strong, determined member of the Republican party, and continued influential in its counsels to the end. He assisted in holding the first Republican meeting ever held in Lyons, Iowa, and for a number of years was a member of the town Council.

He was a member of the first and second Board of Supervisors of Clinton county, Iowa. In 1861 he was elected by a majority of 1,100, out of a vote of 3,000, to represent his county in the State Senate. He took rank with the strong men of the Senate, and was chairman of the Committee on Schools and School Lands and a member of the Ways and Means Committee.

The period during which Mr. Boardman was a member of the Senate was of great importance to both the State and National government. The years just preceding were gloomy ones for Iowa: the panic of 1857 caused real estate to depreciate in value, taxes were delinquent and remained unpaid. The school fund consisted mostly of notes held against individuals who had bought lands at the high figures of 1855 and 1856, and under the great financial stress could not meet their obligations. The State government was in urgent need of funds to pay its expenses and the demands made upon it by the general government, which was engaged in the terrible conflict of the great civil war. Many of his colleagues urged that the school fund should be collected and used in carrying on the government. Mr. Boardman, chairman of the Committee on Schools and School Lands, opposed this movement with all the energy, argument and personal influence he could command. He argued that a large part of the school fund would be sacrificed, and a large number of our best citizens ruined. The movement was defeated, laws were passed by which all taxes could be collected, and time given to all worthy citizens who were indebted to the school fund, to save themselves. The school fund at that time amounted to about three million dollars (\$3,000,000). It has been kept safely invested since, and now amounts to about \$1,600,000, and no man deserves more credit for this grand result, than does the subject of this sketch. All during his term as Senator, Mr. Boardman proved to be a firm friend of our common schools, the Agricultural College and the State University. It was at this time that the State received the grant, establishing and endowing the Iowa Agricultural College, and enacted laws for the leasing and sale of these lands. The laws were so wise and far-reaching that Iowa now has the largest endowed Agricultural College, save one (Cornell University of New York), in the United States.

In 1869 Mr. Boardman was appointed by President Grant to the office of Internal Revenue Collector for the second district of Iowa. He resigned this office of his own



*Norman Boardman*



accord in 1876. During his service he collected millions for the government, and not a dollar was misappropriated. Mr. Boardman was the first collector that discovered the secret and fraudulent methods of the distillers, and from his reports to the department at Washington began the exposure of the gigantic whiskey frauds of 1874. After resigning the collectorship, he gave the rest of his years to his personal affairs. He held his interest in the welfare of his State and Nation until the day of his death, and did not cease his activity in their behalf until old age made it necessary.

Mr. Boardman was married to Lydia George, of Try, Vermont, in 1843. She died in about three years. In 1848 he married Lois B. Knight, of St. Lawrence county, New York. She made his home joyous and happy for nine years, and died at Lyons, Iowa. In 1858 he married his present widow, Sarah M. Knight, of Gardner, Massachusetts. The only children of Mr. Boardman that grew to manhood are Homer C., William K. and Charles D., and they are children of his second wife.

Mr. Boardman was an indulgent, kind and generous father, and gave all his children a good academical education, and the youngest a college training. They have all been prosperous and successful in life.

H. C. Boardman is State Senator from the thirty-first district, Story and Boone counties. W. K. Boardman is State Dairy Commissioner, and C. D. Boardman has just retired from a six years' term as trustee of the Iowa Agricultural College.

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#### HON. SAMUEL McNUTT.

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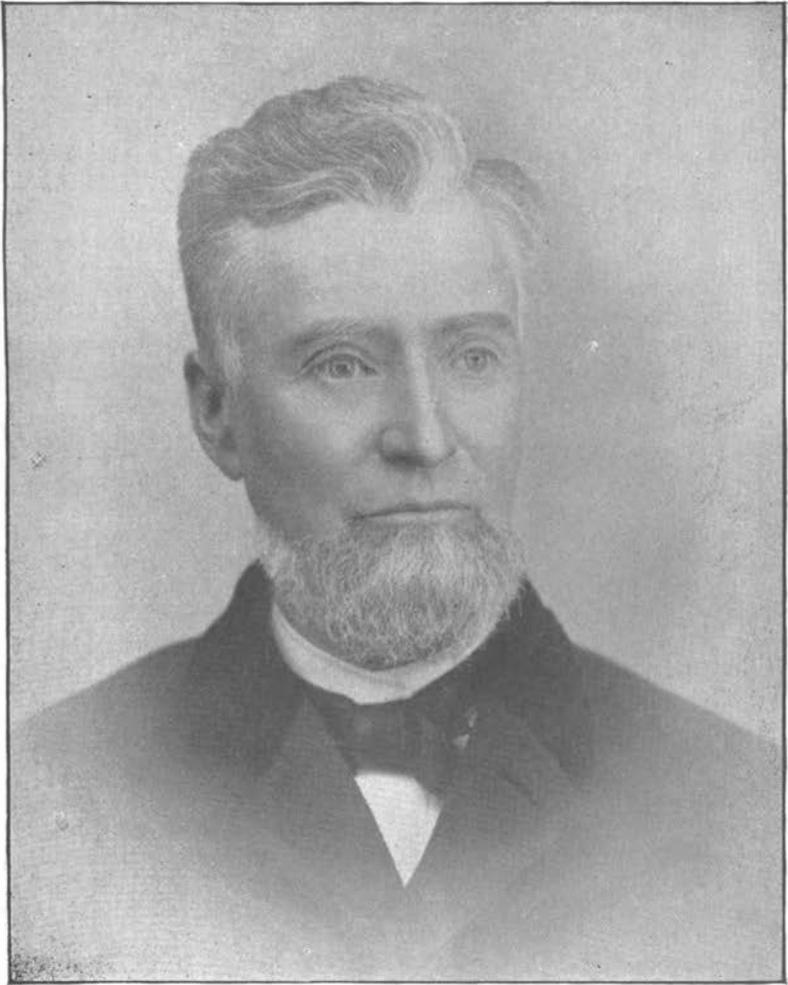
SAMUEL McNUTT was born November 21, 1825, in the north of Ireland, twenty miles west of Londonderry, and is the son of Samuel McNutt and Hannah *nee* Stuart. The family is of Scotch origin, and descended from a somewhat noted ancestry in the history of the soul-trying events of Covenanter times. While he was yet a child the family came to America, and after a brief stay in Philadelphia settled in New Castle county, Delaware, near the village of Newark. His mother was now a widow with seven children, of whom Samuel was the oldest. She never married again and for forty years devoted her life and energies to the education and interests of her children, three boys and four girls, and had the happiness to see them all honorably settled in life. Her second son, Robert, became an eminent physician in Louisiana; but taking the side of the Union at the time of the rebellion, he escaped to the North, losing all his property in Louisiana, and Governor Kirkwood appointed him assistant surgeon to the Thirty-eighth Iowa Regiment. Her third son, James, also joined the Union army, being attached to the medical department of the regular army, and for more than a year had medical charge of Fort Jackson and Fort St. Phillip, below New Orleans. At the age of eighty-five years she died in Iowa, December 24, 1874.

Our subject, Samuel, passed his boyhood working on the little farm in Delaware. By the time he was fourteen years of age he had committed to memory the Shorter Catechism, most of the Psalms of David in meter and Proverbs of Solomon, much of the "Scotch Martyrs" and Weems' Life of Washington. At this time his books were few and those here named laid the foundation for his character and have influenced his whole life. He first attracted attention by his poetical compositions published in *The Temperance Star*, of Wilmington, Delaware, over the signature of "Harmony

Plowboy," Harmony being the name of his school district. Delaware College is located in the neighboring village of Newark, and Dr. J. S. Bell, one of the professors, being attracted by the published articles, offered the "Plowboy" the use of his library and other literary assistance. He soon after entered Delaware College, where he obtained a liberal education. In those years he contributed to *Peterson's Magazine*, *Neal's Gazette*, *Godey's Lady's Book*, *Saturday Courier*, etc. Some of his pieces had a wide circulation in their day. Leaving college he engaged in teaching and was soon after elected president of the New Castle County Teachers' Association, which position he held three consecutive years by election. In the meantime he studied law under the direction of Hon. Daniel M. Bates, then Secretary of State of Delaware, afterwards Chancellor. In 1851 he came west to Milwaukee, was admitted to the bar and located there to practice. But being offered a professorship in a collegiate institute at Hernando, Mississippi, he went to that state, remaining there some two years. In 1854, he returned to the west and located in Muscatine county, Iowa. In 1856 he was principal of the First Ward public school, and in that year he and D. F. Wells, who was principal of the Third Ward school, originated the first educational magazine in Iowa, namely *The Voice of Iowa*, published by Dr. Enos at Cedar Rapids. At the close of 1856 he became editor of the Muscatine *Enquirer*, having purchased a half interest in that paper. On the 14th of April, 1857, he was married to Miss Anna E. Lucas, of Portsmouth, Ohio, a niece of Ex-Governor Robert Lucas, afterwards first governor of Iowa Territory. He became associate editor of the Dubuque *Herald*, then under the management of Joseph B. Dorr (afterwards Colonel of Eighth Iowa Cavalry), and remained in that capacity until 1860, when "Dorr & Co." transferred the *Herald* to "Mahony & Co."

Up to this time Mr. McNutt had been a Democrat in politics and a friend and supporter of Stephen A. Douglas. But when the Southern States began to secede and war seemed imminent, he announced himself in favor of the constitutionally elected administration of Abraham Lincoln, and in favor of every means that could be used to put down armed rebellion. The course of the *Herald* under "Mahony & Co." being opposed to the measures of the administration, Mr. McNutt was induced by a number of his Democratic friends, the "war Democrats," to start a paper, *The Daily Evening Union*, at Dubuque, to counteract the teachings of the *Herald*. During his publication of the *Union* in that time of excitement and passion he passed through some stirring scenes, and his bound volume of the *Union* he prizes highly, and has deposited it with the Historical Department of Iowa. The publication of the paper was a serious pecuniary loss to him, when he discontinued it and became one of the editors of the Dubuque *Times*. But in the fall of 1862, intending to go into the army, he removed his family back to his farm in Muscatine county where he has since resided.

In 1863, while recruiting for the Eighth Iowa Cavalry, he was nominated by the Republicans of Muscatine county for representative to the Tenth General Assembly, and he was elected by a handsome majority. His acts in the Legislature so pleased the people that he was re-nominated and re-elected to the Eleventh General Assembly and also to the Twelfth General Assembly, being thus returned three times in succession to the same house, an honor never before conferred by Muscatine. At the close of his



*Samuel McKitt*



third term in the House he was nominated and elected to the Senate, without any opposition, for a full term, which ended January 1, 1874. He thus served ten consecutive years as a member of either House. In both branches of the Legislature he was an advocate of needed reforms and left a record of which he and his friends are proud. In the House he was the pioneer of measures for controlling railway corporations, and the author of bills for that purpose. The principles which he advocated finally prevailed, and have since been sustained by the Supreme Court of the United States. He was the author of the act of 1864 (Session Laws, chapter 7), which wiped out the "black laws" of the Third General Assembly and made Iowa really a "free state." He managed, in 1864, the passage through the House of the "Senator Gue bill," to drive out of Iowa the "wild cat" currency then in circulation. In the Senate he was the father of many bills, and the author of some of the important sections of the Code of 1873, including the proviso in section 866, and all of sections 1305 and 1306.

He was the Senate member and chairman of the committee to visit and report upon the penitentiary at Fort Madison in 1872. He wrote their report to the Legislature, the result of which was that he prevented the State from paying out a bogus and trumped up claim of prison labor contractors for over forty-seven thousand dollars; and he recommended the building of a new penitentiary at some point where rock could be quarried. This advice was followed by the location of the new penitentiary at Anamosa.

In the summer of 1872 he was a candidate before the Republican State Convention for State Treasurer, and had a large and respectable support and vote; but the various corporations he had fought, the enraged prison-labor contractors, and the other candidates all combined, were too many for him. He was a conspicuous actor among the "Patrons of Husbandry," was master of a Grange, member of the State Grange, and president of the "Muscatine County Council" of the order. He was the author of the petition to the Legislature, signed by the Master of the State Grange, as coming from seventy thousand Iowa farmers, asking for legislation to regulate the railway charges. In 1884, Gov. Sherman appointed him to represent the Second Congressional District in the Farmers' National Congress at Nashville, Tenn. He took an active part in that body, and had it pass a resolution condemning the selling of large tracts of land to aliens, and calling upon Congress to prevent the same.

In August, 1889, while Anna, his wife, was on a visit to their son William in Nebraska, she was taken sick and died, and he has lived a lonely life in these late years. Their living children are three boys—William, a farmer at Ord, Nebraska, Robert, a practicing dentist at Muscatine, and Samuel, a practicing dentist in Des Moines.

On the 13th of August, 1890, President Harrison appointed him United States consul at Maracaibo, Venezuela. He went there to take charge of that office, and after a brief residence he concluded that he could not accommodate himself to the way of living and the people of that torrid clime, and so he returned to the United States and to beloved Iowa, and with thanks to the President resigned the consulate.

By church associations he is a Presbyterian, but he entertains very liberal views of religion and humanity. When sixteen years of age he joined the Washingtonians; in 1851, the Odd Fellows; in 1861, the Union

League; in 1872, the Patrons of Husbandry. He was for twenty years an officer of the County Agricultural Society, and one year its president. He is also a member of the "Scotch-Irish Society of America."

Now, in his advancing years, he is taking the world easy. He lives alone, among many friends and acquaintances, takes notice of passing events, and has a somewhat extensive social and literary correspondence.

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#### REV. CHESTER S. PERCIVAL.

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CHESTER SMITH PERCIVAL, clergyman, educator and poet, was born at Vernon, Oneida county, New York, March 12, 1822, the son of Arba and Clarissa (Simonds) Percival. His father was a farmer, the son of Roswell Percival, who emigrated from Vermont to Central New York early in the nineteenth century; his father, Ebenezer Percival, having removed to Vermont from Connecticut during the latter part of the eighteenth century. This Ebenezer was first cousin to James Percival, the grandfather of the distinguished poet and scientist, James G. Percival, who died and was buried at Hazel Green, Wis., in 1856, being at the time of his death geologist of Wisconsin, as he had been for a number of years before of Connecticut. The mother of Chester Smith Percival was also of Connecticut extraction, her father, Josiah Simonds, having removed from that state about the same time that Roswell Percival left Vermont. This Josiah Simonds was drafted as a soldier in the war of 1812, and though he was a wealthy landowner, and could easily have procured a substitute, was too high-spirited to do so, and entered the service, but within a few months was attacked with camp fever and brought home dead.

Chester Smith Percival, after completing his academic course, entered Hamilton College, from which in 1845 he was graduated with honor. His commencement theme, a poem, entitled "The Land of Dreams," occupied on the scheme the place usually assigned to the valedictory. As a student, he stood among the first in his class, especially in elocution, ancient and modern languages. During his college course he was a contributor to the newspapers of Rome, Utica, and neighboring villages. Subsequent to graduation he filled various positions as a teacher; first, in the academy at Fredonia, New York; then in Augusta, New York; afterward in Tennessee, for five years, being principal of the Sumner academy, at Gallatin. He then returned to New York and was for some years principal of the Vernon academy. He subsequently established a Church boarding school for boys at Fredonia, which was under the immediate patronage of the Episcopal church. During the financial crisis of 1857 the attendance at his school was so reduced that he was obliged to abandon the enterprise. Dr. Percival had meanwhile been studying for the ministry, and in 1860 he was ordained at Utica, by Bishop De Lancey. In 1861 he was called to be rector of the parish at Homer, Courtland county, New York, where he was at the outbreak of the civil war. Being appointed chaplain of the Twelfth New York Infantry, he resigned charge of his parish for a few months, and went to the front

with the regiment, returning to Homer at the expiration of the time for which he had enlisted, and continued in charge of the Episcopal church at that place until the spring of 1864, when he accepted a call to become rector of Grace church, Cedar Rapids, Iowa. His entire ministry of thirty-one years has been spent in Iowa, with the exception of the three years he passed at Homer, New York, and four years at Rockford, Illinois. Dr. Percival has been rector of seven parishes, and has not only attained distinction as a parish minister, but as an eloquent preacher and a reader, whose elocution gives its true meaning and reality to the beautiful liturgy of the church. However, he has become more widely known as a writer than as an educator or clergyman, and since entering the ministry he has continued to write and publish, both in prose and verse. He wielded a versatile, vigorous pen, and mooted questions on theology, morals, literature and science have been discussed by him with acknowledged ability. Dr. Percival has both written and lectured in opposition to the "Darwinian theory," and in 1878, at St. Louis, during the session of the American Association for the Advancement of Science, of which he was a member, he read a paper on the "Early Decay of the Male Plant of the Common Hemp, *Canabis Sativa*." This paper caused a great sensation, both from its novelty and the argument against "Darwinism" which he had introduced into it.

During his residence in Tennessee, Dr. Percival was one of the favorite poetical contributors to the paper of the celebrated George D. Prentice, the well known "*Louisville Journal*," then in its palmiest days. The publication of his poems in that journal, together with Mr. Prentice's enthusiastic encomiums, resulted in his being known and acknowledged throughout the country as one of our national poets. He repaid Mr. Prentice's well-bestowed praise in the following epigram:

"Apollo, consenting to teach thee his trade,  
His met with a woeful disaster;  
For the works of the gods are now left in the shade—  
The 'Prentice surpasses the master."

His poems were republished in many of the leading newspapers and magazines of the country. In 1883, at the annual commencement of Hamilton College, he read, by invitation, a poem before the "Alumni Association" and received, on commencement day the honorary degree of Ph. D.

Dr. Percival made rhymes before he could read, and in his nineteenth year, while yet a freshman, published, by subscription, a volume of his juvenile poems entitled "House of Musing," to assist in defraying the expenses of his college course. His busy pen has since never been idle, and he had ready for publication at the time of his death, enough material to fill several volumes. He was naturally proud of his distinguished relative, James G. Percival, and gives him credit for much of his own best inspiration. One of his most affecting poems, which was recently published in the *New York Critic*, is entitled "At the Grave of James G. Percival," and contains a severe rebuke to Connecticut and Wisconsin for leaving the grave of his illustrious relative in utter neglect.

In the spring of 1846 Dr. Percival was married to Elizabeth Hodges, who was his faithful and accomplished assistant in his work as an educator.

In 1890 Dr. Percival was appointed chaplain of the Soldiers' Home at Marshalltown, Iowa. On the 4th of August, 1893, he was called to the

Eternal Home after an illness of six weeks. His body was taken to Beloit, Wisconsin, where it was tenderly laid to rest in the cemetery at that place on the 6th, just before sunset.

Dr. Percival read an original poem, by invitation, at the meeting of Pioneer Law-Makers in the winter of 1892, upon which occasion he was elected an honorary member of the association. He was a magnificent looking man; tall, finely proportioned, straight as an arrow. In his later years his abundant black hair turned to snowy white, making him a most conspicuous personage in any public assemblage. His poem, read upon the occasion referred to, was so well received that his election as an honorary member was a matter of course. It appears in the volume of proceedings for that year.

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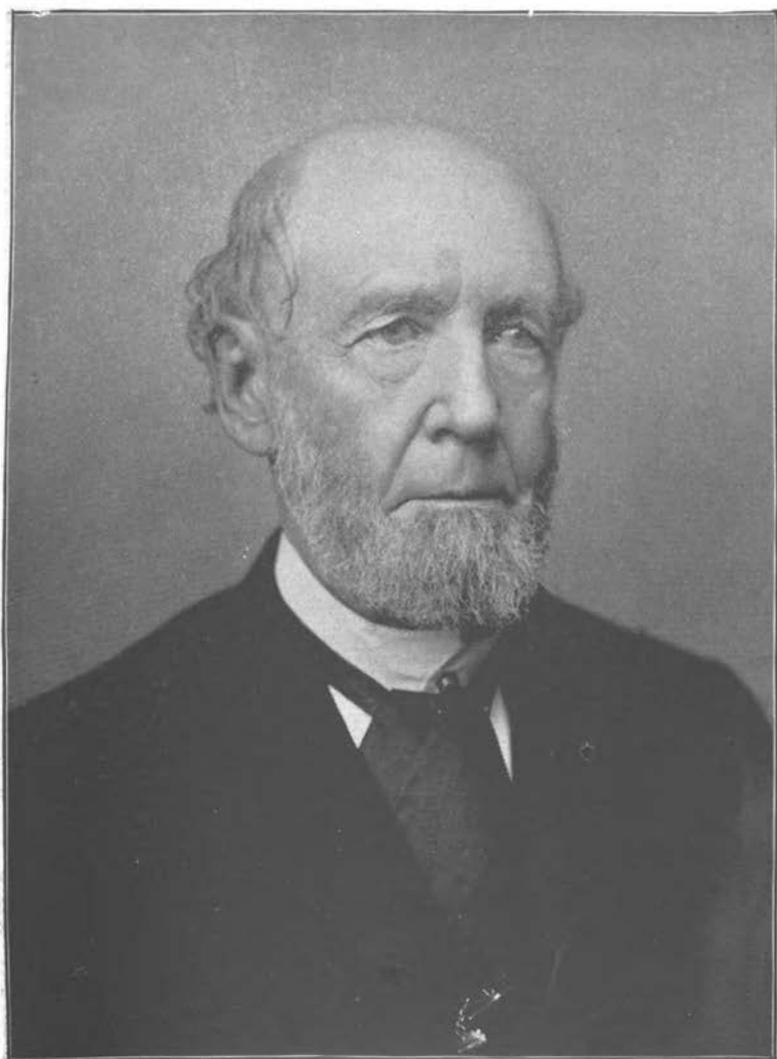
### HON. THOMAS S. WILSON.

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#### DUBUQUE HERALD.

THOMAS S. WILSON was born at Steubenville, Ohio, on the 18th day of October, 1813, and was consequently just eighty years old at the time of his death. He was descended from a long line of honorable ancestors upon both sides. His great-great-grandfather landed at the spot where Philadelphia now stands with William Penn. His grandfather was in the Revolutionary war, and held a commission signed by George Washington, which is still preserved in the family as one of its valuable heirlooms. His father was an attorney in Philadelphia, but removed to Steubenville when thirty years of age, where he was married to Miss Frances Stokeley. Judge Wilson was the third child. He was educated in the schools at home until fitted for college, when he entered Jefferson College, situated at Havensbury, Pa., where he graduated in the class of 1833 when only nineteen. James G. Blaine afterwards graduated at the same college, and Judge Wilson's mother was a bridesmaid to Mr. Blaine's mother when she was married. Judge Wilson's father died when he was only sixteen, and thereafter he had to depend largely upon his own resources. After graduating he obtained a clerkship in the land office at Steubenville, and at once entered upon the study of the law, having Edwin M. Stanton for a fellow student at the same time. He was admitted to the bar in 1835, and one of his certificates bears the signature of Col. Daniel McCook as clerk of the court, the father of the fighting McCooks.

On the 20th day of September, 1836 he was married to Miss Anna Hoge, the daughter of Col. David Hoge, a prominent citizen of his native town, and the next day the newly married couple took a boat down the Ohio and up the Mississippi. In due time they landed at Prairie du Chien, where his older brother was a lieutenant in the First Infantry of Regulars, commanded by Zachary Taylor, afterwards President of the United States. The newly married couple were warmly welcomed by all the officers at the frontier post. Judge Wilson had it in mind to settle either at Dubuque or at Belmond or Mineral Point, Wis., and he used to tell the story that he tossed a silver dollar with heads for Dubuque and tails for Mineral Point, and heads



Your friend  
J. S. Wilson.



came up on top as he wished. Having determined to come here he and his wife were rowed from Prairie du Chien here by two half-breeds whom he had hired for the purpose. The first day they came as far as Cassville, and reached Dubuque on the evening of the second day, the 13th of October, 1836, and here has been his home ever since, a period of nearly fifty-eight years.

In 1838 he was elected president of the board of trustees of the town of Dubuque. In June of that year he was nominated for delegate in congress for the Territory of Iowa, and was on his way to accept the same when he learned that he had just been appointed by President Van Buren as judge of the supreme court of the Territory. The first court ever held in Iowa was presided over by Judge Wilson at Prairie la Porte, where the village of Guttenburg is now situated. This was in November, 1838. He continued as one of the supreme judges of the Territory until Iowa was admitted a State in 1846. When the first legislature met his name was presented for United States Senator, and he came within one vote of securing the nomination, which would have given him the election, as his party was in the majority.

In 1847 he retired from the bench and entered into partnership with Platt Smith and his brother, the late Col. S. D. Wilson, for the practice of law, where he was uniformly successful. One of the cases they had was a celebrated one that excited great interest at the time, for it involved the title to all the land where now stands the city of Dubuque, and affected the home of every man in the city. It was the case of *Chouteau vs. Moloney*. The case was fought through the supreme court of the United States, where it was finally decided in favor of the rightful settlers and against Chouteau in 1853. In the year 1852 Judge Wilson was again placed upon the bench, this time being elected by the people as district judge in this judicial district. Here he remained until the 1st of January, 1863, when he was again chosen by a large majority of the people, but was defeated by the army vote, where it was claimed some doubtful measures were adopted. Judge Wilson sat upon the bench of Iowa for twenty years in all, beginning when he was a young man of only twenty-five years. He acquired a wide reputation as a judge and his decisions were esteemed as fair and straightforward. It was one of the boasts of his life that no Iowa judge ever had fewer of his decisions reversed. In 1866 and again in 1868 he was a member of the State Legislature, where he held a commanding and influential position and was one of the leading members of the body. For several years he was deputy United States district attorney, and as such had charge of the important litigation before the federal courts. He was also at different times attorney for both the city and county. Of late years he has retired largely from the active practice of the law, although always keeping an office down town.

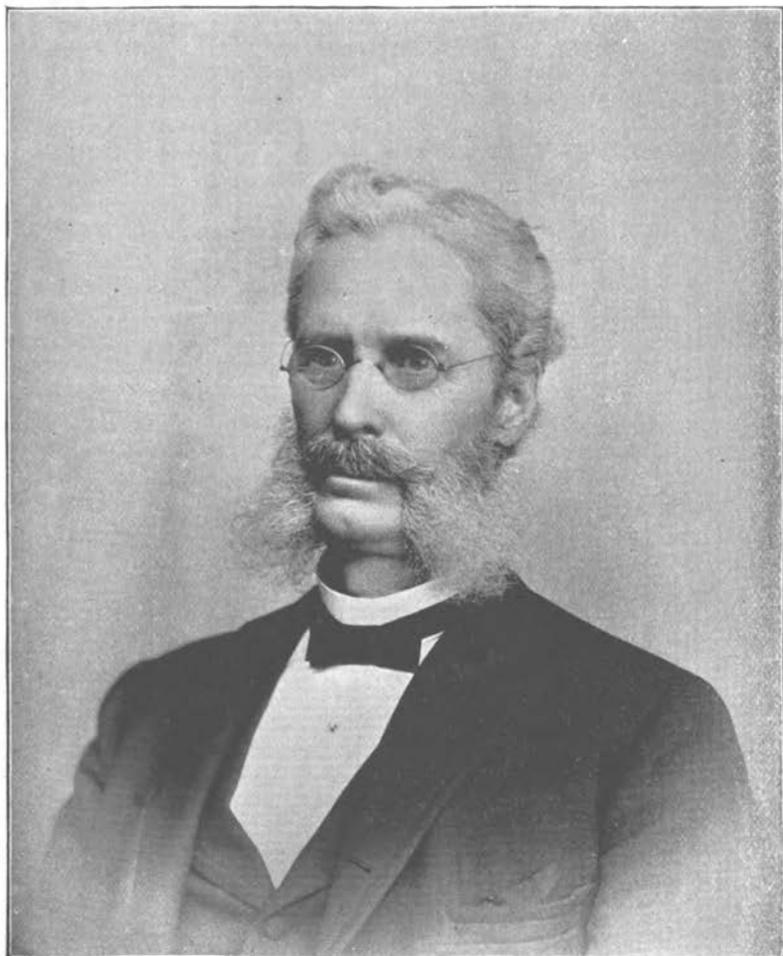
He was always a very active man, both in mind and body. He was a ready and fluent speaker, and was ever in demand on social and other occasions where speaking was to be done. But with his pen he was, if possible, still more ready and agreeable. He was a pleasant and forcible writer, and had he devoted his attention to it would easily have excelled in this field of expression. He was fond of historical writing, and at one time and another has contributed large numbers of papers to the press of Dubuque especially upon topics of local and early history. Judge Wilson has been three times married. He has resided at the corner of White and Sixteenth streets for forty-five years; there he died on the 16th day of May, 1894, at the age of eighty years.

## GENERAL ED WRIGHT.

BY CHARLES ALDRICH.

In the autumn of 1855, the people of Cedar county elected to a seat in the Legislature a young farmer, who, during the intervening thirty-nine years has come to be one of the best known men in our State. It was but a few weeks after that body opened its memorable last session in Iowa City, before the people of Iowa began to hear of Ed Wright, and they have known him well and in many useful capacities from that time until now. Few men anywhere have been more continuously in office, and yet there is nothing in his character, or in his daily walk or conversation, to suggest or countenance the idea that he is an office-seeker. There is nothing demonstrative in his action or methods. His ways are very quiet, his manner eminently genial and pleasing, as become a man with a Quaker ancestry. Any idea of management, or acting for effect, is wholly foreign to his nature or to a fair understanding of the man. Moreover, no one is more outspoken or positive in the expression of his opinions. None of his utterances are of a doubtful nature or admit of dubious constructions. But he has, in all these years, been in active politics, and almost continuously in public office. There must be some reason unusual and extraordinary for such a successful career. But to those who know him intimately and well there no is fog or mystery connected with his success. One simple rule has governed his course through life, and that is, to do well and with all his might whatever his hands have found to do. The belief in his integrity, and that he is a perfectly safe and always judicious and reliable man—adequate to the performance of any task that he would undertake or any responsibility he would assume—is universal. The man to whom that kind of a reputation seems to attach as a natural consequence, to be part and parcel of his make-up, and who possesses the equally rare gift of contentedly biding his time, is pretty apt to be in demand, to be wanted. He will stand like a pillar in a community, while even greater men may fall by the wayside, "die and make no sign."

When he took his seat in the legislature the first subject to which he gave his attention was that of parliamentary law and the rules of the House. There were plenty of old, cultured, professional men in that body—men who, like Col. Crockett, could speak eloquently upon any occasion or upon none whatever!—but in a very short time Ed Wright possessed a better knowledge of the rules and precedents governing deliberative bodies than all the old stagers combined. When knotty questions arose during his long legislative career even Speakers would appeal to him to straighten out the kinks. He was listened to as one who spoke by authority, and he generally had his finger upon the section or clause in Cushing's great Manual of Parliamentary Law which rendered his position unassailable. He easily acquired the confidence of everybody—those with whom he was associated intimately as well as the public at large. When he was once chairman of the Committee on Claims, he personally acquainted himself with the merits



*Ed Wright.*



of every account brought against the State. If he recommended or opposed the payment of a claim, that settled its fate at once and finally.

But with all his great but quiet popularity, he is far from being an easy-going person, without opinions or prejudices. He is one who does his own thinking. He has never been any man's man. In fact, he has at times provoked the deepest hostility in influential quarters because he would submit to no domination. His standard of justice and right is his own, and from this mere outside influence never swerves him. And now, at the age of nearly 68, and close upon the time when the infirmities of years, and the exposures of a soldier's life, will necessitate his abstention from all responsibility and care, he is still in the harness, at a post of arduous duty to which he was called because his services were needed, looking as carefully after every detail, and as scrupulously guarding the public interests, as at any time in his long, laborious and most useful career.

Ed Wright—and that is his whole name—not Edwin or Edward or Edgar—was born in Salem, Ohio, June 27, 1827, and is therefore at this writing (September, 1894) fairly entered upon his 68th year. His ancestors were Quakers. He was raised on a farm, acquiring his education at a district school, with a short term at the Atwater Academy, Portage county, Ohio. Upon leaving the academy he taught school winters up to 1849, spending the summers of 1846 and 1847 in acquiring the trade of carpenter and mill-wright. He was married in 1848 to Miss Martha Thompson, a lady of good education and unusual good sense and intelligence, who is remembered with great kindness and respect by hundreds of people in Cedar county and Des Moines.

He resided in Ohio until 1852, when he emigrated to Cedar county, Iowa, where he became a farmer. He was elected a member of the Iowa House of Representatives in 1855-57 and '59.

In 1862 he was commissioned Major of the 24th—"Methodist"—regiment of Iowa Infantry Volunteers, serving until the end of the war. It would afford the writer, who confesses to a high admiration of General Wright, great pleasure to follow his military career somewhat minutely, and narrate many incidents of his service, but the limitations of space will not permit. He participated in the memorable battles of Champion Hills, Port Gibson, Winchester, Fisher's Hill and Cedar Creek. He was severely wounded at Champion Hills and slightly at Cedar Creek. At Winchester his favorite horse, "Old Jack," was killed under him by a solid cannon shot, while he sat upon his back, hurrying to the front with a box of cartridges. When the old horse fell, "the Major" shouldered the box and hurried to the advanced line where the cartridges were badly needed.

He won the reputation of a brave, efficient, vigilant, steady, resourceful officer, and was there, as everywhere, a favorite with those with whom he was associated. Returning from the war with the rank of Lieutenant Colonel and the brevet of Brigadier-General, he resumed his avocation as a Cedar county farmer.

In the autumn of 1865, he was again chosen to the Iowa House of Representatives and elected Speaker. He was a very successful presiding officer—the equal of any man who has ever occupied that position in our State—and the superior of most of them. I was that winter Clerk of the House, and I do not recall an instance in which he was disconcerted or "rattled" for a single moment. He was thoroughly informed upon every point of

parliamentary law, and kept the House and himself well in hand. In the autumn of 1866 he was elected Secretary of State, which distinguished position he filled six years. In this, as in every other place to which he has been called, he won the most universal commendation. Retiring to private life in January, 1873, he was chosen Secretary of the Board of Capitol Commissioners, and Assistant-Superintendent of Construction, serving until 1884, when he became Custodian of the new edifice. This is a laborious position, requiring a man of good business habits, who, to be practical and efficient, should come very near being a "Jack-of-all-trades." General Wright discharged its duties so satisfactorily that he was reappointed for each succeeding biennial period, as a matter of course, until the election of Governor Horace Boies. He was then succeeded by a Democrat.

The Executive Council almost immediately after he was relieved from the duties of Custodian of the building, placed him in charge of the improvement of the Capitol grounds, for which the legislature had made an appropriation of \$100,000. He served until the following winter, securing plans for the work and getting it fairly commenced. He then resigned, recommending that the engineer who had been in his employ should be placed in charge of the work. This recommendation was adopted by the Executive Council.

When the Columbian Fair was in progress a chief of the bureau of information was needed—and who so well qualified as General Ed Wright? If he did not have an answer at his tongue's end, he knew where to find it promptly. He was sent for to take this place, remaining till the close of the Fair, and as usual winning "golden opinions" from his large and hourly changing constituency.

In April of the current year he was appointed Member of the Board of Public Works of the city of Des Moines, which place he occupies at this writing.

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### JUDGE GEORGE G. WRIGHT.

BY MAJ. R. D. KELLOGG.

The name of George G. Wright stands out in bold relief against the background of Iowa's illustrious pioneers, many of whom will go down to posterity as great in the Nation's annals as in the records and traditions of this proud prairie State.

Iowa justly boasts of able statesmen, just judges and fluent orators; of faithful, conscientious law-givers, advanced educators and popular lecturers; of zealous promoters of the agricultural industries of the State; of eloquent platform speakers, charming after dinner talkers, and upright, successful, business men; but the writer hereof knows of no other who possesses *all* these qualifications combined to such a degree as does the subject of this sketch. His great versatility of talent has enabled him to fill the multifarious positions in public life to which he has been called with great credit to himself and the commendation of his friends, which term probably comes, in his case, as near to including all who knew him as is ever the case with a living man.

Little, rock-ribbed Wales, so many of whose children are naturally gifted with oratory and song, was the home of his ancestry. His native State was Indiana, whose early inhabitants had a struggle against miasmatic influences, perhaps not overdrawn in Dickens' portrayal of the experiences of Martin Chuzzlewit and Mark Tapley, and who may have been by those very vicissitudes of hardship, homesickness, and the leaden weight of malarial diseases, remarkably strengthened in their love for one another and the homes they wrung from the wilderness in the face of such difficulties. At any rate, certain it is, that the temperament for *humorous* and *poetic speech*, logic, and impassioned oratory, with intense love of home and family, and a feeling for all social and domestic ties, are highly characteristic of this honored citizen of Iowa. Something of all this appears in his very lineaments, and the State is fortunate in possessing, in the portrait which hangs in the Supreme Court room at the Capitol, a likeness which will convey to coming generations, if they have insight, a glimpse of the personal qualities which endeared this eminent man to his cotemporaries. As has been intimated, Judge Wright's parents were of Welch stock. They moved from the Quaker to the Hoosier State in 1817. To them were born nine children, five sons and four daughters. One son died in infancy. The father of the family was snatched away when the subject of this sketch was but five years old, leaving a widow with six children at home dependent upon her and her small estate. It often happens that within such narrow limits the heroic discipline is received, and the heroic heart awakened, which fit one for the highest walks in life. Of that houseful of children the Judge and two sisters remain.

George G. was born at Bloomington, Indiana, on the 24th day of March, 1820. A lameness, resulting from rheumatism, early cut him off from the more active sports of boyhood, but did not cause him to fall into idle moping. He was a diligent student and was graduated from the Indiana State University at the age of nineteen, with high honors.

Each county in Indiana had the privilege of sending two worthy and promising students to the State University, tuition free. These chosen sons were denominated by the other students, charity scholars, and Judge Wright was one of these.

Upon receiving his degree, the future Judge entered upon the study of law in his brother's office in 1839.

The brother, Joseph A. Wright, in whose office young George acquired the beginning of his legal lore and erudition, became a very eminent man in his State, serving in the House of Representatives, in Congress, and as Governor of Indiana, afterwards as Minister to Berlin, United States Senator, and again Minister to Berlin, where he died in 1867.

Our "bright, particular" Wright attained his manhood in this State, having settled in the then Territory of Iowa November 14, 1840.

He was elected prosecuting attorney of Van Buren county in the first year of Statehood, from which post he stepped into the State Senate in 1848. In 1855 he was made Chief Justice of Iowa, and was almost continuously upon that bench till 1870. In January, 1870, he was elected to the United States Senate, taking his seat in March, 1871.

For six years he sat in that branch of our National Council, serving upon the committees on Finance and Judiciary; and was chairman of the Com-

mittee on Claims, and of the Committee on Retrenchment and Reform. He declined re-election in 1876.

Judge Wright was *five* years President of the State Agricultural Society; and served the Van Buren Agricultural Society in the same capacity a like term, after having been its first secretary in 1842. He was one of the organizers of the present law department of the State University in 1865, since which time he has been always more or less connected with it as a lecturer and instructor. It is to be hoped he has been able to indelibly impress his high ideal of moral and professional rectitude upon the young law students who held him in such high and affectionate regard, and with whom he is so popular as a lecturer. He did not, however, restrict his labors in that line entirely to that institution. In the midst of his busy professional and political life, he has responded so far as possible to every demand upon his time and powers. He has delivered lectures upon many topics, in a majority of the counties of the State, before colleges, universities, agricultural associations, in the interests of schools, churches, libraries, and all kinds of benevolent organizations.

In the unstudied utterances thrown off at a moment's call, Judge Wright is particularly happy. On one occasion, hurried to a banquet without time to prepare his regular toilet, his daughter being with him expressed regret to a friend that he must go in his well-worn business suit, thinking they were almost certain to call on him for a toast or a response. Sure enough, he was called up to respond to some sentiment and, as usual, the bursts of laughter his gay sallies of wit evoked, were quenched in the tears his pathos drew forth so readily, and the tears in their turn evaporated in humorous smiles. As they were preparing to return, the daughter, while caressing his arm, was heard to say, "Father, I was not ashamed of the old coat, I was so proud of the man inside of it."

Judge Wright is president of the Iowa Pioneer Law-Makers' Association, now serving his third term.

The recognition of his eminence as a jurist in the nation at large, was shown in his election to the presidency of the American Bar Association, 1887-88.

As a leading young attorney Wright practiced throughout the Des Moines Valley, giving and taking hard blows from 1840 to 1855, and with his "honors thick upon him," returned to the bar in 1877 at his home in Des Moines.

Five years later he accepted the presidency of the Polk County Savings Bank and Security Loan and Trust Company, and continues to occupy his office and chair in both with the utmost regularity.

On the 19th of October, 1843, Geo. G. Wright was married to Hannah M. Dibble, daughter of Judge Thomas Dibble, who was at one time a member of the New York legislature, and in 1846 of the Constitutional Convention of Iowa. This union was blessed with seven children, five sons and two daughters. One son died in his teens; the others reached maturity, married, and all but one are living.

Active as Judge Wright was during all the war period, when Iowa almost stripped herself of able-bodied men to fight her country's battles, it was entirely out of the question for him to go personally to the front, being halt. But he gave a gallant soldier to the Union Army in the person of his

eldest born, who attained his majority just about the end of the civil war, and whose recent sudden death, while it seems so untimely, yet was the earthly close of a life remarkably full and rounded. The golden wedding last autumn of the parents, was the silver wedding of this eldest son and wife. The silver circlet is now prematurely severed, but the golden band of the pioneer wedding yet endures.

Of religious faith, the foundation and crown of a perfectly symmetrical character, the stanzas Judge Wright read at Governor Kirkwood's funeral speak, voicing a recognition of the Omnipotent Hand which touches with love and power the course of national and individual life, weaving all into a wondrous tapestry.

The obstacles which beset Judge Wright's pathway were many. Poor, lame and fatherless, but with indomitable will and perseverance, he attained to the most exalted positions in this great State, and furnished an object lesson for all boys of what can be accomplished in America, unless energy fail.

## REGISTER OF PIONEER LAW-MAKERS AT THE FOURTH BIENNIAL REUNION, FEBRUARY 14 AND 15, 1894.

NAME.	POST OFFICE.	STATE.	No. of years in Iowa.	PLACE OF BIRTH.	DATE OF BIRTH.	CHARACTER OF OFFICIAL SERVICES AND TIME SERVED.
Geo. G. Wright .....	Des Moines .....	Iowa .....	54	Indiana .....	March 24, 1820 ..	State Senator (Iowa), 1848; Supreme Court Judge, 15 years; United States Senator, 6 years.
S. P. Yeomans .....	Charles City .....	Iowa .....	57	New York .....	January 23, 1822	Member of 5th General Assembly.
N. W. Rowell .....	Afton .....	Iowa .....	47	Ohio .....	June 19, 1836 .....	House of 13th General Assembly.
R. S. Finkbine .....	Des Moines .....	Iowa .....	44	Ohio .....	July 9, 1828 .....	House of 10th and 11th General Assemblies and superintendent of erection of new capitol, 14 years.
J. S. McCormack .....	Knoxville .....	Iowa .....	36	Ohio .....	Dec. 15, 1836 .....	Capt. Co. E, 8th Iowa Infantry; Capt. Co. A, 47th Iowa Infantry; member of 10th, 14th, 15th, 16th and 17th General Assemblies.
Samuel McNutt .....	Muscatine .....	Iowa .....	40	Ireland .....	Nov. 21, 1825 .....	Member of 10th, 11th, 12th, 13th and 14th General Assemblies; Consul to Maracalibo, Venezuela.
E. Lindley .....	Des Moines .....	Iowa .....	41	North Carolina .....	August 28, 1831 ..	Representative from Dallas county, 1864.
T. S. Parvin .....	Cedar Rapids .....	Iowa .....	57	Cedarville, New Jersey ..	January 15, 1817 ..	Private Secretary to Governor Lucas, 1838; Secretary of Council, 1840; Register of State Land office, 1857.
F. M. Knoll .....	Sageville, Dubuque Co. ..	Iowa .....	41	France .....	March 8, 1833 .....	House, 9th, 17th and 23d; Senate, 10th, 11th, 12th and 13th General Assemblies.
John H. Leavitt .....	Waterloo .....	Iowa .....	40	Massachusetts .....	October 11, 1831 ..	Senate 14th General Assembly.
J. H. Powers .....	New Hampton .....	Iowa .....	39	Vermont .....	May 22, 1830 .....	Senate 8th General Assembly.
L. L. Ainsworth .....	West Union .....	Iowa .....	38	New York .....	June 21, 1831 ..	Senate 8th and 9th, House 14th General Assemblies.
P. M. Casady .....	Des Moines .....	Iowa .....	48	Indiana .....	Dec 3, 1818 .....	Second and 3d General Assemblies, Senate.
Isaac W. Griffith .....	Des Moines .....	Iowa .....	56	Ohio .....	April 2, 1820 .....	Second General Assembly, House of Representatives.
Reuben Noble .....	McGregor .....	Iowa .....	50	Mississippi .....	April 14, 1821 .....	Fifth General Assembly.
Samuel Rees .....	Omaha .....	Neb .....	40	Ohio .....	Nov. 7, 1817 .....	Member of 8th, 12th, and 16th General Assemblies from Webster county.
Hoyt Sherman .....	Des Moines .....	Iowa .....	46	Ohio .....	Nov. 1, 1827 .....	11th General Assembly, House.
Frank T. Campbell .....	Des Moines .....	Iowa .....	36	Ohio .....	May 8, 1836 .....	13th, 14th, 15th, 16th, 17th and 18th General Assemblies, Senate, Lieutenant-Governor 1878 to 1882.

John Scott	Nevada	Iowa	37	Ohio	April 14, 1824	8th and 21st Senates. Lieutenant-Governor 12th General Assembly.
P. P. Henderson	Indiana	Iowa	46	Indiana	January 3, 1825	8th General Assembly, Senate.
L. Hollingsworth	Des Moines	Iowa	40	Ohio	March 5, 1851	9th General Assembly, House.
Jas. R. Hartsock	Iowa City	Iowa	56	Pennsylvania	May 15, 1818	7th General Assembly; Sergt. at Arms of Senate.
Alonzo Abernethy	Osage	Iowa	40	Ohio	April 14, 1836	11th General Assembly, House. Superintendent of Public Instruction, 1872-1877.
R. A. Smith	Okoboji	Iowa	38	New York	October 13, 1830	12th General Assembly, House.
James Hilton	Hilton	Iowa	52	New York	July 9, 1816	14th General Assembly, House.
G. T. Clark	Pella	Iowa	61	Tennessee	March 25, 1823	5th, 6th, 15th and 16th General Assemblies.
Washington Galland	Montrose	Iowa	66	Lower Yellow Banks, Ills.	July 20, 1827	Justice of the Peace, 3 terms; Mayor, 2 terms; County Attorney, 2 terms; House of Representatives, 10th General Assembly, from Lee county, Iowa; Capt. Co. H., 6th Regt., Iowa Vol. Infantry—War of Rebellion—Sergt. Maj. 2d Bat. 3 Missouri mounted Vol.—War with Mexico service 2 years, 1846 and 1847.
Lewis W. Ross	Council Bluffs	Iowa	38	Butler county, Ohio	October 15, 1827	Iowa Senate 10th and 11th General Assemblies; Chancellor of Law Department, State University of Iowa, 1880-1887.
John Meyer	Newton	Iowa	37	Pennsylvania	Feb. 26, 1824	1862, Representative; 1866 and 1868 and 1878 and 1880, Senator.
B. F. Gue	Des Moines	Iowa	42	New York	Dec. 25, 1828	Member of House in 1858-60. Member of Senate in 1862-64 from Scott county. Lieutenant-Governor, 1866, 1868, Webster county. U. S. Pension Agent for Iowa and Nebraska, 1872 to 1880, Polk county.
S. A. Moore	Bloomfield	Iowa	43	Indiana	Dec. 16, 1821	Member of Indiana Legislature, 1850-51; County Judge, Davis county, Iowa, 1855-57; Capt. Co. G 2d Iowa Infantry and Lieut.-Col. 45th Infantry.
G. L. Godfrey	Des Moines	Iowa	39	Vermont	Nov. 4, 1833	Member of Utah Commission for 11 years. Member of House, 11th General Assembly.
Joseph R. Reed	Council Bluffs	Iowa	37	Ohio	March 12, 1835	Senate 11th and 12th General Assemblies. Judge of District and Supreme Court 16 years.
Thomas Mitchell	Mitchellville	Iowa		Clermont, N. H.	March 3, 1816	House of 7th General Assembly; Senator, 1874-6.
B. R. Sherman	Vinton	Iowa	38	Phelps, New York	May 28, 1836	Auditor of State, 6 years; Governor, 4 years.

## REGISTER OF PIONEER LAW-MAKERS—CONTINUED.

NAME.	POST OFFICE.	STATE.	No. of years in Iowa.	PLACE OF BIRTH.	DATE OF BIRTH.	CHARACTER OF OFFICIAL SERVICE AND TIME SERVED.
A. C. Fulton..	Davenport.....	Iowa .....	52	Pennsylvania.....	July 7, 1811.....	County Commissioner; Alderman; Military Engineer; Whig Senator, 5th General Assembly.
Jas. N. Miller .....	Des Moines.....	Iowa .....	24	Pennsylvania.....	August 25, 1846..	Representative only.
Ed Wright.....	Des Moines.....	Iowa .....	42	Ohio .....	June 27, 1827....	Member of House of Representatives, 6th, 7th, 8th and 11th General Assemblies; Speaker, 11th; Secretary of State, Jan. 1, 1867, to Dec. 31, 1872; Major and Lieutenant-Colonel, 24th Iowa Volunteer Infantry.
E. M. Stedman.....	Des Moines. ....	Iowa .....	38	Ohio .....	March 2, 1838...	14th and 15th General Assemblies, House.
C. S. Willson.....	Des Moines.....	Iowa .....	35	Franklin, Louisiana.....	.....	Clerk 10th and 11th General Assemblies, Iowa. Member of House of Representatives 17th General Assembly.
J. D. Hunter.....	Webster City.....	Iowa .....	37	Knoxville, Ohio.....	.....	Member of House 12th and 13th General Assemblies.
G. W. Bemis.....	Independence.....	Iowa .....	40	Spencer, Massachusetts..	October 13, 1826.	Member of 8th, 14th and 15th General Assemblies, and State Treasurer four years.
Owen Bromley.....	Des Moines.....	Iowa .....	37	Wales .....	1825 .....	Member of House 10th, Sergeant-at-Arms of House 18th.
W. J. Moir.....	Eldora.....	Iowa .....	38	Scotland.....	October 19, 1824.	In House 9th and 10th General Assemblies.
A. A. Ramsey .....	Albia.....	Iowa .....	41	Fleming Co., Kentucky...	August 13, 1824..	Legislature 12th General Assembly.
I. W. Keller.....	Mt. Ayr.....	Iowa .....	39	Noble County, Ohio.....	Sept. 29, 1828....	Senate 12th and 14th, 18th and 19th General Assemblies.
W. C. Willson.....	Webster City..	Iowa .....	54	.....	.....	House of 8th General Assembly.
Warren S. Dungan..	Lucas County .....	Iowa .....	38	Frankfort Springs, Pa ..	Sept. 12, 1822....	Senator 9th General Assembly. House 18th and 19th; Senator in 22d and 23rd and Lieutenant-Governor 25th General Assembly.
Isaac Brandt.....	Des Moines.....	Iowa .....	38	Lancaster, Ohio.....	April 7, 1827....	Assistant Treasurer of State six years. Member of 15th General Assembly.
C. C. Cole.....	Des Moines .....	Iowa .....	37	Oxford, New York.....	June 4, 1824.....	Judge of Supreme Court, 1864-76.
Charles Aldrich.....	Des Moines and Boone..	Iowa .....	37	Ellington, New York .....	October 2, 1823..	Chief Clerk Iowa House of Representatives, 1860-62-66-70. Member of House, 1882.

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