



... Reunion

PIONEER

Lawmakers' Association

OF IOWA.

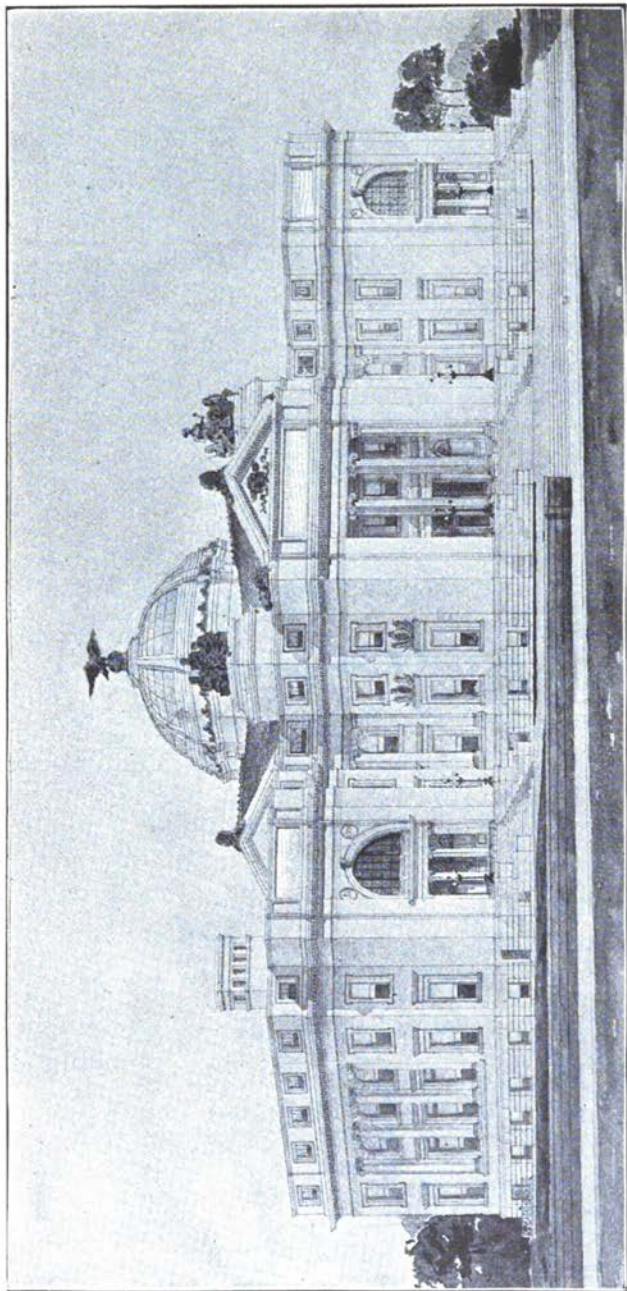
REUNION OF 1900,

HELD AT DES MOINES, FEBRUARY 14 AND 15, 1900.

SEVENTH BIENNIAL SESSION.

PUBLISHED BY AUTHORITY OF THE STATE OF IOWA.

DES MOINES:
F. B. CONAWAY, STATE PRINTER.
1900.



IOWA HISTORICAL BUILDING

ARTICLES OF ASSOCIATION.

On the 28th of February, 1892, the following articles of association were adopted by the persons in attendance at the third reunion of the pioneer lawmakers of Iowa:

Name.—The name of this association shall be PIONEER LAWMAKERS' ASSOCIATION OF IOWA.

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 postoffice 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 Lawmakers, 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 officers.

OFFICERS OF THE ASSOCIATION FOR 1900-1.

President.—Hon. T. S. Parvin, Cedar Rapids.
Secretary.—Dan. A. Poorman, Des Moines.
Assistant Secretary.—E. M. Steadman, Des Moines.

VICE-PRESIDENTS BY DISTRICTS.

First.—Dr. J. M. Shafer, Fairfield.
Second.—Samuel McNutt, Muscatine.
Third.—F. M. Knoll, Dubuque.
Fourth.—L. L. Ainsworth, West Union.
Fifth.—Chas. Weare, Cedar Rapids.
Sixth.—Dan Anderson, Albia.
Seventh.—Lewis Todhunter, Indianola.
Eighth.—W. S. Dungan, Chariton.
Ninth.—L. W. Ross, Council Bluffs.
Tenth.—Walter C. Wilson, Webster City.
Eleventh.—Rodney A. Smith, Spirit Lake.

EXECUTIVE COMMITTEE.

Hon. Isaac Brandt, Des Moines.
 Hon. R. S. Finkbine, Des Moines.
 Col. Geo. L. Godfrey, Des Moines.

WEST DES MOINES HIGH SCHOOL GLEE CLUB (GIRLS).

LIST OF CLUB MEMBERS.

CRETE JOHNSON.	GRACE AINSWORTH.
ADA MYRICK.	GENEVIEVE WHEELER.
ILA MOUNT.	RACHEL SEIBERT.
MINNIE HAMLIN.	HAZEL HORNER.
RANDA SHOCKLEY.	CLARA HAMLIN.
ADA SHEPHERD.	EDNA DEMPSTER.
CORINNE SHULTZ.	RUTH DREDGE.
MABEL HUBBARD.	BEATRICE BOWMAN.
MAME KIVITS.	

WEST DES MOINES HIGH SCHOOL GLEE CLUB (BOYS).

LIST OF CLUB MEMBERS.

JOHN NICKOLS.	ROBERT DALBERG.
WILL KIRSHER.	MARTIN REDDY.
PAUL WEAVER.	TOM MACARTNEY.
YALE HENRY.	MOTT DODGE.
WALTER STULTZ.	HOYT PRICE.
ED. CORBIN.	HAWLEY VANAVERY.
ARTHUR HOFF.	LESLIE MILLER.



D. A. POORMAN, SECRETARY

SEVENTH REUNION
OF THE
Pioneer Lawmakers' Association
OF IOWA

On Wednesday, February 14, 1900, at 10 o'clock A. M., the association convened at the auditorium of the historical building, Des Moines, Iowa. On account of the absence of the president, Maj. Hoyt Sherman, Hon. Isaac Brandt, chairman of the executive committee, called the association to order.

Prayer was offered by the chaplain, Rev. Dr. A. L. Frisbie. Mr. Isaac Brandt spoke as follows:

PIONEER LAWMAKERS'—It becomes my sorrowful duty to inform you that our president, Maj. Hoyt Sherman, will not be able to meet with us at this session. Yesterday morning at 8 o'clock his son's wife died. He telephoned me immediately to come over to their residence. The major has spent six weeks or more in diligent preparation of everything that was possible to make your stay in our city pleasant and profitable. His whole time was devoted to it, and he looked forward to it as one of the most pleasant meetings that we have had during these years, and whilst in the midst of this joyous arrangement, he was stricken with sorrow. The executive committee have instructed me to call A. B. F. Hildreth to act as our chairman. Mr. Hildreth will please come forward. You need no introduction to Mr. Hildreth, one of the Pioneer Lawmakers and a prominent member of the press of this state.

Mr. Hildreth said:

MR. PRESIDENT, AND PIONEER LAWMAKERS—Some days ago I received a communication from Maj. Hoyt Sherman that the executive committee had directed him to appoint me to prepare and read a paper in regard to my experiences since living here in Iowa. From a little boy I was taught to obey when I received commands from my superiors; it is a surprise to me that I am called to stand here at this present time; I have been out of this line of business for quite a while; speechmaking is not in my line of business; I did, in former days do some writing for newspapers. In fact, I was in that business some thirty-five years, or more; but what I must say,

it is a sad thing for us this morning. We are all borne down with grief on account of the domestic affliction which has come upon our president and his family, Maj. Hoyt Sherman. I will not take up more of your time with any talk of mine at the present, and, if it is in order, I will ask Hon. Lafayette Young to make an address of welcome.

Hon. Lafayette Young came forward and spoke as follows:

Mr. Chairman, Gentlemen and Ladies of the Pioneer Lawmakers' Association:

Major Sherman requested me to say a few words to you of welcome on behalf of the people of Des Moines. It is a pleasure for me to extend this greeting from our citizens. We hope that your stay in the community may be pleasant. We are glad that so many of you have braved the storm to come. This is a new evidence of the strong spirit of comradeship which must pervade your organization. We welcome you to Des Moines and to this new Historical building around which your sympathies have clustered for the past few years and to which you gave your active aid, assisting Mr. Aldrich in this great work as no other body of men could have assisted him. The younger men who are making the laws respected the pioneer who made laws before they did, and when you said to the younger lawmakers that we want this building; we want a place to preserve the evidence of Iowa's early achievements and history, your suggestion was irresistible and the boys had to give in. I am almost ashamed to come into the building myself, and for a long time I have felt like constantly apologizing to Mr. Aldrich because as a lawmaker myself I was so slow to recognize the importance of his work. I was young and vigorous and did not care about history or anything else. I did not realize that sometime we would all take pride in our state history. By the way, it is a means of patriotism; it is a means of growth morally and every other way that helps a state. There are many things that I would like to say to you this morning were it not that you have an official reporter. I never like to be reported, because I talk so carelessly and so freely that it never reads well in print. But I congratulate you on being citizens of a state the like of which, in many respects, the union does not afford. It has possibly not occurred to you that we have been eminently a state of peace. There has never been a fist fight, or any weapons drawn in either house of our legislature, I believe, either in territorial or state days. Certainly no blood has ever been drawn by one lawmaker from another. I presume that stands alone in American history. While you started a new state, you established it on higher lines in many ways than the older states. You improved on the older states. Your early enactments and your first and second constitutions were of the very highest character of state forming and state framing; and much that we have that we are proud of to-day is due to this early beginning. In another respect Iowa stands alone; certainly of western states. We have never been sensational. We never have had persons to achieve fame by swimming rivers, or going hand over hand over the girders of any bridge in any home or foreign land. We have been a steady going, methodical, systematic, home-loving, peaceful people, and while we have been wanting in these elements of sensationalism, we may have in some measure been lost in the public eye; we have not always occupied the center of the stage, but we have not

been a state sixty years; we had not been a state twenty-five years until the census returns demonstrated that we had the least rate of illiteracy of all the states. Somebody was accountable for that. We must have had the example of good men and women and the influence and power of good laws properly executed. I believe we have never had a judicial officer impeached in this state. Out of more than a hundred counties less than fifty counties of the state have had defaulting county officers—county treasurers. I ascertained this by positive inquiry two or three years ago by letters to every county seat, and in most cases where there had been defalcation, it was small. The standard of public and private honesty has been high in this state.

If I would say that we had any characteristic, it was sturdiness and sticking to the purpose. That is the highest test of manliness and the highest test of citizenship, to adhere to a right purpose and see its fulfillment finally. Our statesmen have been content to try to win acknowledgment in national affairs by this Iowa characteristic of pulling steadily on the dead level to right purposes, trusting that somebody by some means will find out that we have an honest purpose, good intentions and fair ability. In these respects Iowa stands alone; certainly of all the western states. I believe that an Iowa home, in the past forty years, on the prairies, would be as safe over night without a lock on the door as in many states with the lock on, and you pioneers need not be told that in the majority of your homes in the early day you did not have any lock; you just pulled the string and raised the latch. These are testimonials to our citizenship which we can well recall on this your seventh biennial meeting of your Pioneer Lawmakers' association. If you want to contrast the growth of the state, you have simply to contrast the growth of your capital city with the capital city that many of you rode into on horseback when you first come here and took the oath to support the constitution of the state of Iowa and that of the United States. We have not a great city at Des Moines, but there has certainly been great growth in the forty-five years that have elapsed since some of you came here to make laws. Lawmaking in your early times was a simpler process than now, but we have grown in every respect, and I believe the average lawmaker of Iowa, in the past forty-five or fifty years, has been as good as the average citizenship that sent him here. I have wondered many times why constituents sent certain men to make laws. Possibly they were wondering in the same way, but the average has been good. Wherever there has been a foolish, unwise lawmaker, there has been some sturdy man to prevent his doing any harm, and we hope that will always be the case, and while conservatism has characterized Iowa citizenship, there never has been a time that this stalwart citizenship was not the very bulwark of law and order in the United States, and in every crisis, when heroic courage and stalwart manhood was wanted, the sturdy Iowans were there in response to the call. They have been stalwarts, steady goers in war as in peace. The real test of never-dying good citizenship is to come on this fair land from this time forward, because we have improved everything, except ourselves, and we know we are going to do that, and it is going to take more courage and pluck and will power to plod on in the same old fields, and plowing and sowing in the same old way, with the same old homes and barns and everything about it, simply not

trying to improve those things, but to improve the character, the manhood and womanhood. These are the tests that are to come to our land in the years to come. And that applies to our entire country, because we have bridged all the streams and tunneled mountains; we have done every great thing there is to be done, now we have to do the little things; to counter-march back over the road, and see if there is something we have left undone when we went by in a hurry. This is our work for the future. But, I beg your pardon, gentlemen, for digressing thus far, and getting out of the true province of welcome. Make yourselves at home; cheer your old hearts and be glad, and may God spare you all to come again two years from this time, when our friend Aldrich will have rugs and carpets and pictures all hung and everything arranged to his heart's content. [Applause.]

CHAIRMAN: Hon. Samuel McNutt will make a response to the address of welcome.

RESPONSE OF THE PIONEER LAWMAKERS.

BY SAMUEL M'NUTT.

The words of welcome which have been spoken by Hon. Late. Young have fallen on the ears of grateful men—the members of Iowa's Pioneer Lawmakers' association. This city of Des Moines has always treated us nobly, and it is a wonderful city in itself. Forty-five years ago, in the spring of 1855, I first passed over the ground now occupied by this city. There was no city here then, there was only a small village consisting mainly of a row of cottages and shanties on the west bank of the river, over which there was neither a bridge nor a regular ferry, and I drove my team and wagon through the stream, following the trail and the marks of preceding emigrants. For hundreds of miles east and west, north and south, on our beautiful and seemingly boundless prairies, the settlements were few and far between.

Nine years afterwards, in January, 1864, I was sent here from Muscatine county as a member of the house of representatives of the Tenth General Assembly, and lo, the changes that had taken place were wonderful to behold. The humble little village had become the capital of the state, and a fine looking brick building, said to have cost \$40,000, stood on the hill on the east side, in which the legislature was to meet, that being the capitol building.

I had the honor of serving ten consecutive years in that first building as a member of the house and senate, and owing to the unprecedented progress and growth of our state, I was one of the first, and always consistent, friends of a new capitol building, which was finally constructed and is to-day an honor to this city and to the state of Iowa. It is now to me a delightful memory that, by my votes cast in the legislature, I assisted in the movement to begin and to erect that noble building, and to know that every dollar appropriated was economically and honestly expended. That grand building stands to-day one of the enduring monuments to the foresight, the

integrity and honesty of Iowa's mechanics, artisans, citizens in general, and pioneer lawmakers.

How wonderful the changes, the developments, and the unexampled increase of population in Iowa during the past fifty years. From a little over 300,000 to 2,000,000, and our soil could feed 20,000,000 more; we possess 56,000 square miles of the best land on the globe, in a temperate climate. Our population is made up of the most enterprising class of citizens from the older states, and the better class of emigrants from the civilized and enlightened nations of the old world. Here on our rich prairies they have settled down to earn a livelihood, and better their condition, speaking various dialects and languages. But under the benign influences of our democratic-republican institutions are on an equality before the law, each man feeling that he is a free sovereign citizen of the grandest and the best country upon the globe. Our magnificent free school system is the common property of all, and their children meet in the common school and grow up together in a common brotherhood. These are the people among whom our pioneer lawmakers arose and made their mark in laying the foundations and in building the framework of our civil state. Their work was among the best specimens of manhood and womanhood. One of the first matters that took our attention was the fact that by the common law the existence of the wife was almost merged in the existence of the husband, and her property and all her rights were under his control by the rules of the common law, which originated in the dark ages of English legislation. In the words of the late Judge Wright, "the poorest and the most contemptible scamp could win her affections and be taken to the home of the wife, the purest and the truest and the best of the land, a home he could never have acquired by his own efforts, and for his drinking of poor whisky, his gambling debts or bad speculations, all she had could be swept away to pay such debts, and she might be turned from her home a pauper, though it was hers by inheritance, or by will, or by her own industry. This was the rule and the operation of the common law for centuries before Iowa became a state. But the pioneer lawmakers of this new state, in an age of advancing and enlightened thought, assisted in the upheaval and the overturning of old ideas, and in doing so and applying the proper remedies was a work of great importance. This good work in a progressive and advancing civilization is still going on, and now the wife can have her own property free from the husband's debts, sue and be sued, and prevent the sale or encumbrance of the homestead, unless she consents in writing."

Another matter that may be noticed is, that less than fifty years ago the last vestige of property, real and personal, could be taken from the poor debtor by the remorseless creditor, and the poor man, not able to pay his debts, be committed to the common jail for months or perhaps years. But the debtor's jail in Iowa is forever closed, and the debtor is secured in a certain amount of personal property, and a homestead, by the possession of which he may obtain subsistence for his family. This is in accordance with the truth that the more secure and sacred you make the citizen's home, you secure and advance both state and national prosperity.

The Pioneer Lawmakers of Iowa deserve much credit for their advanced action on all the questions I have mentioned; it may be that in some things they made mistakes, and that in many things they built wiser than they

knew. Now, with an increasing population, and various and multiplying interests, new questions will continually arise which demand the attention of our best and ablest minds. Our land is now filled with corporations, trusts, combines and organizations whose only object is to enrich themselves, cheat the people, and get something for nothing. This is a growing evil, and our legislators need to be on the lookout lest, by their action, they lend any encouragement whatever to the schemers whose sole object is to plunder the public, or bleed the state treasury for their own private benefit. The creation of new official positions, the unnecessary multiplication of office holders, the increasing of the peoples' taxes to meet the wants and the demands of the tax-eaters, are all matters which the people's representatives in the legislature need to guard against. As a republic our nation has grown from feebleness to strength; from thirteen thinly settled states, with only 3,000,000 of inhabitants, to forty states, with 75,000,000 of energetic and enterprising people. Our territory reaches north and south, from the icebergs of Alaska to the orange groves of Florida, and east and west from the sugar fields and palm groves of the West India islands, to the rich and sunny plains of the Philippines. And now the sun never sets upon the flag and the territory of the United States of America. Before his setting beams leave the shores of our Porto Rico, in the West Indies, his morning rays have shone upon the fields of Mindanso and Luzon, in the Philippines. In a little over one hundred years we have grown to be one of the great powers of the earth, possessing more wealth and natural resources than any other nation, and in this fact lies our greatest danger. Power and wealth engender luxury, extravagance and corruption, and these have been the causes, I may say the national diseases, which destroyed all the great nations of whom history gives a record. We need not fear the attacks of foreign enemies. No military power can destroy us. Our decay and our destruction, if they ever come, will come from within ourselves, from our own wickedness and corruption. But, if we remain a republic for three or four hundred years to come, true to the principles of the founders of our system of government, the people of the lands now groaning under kings and emperors will rise in their strength and establish republics and the whole world will become one grand United States. Assuring you that these Pioneer Lawmakers of Iowa have listened to your eloquent welcome with much interest and grateful hearts, and remembering that the good people of this city have always treated us with generous hospitality, we desire to extend to you our sincerest thanks.

CHAIRMAN: I am requested to announce that the annual address, which we expected Maj. Hoyt Sherman to read, will now be read by Mr. D. A. Poorman.

ANNUAL ADDRESS.

Another two years have rolled around in our lives since last we came together, years rich in event to our association, to our commonwealth and to our nation. To us as pioneers, in these later years, when the shadows are growing longer, and the late afternoon sun of life slowly approaches the western horizon, the passing years mean more than to younger men. The day when life was one grand cornucopia of plenty, when time was expended with prodigal hand, and years were as days, has long since gone

from us. We can no longer count the passing years as our due—as part of the heritage acquired with life itself. Rather must we look upon them as periods of grace; the kindly bestowal of the generous hand which has shown to us its benign partiality. At each biennial gathering in the past, we have paused with almost breathless awe in contemplation of the vast, the unfathomable inscrutability of that divine hand which has taken from us so many who have been very towers of strength and vigor, and has left us yet a little longer to greet each other in the flesh with cordial hand clasp and hearty embrace, to live over in memory the days when we, with the absent ones, labored upon the fabric of our commonwealth. With prayers of thanksgiving and gratitude for divine mercy upon our lips, and tears of sorrow and regret for the absent ones in our eyes, we come together upon this occasion of our seventh biennial reunion; and as your president, honored beyond my deserts, I heartily welcome you.

When last we met here as an association, we were, as a nation, standing upon the eve of great events. Every day, every hour, every minute, even, was big with portent. Our sympathies had been enlisted with the sufferers of an unhappy downtrodden people, our near neighbors upon the south, and we were trembling with indignation that such sufferings could exist at our very doors. With the reverberations of that awful explosion in Havana harbor still resounding in our ears, we unleashed the dogs of war, and in the power of our might we righted the great wrong which had been and was being perpetrated. Flowing out of this war came conditions, still existing, which have and will tax the wisdom of our old men, and the vigorous activity of our younger men, and which call for the exercise of our best statesmanship in their proper solution.

New lands and territories have been thrown upon our hands for regulation and control—lands inhabited with people of different races and languages from ourselves, who have been subject to strange institutions and traditions. Lines of treatment applicable to ourselves do not apply to them. To prepare them for self government, and for a proper appreciation of the blessings of that freedom and liberty which is our priceless heritage, will take many years of the highest degrees of unselfish statesmanship. To accomplish this we have pledged ourselves, and I doubt not the ability of our younger men to solve the problem. We shall not live to see the complete outcome, but our faith in American enterprise, American patriotism, American ability and determination to bring about the best results, is so complete and unwavering that we shall go to our graves confident in the belief that right will prevail, and that the institutions of their fathers, our fathers, and our fathers' fathers will be preserved through the centuries in all their ancient vigor and purity.

To our state the biennial period has been full of activity. Iowa, as it ever has been and ever will be, has been prompt to call of duty, and upon demand furnished its full quota of men to perform the nation's work, and we may take honest pride in the record they have made, as we do in that made by our soldiers near two score years ago in aiding to put down the formidable rebellion waged to disrupt the union. The past two years have been years of unexampled prosperity to our whole state; the soil has yielded bountiful crops to our farmers, and liberal prices have been realized; our cities, towns and villages have experienced favorable growths; our educa-

tional institutions have increased in numbers and in attendance; and, as a state, our people have enjoyed general health, and been spared the terrors of widespread epidemics. And especially as good citizens may we be thankful for the almost universal integrity and energy manifested by our public officers in the discharge of their official duties. Economy and efficiency have marked the administration of our state affairs, and an overflowing treasury, in spite of the heavy calls made necessary by our growing institutions, furnishes the highest possible evidence of the able and honest administration of our government.

We meet to-day in this bright, cheery room, part of the new State Historical building, and recognize it as an appropriate place for holding our session. We can congratulate ourselves in being accorded the privilege of the first use of the hall for public purposes, and in the name of our association, I tender to our esteemed member, Hon. Chas. Aldrich, having control of it, our hearty thanks for this privilege.

We assemble now after two years' interval, glad to greet each other and recall memories of days long passed when we took an active part in public affairs; when we can fairly claim, without suspicion of egotism, that we shared with others in laying the foundations of our state laws and state institutions—foundations, broad and deep, wisely established, as evidenced by the growth of years just passed, and the continued prosperity with which we are blessed. Since our last meeting more than a half score of our number have passed away, an emphatic reminder that we, too, will soon join the throng of the unnumbered dead. Among the number departed is one who was very prominent in the history of the state, who was at the time of his decease an officer of this association, and a sketch of whose life appeared in the last published volume of our proceedings, prepared by his neighbor, Capt. J. A. O. Yeoman—I refer to Gov. C. C. Carpenter. To Hon. John F. Duncombe is assigned the duty of preparing a history of his life and official work for the records of this meeting. Memorial sketches of the lives and services of other members deceased since our last session will be read to you and published with the records.

A program of the addresses and other exercises of the present session is before you, and I sincerely trust you may be fully compensated for the fatigues and discomforts incident to the usual winter journey, by the pleasure of meeting and greeting old friends and compatriots, and listening to the relation of past events connected with state history in which you took part. Again thanking you for the honor conferred in selecting me as presiding officer for this session, I await your pleasure.

CHAIRMAN: The chair will here announce the standing committees, which Mr. Brandt will please read.

MR. BRANDT: Mr. Chairman, Maj. Hoyt Sherman, our president, had prepared a list of several committees and sent them over to me:

STANDING COMMITTEES.

Nominating Committee.—R. S. Finkbine, Samuel McNutt, W. S. Dunagan, J. H. Powers, D. N. Sprague.

Committee on Resolutions.—Col. John Scott, L. W. Ross, F. M. Knoll, P. M. Casady, Chas. Aldrich.

Committee to wait on the Governor.—S. P. Yeomans and S. C. Fulton.

Committee to wait on Senate.—Samuel McNutt and L. L. Ainsworth.

Committee to wait on House of Representatives.—C. J. A. Erickson and G. L. Godfrey.

Committee on Memorials.—Isaac Brandt and L. L. Ainsworth.

Committee on Publication.—Isaac Brandt, Chas. Aldrich, E. M. Steadman.

CHAIRMAN: There are several letters which the secretary will please read, that come next in the regular order:

FROM JOHN A. KASSON.

PALM BEACH, Fla., January 21, 1900.

DEAR MAJOR SHERMAN—Your invitation to attend the seventh session of the Pioneer Lawmakers' association is received at this place, where it was forwarded from Washington. I came here for a few days to recover from a severe cold and influenza. I regret that I cannot be present this year at the meeting of the association; my official duties are very pressing this winter, engrossing all my time, and overtaxing my strength. I can do no more on this occasion than send my most cordial greeting to the members of the association. Long life and prosperity to them all.

Very faithfully yours,

JOHN A. KASSON.

FROM LEWIS TODHUNTER.

INDIANOLA, Iowa, February 12, 1900.

MAJ. HOYT SHERMAN—I regret to inform you and the society that my health is such that I am not able to attend the meeting the 14th.

J. C. Traer died since the last meeting; there are but seven of the members of the constitutional convention of 1857. C. B. Jones, a member of the legislature from Warren, 1856-7, died lately.

Yours truly,

LEWIS TODHUNTER.

FROM JOHN RUSSELL.

ONSLow, Iowa, February 12, 1900.

Hon. Hoyt Sherman, Des Moines, Iowa:

MY DEAR SIR—I regret very much that I will not be able to attend the meeting of the Pioneer Lawmakers at Des Moines, on the 14th inst. I would enjoy it very much if it were so I could attend. I have been having a cold and am quite hoarse with it, and conclude it would not be prudent for me to go at this time. Hoping you will all have a good time, I remain,

Yours truly,

JOHN RUSSELL.

FROM JAMES WILSON.

UNITED STATES DEPARTMENT OF AGRICULTURE, }
OFFICE OF THE SECRETARY, }
WASHINGTON, D. C., January 20, 1900.

Mr. Hoyt Sherman, Des Moines Iowa:

MY DEAR SIR—I have your letter of the 15th inst. I intend to be in the west sometime in February, but I think that date will be too soon for me. I would enjoy very much meeting the pioneer lawmakers, but I doubt whether I can do it this winter.

Very truly yours,

JAMES WILSON,
Secretary.

SEVENTH REUNION OF THE

FROM F. W. PALMER.

GOVERNMENT PRINTING OFFICE, }
 OFFICE OF THE PUBLIC PRINTER, }
 WASHINGTON, D. C., January 27, 1900. }

Hon. Hoyt Sherman, 'President Pioneer Lawmakers' Association, Des Moines, Iowa:

DEAR MAJOR—I am in receipt of your kind invitation of the 15th inst., to attend the seventh biennial session of the Pioneer Lawmakers' association of Iowa, to be held at Des Moines on February 14th and 15th, next.

In reply I have to say that inasmuch as the work of the government printing office is exceedingly active during a session of congress, and my duties are correspondingly responsible, I will be unable to accept your kind invitation to be in attendance on the occasion above named. For the same reasons, I cannot promise to prepare a paper to be read on that occasion, because my time is entirely occupied by current official duties. Except for these reasons it would afford me great pleasure to join with you and those you represent, in the reunion of the Pioneer Lawmakers of Iowa. I have always had a very pleasant recollection of my residence in Iowa, and especially at Des Moines, and shall always bear with me the memory of very dear friendships established during my residence in the state.

Hoping for every possible blessing to yourself and your associates, I remain, sincerely your friend,

F. W. PALMER.

FROM H. PRICE.

WASHINGTON, January 19, 1900.

Hon. Hoyt Sherman:

DEAR SIR—I am just in receipt of your kind letter of the 15th inst., inviting me to be present at the biennial session of the Pioneer Lawmakers' association of Iowa, to be held on the 14th and 15th of February, next, for which I am much obliged.

It would afford me great pleasure to be present on that occasion, and exchange greetings of sociability and good fellowship with those who compose your organization, and also to compare the present with the past, but the eighty-six years which I am carrying makes the distance seem too great, and compels me to deny myself that pleasure. The city of Des Moines of 1900, and the village of Des Moines as I first saw it, near fifty years ago, when as a missionary I was preaching the doctrine of a probable railroad from the far east to the far west, by way of your city, do not much resemble each other. At that early day travelers going east or west, by way of your city, crossed the Des Moines river—not on a bridge, for there was none, but on a flatboat, and the motive power was "A Man With a Pole." Possibly some day in the coming future, someone may write a book with that title, and make it as interesting and instructive as the book which is now attracting so much attention, under the title of "The Man With a Hoe." One of the advantages of living past the allotted time of human life, as fixed by the Psalmist, is the opportunity which is given to compare the past with the present, and to decide with firmness and certainty between the real and the imaginary. Honest differences of opinion can in some instances, only be satisfactorily adjusted or reconciled by the test of time and trial. Once, strange as it may seem, Des Moines had some citizens of integrity and intelligence who doubted the possibility of a rail-

road ever being constructed across the state of Iowa, and would give what they considered good and sufficient reasons for their doubts, and nothing short of the logic of events, and the most stubborn and practical facts could convince them that the iron horse, that eats fire and breathes smoke, and travels forty miles an hour without being tired, would ever cross the "Gardens of the Desert," between the Mississippi and the Missouri rivers. And when Bishop Berkley said that "westward the course of empire takes its way," those who claimed to be matter-of-fact people said that such language was simply the rant of poetic fancy, and a disordered imagination not worthy of the serious thought or consideration of sensible, sober people. But the convincing logic of events has effectually changed the current of thought and opinion, and now, what were once only such solitary prairies that one poet described them as "lonesome, dismal, grassy places where buffaloes and snakes prevail," have become, according to William Cullen Bryant, the "gardens of the desert, bountiful and beautiful, for which the speech of England has no name." As Iowa grows older she grows more beautiful. Time writes no ugly wrinkles upon her brow. The flight of years only seem to renew her youth, and make her more attractive. But with man, the reverse is true; old Father Time makes rapid and constant inroads upon his physical structure, and renders him less capable of enduring toil, either mental or physical. But as long as heart and brain and conscience are healthy, sound and free, there may still remain many bright hours and days to be enjoyed, as fond memory brings the light of other days and scenes around us as we linger on the time side of the dark river.

I am glad to know that your association continues to hold its stated meetings, because it is making history for the future which will be of great value to the coming generation, and may help to prepare the way for the onward march of that broader and better civilization,

"That broke all kinds of prison bars,
And set the shackled millions free;
And welded in the flame of war,
This union fast to liberty."

That your meeting may be a very pleasant success is the earnest wish of your friend,

H. PRICE.

FROM D. N. SPRAGUE.

COLFAX, Iowa, February 6, 1900.

Hoyt Sherman:

DEAR SIR—I received your invitation of January 15th, to attend the seventh session of the Pioneer Lawmakers, to be held in your city February 14th and 15th, and to prepare a paper to be read during the session.

I have been crippled with a bad finger, utterly disabling the use of my right hand. Am still unable to do anything; am hopeful to be well enough to attend the meeting, as I much desire to meet what few are left of the old Seventh General Assembly of Iowa. There are only a half dozen left in the southern part of the state. I shall remain here some time yet; wish you would send me a program of exercises, or one of the papers, if published in newspapers.

Sincerely yours,

D. N. SPRAGUE,

Wapello, Iowa.

FROM COLE NOEL.

ADEL, Iowa, February 12, 1900.

Hon. Isaac Brandt:

MY DEAR FRIEND—I had hoped to have been able to be in Des Moines the 14th inst., to meet with the old Tippecanoe club, and the old lawmakers, but I have been confined to the house ever since December 25th, and most of the time to the bed, and not able now to walk, and write this note while lying in bed. I was a member of the Thirteenth General Assembly, and for my work in the passage of the Capital bill the citizens of Des Moines caned me, but it did not hurt me as the cane had a gold head.

Should you meet any of the members of the Thirteenth General Assembly, remember me to them. Respectfully your friend,

COLE NOEL.

CHAIRMAN: Brother pioneer lawmakers, the reading of these letters completes the exercises as laid down on the program for this forenoon. If there is no further business to come before this meeting, we will stand adjourned to meet here at 2 o'clock P. M.

AFTERNOON SESSION.

Pursuant to adjournment, the meeting was called to order by Chairman Hildreth.

CHAIRMAN: Mrs. H. R. Reynolds, musical instructor of the West Des Moines high school, will now have her class, the High School Glee Club, entertain us with the national hymn, "America."

CHAIRMAN: The next exercise on the program is an address, "Territorial Legislature of 1838," by Hon. T. S. Parvin.

MR. CASADY: Mr. Chairman, I would like a moment before Mr. Parvin proceeds with his address. I move you that Senators Hubbard and Townsend, and Representative Eaton be admitted as members of this association.

Motion carried.

MR. T. S. PARVIN: Mr. President, I wish, before commencing my little talk, to thank the boys for their music. I have a very distinct recollection of being a boy once myself and I love the boys.

TERRITORIAL LEGISLATURE OF 1838.

BY HON. THEO. S. PARVIN.

I wish to say, my friends here, I had very little expectation of being able to meet you. I have had four or five letters from Maj. Hoyt Sherman and wrote him that I was confined to my room and unable to leave from an accident I met with here in your city the day after Christmas, and he kept writing me and thought if the state of my health and my condition were such that I could not possibly come, that it would be a very good thing to prepare a paper satisfactory to myself; then I wrote him and he selected the subject which has been announced and said I could prepare a paper for publication at my leisure. Then, he wrote me again and said that his good brothers and friends would like to hear me talk on the subject and I could prepare the paper afterwards. I did not consent to that, nor did I know any further about it than his letter, which I did not answer, until I arrived in your city.

Now, my friends, what I shall say to you about that first legislature will have to depend upon my memory. Had the event occurred in the last ten years I could not have told you much about it. In those days we had no photography, no daguerrotype, so that the events of those years were photographed on my memory, so I have a very distinct recollection of very many things that took place at that time. Of all the members of that session there is but a single survivor except myself, my dear old friend, Dr. Gideon S. Bailey, a man five years my senior, and I have seen eighty-three winters and summers passing over my head. He has not been able to get out of his house for several years. Although you have advertised that he would be here, I knew that was a mistake. But I have been favored with excellent health and strength through all these years, save this accident to my understanding. That session was a very important one in many respects. It was the first territorial session held in the territory of Iowa. I was not a member of it, but there is not now a living man that ever saw that legislature in session except Dr. Bailey and myself. I was then private secretary to the governor, and was in and out of the sessions of both houses day after day. It was my first observation and experience in legislative work and I took the interest of youth. I have lived in Iowa from that period to the present hour; more than sixty-two years that I have grown up in your midst in Iowa, one of your public servants.

The governor of that period was authorized and commissioned by congress to apportion the representatives, the number of which was fixed by law, to the several counties in this territory, and he was authorized also to select the capital of the territory. When Governor Lucas arrived in Iowa he found he had been preceded about a week by the secretary of the territory, William B. Connelly, who had for many years edited a paper in

Pittsburg. He was a man wholly unacquainted with public affairs; never had held any position whatever, while Lucas, the governor, had been governor four years in Ohio; had passed through the Miami war successfully, as he did afterwards the Missouri war; nineteen years in the senate, most of that time presiding officer; he was a man of experience, a man of strong passions and strong partialities and prejudices. He disliked very much the fact that Connelly had anticipated his coming, and held that the office was vacant, for the organic act provided that, in the absence of the governor, the secretary should be the acting governor, and he had selected Davenport as the seat of government, and had issued a proclamation for that for seat of government. Lucas set that aside and selected Burlington as the seat of legislature, and fixed the time. I remember well the 12th of November. The house consisted of twenty-six members, and the council, which corresponds with the senate of to-day, of thirteen members, making thirty-nine in all. The organic act provided that the laws of Wisconsin should be in force until such time as Iowa should enact laws for its own government. So that we were not a lawless people; but that legislature had the preparation of all the laws under which the government of Iowa as the territory was organized, and to continue its work throughout the coming years. They had a great work in hand and, allow me to say, without any disparagement to the present or any previous general assembly, that that legislative assembly, as it was termed at that day, performed its work well. They laid the foundation broad and deep and strong, upon which has been built this great commonwealth of Iowa. They deserve a great deal of credit. There is but one man living—Dr. Bailey, to receive that credit at your hands. I hope this body may, before its adjournment, pass resolutions of sympathy with him in his feebleness of health and old age, and assure him that they recognize his work in connection with those who labored with him in the great work of that day. I remember very well, being interested not only in the work directly before us, but in a good deal of collateral work. I took but few notes of our session; that is, to ascertain the profession of the different members, where they were from, the circumstances surrounding their early history, and you may be surprised at the wonderful recollection I have of those matters, when I tell you that Cleveland was perfectly right when he said that Iowa was an agricultural state. Of the thirty-nine members, twenty-four or five of them were farmers. There were only four lawyers in the two houses—two in the senate and two in the house. Two of those became governors, one of them became a United States senator, one of them was sent as member of congress from the state of Iowa upon her admission into the union, and one of them became chief justice of Iowa, and later the first chief justice of California. So that you see that the material out of which those young lawyers were made was the right kind of stuff. I can name them: In the house, was Grimes and Hastings. In my judgment Grimes was the brainiest man of the territorial period, and has not been surpassed even in our state period. [Applause.] The state of Iowa owes to that man a debt for his earlier and later services. I sat in the senate chamber day after day, during that great trial of the impeachment of Andrew Johnson, with Senator Grimes, and who was my early lifetime friend. He told me how he was going to vote, and how he did vote, and yet when he came home his party went back

upon him, and I may say, he became a victim to the antagonism that arose out of that occasion. He never got over it, but he lived long enough to leave his mark upon the historic page of Iowa and of the nation, and his services are entitled to the lasting gratitude of the people of the state.

There were two doctors, only, in that assembly. There were four merchants, and then we had one or two others; we had surveyors, and a miner or two, and others engaged in other employments, but these men assimilated in their work, and went right at it. The legislative assembly was elected very largely on county seat grounds; that was the all-pervading topic of that day. In Muscatine county, from the influences of a representative in the Wisconsin legislature they had selected for the county seat a village that had but a single house in it, and it never had but the one in it, while the town of Bloomington, now Muscatine, which had probably a dozen, was later selected. Scott county was divided for some years. During the year that I practiced law in that county, we boys stopped down at Rockingham, three miles below Davenport, and then rode up to Davenport where court was held. A little incident I might mention: When the county seat was fixed at Geneva, Henry Dodge, father of our Augustus, vetoed it. But in Scott county they sent a steamboat to Dubuque and brought all the voters down that the boat could carry for Davenport, and Rockingham sent all the wagons to Muscatine and Cedar counties to get votes for Rockingham, but the steamboat beat the wagons; have always beat them since. Now, these gentlemen were elected on such grounds as that. There was a large amount of business aside from legislative business, begun under the territory, the new government. One thing, for instance, was the granting of ferry privileges up and down the river. For many years we had no bridges across the Mississippi river; had to depend on ferries, horse ferry boats. There was not a steam ferry boat, to my recollection, north of St. Louis. Certainly none within the borders of Iowa. Then, too, the legislature showed their wisdom and their forethought of the future. They went to work; not having a general act of incorporation they had to pass special acts for all such purposes; they organized an academy in every town in the state, when there was not any pupils to attend them. When I went from Burlington to Bloomington to engage in my profession as district attorney, I took, myself, the census of the town, and there was but one single child in the whole town; a little boy, whose mother had to put a bell around his neck in order that he might not get lost in the hazelbrush; yet we had an academy for the benefit of that boy, I suppose, and other boys that might come in. Of all the academies granted at that session, not one of them ever went into actual operation. Grimes was chairman of the judiciary committee, and under resolutions all of the acts of the body had to be referred to that committee. So that he was the worker of that body, while all of us attorneys were workers. I have another little matter I will speak of, and that is the presiding officers of those bodies; there were no politics then in these selections. It happened that both parties selected, as president of the senate and speaker of the house, were whigs during that first session—[interrupted by message from the legislature]. [Resuming.] The democrats held a caucus, and the result of that caucus was that these parties were organized, and the succeeding legislature of 1839 was elected on party grounds. The membership of

those houses were very largely young men; a majority, indeed, of both houses were young men, under twenty-eight, some of them even under twenty-five; there were but two old men in either party. One of the councilmen (senators) had represented the county of Des Moines in the Wisconsin legislature at Belmont the previous session. Two of the house had also been members, one from Des Moines, the other from Dubuque county. Those of you who have read the early history of Iowa know there were but two counties in Iowa at that time, Dubuque and Des Moines, both of them organized under the law of previous governors. A little incident that has probably not appeared in print, to show how Burlington came to be established as the seat of government of Iowa, may not be without interest to the old members of this association. The legislature of Wisconsin met at Belmont; I have been in Belmont several times. There are only two houses there now. It was a very small town when the legislature met there. They anticipated, owing to the pressure of the members from the west side of the Mississippi river, at Dubuque and Burlington, the next session should be held west of the Mississippi river, and with a view of determining which would be the more eligible point of these two cities, the sheriffs of those two counties were instructed to take a census. The sheriff at Dubuque was Geo. W. Cummins, and of Des Moines, William Cameron. The Dubuque sheriff took the census according to the prescribed rule and, while it was much the largest city of the two, it failed to return that fact in the census table. The census man at Burlington raised, among the boarding house keepers, I may say at that time that all of the people there were young men largely at the hotel, where I remember there were seventy-five young men, all of us eligible to matrimony, but not a young woman in all the city of Burlington. There was one maiden lady, older than my mother. So we had to board around where we could get places to board, and when the sheriff would come into the house he would inquire after the good lady of the house, and she would be in the kitchen, with no servant girls in those days. He would go out and say to her, how many have you got in your family? and she would say to him, go in and count for yourself. So he would go in and count heads and mark down the number, then pass out at the front door and the boarders passed out at the back door and into the next house and he would count the heads over there the same way. So Burlington had the largest population and Governor Lucas selected it for the seat of government of Iowa. Those who are familiar with the early history of Iowa have heard of the controversy which arose there between the governor and the secretary, and between both of them and the two houses. There was no suitable place in which the legislature could convene; the building in which the previous legislature, which was a Wisconsin body, had met had burned down during the summer. The Methodists had constructed a building, which was under roof, when they ran out of funds and were unable to complete it. Governor Lucas furnished the means to the trustees to complete that building so that the legislature might occupy it, but it was done hurriedly, and not satisfactorily, and the members were very much dissatisfied with their quarters. That winter was an unusually early one. I had been sent east to purchase the books for the territorial library—commissioned by the governor, and also commissioned by the secretary to purchase stationery. Now, I had never seen a legisla-

tive body in session. I had no idea or conception of what the members required for the convenience of their work, and after consulting some persons I purchased what I thought might be satisfactory for the occasion, but the winter set in early, and I only reached St. Louis with the books and the stationery. The secretary, knowing of my delay, had, himself, gone to St. Louis to purchase some stationery, and he didn't know any more than I did about it, and he didn't work satisfactorily; so that very soon after the legislature met they passed a resolution instructing him to furnish them with certain articles which he did not think was necessary; among other things, was penknives. The secretary was a very bright, smart man, a good writer; wrote humorously and sarcastically. The letter which he wrote to that legislature I have preserved and published it in your Annals, second series, present series third. It is a readable article; I have read it sometimes since, and, among other things, he said he had not got the stationery for the session because of the act of God Almighty; that he, as secretary of the territory, had no control over the river and the floating ice, and that they should, therefore, censure the Lord, which was quite profane, and the religious members of the house took exception to it, and finally made him apologize. While the governor was not responsible for the difficulty in the way of the house, he did all he could, but the members were quite unreasonable in their views, and they got into controversy over that and some other matters. The organic laws provide that, the language is about in these words:

"The governor shall approve of all acts which may pass the legislative assembly before they go into effect." The judiciary committee of the house construed that to mean that the governor must necessarily sign all the acts whether he wished or not, while the governor held the correct view that the acts could not go into effect without his approval and signature. So that they got into a big quarrel over that subject, and the fact is, while a very hard working body in one way, it was a very quarrelsome one in another. The presiding officer in neither body had ever had any experience in their work. One of them was a merchant, who afterwards became governor of a western territory; the other was a retired army officer. Both of them, were, as they developed afterwards, whigs, but the president of the senate was a very warm Jackson man, and there was a very strong member of the house, who was very useful in one way, at least, who was also a Jackson man. So that, when the 8th of January came, both of these members, as we say in these days, got gloriously drunk. The president of the senate did not make his appearance in the body for about a week. One evening he went to a bakery and aroused the good lady and got all the loaves he could carry under his arms and went around and knocked,—they had no bells in those days, but the old-fashioned knocker—and threw a loaf in each door as it was opened. He was a very kind-hearted man. I remember another instance: I went down into a bar-room on an errand, when this gentleman, about six feet three inches tall, said, "Gentlemen, I move that Mr. Parvin have the honor of treating this crowd." Had I been as smart then as I think I became in later years, I should have stepped up to the counter and joined him and his friends in a treat, but I ordered the bartender to treat him and his friends and bring me the bill the next day, which he did, and it was a big one. This stalwart man got his friends into

procession and they escorted me to my room at the hotel. At that session one of the most important acts they had before them was to select the permanent seat of government. The organic act provided for that. Among the towns competing for this honor the most prominent was Mt. Pleasant, for at that time the center of population was in the southern part of the territory, but there was a disposition to make the location central geographically, as it was afterwards done by locating at Iowa City. I remember that from day to day that question came up in the house and it was a tie vote without the vote of this one man; his vote would settle it, but he was drunk and he didn't know the difference between Iowa City—that is, it became Iowa City afterwards—and Mt. Pleasant, so that the members favorable to each of the two places would try to get on either side of him and control him, but the friends of Iowa City outdid the Mt. Pleasant boys and they got his vote, and that is the way that Iowa City became the capital of Iowa by one vote. I had occasion in the writing of historical articles for our annals and other periodicals, to write the history of the different capitals of Iowa, and I think I referred to that in one of them, and so referred to some other matters in some of the others.

In the house Dr. Bailey was chairman of the committee on common schools. There was about as much use for common schools in Iowa in that day as there are for five wheels to your buggies to-day. Governor Lucas in his message, which was one of the best messages to the legislature ever written, had recommended the creation of a common school system. I said to him one day, as I was copying his message from dictation, "Why do you dwell so much on common schools? we have no children to educate; we have no money to support schools." The governor said, "Young man, you don't look as far ahead as you will some day, likely. It is an advertisement to our friends east. We have got to depend on eastern people to emigrate to Iowa in order that it may become a state, and they are not going to come with their families unless they can educate them, so we must have a common school law. They don't know as much as you do, and they will read the law and come and stay." Dr. Bailey reported the first school law of Iowa, and let me say to you, gentlemen, it is one of the best laws upon that subject that has ever been enacted in this state. Governor Lucas was fifty years in advance of his day. The basis of the common school system that he recommended, and he argued it very largely in his message, was the township system forty-five years ago, and I am sole survivor of those who organized the State Teachers' association. I tried to get that association to take up Governor Lucas' suggestion but twenty-five of the forty-five years passed by before we could get a state superintendent or school committee of the State Teachers' association to insist upon the township system as the basis of the school system of Iowa. We have been all these years learning what that one man of experience and observation had learned. There are many other points in his message which have become law since, and I am quite familiar with the legislation of the state since and the messages of our governors, and I don't remember to have read any one of them in which so many wise and wholesome measures for the future government and the upbuilding of the community was contained as in that message of Governor Lucas. So that we owe him, also, a debt of gratitude. Indeed, in general terms, those men, all of them, builded wiser

than they knew. They have fortunately been succeeded in general assemblies by men who have had in view the same great objects, and upon that we have built this great commonwealth, a commonwealth with which you are all so familiar, you can go back as far as I can and trace its growth from the first beginning, on up. I am proud of Iowa, as we all are; proud of its growth and of its development. Dr. Bailey continued a member of the territorial legislative assemblies during the history of its entire period of eight sessions. He also entered in the senate of our state period and labored there. He was a member of the first constitutional convention in 1844. The convention did its work well, but it was not submitted to the people until congress had meddled with it and struck out those boundaries. Had the act of congress prevailed, our western boundary would have been thirty miles west of your city here and all of the Missouri slope cut off. There were three young men of that period that were wiser in some respects than some of their older colleagues. I remember very well, for I was one of them, of carrying in my hands a document prepared in Washington to be submitted to the voters of Iowa, in which the writer stated that we didn't want that country west of the Raccoon Forks because it was all a desert; never could be settled or improved. Why, that same story, gentlemen, had been told of the country between the Raccoon Forks and the Mississippi. When the railroad reached Burlington and Senator Douglas delivered an address to the people, he said that he had passed up the Mississippi river in 1827 and remarked to the commandant of troops at Fort Armstrong, Rock Island, "This is a beautiful country you have up and down the river." He replied, "Oh, yes, it is very beautiful eight or ten miles back, but it is all desert from there." The geography that I studied when a little boy in an eastern village told us the same thing. It was universally believed, but the man is not living, nor has he died that ever found that desert between the two great rivers.

Now, I could occupy your time all the afternoon and then not conclude the subject, but, as it is suggested by Major Sherman that I should prepare a paper, more elaborate and a little different in its style, as it is to be published, I had probably better give way and let the regular program proceed. I have complied with the request of our beloved president this afternoon in giving you a short talk. It is all he asked. I have done more than I have promised, and if you will excuse me, after referring to one other matter, I will stop. I desire to refer to a little relic, that desk. I had that desk made myself. The carpenter that made it sixty years ago in Burlington, recently died. It is the desk at which Governor Lucas stood,—he never sat down. It is the only relic of the executive or the legislative or the judicial department of the territorial government of Iowa. Later it passed into my hands, and I had it in the library of which I have charge until my friend Aldrich saw it and violated the tenth commandment and coveted it; he thought it better in his department and I gave it to him. But I want to say, gentlemen, when I came in that door I recognized that desk. I used to spend an hour Sundays squaring up papers. Had a pigeonhole for papers; had no rubber bands, and didn't have tape; we went straight at things and used strings, and the next Sunday these would all be cut and papers pitched in pell-mell. I am glad we have it in this place, and when you gentlemen, pioneer lawmakers, look upon that desk, you look upon the

only thing you will ever see of those early periods. I guess I had better stop.

Mr. Brandt, as sergeant-at-arms, here announced committees from the senate and the house of representatives.

SENATOR W. R. LEWIS, of Poweshiek: Mr. Speaker, a committee from the senate and house of representatives of the state of Iowa are before you to invite this body to visit those bodies to-morrow afternoon at about 3 o'clock, or when it shall suit your convenience. You can indicate to us the hour that will be most convenient to you in some way that will be satisfactory to you. We are especially charged to deliver this invitation in such a way as will indicate our heartfelt desire to have you visit us. We want to see you.

CHAIRMAN: What is the pleasure of the association?

GOVERNOR GUE: Mr. Chairman, I move you on behalf of the association that we accept the invitation and will meet the legislature at 3 o'clock to-morrow afternoon as asked for by the delegates.

Motion carried.

MR. AINSWORTH of the Committee to the Senate: I desire to say that Senator McNutt and myself were appointed as a committee to the senate to extend an invitation to visit the meeting of this association, but on account of adjournment in deference to Governor Larrabee this afternoon, we were not able to extend the invitation and we would request you as committee to convey to the senate the invitation on the part of this body that they visit us at our session at such time as to them may seem best.

SENATOR ERICKSON: Colonel Godfrey and myself, I believe, were a committee to call upon the house from this body in the same capacity and so we will leave it as it is for the present, as we were not able to call this afternoon.

HON. M. N. BAKER, of Cass, on behalf of the committee from the house of representatives, said: I will convey the message to the house.

SENATOR DUNGAN: I move that the committee from the two houses be invited to take a seat with us so long as it is their pleasure.

Motion carried.

HON. M. J. FURRY from house committee, said: I thank you, Mr. Speaker, for the invitation. I have a committee meeting to attend this afternoon and will be unable to be present.

SENATOR W. B. PERRIN, of Chickasaw, said: Our session will necessarily be short to-day on account of assignments already made for us coming on immediately. We think this ends our message for the present.

CHAIRMAN: We thank you, gentlemen.

MR. POWERS: Mr. Chairman, after the joint committee of the house and senate had held a consultation in the next room, they requested me to say to this body that they had decided to have the meeting to-morrow at 3 o'clock in the senate and at 30 minutes after 3 o'clock in the house, and requested me to so announce it to this body.

Song—By the High School club (boys)—Old Oaken Bucket.

CHAIRMAN: Hon. W. S. Dungan will now give us a memorial address on the late Hon. James Harlan:

Mr. President and Members of the Pioneer Lawmakers' Association:

To me has been assigned the pleasant but delicate duty of preparing a memorial paper on the Hon. James Harlan, to be read at this meeting of our association.

In the preparation of this paper it has been my purpose to make it a memory rather than a eulogy. A plain and truthful recital of a life such as his best speaks its own nobility.

I had hoped to obtain, for insertion in this paper, some interesting materials and reminiscences in Mr. Harlan's life, from his unpublished autobiography, but it was inaccessible for that purpose.

James Harlan was born the 26th day of August, 1820, on a farm in Clark county, Illinois. His parents were _____ and _____ Harlan, natives of Pennsylvania, to whom were born ten children, James being the third. When he was about 4 years old his parents removed to Indiana, where he resided with them until he was nearly 21 years old. Here his experience was much the same as other boys brought up on a farm, hewn out of the dense forests of that and other middle western states. He is said to have been an excellent aid to his father in clearing out and putting in cultivation this heavily timbered land. His advantages and opportunities for a school education were, of course, very limited; enjoying, in common with the other young people of the community, brief sessions of winter schools, held in rude log houses, while working on the farm in the summer time; but scanty as were the advantages thus within his reach, in a mind so endowed by nature with an innate thirst for knowledge, he sought and devoured with avidity, all the books he could procure, and thus commenced the foundation for that breadth of intellect, that broadness of thought and that immense store-house of knowledge to which he attained in his mature years. He remained thus at home until he was nearly 21 years of age when, to the sor's great delight, the father consented to his pursuing a collegiate course of study, and to that end gave him what is termed his "freedom" the rights and privileges of 21 years old, \$100 in money and a father's blessing, and young Harlan started on foot, his clothing and books in a bundle carried on the end of walking stick held across his shoulder, for

Greencastle, Ind., where he entered the primary department in the Indiana Asbury university, from which, four years thereafter he graduated with the highest college honors.

The generosity of his father in giving him his "freedom," some four months before his arrival at the age entitling him to be his own master, and especially his gift of \$100, a sum then regarded as only within the gift of the most favored farmers in the community, so filled the young man's heart with gratitude toward his parents, knowing the labor and struggles it cost them to accumulate so considerable a sum, that he resolved to husband it with the greatest care and to that end he invested it in forty acres of timber land in the vicinity of his father's farm, and doubtless it proved to be a paying investment.

This gift of the father was, doubtless, a formative period in his after life as to financial matters. Always careful in his investments—never having made a losing one it is said—economical in his daily life, yet generous in his benevolences to all worthy objects, one has said, "He was active in his charity but not ostentatious. He loved charity for charity's sake and more than one successful man owes his education to the generosity of Senator Harlan, though the world is unaware of it." I mention this to corroborate the statement, as I have personal knowledge of one such instance in the southern part of this state.

He supported himself in college by the strictest economy, working some on the farm, teaching short terms in country schools and cooking for himself. His food and wearing apparel were furnished largely by his parents, so that the entire cash expenses of his four years' course in college amounted to but \$266.72. The freshman of to-day who would present no larger bill to his father for his first year's outlay would be considered a model young man in his expenditures.

Soon after graduating he was married at Greencastle, Ind., by Reverend Dr. Simpson, afterwards the celebrated Bishop Simpson, to Miss Ann Ellis Beck, a native of Maysville, Mason county, Ky.

March 6, 1846, while Iowa was still a territory, Mr. Harlan arrived at Iowa City, to take charge, as principal, of the Iowa City college, afterwards superseded by the State university. That year the state was admitted into the union and the first state legislature created the office of "Superintendent of Public Instruction" to be chosen at the next general election and to hold his office for three years. The election occurred April 5, 1847. Mr. Harlan had become the whig candidate. Charles Mason, ex-chief justice of Iowa territory, a man of marked ability and of very high standing in the state backed by the democratic party, then very largely in the majority, was his opponent. And although Mr. Harlan was but 27 years old and had been a citizen of Iowa but one year, he was elected by several hundred majority. Mr. Harlan's success was largely due to the canvass he made. It is said that he spoke in nearly every organized county in the state, and with such force and convincing power that he, although so young, won from the opposition at every point where he spoke. A friend of his, writing of this canvass, says, "He hardly took time to eat or sleep," and that "his candidacy and canvass were truly Napoleonic in conception and execution."

After serving in the office for a little over a year his election was declared void upon a mere technicality, the point being that the law creat-

ing the office had not been properly published at the date of his election. The next year he was again elected to the same office over his opponent, Thomas H. Benton, Jr., a nephew of the famous Senator Benton, of Missouri, commonly called "Old Bullion." This time he was prevented taking charge of the office by act of the returning board on a technicality, counting him out and giving the certificate of election to his opponent. During his occupancy of the office he did much to give force and character to our present splendid school system. He then read law in Iowa City and engaged successfully in its practice until 1853 when he was chosen president of the Iowa Wesleyan university, then called _____.

Before leaving Iowa City he had declined a nomination for the office of state senator of the Iowa City district, because it would interfere with his practice. The state convention of the whig party of 1850 tendered him the nomination for governor, which he declined because he had not attained the age of eligibility to that office under the constitution.

In 1853 he removed to Mt. Pleasant, Iowa, to assume the duties of president of the Iowa Wesleyan university and that of professor of mental and moral sciences. During the three years he was its president the university was highly prosperous, more than doubling the number of students in attendance. In January, 1855, the legislature of Iowa elected him United States senator to succeed Senator Augustus C. Dodge.

He was sworn in and entered upon the duties of senator the first Monday in December, 1855, and almost at once acquired a very high position as a great worker and powerful and convincing debater in that exalted body of eminent statesmen, among whom we find such illustrious names as John M. Clayton and James A. Bayard, of Delaware; Hunter and Mason, of Virginia; Hamlin and Fessenden, of Maine; Foot and Collamer, of Vermont; John P. Hale, of New Hampshire; Stephen A. Douglas of Illinois; Benjamin F. Wade, of Ohio; John Bell, of Tennessee; J. J. Crittenden, of Kentucky; Samuel H. Houston, of Texas; Robert Toombs of Georgia; Juda P. Benjamin, of Indiana and Lewis Cass of Michigan. Mr. Harlan's first elaborate speech in the senate was upon the admission of Kansas, and its depth of research, unanswerable logic and persuasive eloquence, placed him at once among the foremost members of that august body of statesmen.

His first great triumph in securing important legislation was, in connection with his colleague, Senator Jones, the passage of the act of congress of May 15, 1856. This was the act granting to the state of Iowa public lands to aid in the construction of four lines of railroad across the state, from given points on the Mississippi river to the Missouri river, east and west across the state and nearly parallel. The points on the Mississippi were Burlington, Davenport, Lyons City and Dubuque, with a branch on the latter from the mouth of the Tete des Morts. The grant embraced nearly 5,000,000 acres, and the lands actually certified to the state of Iowa under this grant, up to 1888, were 3,307,691 acres. This was and is the largest grant of the public domain ever made by congress to any state or for any purpose. The combined efforts of the two senators had accomplished an Herculean task, and we must bear in mind that while Senator Jones was an experienced member, Senator Harlan had been a member of the senate but little over one year. Notwithstanding the wide difference between the two in politics, as well as in age and experience, yet

Mr. Jones, early in their work together in the senate, formed a warm attachment for the young senator, an attachment reciprocated by Senator Harlan, and which lasted until death called the senior senator away from all earthly associations. Mr. Jones had so high an opinion of Mr. Harlan's judgment that, notwithstanding the great disparity between them in age and experience, he was in the habit of consulting the junior senator on all matters affecting the interests of the people of Iowa, except those which were strictly political. In speaking of the passage of the act of May 15, 1856, Mr. Jones was always pleased to commend the work of Mr. Harlan, and to relate their plan of operations. He states that he proposed to Mr. Harlan thus: "Harlan, you look after the abolitionists and I will try to manage the old Bourbons."

On January 12, 1857, the senate resolved that Mr. Harlan was not entitled to a seat in the senate. He had been elected by a joint convention of the two houses of the legislature in the absence of the democratic members, who, although they had united with the whigs in calling the convention, absented themselves to avoid an election, after finding that the whigs were in the majority, and this was the sole grounds for unseating him. The legislature of Iowa was in session, but there were no telegraphs by which he could communicate with it, and the mails were so slow Mr. Harlan determined to go immediately to Iowa, and lay the matter before that body. The legislature was in session at Iowa City. Mr. Harlan left Washington January 11th and arrived at Iowa City one day and the next he started back to Washington with credentials in his pocket of a re-election to the senate of the United States, which no one could dispute, and he was duly sworn in without objections. He reached Washington January 29th, having made the journey from Washington city to Iowa City and back to Washington in the remarkably short period of seventeen days. Mr. Harlan was again elected to a seat in the senate of the United States by the Eighth General Assembly in 1861, which he held until May 15, 1863, when he resigned to accept a position in the cabinet as secretary of the interior, to which he had been appointed by Mr. Lincoln in March preceding his assassination, and he held that office, and conducted its affairs with great ability, until the first day of September, 1866, when he resigned to accept a seat in the United States senate, to which he had been elected by the legislature the January preceding, making the third time he had been honored by the legislature of his adopted state with a seat in that body, and he served therein until the end of the term. Since leaving the senate Mr. Harlan has occupied no official position except that for a few years he was induced to accept a position on the Alabama claims commission, during most of which time he was its presiding officer.

Senator Harlan, at various periods of his senatorial service was chairman of important committees, agriculture, District of Columbia, Indian affairs and public lands. It is in committees where the master minds of a legislative assembly shape the destinies of the nation, although the work done there is less visible to the public than in the open forum. It was here that his master mind was so persuasive as to shape most important measures in all departments of the government. I will only instance the fact that to him we are largely indebted for the shaping and passage of the first homestead law, which has proven so beneficial in establishing myriads of pro-

perous and happy homes for the comparatively poor and the organization of new and growing commonwealths in our great northwest.

Perhaps Mr. Harlan's most conspicuous triumph in debate was in the senate in defense of President Grant and his policy in regard to San Domingo. In the discussion of this question Senators Carl Schurz and Charles Sumner assailed, not only his policy but Grant himself. In such an emergency, and to meet such strong assailants, the ablest and strongest member on the other side is chosen by his fellow-members to make the reply. Harlan was chosen for that responsibility, and being so chosen speaks the highest appreciation of his eloquence and power in debate in the estimation of those who selected him. It is claimed by many competent judges that the speech was the greatest forensic triumph in that body since the reply of Webster to Hayne in 1852.

While, by common consent, he has been called "Iowa's Grand Old Man," while we say, "A giant oak has fallen," and while we of Iowa, esteem him one of the really great men of this nation, lest we should be too partial in our estimate of his character let us consider what his fellow-statesmen and his immediate neighbors have said of him. At a meeting for Speaker Thomas B. Reed, at Burlington, Iowa, a few years since, Mr. Harlan presided and made the opening address. Mr. Reed said of it, "It was the best half hour's political speech I ever heard."

Gov. Richard Yates, one of the most eloquent men of Illinois, said, "Harlan makes the best campaign speeches of any one in the senate."

Senator John P. Hale, in conversation with other senators, said, "I suppose every member of this body has some one peculiarity by which he may be designated and possibly remembered: Harlan will be hereafter remembered as the most successful passer of bills."

Senator William P. Fessenden called him, "Our wise boy orator."

Senator Sumner, chairman of the committee on foreign relations, esteemed his foresight and wisdom so highly that he asked that Harlan be assigned to a place on his committee.

Roscoe Conkling, in conversation with the late Frank Hatton in relation to Mr. Harlan, said, "He is the strongest, most logical and most convincing debater I ever listened to; one of the really great men who have served in the senate." What do his immediate neighbors say of him? Listen to the unanimous voice of the bar of Henry county: "A mighty oak has fallen. A great and good man, at the close of a long and useful life, has gone to his rest. Senator Harlan is no longer with us. The nation has lost one of her strongest and ablest statesmen, who, by his wisdom in counsel and massive strength in debate, was an acknowledged leader in the most critical period of our history."

The students and faculty of the Iowa Wesleyan university make this record:

WHEREAS, death has taken from us our beloved and revered chancellor and president of the board of trustees, the Honorable James Harlan, LL. D., therefore be it,

Resolved, That in his death the Iowa Wesleyan university is bereft of its staunchest supporter, its most liberal patron, its most distinguished officer, its most beloved friend and able counsellor, whose services have been invaluable and to whose beneficence is largely due its splendid equipment,

if not its very life." Serving in the senate during the most trying and critical period of our history, the days when the smiles of an overruling Providence alone could turn the tide of our affairs so as to perpetuate the union of our fathers, the warm supporter and confidential friend of our martyred president, and highly esteemed among his fellow-senators, he was in a position to render the nation as effective service as though he was out upon the field of deadly conflict and using all his great powers and influence in the support of those in the field and at home, he well deserves the meed of praise we offer to his memory.

"Not to the ensanguined field of death alone
Is valor limited: She sits serene
In the deliberative council, sagely scans
The source of action; weighs, prevents, provides,
And scorns to count her glories from the feats
Of brutal force alone."

In recognition of those patriotic services the military order of the Loyal Legion of the United States, in Iowa, made him a member of its order of the third degree, the degree conferred on civilians for eminent services to the union cause, and which has thus far been conferred only on two other citizens, the Hon. George G. Wright, deceased, and our senior senator Hon. William B. Allison. While Mr. Harlan, as a partisan, was aggressive, farsighted and the man of greatest power on the stump Iowa has produced, yet he was fair and generous towards his political enemies. His last appearance and address in a partisan capacity, was in 1893, when he was made temporary chairman of the republican state convention, and delivered an address at what was regarded as a very critical period in the history of the republican party, of such convincing power and foresight as to largely shape the platform adopted, and to secure the splendid success which was achieved at the following election. I make these statements to show what great power he had in shaping the affairs of his own political party.

Senator Harlan's last public appearance was at the laying of the corner stone of the Iowa historical building, May 17, 1899. At that meeting he presided and delivered the principal address. The laying of that corner stone, in many respects, formed a most important epoch in the history of Iowa. It is sufficient to say of his address that it was equal to the occasion, worthy to be the last public address of so eminent an orator, and one coming fully up to the great expectations of the sages and citizens whom he addressed.

I call your attention to a single feature of that address. He said: "Up to the date of the inception of the edifice ordered to arise here, the state of Iowa has not been the patron of the artists * * * and as far as I know the state of Iowa does not own a single piece of statuary except those placed on the Iowa soldiers' and sailors' monument," and these he said had been severely criticised. "In considering this matter we know that some of the states have placed in the capitol at Washington, statues of some of their leading citizens, and I am pleased to note that it has been suggested that Iowa should follow their example, and place in the national capitol at Washington and in our own state capitol either marble or bronze statues

of James Harlan and James W. Grimes, as the beginning of Iowa's contribution to art in this line. I take great pleasure in calling your attention to this movement. A bill has been introduced in the senate, a few days since, and has been favorably reported upon by the committee to whom it was referred. I would earnestly suggest that some favorable action be taken by this association in furtherance of this movement. Iowa should not be the last state in the union to thus honor itself in honoring two of its noblest pioneer citizens. The statues should be placed, the original in the national capitol, and the duplicate or copy in the capitol here in Des Moines."

Senator Harlan died at his home in Mt. Pleasant, October 5, 1899, an octogenarian, full of honors as of years. Three children were born to him and his wife, one of whom alone survives him, Mrs. Mary Harlan-Lincoln, the wife of Robert T. Lincoln, son of the incomparable Abraham Lincoln. At the announcement of his death the city of Mt. Pleasant was deeply shrouded in gloom. On the day of his funeral business was suspended; on business and private houses were displayed flags draped in mourning, and the citizens everywhere displayed manifestation of their deep sorrow and the love they bore him and the honor they would bestow upon his memory.

Sir Walter Scott speaks of the brave knight, who returned from long travel and great victories; the citizens came forth to meet their protector, the gates and the walls were decorated with flowers to the hero's honor, the people issued forth to give him acclaim and welcome. When Harlan, the Christian statesman and noble champion of his country's rights, crossed the river of death, his fellow-townsmen, with every symbol of love and honor due the greatest hero, followed him to the water's edge, and we confidently believe that on the other shore a host of the redeemed came forth to hail and welcome him to his eternal home.

CHAIRMAN: Hon. L. W. Ross will now give a memorial address on the late Gov. A. Saunders, of Nebraska.

MR. ROSS: Mr. Chairman and Gentlemen of the Pioneer Lawmakers' Association, there are two errors in the program, as I am advised. The subject of my memoir was never lieutenant-governor of Iowa or of any other state; then his name is spelled wrong. Saunders is the proper spelling. I desire that our record shall be corrected in those respects.

IN MEMORY OF ALVIN SAUNDERS.

The death of a human being always gives occasion for a review of the life of the one thus taken. In such review we often find that there is much that we entirely overlooked whilst he was with us. One reason for this is found in the fact that we take but little note of what others are doing, day by day, and year by year. We do not stop to consider, much less to express the fact of mutual helpfulness, or of mutual sacrifices. When at last, death claims our fellow as its own, the shock makes us think of his many virtues, and straightaway we commence to exchange views, and to

unite in saying that a faithful husband and father, a wise counsellor, and a valuable citizen has gone out of life. Would it not be better to take heed of these things as they occur, and speak of them one to the other, before the final separation takes place? Words of appreciation operate as a stimulant to the tired worker. There is no good reason why we should maintain silence until death has dulled the hearing and the tired one has gone to his eternal rest.

The citizen whose life and service we now call up to review, was born in Fleming county, Kentucky, on July 12, 1815. His death occurred on November 1, 1899, in Omaha, Neb., his total age being 84 years, 3 months and 19 days.

His father, Gunnell Saunders, was of English, and his mother, Mary Mauzy, was of French, stock. They were farmers by occupation, but possessing no fortune. The struggle for existence, and the absence of schools, prevented them from securing for their children more than the rudiments of an education. In the year 1827, when Alvin was but twelve years of age, the family moved from Kentucky to the vicinity of Springfield, Ill. Here the school facilities were but little better than in Kentucky. Alvin, however, had a love for books, and a desire for mental advancement. This love and desire helped him in forming proper ideals of life, and impelled him to a course of self education. How well he succeeded the story of his life must tell.

In the year 1836 Alvin, with his father's consent, journeyed alone to the country west of the Mississippi, then known as the "Sac and Fox Purchase," and located in what is now Henry county, Iowa. This was two years before the creation of the territory of Iowa. Inured to a life of toil, and a believer in the dignity of labor, he first served as a farm hand, and later as a clerk in a store in the village of Mt. Pleasant. Whilst in the latter service, he attended a night school, adding somewhat to his mental discipline, and fitting himself for the business of a salesman and accountant. The duration of the residence of Alvin Saunders in Iowa dates from the year 1836 to the year 1861—a period of over twenty-five years. During this time he conducted the business of merchandising and banking, in both of which he established a reputation for integrity and fair dealing. In 1846 he was elected a member of the convention which framed the constitution under which Iowa was admitted into the union. In 1854 he was elected to the Iowa senate, and re-elected to the same position in 1858, serving until he was called to the territorial governorship of Nebraska, in 1861. In these deliberative bodies he was a student of human nature, and of parliamentary, constitutional and statutory laws. Here he came in touch and close communion with many of the strong men of the state. True to himself, and mindful of his opportunities, he advanced rapidly in knowledge and in power. A republican in principle, he was present at the birth of the party of that name. He attended, as a delegate, the republican state convention held at Iowa City on February 22, 1856. He also attended the national convention held in Chicago in 1860, which nominated Abraham Lincoln for the office of president. Being a personal acquaintance of Mr. Lincoln, he earnestly advocated his nomination, and materially assisted in his election. Though not a fluent public speaker he was nevertheless a leader of men,

and was recognized by the public men of Iowa and of the country as a man of marked personality and great influence.

President Lincoln was a good judge of human nature. No president ever called about him, and into public service, wiser or truer men. In appointing Alvin Saunders of Iowa to the governorship of Nebraska, he made no mistake. A president of the opposite political faith would have appointed a man favorable to the maintenance of slavery in Nebraska. In that case, the war of rebellion might not have occurred and slavery as a national institution might not have been abolished. In the judgment of the writer, the Kansas and Nebraska bill had much to do in bringing on the war of the rebellion. As it was, Nebraska was saved for freedom, and the nation redeemed from slavery.

At the expiration of his term of office Governor Saunders was reappointed. No doubt Mr. Lincoln would have made the appointment on his own motion. The fact, however, that the territorial legislature, with but two dissenting votes, memorialized the president for his reappointment, must have added to the pleasure of the president in executing the new commission, and of Governor Saunders in receiving it. The compliment of the legislature and the action of the president were always cherished by Mr. Saunders in grateful remembrance. It is understood that the last official act of the martyred president was to write his signature to the second commission during the evening of the same day Lincoln was assassinated. The following morning the commission, duly signed, was found on the president's table.

The messages and state papers issued by Governor Saunders exhibit clearness of understanding, and aptness in expression. Self-educated, he was self-reliant also. By will power and untiring industry he made himself intelligent upon most public questions. He was an advocate of the Union Pacific railroad before the bill in aid of the enterprise had passed congress. In a message to the legislature of Nebraska, in the year 1861, he said in substance, "A mere glance at the map of the country will convince any intelligent mind that the great Platte valley passes through the heart, and runs nearly the entire length of the state, and that it will become the route of the great railway which is to connect the Atlantic and the Pacific states; and, that through Nebraska, within a few years, will pass much of the travel and trade between the old and the new world." Afterwards, in the year 1863, when the construction of this thoroughfare was inaugurated, he said, with the comprehension of a statesman and the foresight of a prophet, that the work so commenced, when completed, would unite the shores of the Atlantic and the Pacific oceans, and that it would become in the near future a highway for the carrying of the products of three continents. We have lived to see the completion of the enterprise of which he spoke, and the fulfillment of the prophesy which he uttered.

On March 27, 1867, after six years of service as territorial governor, Mr. Saunders issued an address to the people of Nebraska, announcing the admission of the territory as one of the independent states of the union, and the final termination of his executive duties. In this address he also thanked the people for their kindness and for the promptness with which every official demand had been honored, both in war and in peace. There is every reason to believe that his manifold services as executive of the territory were fully appreciated by the people of all parties.

It is the better view that Mr. Saunders, from his young manhood, was possessed of an ambition to raise above the rank of his birth. If this view is correct it is quite certain that his passion was held in check by a conviction, very common in those days, but not now recognized, that the man should not seek office, but rather await the time when the office would seek the man. Thus impressed, he did not ask membership in the Iowa constitutional convention, or in the Iowa senate; nor did he seek the governorship of Nebraska. At the close of his governorship he was entitled, by reason of his ability and services, to represent the new state in the federal senate. He was conscious of this, but he did not strive for it, and so the honor was conferred upon another. When, however, the time approached to select the successor of Senator Hitchcock, Mr. Saunders determined to stand as a candidate for the office, and accordingly made an active canvass, and was rewarded with success. In the later years of his life he became a convert to the idea that in these times, at least, the aspirant for an official place may, in order to succeed, cast his whole force and personality into the preliminary, as well as into the final, contest.

We have said that Mr. Saunders was a leader of men. He certainly possessed many of the elements of a representative man. In the Iowa constitutional convention, and in the Iowa senate, he was recognized by his fellows as a man of sound judgment. Though not a talking man, he greatly influenced the measures before these bodies. Had he remained in Iowa he would have been called to higher positions. It is a fact well authenticated, though possibly never published, that when the republicans of Iowa were looking for a successor to Governor Grimes the nomination was informally offered to Mr. Saunders, but that he declined the same for the reason that, in his judgment, Kirkwood was more available as a candidate and better fitted to take part in the active duties required of a candidate, and equally well qualified for the duties of the office itself.

As a business man the entire life of Mr. Saunders was marked. In Iowa he was prominent as a merchant and as a banker. In the constitutional convention and senate his information as a financier made him a leader; and, after the close of his term as governor of Nebraska, he again entered actively into business in Omaha and elsewhere. He was a promoter and early director in the Omaha Smelting works. So he was a promoter and also a director in one or more railroads leading from the city of Omaha. He helped to convert a state banking institution into the Merchants National Bank of Omaha, and served as a director in the same. He was also a member of a private banking house in New York city, though never in the personal management of the same. The failure of the latter institution and the shrinkage in the value of Omaha real property threatened him with absolute insolvency. When this disaster overtook him he was over 60 years of age. The times were much depressed. Most men at that age would have succumbed. He, however, gave himself to the task of paying his creditors in full, and of restoring his personal fortune, in both of which he was successful.

During the later years of his life his homestead consisted of a three-acre tract of land on North Sixteenth street in the city of Omaha, substantially, though not elegantly, improved. Here, in the evening of his days, he enjoyed the quiet and comfort which he had fairly earned by just and



GOV. CYRUS C. CARPENTER, (1872-1876)

honorable dealings with his fellow men. He died, as he had lived from early manhood, a Christian in profession and in practice, retaining consciousness until the hour of his dissolution. His body now rests in Forest Home cemetery in the city of Omaha.

It remains to be said that in the winter of 1856-7, at the home of Senator Harlan, in the city of Washington, D. C., the subject of this memoir was married to Miss Marthena Barlow. Mrs. Saunders and two children, the fruit of said marriage, still survive. Charles is a bachelor, living in the Saunders homestead in Omaha, and Mary is the wife of Col. Russell Harrison, and the happy mother of two children.

LEWIS W. ROSS.

February 14, 1900.

SONG: By the High School club (girls) "Juniata."

CHAIRMAN: The next exercise on the program will be the memorial address on Gov. C. C. Carpenter by Hon. J. F. Duncombe.

MR. BRANDT: I will state, Mr. Chairman, that Mr. Duncombe is not present and that the Hon. Chas. Aldrich will deliver the address.

SOME RECOLLECTIONS OF GOV. CYRUS C. CARPENTER.

BY CHARLES ALDRICH.

The following pages are from an unfinished sketch of the life and public services of this illustrious pioneer—merely recounting the commencement of his career of distinguished usefulness in Iowa:

Cyrus Clay Carpenter, eighth governor of the state of Iowa, was born November 24, 1829, in the town of Harford, Susquehanna county, Pa. He died at Fort Dodge, Iowa, May 29, 1898. His parents were Asahel and Amanda M. (Thayer) Carpenter, both of whom died before he was 12 years old. His grandfather, John Carpenter, was one of nine young men who had emigrated from Attleborough, Mass., in 1789, settling in what was an entirely new section of country, their ambition being to obtain cheap lands. The place where they located they called Harford, the name still borne by the little village and township. It was here that Cyrus first saw the light. At the time Harford was located, the nearest other settlement was Wilkesbarre, fifty miles distant, and near the scene of the celebrated "Massacre of Wyoming." Through his mother Cyrus was connected with a family widely known in literature, statesmanship and military affairs, the most distinguished of whom was Gen. Sylvanus Thayer, founder of the Thayer School of Civil Engineering, Dartmouth college, and "The Father of West Point Military academy." Young Carpenter attended the common schools three or four months each year until 1846. He then taught school two or three winters, saving enough from his wages to pay his way at Harford academy—an institution founded by his Uncle, Preston Richardson—a little more than a year. This was the extent of his educational advantages,

aside from the fruits of his regular and systematic habits of reading, which remained with him to the end of his days. His favorite publications were *The New York Tribune*, while under the editorial management of dear old Horace Greeley, and *The Atlantic Monthly*. He was also a thorough student of the writings of Ralph Waldo Emerson. Such a course of reading becomes the equivalent of a liberal education.

In 1852 Cyrus started west, stopping and teaching awhile in Licking county, Ohio. Continuing on his westward way he arrived at Des Moines, in June, 1854. He did not tarry long at the future capital, then a village of about 1,200 inhabitants, but set out on foot, with a light heart and a very light purse, for Fort Dodge, which was to become his home. Upon his arrival there his finances had reached their lowest ebb. He had but 50 cents in his pocket. But the first duty to which he addressed himself was frankly to tell Mr. Dwelle, the landlord of the old log hotel—the "Wahkonsa"—that he was out of money, but willing and anxious to do any sort of work to meet his expenses until some steady employment could be found. The good landlord, evidently pleased with his frank statement and his handsome, manly face, told him he could stay and to give himself no uneasiness about his bill. That evening after supper he was sitting in the back part of the big room which served as an office, when he heard a gentleman who had just arrived say that he had a government land surveying contract a few miles west and that he was going to Dubuque to get a man to take charge of his party in place of one who had left. Young Carpenter's circumstances were so desperate that he at once offered his services to the contractor, saying that he had studied and understood the theory of surveying, though he had had no experience in the field. He was at once employed, with the assurance that if he proved competent, the work would last for some time. The next morning he went out a few miles up the Lizard Fork and took charge of the party. When the first week's work was ended his thin shoes were worn out and his other clothing in tatters. He decided to go to Fort Dodge for a fresh outfit of clothing. When he left camp he overheard the men saying that that would be the last that would be seen of him! He was then of slight build, jaded and worn by hard work, and it is little wonder that the men, who were inured to outdoor life on the frontier, thought him completely used up. But they did not know their man. Reaching Fort Dodge, he invested his week's earnings in a suit of clothes, which included soldier pantaloons and a pair of army shoes. Monday morning found him back in camp ready for work, which he continued until the contract was completed. The following winter he taught the first school in Fort Dodge. He afterwards established a land agency—surveying, buying and selling land for others, paying taxes, investigating titles, etc. A few years after he went to Fort Dodge he was elected surveyor of the county.

In the summer of 1857 I first became acquainted with Mr. Carpenter. I knew him quite intimately as a personal friend from that time until the day of his lamented death. I came to Webster City, Hamilton county, to establish a newspaper—*The Freeman*—in May of the first named year. I think I did not meet Mr. Carpenter until the last of June or early in July. A democratic paper—*The Sentinel*—had been started in Fort Dodge by A. S. White, and as there was no republican paper west or north of Webster

City, the members of that party were at once interested in my effort. I very soon received words of encouragement from the leading republicans of Fort Dodge, especially from Dr. Luther L. Pease, who then held the office of county judge, Capt. Charles B. Richards, A. M. Dawley, C. C. Carpenter and others. Judge Pease came to see me in regard to supporting young Carpenter for representative in the state legislature. I am inclined to think that this occurred before I had even met Mr. Carpenter. But Dr. Pease gave me such a glowing account of his ability as a speaker, and of his high personal qualities, that I determined to give him my support. Dr. Pease believed him to be a young man of great promise, and his prognostications were correct. Upon meeting Mr. Carpenter shortly afterward I was greatly pleased with him. He was a handsome young man of 27, a trifle below the medium height, full-bearded, dark-haired, red-cheeked, with bright black or very dark brown eyes, a most pleasing and engaging personality. In nothing was he more remarkable than in his modest, quiet ways, his retiring habits, his genial manners and rare intelligence. It seemed a godsend to meet such an able young coadjutor in fighting the anti-slavery battles of the time in that new region—one who inspired confidence and was everywhere popular, yet had none of the arts of the mere politician. We had something of a fight in nominating our future governor for the legislature, for there was a candidate in my own town with whom I was not in sympathy. But the nomination went to Carpenter.

I have participated in many political campaigns during these intervening years, but never in one which enlisted warmer efforts or was fought on both sides with more determination. His democratic opponent was John F. Duncombe, also of Fort Dodge, a young man like himself, who has since risen to high recognition as a lawyer, politician and educator. His long and earnest work in the cause of higher education quite entitled him to be considered a statesman.

It was uncertain which party had a majority of the votes. The population was very sparse, in fact, some of the nineteen counties nominally in the district, did not contain a single inhabitant. The democrats were in power in the nation and controlled the federal appointments. But under the strong anti-slavery influences which were sweeping over the country their strength was already waning; still they fought with the energy of desperation to retain their power and patronage. Gen. Geo. W. Jones was serving his second and last term in the United States senate, which was nearing its close. He was a candidate for re-election while Gov. James W. Grimes was the favorite of the republicans for that exalted position. Mr. Duncombe and his powerful friends at Fort Dodge—then the political headquarters of northwestern Iowa—were not only in political accord with General Jones, but his warm personal friends as well. The general had been through our section not long before, "putting up his fences." The contest could not have failed to be an animated one. Both candidates took the stump at once, and continued speaking until the day of election. It was a hot contest from the outset. The republicans planted themselves upon the broad ground of opposition to the extension of slavery. The democrats contended that the territories were the common heritage of the people and that no right existed to exclude slaveholders with their "property" from the national domain. The republicans so obviously had the sympathy of

the people that their opponents raised every conceivable local issue in the various counties, as the location of county seats and state institutions, the building of suppositious railroads, the laying out of new towns, etc. In all that great district of nineteen counties there were but two newspapers—*The Sentinel* and *The Freeman*. Each fought the battle with a degree of energy and determination still remembered by the few surviving early settlers. The discussions in these newspapers grew to be acrimonious. The candidates, however, treated each other with a fair degree of courtesy. Of another speaker, Mr. Duncombe said: "He is a common liar, and I will answer nothing he may say. Carpenter is a gentleman; if he criticises me I will be glad to reply to him." But Carpenter then, as always, steered clear of offensive personalities. There were a few incipient villages in northwestern Iowa, some of which no longer exist—but many speeches were made in log schoolhouses where there were less than a dozen voters.

The long canvass was finally ended by the election, when it appeared that Mr. Carpenter was the choice of the people of the nineteen counties by about 125 majority. So powerful had been the appeals to local interests that in my own republican town of Webster City the really great issue of the day was lost sight of and Mr. Duncombe received a large majority of the votes. Some of the republicans who supported him "still live" to verify this statement. I have been thus particular to explain to the reader how a great political contest was initiated and conducted in this new region when vital principles were at stake, as well as to indicate the sort of warfare which one of the quietest and most modest of young men found himself at the head. But he had acquitted himself magnificently and was the hero of the hour.

After the election the young republicans of Webster City determined to celebrate this hard-won victory by a "Carpenter festival." One of the pioneer landlords, a Mr. W. L. Cheney, prepared a bountiful supper, and Mr. Carpenter came over in one of the very few covered carriages then extant in that region.

It had been arranged by some of the young men to take him out of the carriage and carry him upon their shoulders into the hotel. He came, however, somewhat earlier than he was expected and this part of the program fell through. But there was a joyful time at the supper. When the cloth was removed Mr. Carpenter was called upon for a speech. He talked for, perhaps, thirty minutes, reviewing the political situation, humorously paying his respects to those free-soil voters who had gone over to the pro-slavery party upon the promise of a state institution—possibly an insane asylum. After the address the older guests lit their pipes and departed, when a fiddler appeared upon the scene. The jubilant boys "danced all night, till broad daylight, and went home with the girls in the morning."

The legislature of the ensuing winter was a most notable one. James W. Grimes, the peerless statesman, was the retiring governor and was elected United States senator, in spite of much irrelevant clamor for a merely northern man. Geography for once was most fortunately set aside, and patriotism and brains were as decidedly in the ascendant. Carpenter was one of the warmest and most uncompromising, steadfast supporters of James W. Grimes.

There were many noted personalities among the solons that winter of 1858. Leading in the senate were Samuel J. Kirkwood, of Johnson county; W. H. M. Pusey, of Pottawattamie; Gideon S. Bailey, of Van Buren;

William F. Coolbaugh, of Des Moines; Alvin Saunders, of Henry; J. W. Cattell, of Cedar; N. J. Rusch, of Scott, and James F. Wilson, of Jefferson. In the house roll-call appears the names of Cyrus C. Carpenter, of Webster; George W. McCrary and William W. Belknap, of Lee; Dennis A. Mahoney, of Dubuque; Ed. Wright, of Cedar; Thomas Drummond, of Benton; B. F. Gue, of Scott; W. H. Seevers, of Mahaska; Lincoln Clark, of Dubuque, and M. M. Trumbull, of Butler. Excepting Mahoney, who had grown old as a hard-working journalist, and was then shaking as from a stroke of palsy, most of those mentioned were still young or in early middle life.

I visited Des Moines for the first time in February, about the middle of the session. The old, but then new, capitol stood in thick woods, and I remember seeing a flock of prairie chickens perched in the tops of tall trees which stood upon the site of our present magnificent capitol. They seemed to be engaged in a lively discussion, possibly about the temperature of that cold, frosty morning, or in speculating upon where so many of them were to get their breakfasts.

Carpenter won a proud position that winter. He was not a frequent speaker, nor by any means aggressive, or given to self exploitation. He naturally avoided all necessity of rising to questions of privilege, or making personal explanations. He never indulged in the generally ridiculous nonsense of explaining his vote. He never addressed the house unless he had something to say. There was not a bit of clap-trap, humbug, or pretense in his make-up. Whenever he spoke it was in a simple, plain, earnest manner, attempting nothing, saying nothing, which the subject did not justify or require. The consequence was that he always commanded the respectful attention of the house and generally carried his point. In a letter dated January 29, 1858, Governor Grimes wrote me as follows: "I am pleased to be able to say that your representative, Mr. Carpenter, occupies a very high position in the house, and is an honor to his constituents."

At the end of the session Carpenter came home (to receive the hearty congratulations of his constituents. He retained their fullest confidence from this first appearance in public life to the close of his career.

Legislative committees had not grown to the proportions they have assumed in recent years. Carpenter was a member of three or four of no great importance, and chairman of that on the improvement of the Des Moines river, an interest which was even then rapidly declining. Debates in the legislature were not reported in those days, or even outlined or sketched, and official journals were very meager. There was not yet a daily paper in Des Moines. One can deduce from the little data now accessible, however, that Mr. Carpenter was a favorite member. Such is my own recollection. He was appointed on a few complimentary committees and had charge of all matters pertaining to the Spirit Lake massacre of the year before, the Des Moines river lands, and the settlement growing out of the division of Webster and the creation of the new county of Hamilton. General legislation incident to the adoption of the new constitution was highly important, but to a great extent originated with, and remained in the hands of, the older lawyers.

CHAIRMAN: The next is the memorial address on Hon. Geo. W. McCleary by J. M. Davis, Esq.

HON. GEORGE W. McCLEARY.

BY JOHN M. DAVIS.

There is a beautiful and touching sentiment expressed in Byron's Imitation of McPherson's Ossian: "Dear are the days of youth. Age dwells on their remembrance through the mists of time. In the twilight of life we recall the sunny hours of morn."

When our thoughts revert to the halcyon days of youth, and scenes and events of the times long gone arise before our mental vision, there are those above all others about which will ever cling the tenderest memories.

Among the dearest recollections of the days of my childhood are included the visits of George W. McCleary to my old home in Ohio. As a child I appreciated his noble, kind and gentle nature, and that appreciation increased with the passing years.

Mr. McCleary's ancestors were Scotch-Irish. In very early times they passed over from Scotland to Ireland and settled in Tyrone county. His great-grandfather was born and reared in that county, but removed from there to England, and from thence came to America with the Jamestown colony and settled on the James river in Virginia; he removed from there to York county, Pennsylvania, and purchased a farm, part of which lay in Pennsylvania and part in Maryland; here the father and grandfather of the subject of my sketch were born. His father, Robert McCleary, was born in 1765, and while quite a young man came with some friends to the western portion of Virginia near the Ohio river, where he married a Miss Anne Crow, an old schoolmate who came with her parents to that locality from York county aforesaid the year following the arrival of Robert McCleary. Soon after their marriage they removed to Warrenton, Jefferson county, Ohio, where, on February 28, 1808, George W. McCleary was born; he was the seventh of a family of nine children, all born in the same village. This was four years prior to the beginning of our last war with Great Britain, and the Indians had not left the state. Ohio was at that time the "far west," was sparsely settled, the primitive forest covered the greater portion of its surface, coursed by many streams of greater or less extent, extremely rugged; especially in the eastern portion where many of its hills rise almost to mountainous proportions, it was wild, grand and picturesque. Pages of personal recollections of this grand old state might be written, but it would be inappropriate in this connection.

The village of Warrenton, where Mr. McCleary was born, is situated on the right bank of the Ohio river at the mouth of Short creek and about ten miles above the city of Bridgeport; it is one of the most ancient villages along the Ohio river, and while this is true, it appears to have attained its growth early, for it is very little larger than it was 100 years ago.

Here Mr. McCleary received his early education, and here he grew to manhood.



GOV. CYRUS O. CARPENTER, (1894)

The McCleary family purchased a farm on Short creek bottom and resided thereon, but the subject of my sketch labored but little on the farm, his early employment being principally clerking and teaching.

Tiring of the monotony of the home life, he had a boat constructed, stocked it with dry goods, groceries, etc., and floated down the Ohio river, trading at the various points along said stream. While this trading venture was sufficiently remunerative, it was unsuited to his taste and he finally sold his boat, packed his goods and came to the town of Wapello, Louisa county, Iowa; this was in the year 1839.

Two brothers, a brother-in-law and a sister preceded him; they came in the year 1836 and settled in Louisa county near where now is situated the town of Grandview, and were among the earliest settlers. It is probable that their removal west may have had an influence in determining his course.

With the goods he brought with him, together with some additional purchases, he opened up a general assortment store and soon was doing a thriving business.

Realizing the truth of that old biblical saying, "It is not good that man should be alone," he returned to his native village the next year and married a Miss Jemima Tonner, daughter of Dr. Thomas Tonner, one of the earliest newspaper men of the city of Wheeling, Va., a very excellent young lady whose acquaintance he had formerly made. Their bridal tour was by steamer for several hundred miles down the Ohio river and up the Mississippi to the home of his adoption.

His business was somewhat enlarged by his being appointed postmaster of Wapello. But his friends would not permit him to quietly pursue his chosen vocation. They determined that he was deserving of a higher and more appropriate station in which his ability and usefulness could be manifested, and accordingly he was elected a member of the house of representatives of the territorial legislature of the Sixth, Seventh and Eighth sessions. In the Eighth and last session of the territorial legislature, which convened at Iowa City, December 1, 1845, and adjourned January 19, 1846, he was elected speaker of the house of representatives, while Hon. Stephen Hempstead, afterward governor of the state, was president of the council. He was subsequently elected county recorder of Louisa county, and afterward county judge, holding each office for one term.

In the year 1850 he received the democratic nomination for secretary of state and was elected to that office on the 5th day of August of same year, succeeding the Hon. Josiah H. Bonney, of Van Buren county. Soon thereafter he removed with his family to Iowa City, the capital of the state, and took charge of the office. He was re-elected to that office August 2, 1852, and again August 7, 1854. In December, 1856, he retired from the position, being succeeded by Hon. Elijah Sells, of Muscatine county, the candidate of the newly-organized republican party.

The people of Johnson county and of the capital city had ample opportunity of becoming acquainted with Mr. McCleary during his many years of service in the legislature and as secretary of state, and that he was highly appreciated by those who knew him best we have sufficient evidence, as he was for three successive terms elected county judge of Johnson county, and afterward for five successive terms elected mayor of Iowa City.

The duties of all of these positions of honor and trust were faithfully discharged with ability, honesty, and faithfulness; these qualities which he possessed in an eminent degree were never questioned.

He was a devoted member of the Masonic fraternity, having been made a Mason in 1835 in Steubenville, Ohio, the county seat of his native county. Was grand master of the Grand Lodge of Masons of Iowa for one year, having been elected to that position in 1846. Throughout his life he was a firm believer in the Christian religion, and in his early years was a member of the Methodist Episcopal church. For a long time he was disconnected therewith, but his love and respect therefor ever remained; toward the close of his life he reunited with it and his membership was thereafter continuous.

At one period of his early life he was much interested and had quite a love for military training, and as I remember, was a colonel of militia; his sword and other military trappings were carefully preserved as mementos.

He had large love of country, was intensely loyal to his government. During the war of the rebellion he tendered his services to Governor Kirkwood, and although they were not accepted he showed his willingness to render assistance in our country's distress.

He was always an extensive reader, and being endowed with a very retentive memory had acquired an almost inexhaustible amount of information and was a ready and interesting conversationalist.

He had fair legal knowledge, but his knowledge of the statutory laws of the territory and state was superior. Was well informed relative to state affairs generally, and was authority on anything pertaining thereto. Possessed of large generosity and unbounded sympathy, was ever ready and willing to lend a helping hand to the needy and unfortunate, or to furnish necessary and proper information, official or otherwise to those in quest of it. A lover of his kind, nothing seemed to give him more genuine pleasure than to do an act of kindness for another; he often rendered financial aid when he could illy afford it. Modest and unassuming, all of his acts of kindness were rendered quietly and without ostentation; unconsciously he seemed to obey the injunction, "Let not thy right hand know what thy left hand doeth." He might have become wealthy had he been so inclined and had made judicious use of his acquired means, but he seemed to have little love for wealth as such, believing that there was something of more importance to live for than the mere accumulation of riches.

About four years prior to his death he was stricken with paralysis, from the effects of which he suffered a decline physically and mentally; he had two subsequent attacks of the same dread malady, the last of which proved fatal, and on the morning of the first of February, 1873, he passed quietly from this life. The widow and three daughters still survive him.

The funeral was largely attended by his friends and neighbors. An excellent discourse was delivered by Professor Fellows, who reviewed the more important events of his life, paying a high and well deserved tribute to his character as a citizen and efficiency and faithfulness as a public official; at the conclusion of which Prof. T. S. Parvin read the beautiful Masonic burial service, after which the remains were consigned to their last resting place. Thus passed away one of the noblest and best of men.

The following resolution was read and, on motion, adopted:

Resolved, That Mrs. ex-Gov. Samuel J. Kirkwood, Mrs. ex-Gov. C. C. Carpenter, Miss Flora Wright, daughter of the late Gen. Ed. Wright; Mrs. Julia A. Hildreth, Dr. A. L. Frisbie, and Mrs. John M. Davis be, and they are hereby, elected honorary members of this association.

MISS WRIGHT: If it is proper, Mr. Chairman, I wish to respond in a few words and to thank the honorable gentlemen for the great honor they have done me in making me a member of this very honorable body. I thank you very kindly.

MRS. HILDRETH: I wish to offer my kindest thanks to this honorable body.

CHAIRMAN: The committee on memorial of deceased members, consisting of Col. John Scott, P. M. Casady, and Lewis Todhunter, will report the deaths of the members. Colonel Scott, will you please make your report?

COLONEL SCOTT: Mr. President and gentlemen of the association, there was some attempt made to divide this labor among the committee. Our co-committeeman, Lewis Todhunter, wrote me in response to request that he would furnish some matter for this report, but that he was entirely unable to do so on account of illness. Judge Casady, who is here, agreed to report upon the Hon. Francis Springer and the Hon. Lyman Cook. I will ask Judge Cassidy, on account of his older service, and ranking me in service and duty as he does, to report.

JUDGE CASADY: I was thinking, perhaps, we are getting a little tired of this. We have had a good deal of memorial business this afternoon. I have two short papers on Francis Springer and Lyman Cook. If you desire, I will read them?

VOICES: Yes; you had better read them, judge.

JUDGE FRANCIS SPRINGER.

BY P. M. CASADY.

Judge Francis Springer was born April 15, 1811, in the state of Maine. He died at his residence, Columbus Junction, Louisa county, Iowa, October 2, 1898, in the 88th year of his age.

The financial reverses of his father and other circumstances separated him from his relatives when he was only eleven years old. He found a home with a farmer's family in Stratford county, New Hampshire, who did not have any children. He remained with this family about ten years and

during that time was treated as an adopted son, with kindness. He worked on the stony farm five or six years. A part of the business of the farm in the winter was the hauling of cord wood from the farm to the market, a distance of twelve miles. The team consisted of two yoke of oxen, making two miles an hour. During the time he was with his friends the facilities he had for an education were limited to the winter schools where the three R's were taught, reading, writing and arithmetic. He afterwards attended a term at the Rochester academy, at the close of which he received a certificate of qualification for teaching school. He only received \$10 a month for his services in the first school, boarding around among the families of his pupils. He continued school teaching in the winter time and keeping up his studies until he returned to Maine in 1833, when he commenced the study of law and was admitted to the bar in 1838. While pursuing the studies of law, he acted as assistant editor of the *Portland Courier*.

After his admission to the bar he concluded to "go west and grow up with the country." Sixty and seventy years ago school teaching in the winter time was the stepping stone to the law and many a young man of that day read Blackstone's Commentaries while engaged in teaching. This was before the young women had taken the entire field as teachers. His experience on the New Hampshire farm, teaching school, boarding around with the parents of the pupils, acting as assistant editor of a paper, all gave him a knowledge of human nature that he could not have acquired in any other way, and doubtless enabled him to accommodate himself to the ways of the people of the new country.

After several weeks of travel in the usual way of that day, he arrived at Burlington in December, 1838. The territory of Iowa had been organized in July of that year. The first territorial legislature was in session in the building known as the "Old Zion Church." After spending a week in Burlington and becoming acquainted with the members of the legislature, he concluded to locate in Wapello, Louisa county. He and a Mr. Thomas, who had accompanied him from Portland, Me., were the first lawyers of the town. They were engaged in forty cases in the spring term, 1839. In the summer of 1840 he was nominated by the whig party for the council for the counties of Louisa and Washington, for the Third Legislative Assembly, and was elected. This was the first office held by him in the new territory. He served in the Fourth Legislative Assembly, was elected again for the Fifth and Sixth. The constitution was adopted in August, 1846. The first state election was held October 26th of that year. He was elected to the state senate from the counties of Louisa and Washington. Served in the First General Assembly, and in the extra session of 1848. In December when the Second General Assembly convened in Iowa City, I met Senator Springer for the first time, although I knew him by reputation. He was a young looking man, agreeable and pleasant in his manner and ready to extend a welcome to the new members.

Dr. John J. Selman was elected president of the senate. This was under the first constitution, before the office of lieutenant-governor was created. Senator Springer was regarded as the best parliamentarian in the senate; the president having served with him in the First General Assembly, frequently called him to the chair. He could leave his seat, go up to the chair, receive the gavel and take his seat with more dignity than any other mem-

ber of the senate. He was a model presiding officer, well informed as to the rules governing the body; always knew the business before the senate.

After it was ascertained that the code commissioners, Judge Mason, Judge Woodward and Governor Hempstead, would not be prepared to submit a report of their work to the general assembly, it was determined that no general legislation should be enacted and that only such legislation as was actually necessary should be enacted. The only exciting question was when the bill to create the Fifth judicial district was brought up. The bill took in the counties of Jasper, Polk, Marion, Monroe, Appanoose, Fremont and the unorganized county of Pottawattamie. It was contended by those who were against the bill that it would be soon enough in two years to create the Fifth district, and that the finances of the state would not justify the expenditure, and further, that Pottawattamie should be taken out of the bill, as the Mormons, who were in the majority, would pay no attention to the court in that county. Judge Springer favored the bill, but Bradley, chairman of the judiciary committee, and the two senators of Dubuque, opposed it. After delays and motions to postpone, the bill was defeated in the senate. Another bill was introduced in the house, leaving out Pottawattamie, which met opposition from some of the friends who, in the first place, were in favor, Senator Springer among them. But after a good many speeches in both branches of the general assembly, and some excitement about leaving out Pottawattamie in the cold, the bill was passed and became a law.

The Second General Assembly convened December 4, 1848, and adjourned the 15th of January, 1849, having been in session forty-four days, receiving for their services \$88 and mileage; no perquisites.

Senator Springer, in the summer of 1849, and again in 1850, was appointed special agent of the postoffice department to go to Wisconsin postoffices, collect the money belonging to the government and transfer it to St. Louis. In May, 1854, he was appointed by President Fillmore register of the land office at Fairfield, and served until May, 1855. We next find him on his farm, near Columbus City. In 1854 he was elected prosecuting attorney for Louisa county, and on the death of Judge Wright Williams he became *ex-officio* county judge; elected in 1855 county judge of Louisa county, and from this time was known as Judge Springer. He was a delegate in 1856 to the Philadelphia convention, held in June of that year, being the first national convention of the republican party, and was one of the vice-presidents of that notable convention. Prior to this time he was an active member of the whig party. Elected at the November election in 1856 as a delegate to a constitutional convention held in Iowa City in January, 1857. He was elected president of the convention before he arrived, without opposition, receiving the republican vote. Elected in 1858 to the office of district judge for the First district. To this office he was re-elected in 1862, and again in 1866, and served until November, 1869. The late Judge Geo. G. Wright spoke of him as "one of the best *nisi prius* judges he had ever known." This is a high compliment, coming from a man of Judge Wright's ability, who was so well qualified to make the statement, having been intimately acquainted with Judge Springer from 1840. He resigned the judgeship in 1869 to take the office of collector of internal revenue for the First collection district of Iowa, and served in this office until the fall of 1876.

The offices held by Judge Springer, commencing with the legislative assemblies in the territory before the constitution of '46 was adopted, and afterwards as a member of the senate of the First and Second General Assemblies, were positions of great importance, in which he took an active and influential part, always doing what he believed to be right. He was not a time server, speaking his sentiments on all the questions presented, but never undertaking to play the orator. He felt a deep and abiding interest in all matters of legislation before the senate. He did not want any mistakes to be made by the early legislators. He was one of the prominent men of the state, all his associates having a high regard for him. The members of the constitutional convention of 1857 were unanimous in stating that he performed his duty as presiding officer impartially to the entire satisfaction of every member. The other offices held by him, the duties of which he discharged with fidelity and strictly according to the law. The office of county judge of Louisa county was a very important one. At the time Judge Mason was county judge of Des Moines county, Judge Johnstone was county judge of Lee county, three prominent and well respected men having charge of the county business of their respective counties. If such men had continued in office the county judge system would not have become unpopular. The office of register of the land office at Fairfield and collector of the First district of Iowa were responsible positions, requiring a man of good judgment, capable, and trustworthy in every sense of the word. He filled all the places and offices held by him without a single stain upon his character. No one ever said Judge Springer was not faithful to his trust. All believed that he regarded an office as a public trust and that he for the time regarded himself as a servant of the people.

In December, 1842, he was married to Miss Nancy R. Colman, an excellent lady and one who was well calculated to be the wife of a pioneer. She died in New Mexico while on a visit to her son Frank, November 12, 1874. She was the daughter of Hon. John M. Colman of Iowa City, a highly respected citizen of that place and well known in the new state of Iowa. I am acquainted with two of his sons, Frank and Arthur. Frank has for many years lived in New Mexico; Arthur is in Wapello, a practicing attorney in the county where he was born and in the town where his father commenced the practice of the law nearly sixty years ago. These sons are worthy men, a credit to the name of Springer.

I am indebted to the articles published in the Annals by Hon. Chas. Aldrich, the efficient curator of the historical society, and Arthur Springer, the worthy son, for the many items of interest which I have used in this paper.

LYMAN COOK.

BY P. M. CASADY.

Lyman Cook, president of the First National Bank of Burlington, was born in Bennington, Licking county, Ohio, on the 6th day of June, 1820; died on the morning of the 1st of October, 1898, at his residence on North Sixth street in Burlington, having lived in the city for fifty-eight years.

In March, 1840, he came to Burlington, having traveled on horseback for twenty-three days. In 1854 he sold out the business he had been engaged in since his arrival in the new city of Burlington and commenced the banking business under the firm name of White, Cook & Co. This firm continued in business for about four years. In 1858 he formed the private banking house of Cook & Baxter; in 1861 this firm was dissolved. Mr. Cook succeeded Mr. W. F. Coolbaugh as president of the Burlington branch of the State Bank of Iowa, Mr. Coolbaugh leaving Burlington for Chicago, wanting a larger field for the banking business. At the organization of the First National Bank of Burlington in January, 1864, was elected president and re-elected every succeeding year from that time until his death. Having served in the office for nearly thirty-five years, it is said he was the oldest national banker in the state of Iowa. The success of the First National Bank is due to his prudent and conservative management. He was always on duty, watching the interest of the bank with great care, paying particular attention to business entrusted to the bank. He was alderman in 1846 and 1850; mayor of Burlington in 1851, 1852, 1853, being re-elected for second and third terms without opposition. A part of this time was during the cholera plague at Burlington. He did not have any trouble in getting a third term and, doubtless, could have had a fourth term if he had given his consent, but, having served three terms as chief magistrate during the trying time of the cholera plague, he thought he had done his duty in that particular. He served as senator in the general assembly which convened at Iowa City December 1, 1856, adjourned January 29, 1857, being the last general assembly ever met in Iowa City, and in the Seventh General Assembly which convened in Des Moines for the first time January 11, 1858, adjourned March 23, 1858, having been in session seventy-one days. During his two terms as senator he was regarded as one of the strong men of the senate, notwithstanding he did not take an active part on the floor of the senate, but he was recognized as an able and intelligent man in the committee rooms. His common sense and varied experience in business matters enabled him to be an important member of the committee of which he was a member, always on duty and well prepared to give his views on the subjects presented. Wm. P. Foster, a long time cashier of the bank over which the late Lyman Cook presided with so much ability, says of him in a letter to the Hon. Edward A. Temple: "I recollect once hearing Frank Hatton say 'there never was but one Lyman Cook,' which we all know to be true. Both of the newspaper articles speak of his thorough unselfishness and of the fact that he had no enemies. He was outspoken, and not at all politic, but never argued with anyone; always turned it off with a joke. He was much like Lincoln in this respect. His genial humor and strong common sense were a help and a pleasure to all who knew him." In the editorial of the Annals after his death Mr Aldrich said he was the embodiment of strict honesty and made a noble record of personal integrity and fidelity to fiduciary interests. He guarded the interests of his patrons and clients as if they were his own. He was elected the treasurer of the Bankers' Life association at the time the company was organized, and continued to hold that responsible position until the day of his death. He was well known throughout the state as a man above reproach, and it was known that he would not have his name

connected with an institution that was not governed by correct business principles. His name added strength to the institution. Hon. Edward A. Temple, president of the Bankers' Life association, had been well acquainted with Mr. Cook for many years and knew that all money entrusted to his care would be safely kept and paid out when the proper drafts were made upon him.

I became personally acquainted with Mr. Cook during the session of the Seventh General Assembly in Des Moines, and met him at different times since then. I can endorse all that has been said respecting his honesty and faithfulness.

COLONEL SCOTT: I wish to give you some encouragement, gentlemen, in regard to the report which I have to make, that I have endeavored to make as brief as possible and merely passing on the salient points both in history and character of those to whom this memorial tribute is offered, so that it will not be so long as the list of names might indicate.

REPORT OF COMMITTEE ON NECROLOGY.

BY JOHN SCOTT, CHAIRMAN.

Your committee on necrology, fully recognizing the duty we owe to the memory of those members who have joined the silent majority since our last meeting, cannot but regret the lack of data from which to make such memorial mention as we could wish. We deplore this all the more when we consider how quickly the new generation forgets that which is past, and we approach this labor of love in an humble, but hopeful spirit, in the faith that the printed page, preserved on the shelves of this memorial hall, will bear to all future generations the names we here inscribe. Humanity makes pathetic protest against oblivion. This building is a tribute to that sentiment. Within its walls, as in a great vault, measurably secure from the gnawing tooth of relentless time, we inscribe on the printed page, rather than on tablets of rotting stone, the names and deeds of those whose hands wrought in laying the foundations of this commonwealth. Their ashes lie in widely scattered graves; the fleeting bubble of human memory which, for a moment, marked the spot in life's sea where they went down, soon disappears; but the student of the coming centuries will here find their names—and will know that republics are not always ungrateful.

HON. ALBERT BOOMER,

of Delaware county, was born in New York in 1824, and died at Delhi, April 15, 1899. Dr. Boomer was assistant surgeon of the Twenty-seventh Iowa Infantry; was a member of the house in the Eleventh, and of the senate in the Fourteenth and Fifteenth General Assemblies. In all the relations of life his modest and conscientious discharge of duty strongly commended him to those with whom he was associated.

HON. EZEKIEL CLARK

was born in Ohio, January 17, 1817, and died June 26, 1898. He came to Iowa City in 1849, perhaps in company with Governor Kirkwood, whose wife was Mr. Clark's sister. For many years the governor and Mr. Clark were associated in business—in a custom flour mill, in farming, in live stock and in banking. Mr. Clark was a man of affairs, an original thinker, and is credited with the origin of the thought of issuing the greenback currency. He was prominent as a banker and led the movement for backing the governor financially in raising and organizing troops for the war of 1861. He was a member of the state senate in the Tenth, Eleventh, Sixteenth and Seventeenth General Assemblies, in all of which he was useful and influential. Mr. Clark was a man with a great fund of common sense, full of courage and determination, with a fine sense of honor, and plain and modest in demeanor. He was the architect of his own fortunes, and built them to goodly proportions in spite of a lack of early opportunities and fortuitous circumstances.

HON. JAMES DUNNE

was born in Ireland in 1823 and died in Jackson county, Iowa, December 5, 1899. He settled in Jackson county in 1854, and was a member of the house in the Thirteenth General Assembly, in which he was active in behalf of the erection of the new capitol.

HON. THOMAS HARDIE

was one of the most esteemed citizens of Dubuque, where he was for thirty-six consecutive years secretary of the city board of education. He was a member of the Sixth and Ninth General Assemblies; was born January 25, 1819, and died April 10, 1899.

HON. ORLANDO C. HOWE

was born at Williamstown, Vt., December 19, 1824, and died at Topeka, Kan., August 31, 1899. He came to Newton, Iowa, in 1855. In 1856 he made a land claim at Spirit Lake, and found in the early spring of the next year that the Indians had wiped out the settlement. He did meritorious work and suffered with his comrades in the expedition in pursuit of the Indians. He settled at Spirit Lake, and was district attorney of the Fourth district for four years. He was captain in the Ninth Iowa Volunteer cavalry; practiced law at Newton after the war; was professor in the law department of the State university from 1875 to 1880, and removed to Kansas about 1881.

HON. WILLIAM L. JOY,

of Sioux City, was a member of the house of representatives in 1864 and 1866. He was a prominent member of the bar, able honorable, industrious, and was a leader among his associates. His firm determination to confine himself to the work of his profession, rather than to permit the use of his name in connection with public positions, fully accounts for his brief political record. He was born in Vermont in 1829 and died July 1, 1899.

HON. ROBERT LOWRY

died at Huron, S. Dak., April 17, 1899, to which place he removed from Davenport, when he was made register of the United States land office.

He came to Davenport in 1853; was state senator in the Twelfth General Assembly, and was one of the two Iowa state commissioners of the Centennial exposition at Philadelphia in 1876.

HON. D. M. MONINGER,

of Marshall county, was a member of the house in the Fifteenth General Assembly. He was a farmer, breeder and feeder of live stock, and gained wide celebrity among those engaged in that industry as the exhibitor of the famous "Crimson herd" of Shorthorns at the national fat stock exhibitions. He was also one of the early exhibitors of fat cattle at the Iowa state fairs. He was born March 11, 1833, and died February 5, 1899.

HON. JAMES H. ROTHROCK

was born in Pennsylvania on June 1, 1829; was admitted to the bar at Columbus, Ohio, in 1854; and settled at Tipton, Iowa, in 1860. He was elected to the house of representatives in 1861, and was chosen speaker pro tem. The speaker, the brilliant Rush Clark, of Iowa City, was in delicate health, and Mr. Rothrock was often called upon to preside, in which capacity he was soon recognized as a man of force and ability.

Governor Kirkwood offered him the colonelcy of the Thirty-fifth Iowa infantry, which he modestly declined, and took the second place in rank. His conduct in the famous but unfortunate charge on the rebel fortifications in front of Vicksburg on May 22, 1863, was warmly commended.

Judge Rothrock was chosen to the district bench in 1866; was promoted to the supreme bench in 1876, where he served ably and successfully for twenty years. As citizen, soldier, statesman and jurist his record is without a blemish. He was of distinguished personality and manner, and retained through life the friends who from time to time he attracted. He died at Cedar Rapids, January 14, 1899.

HON. J. H. SANDERS,

of Sigourney, Iowa, died December 22, 1899. He was secretary of the senate in the Eighth General Assembly forty years ago.

He established the first live stock journal west of the Mississippi river, and continued its publication for several years. He afterwards became interested in the *National Live Stock Journal*, at Chicago; and subsequently founded the *Breeder's Gazette*, which at once took rank as the leading journal of the world in that industry. He was a recognized authority in his specialty in Great Britain as well as America; and few men have surpassed him in usefulness and influence in the encouragement of improved methods in relation to the important work to which he was devoted.

HON. JOHN SHANE, OF BENTON COUNTY.

The subject of this memorial was born in Jefferson county, Ohio, May 26, 1822.

His father, Hon. Isaac Shane, was a sturdy pioneer in the new territory northwest of the Ohio river, a Presbyterian elder, successful farmer, and much respected for his integrity and sound common sense, and with a constitution that carried him well into his ninety-ninth year.

His mother was Hannah Rex, a reputed descendant of the Third George, of England, and Hannah Lightfoot, the beautiful Quaker damsel. She was a model woman, strong, and of estimable qualities.

With this inheritance the son grew to years of early manhood on the paternal acres, a pupil and teacher in the common schools of the neighborhood, and in due time took the graduating diploma of Jefferson college, at Cannonsburg, Pa. He studied in the law office of the afterward great war secretary, Edwin M. Stanton, and was admitted to the bar at Steubenville, Ohio, in 1848.

His law practice and service as mayor of the city claimed his attention for seven years, after which he removed to Vinton, Iowa, in 1855.

He was enrolled in Company G, Thirteenth Iowa infantry, in the summer of 1861; was chosen captain; became major of the regiment in October; was severely wounded at Shiloh; became lieutenant-colonel in April, 1862; and when Colonel Crocker was made a brigadier Shane became colonel of the regiment.

The Thirteenth Iowa infantry was assigned to the famous Iowa brigade, and participated in its trials, labors, and battles, and shares equally in its victories and glorious history. It was the Thirteenth Iowa under Colonel Shane that lost more than 200 men in battle at Atlanta, July 21, 1864, in less than half an hour, and a detachment of the same regiment that raised the national flag over the rebel city of Columbia, S. C.

Resuming his law practice in Vinton, he was elected to the state senate in 1871; was appointed to the bench of the district court to fill out the term when Judge Rothrock was elected judge of the supreme court in 1876; was re-elected and was serving as judge when he was disabled by a stroke of paralysis, which caused him to resign his place on the bench.

As a soldier, succeeding the peerless Crocker in the command of the regiment, Colonel Shane made a record alike honorable to himself and to the men of his command. They believed in him as a brave and safe leader, and loved him for his labors and care for their comfort in the trials incident to the life in camp.

As a legislator he was conservative and sound, influenced by his early training in industry and economy, and with his inheritance of a sound brain in a sound body, he was instrumental in the enactment of wise laws and, not less important, in preventing the enactment of those of another sort.

As a judge, in the fearless administration of his office, his large common sense and his experience in practice and important affairs enabled him to inaugurate reforms in court methods that not only greatly served his district, but attracted wide attention in the state. Then methods related largely to the saving of time and expediting the transaction of business. It was his habit to discourage, or even forbid unnecessary and tedious argument to the court or jury. This method was widely adopted by other judges and resulted in a much needed and valuable reform.

Judge Shane had a notable presence, was large and compactly formed, of gentle manners, and withal strong and positive in his convictions. Being impatient with stupidity and with strong contempt for what was pitifully mean, he had, as leaders usually have, the barkings and snappings of little men at his heels, but these never swerved him in the steady march to the end which he believed was the very right.

After an enfeebled condition of body for seventeen years he died September 18, 1899.

HON. ROBERT SMYTHE

came of old Scotch covenanter stock, and was born in Ireland, February 26, 1814. He died at his home near Mt. Vernon, April 3, 1898.

He came to America in 1834, and to Iowa as early as 1840, and represented Linn county in the territorial legislature in 1843 and 1844; in the First General Assembly under state organization in 1846 and 1848; in the senate of the Twelfth and Thirteenth General Assemblies, and in the house of representatives in 1884.

He was a paymaster in the civil war, and is said to have disbursed more than \$10,000,000 during that service.

These responsible positions fully indicate his character as a man, citizen, and patriot, and need no comment.

HON. HORACE S. WINSLOW

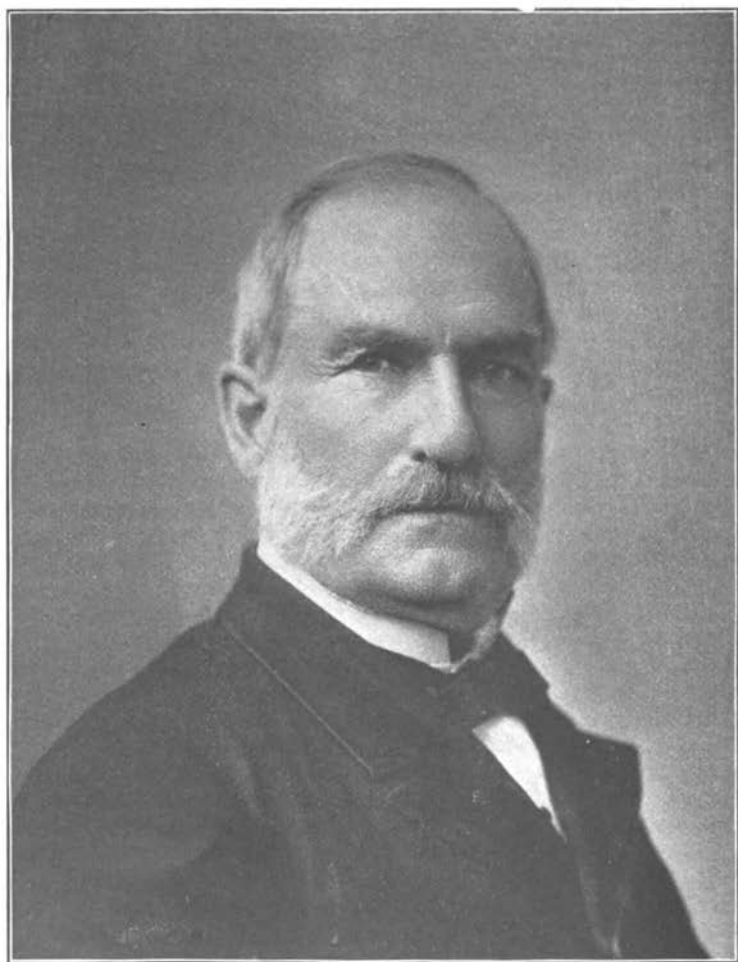
was born in Vermont in 1837, and died at Newton, Iowa, December 11, 1899. He was elected district attorney in 1862, judge of the circuit court in 1868, and in 1894 was appointed by the supreme court one of the commissioners to revise the code of Iowa. Judge Winslow was a man of widely recognized ability in his profession, was prominent in church and Masonic circles, and of exceptionally pleasant manners socially, holding a wide circle of friends.

HON. JOHN S. WOOLSON.

When death comes to him who has finished his course, who has run his race and whose faculties have failed him in the cares and labors of life, we drop tears upon his bier in sympathy with those bound to him by natural ties, and who suffer a bereavement. But when the destroyer lays his hand upon one in the possession of full strength of mind and body, one whom we see day by day on his appointed round of labor and duty, and who goes and comes before us in a strong and beautiful personality, we are impressed with a vivid sense of our weakness as we face that which the fates seem to have decreed.

It is with a sense of personal sorrow and loss as well as of calamity to the state that your committee announces the death of Judge Woolson, which occurred December 4, 1899. He died at his home in this city—Des Moines—at the age of 59 years, in the vigor of matured manhood, and with an apparent prospect of many years of usefulness before him. He was assistant-paymaster in the navy in 1862 to 1865, and had his full share of interesting experiences in active service during that period. He was chosen a member of the state senate in 1875, a position previously filled by his father, and soon became a leader in that body, where he was retained for some ten years. He succeeded Hon. James M. Love as federal judge of the southern district of Iowa. In this position he was distinguished for his painstaking labors in the conscientious discharge of the duties of the office, and especially for his efforts looking to the reformation of youthful offenders, and those supposed to be entering upon a career of crime. It is thought that he gave his life a sacrifice to the enormous strain which this work seemed to demand, and which he rendered from a high moral sense as a duty to his important office.

COLONEL SCOTT: Mr. President and Gentlemen of the Association. Last year a resolution was adopted appointing



GOV. SAMUEL MERRILL, (1868-1872)

a committee on necrology, at least on statistics, and it was understood to mean very largely necrology, one committeeman from each congressional district. I do not know that any other than Senator Ainsworth has prepared any memorial memoranda; but Senator Ainsworth was one of that committee and has prepared memorial memoranda as to Judge Rogers, of West Union, and Judge Willett, of Decorah. I had already, before I knew that he had done so, prepared the brief memoranda which I have read in your hearing in regard to those two gentlemen, and I understand, also, that Major Fleming, believing—and, in fact, very rightly believing—that there should be a notice of the death of Governor Merrill in greater extension than would be practicable in connection with the report of the committee of all these gentlemen, has also prepared some memoranda in regard to Governor Merrill. Now, I call your attention to these facts that you may see that we have before us the papers of Senator Ainsworth, and also this paper of Major Fleming.

SAMUEL MERRILL, SEVENTH GOVERNOR OF IOWA.

It was a notable immigration that poured into Iowa towards the close of the state's first decade. The depression that followed the exuberant speculative feeling to which the discovery of gold in California gave rise, awakened anew in the east the desire to go west and there seek new homes. The rapid extension of the railway system until it reached the Mississippi river gave increased impetus to the movement. The glowing accounts of the new land sent back by those who came first augmented the fever. They told of the wonderful capacity of the virgin soil of Iowa, of its bountiful yield, of the charming vista its rolling prairies presented in their robe of green and their garments of golden grain. Neither did the narrators fail to extol the healthfulness of the land nor to praise the climate.

Then, as if to make the prospect more inviting, came the Crimean war which, giving to American grain the practical monopoly of the European market outside of Russia, enabled the farmers of Iowa to get enormous prices for their produce, prices which are not likely to be realized again except under similar circumstances. All these things conspired to attract to this state, the first west of the Mississippi which was not suffering from the incubus of slavery, immense numbers of people who were seeking new homes. Then, as seems ever to have been the case, Iowa got the cream of the westward-bound emigration. It was indeed a healthful and bracing addition to the hardy population which had laid so well the foundations of our commonwealth.

As was inevitable the immigrants of the period mentioned largely made in later years the history of the state, socially, economically and politically; and among those immigrants were many who became leaders in the land. In addition to many others may be named the fifth, sixth, seventh, eighth, tenth and eleventh governors of Iowa, three of our United States

senators, several of the judges of our highest court, and that great jurist who was for a quarter of a century one of the justices of the supreme court of the United States.

It is of one of the immigrants of that period of intense activity that I am to speak at this time.

Samuel Merrill was a native of Maine, the seventh child and fourth son of Abel and Abigail (Hill) Merrill, and the first of the large family to be born in the state of Maine, as distinguished from the district of Maine, state of Massachusetts. He was descended in the seventh generation from Nathaniel Merrill, who came from Salisbury, England, with his brother John, and settled in Newbury, Mass., about the year 1636. His mother was a descendant of Peter Hill, an English immigrant of 1653, who settled at what is now Biddeford, Me. Samuel's grandfather, Abel Merrill, whose wife was Elizabeth Page, was a soldier of the revolution. Samuel's native town was Turner, in the county of Oxford. When he was 16 years old, he removed with his parents to Buxton, in the county of York. Attending and teaching school by turns occupied his time until he reached his majority. Like many another enthusiastic northern boy, he then ventured to go south and follow the profession of teaching. He went as far in that direction as Maryland, but not liking things there he returned to the north, without effecting his object.

Young Merrill then settled in his native state, farming for some time. When 25 years old, he went into mercantile business with an older brother, Jeremiah, who is now as he has been for many years, a resident of Des Moines. After several successful years there, he removed to Iowa, where his brother had preceded him, and they opened a branch of the Tamworth house. Here, too, success attended the enterprise of the brothers. A few years later, when the State Bank of Iowa was organized, they were instrumental in establishing one of its branches at McGregor, which is still in existence as a national bank. Of the state bank, Samuel Merrill became the president, as he was subsequently of the national bank.

In 1859 Mr. Merrill was elected a representative in the Eighth General Assembly of the state. Among the members of that legislature, a body exceptionally well supplied with able men, men whose names have become historic, was Nathaniel B. Baker, who had been governor of New Hampshire when Mr. Merrill was a member of the legislature of that state, a position to which the latter had been re-elected the following year.

The legislature in which Representative Merrill sat, met, it will be remembered, a second time, called together by Governor Kirkwood to devise measures to assist the general government in the war that had been begun by the slaveholding interests. The measures deemed necessary had throughout the hearty support of Mr. Merrill, who was always a working member. But it was in another direction that his services at this time were of most value. The first regiments raised in Iowa had to be clothed. The federal government could not then supply them; and, while the state undertook to furnish what was needed, it was without money or credit. Then it was that the subject of this sketch, with others, came forward with patriotic ardor, and advanced the money with which the clothing for the regiments that first went into the service from Iowa was obtained.

The following year, 1862, Governor Kirkwood tendered Mr. Merrill the colonelcy of the Twenty-first regiment of Iowa Volunteer infantry, just

then being recruited. The appointment was accepted. The regiment went into Missouri and spent the fall and winter there. In January, Gen. Fitz Henry Warren, under whose command the regiment was, hearing that Springfield was threatened, sent a detachment composed of parts of several regiments, but mostly of the Twenty-first, to its relief, under command of Colonel Merrill. They had not got far when they were met by Marmaduke, who had been beaten off at Springfield. A lively fight ensued at Hartville, the seat of Wright county, lasting all day and into the night. Marmaduke, in his report, tells how he had beaten 1,000 infantry and 500 cavalry, under General Merrill, and driven them towards Lebanon. He did not tell all. While part of the union forces did retreat towards Lebanon, having exhausted their ammunition, the southern general himself retreated in the opposite direction at about the same time; and he soon got his command across the state line. Colonel Merrill's force numbered in all 850 men. Marmaduke estimated the strength of his command, when he began his march on Springfield, at 3,370 men. He doubtless had more than half that number when he met Colonel Merrill and was compelled to return to Arkansas. The next year the Twenty-first regiment was in the brigade which was in the advance at Port Gibson, and was the regiment that first drew the enemy's fire at that place. Again, at Black River Bridge, the same brigade attacked and captured a position which the southern commander, Pemberton, said he had thought practically impregnable. Here Colonel Merrill was severely, and it was thought mortally, wounded. So serious was the injury that the war department, deeming it impossible for him to return to the service, granted him an honorable discharge for disability four months after he was wounded. But there was a general demand from the regiment that he should be reinstated, which was done in December. He then returned to the regiment; but he found himself too much weakened by the wound and his long subsequent illness, so that he left the service finally in May, 1864.

In 1867, as the second term of Governor Stone drew to a close, Colonel Merrill's friends determined to urge him for the succession. The suggestion grew rapidly in favor, and especially in northwestern Iowa, the foremost seat at the time of republican preponderance. When the convention met it was not difficult to see that Colonel Merrill led. The balloting demonstrated this, he having a plurality on each ballot and being nominated on the fourth. His colleague on the ticket as candidate for lieutenant-governor is, happily, with us to-day. They were triumphantly elected. Always a foe of slavery, and reared in commonwealths where the accident of color or race never prevented any man from voting, the governor was in entire sympathy with the movement then before the people of Iowa—to establish universal manhood suffrage. The war for the union only intensified his feelings in this respect. In his inaugural address he said:

“The consciousness that the southern states were a part of our own territory, and their inhabitants a part of our own people, whose well-being must contribute to the future glory of our country, has been the light in which the work of resurrection has thus far progressed. At the same time, we have felt bound to insist that those states should concede whatever guarantees are essential to the future safety of the union. We can-

not permit the truths established by the war to relapse into a state of doubt, nor the fruits of victory to be swallowed up in a magnanimity which neglects its own salvation. We can afford to be generous, but we must not be unjust.

"In restoring the southern people to rights within the union let no discrimination be made against the black man. Fidelity to the government should be a passport to a high privilege of suffrage. The public welfare must not be imperiled by intrusting its control to hands of doubtful loyalty, much less to hands whose open hostility has only been avoided by their weakness. If any voice came from the tomb of the past six years, it proclaims: Beware of placing doubtful guardians over the palladium of your liberties. Secure the safety of the government beyond a doubt. Let all loyal men share in the heritage which has been purchased with loyal blood.

"To refuse to stay up the hands of the loyal men of the south who resisted secession in its inception and maintained their opposition to it through all the trying extremities of war, by making the alliance of the black man available, would be as ungrateful to them as perilous to ourselves.

"The theory of our government awards to the individual the largest measure of political trust consistent with the public safety. It declares that 'governments are instituted among men.' Consistency, therefore, requires that emancipation should be followed by the right of suffrage, for equality is a cardinal principle of the American constitution.

"To the negro himself the ballot is a necessity. Without it freedom will be to him an undefended fortress. Give him a vote, and you at once invest him with a panoply which his recent owner will have neither the power nor the wish to assail. The sentiment of mankind will approve such a policy, and our justice will be repaid by the presence of a loyal army of defenders of our constitution in every southern state."

In the same address the governor gave expression to his broad democracy thus: "Let it be our boast and pride that we fear nothing so much as ignorance and artificial distinctions between man and man. Let us establish our power firmly upon the foundations of intelligence and liberal ideas, making manhood our only title of nobility, and believing in nothing so hopefully as an educated public opinion."

His devotion to the cause of national honesty and good faith illuminates the same address. After denouncing everything that looked towards repudiation of the national debt, he went on to speak of the resumption of specie payment. He said:

"Disclaiming to represent the opinions of others, I would urge the authoritative announcement of some definite time when such resumption shall take place. Let the time be fixed, with the idea that the earliest possible moment will best secure a healthful condition of our finances. I am forced to the conclusion that such a policy would tend to realize in our circuit the perfect currency, in which notes could be exchanged for coin and would command equal respect in the markets.

"Meanwhile the public service should be distinguished for the most rigid economy. The increase of money has deluded us with the creation of apparent wealth, and in the train of this delusion have followed extrava-

gance and lavish expenditure. Let us then refrain from every outlay which actual wealth alone could justify. Economy will promote the public credit better than the ripest theory. Retrenchment is the evidence of an honest purpose to meet our obligations. Faith in the intention of the government to preserve both the form and the spirit of its contracts inviolate is the only foundation for our financial prosperity. Beware of the earliest steps tending to weaken or impair it."

This is good reading now.

Shortly after entering upon the duties of his office the governor addressed a special message to the general assembly, in which he recommended the resumption of two of the land grants and the transfer of the same to companies that would build the roads for the construction of which the grants were made. In this communication appears the first recommendation by an executive of Iowa in respect to rates of fare and freight on railroads. He said:

"Whatever may be the authority of the state over railroad corporations already formed and grants already ceded, it is plain that in the disposition of those which may hereafter revert to the state regulations may be imposed for the protection of the interests of the people against the impositions of monopoly. Fully conscious of the danger of establishing any restrictions tending to discourage these valuable enterprises, I am nevertheless persuaded to recommend the insertion of a clause in every future grant prohibiting discriminations in the arrangement of freight tariffs and fares in this state. While the people demand railroads they also demand just and equitable rates of transportation. Reason would seem to indicate that the expense of transportation should be *pro rata*. With some modifications of this rule in the case of short transfers, it would work no injustice, for it would simply subject railway companies to the same law of compensation which prevails in all other avenues of labor."

It is difficult to find a fairer statement of what our laws should aim at in respect to this important matter.

In the same message a revision of the insurance laws of the state was urged, as was also legislative action regarding reform schools and the erection of a new state house. All of these suggestions were favorably considered by the general assembly. That regarding railroad regulation appears in all the land grant acts of the session. In the senate it was known as the Doud amendment, in the house as the Wilson amendment. The Wilson who offered the amendment is our present secretary of agriculture. This provision, it will be seen, gave the maximum rate law, passed some years later, a better standing in the courts than it would have had without such safeguard. It reserved to the General Assembly the right to regulate rates on the roads of the companies to which grants were made. The excellent insurance law we have also dates from that session. Then, too, the reform school was established, at first temporarily in the county of Henry; while the hospital for the insane at Independence was authorized. The system of circuit courts was then inaugurated along with the short-lived general term court; and the county court was abolished, and provision made for the county judge to give place to the county auditor. Then was also enacted the first statute authorizing cities, towns, and townships to tax themselves in aid of the construction of railroads. This bill, however,

the governor did not sign; neither did he veto it. He let it become law without action on his part. The session was perhaps the most prolific in enduring legislation of all in the state's history, except those in which our various codes were enacted.

In the autumn of 1868 the governor received a letter from the Citizens' association of New York, Peter Cooper, president, which gave the former an opportunity to make a showing of the resources, the capabilities, and the productions of our state, which he did in a comprehensive letter that attracted widespread attention. Great numbers of it were printed and circulated in the eastern states. It was, moreover, translated into many languages, and widely distributed throughout Europe. It is perhaps not an extravagant statement that much of the large immigration, which for a few years about that time crowded into Iowa from other parts of our own country as well as from foreign lands, was due, directly or indirectly, to this letter.

In 1869 Governor Merrill was re-elected by the largest majority any governor of Iowa had yet had. Toward the close of that year, the attention of the governor was called to an advertisement in a paper at Denison announcing an intended sale of school lands in the county of O'Brien. The fact that this advertisement appeared in a paper published at such a distance from the county in which the land lay, and the sale to be in the winter-time, and which county, moreover, had less than 100 people according to the state census taken the same year, excited the governor's suspicions. He accordingly sent Attorney-General O'Connor to look after the matter and prevent the sale if practicable. That officer succeeded not only in his immediate mission, but he put a stop to similar schemes in other counties to get the school lands into private hands at an insignificant price. The governor cited this instance in his message to the Thirteenth General Assembly, which convened shortly afterward, and in that paper he recommended that the school lands be immediately withdrawn from market, and that when again offered for sale the minimum price should be \$6 per acre. Both measures were adopted. The school fund must be fully \$500,000 richer to-day than it would have been but for the action thus taken at Governor Merrill's urgency.

A recommendation in the same message brought upon him much criticism, some of it severe and even worse. Speaking of the Soldiers' Orphans' Homes, of which there were then three, he said:

"In the visits I have made to these institutions during my term of office, I have become impressed with the belief that the cottage plan of providing for these children, such as prevails at the Davenport home, is much preferable to what I might call, in contradistinction, the 'hotel plan,' under which great numbers of the children are congregated together in a single house. This institution, in order to realize the highest conception of its usefulness, should approximate as closely as possible in character to that of the home of a well ordered family. I apprehend the correctness of this position will be admitted by all. In furtherance of this view, I would suggest * * * a discontinuance of the home at Glenwood at an early day, and of that at Cedar Falls before the convening of the next general assembly, and an increase of the number of cottages at Davenport, to provide not only for those coming from the other homes, but also for diminishing the number to be accommodated at each cottage, as at present

arranged. This number could, it is thought, be reduced with great advantage to the children, and at little additional expense to the state."

In another part of the same paper the governor suggested that the buildings which would be abandoned if his recommendation were adopted could be fitted up for use as normal schools. For this the governor was rudely assailed; he was said to be hard-hearted, did not sympathize with the children, and even was actuated by unworthy motives—an aspersion then, as now, the frequent argument of those who are themselves unworthy. Nothing came at that time of the recommendation. But six years afterwards Governor Merrill had the satisfaction of seeing his suggestion carried out almost to the letter, the only difference being the home at Glenwood was devoted to another purpose than that suggested by him. It was furthermore his opinion that the cottage system was a better one for all institutions except perhaps for those of a penal character; a view that met with almost ridicule at that time. But it is now widely adopted; many of the best alienists have advanced the idea that it is much better for the care of the insane than the hotel plan, and when the hospital at Clarinda was authorized the general assembly directed that it should be built on the cottage plan.

Governor Merrill exercised the veto power more frequently than has any of his successors; indeed almost as frequently as they all. All of his vetoes—nine in number—were in his second term. Four of them were of bills giving counties credit for funds belonging to the state when the counties had been the victims of safe robbers. The governor argued that the measures proposed a discrimination against the counties which paid their state taxes. It was a fact, moreover, to which, however, the governor did not allude, that the state moneys thus taken ought, in some of these cases at least, have been paid into the state treasury before the robbery.

Another veto was where an ingenious attempt was made to evade the constitutional limitation as to the indebtedness which a school district may incur. The town interested was one which had been farm lands only the year before, and had been assessed as such. Now it had grown to have nearly 1,000 people. The bill provided that when the directors of any district should be satisfied that the value of the property in the district had doubled since the last assessment the board might have an "appraisalment" made of such property. When the amount of the appraisement was ascertained the district could borrow up to 5 per cent of that amount. No provision was made for any taxation under the appraisement. It was to be a basis for borrowing only. The taxation for payment of interest and principal would have been on an entirely different basis. The bill was, in the governor's judgment, palpably unconstitutional. It was doubtless well for all parties that the bill failed; had it been approved, the town could have repudiated the bonds; and the attempt to repudiate would have been strong when the pressure of the panic of 1873 was upon the people; and it would have been necessary either for the district as such to stop the payment of the bonds and interest, for any elector could have done it. A bill passed at the same session provided for the establishment of a new county out of the twelve northern townships of the county of Kossuth, to which new county the name of Crocker was given. This bill the governor believed to

be unconstitutional, and was disposed to veto it, but the attorney-general inclined to think it was not in violation of the fundamental law, and the governor reluctantly signed the bill on the last day on which he could act upon it. A few months afterwards, the supreme court held the act void on the very ground of the governor's doubt—that the proposed county was too small.

The governor gave close attention to the institutions of the state, repeatedly visiting them and acquainting himself with the manner in which they were conducted. He caused flogging to be abolished at the penitentiary, and got the warden to re-establish a Sunday school at that prison. Some abuses in the matter of the disposition of refuse were also corrected. It was because of his intimate knowledge of the workings of the institutions that he was induced to make the recommendations he did in respect to the Soldiers' Orphans' Home. In his first term the legislature took steps towards beginning the construction of the new capital. In the second session the work was ordered begun. In October, 1870, the governor held the plow (not a new thing to him) as he broke the ground for the edifice. It was about where the west portico is now. On the 23d of November, 1871, Governor Merrill laid the cornerstone of the new building, in the presence of a large crowd of spectators. The day being unusually cold for the time of year, adjournment was had to the old building, where the governor delivered an address, which briefly reviewed the history of the territory and state, and told of the different capitals they had had. It was a paper of more than ordinary interest and brought to the governor many compliments, because of both its matter and its style.

One of the most notable events of Governor Merrill's useful administration was the reunion of the soldiers of Iowa, which occurred on the 31st of August and the 1st of September, 1870. This was a pet project of the governor's. In furtherance of it he corresponded with the several railroad companies doing business in the state, and visited their offices in person. Before the Thirteenth General Assembly met, the governor had secured the consent of all the managers to carry to Des Moines the enlisted men of the soldiers of Iowa, resident in the state, without charge. The legislature, at the governor's solicitation, appropriated \$15,000 and the city of Des Moines \$5,000, for the expenses of the reunion. After the Thirteenth General Assembly adjourned, several of the railroad companies tried to recede from their agreement as to transporting the soldiers, but the governor held them to it, although he had to make one or two trips to Chicago to do so, and even one or two of the companies had to be brought to make the promise of free transportation the third time. The event eclipsed all expectation. Immense trainloads of men came to Des Moines in passenger coaches and box cars, inside and on top. It was indeed little short of the miraculous that not an accident occurred on the way, coming or going, or at the encampment, to mar the pleasure of the occasion. The arrangements for feeding the assembled thousands were of the most complete character. In this the governor was ably assisted by Dr. Alexander Shaw, who was afterwards in charge of our centennial exhibit and of the Columbian exhibit of Colorado; Gen Ed. M. Wright, the secretary of state; Maj. Samuel E. Rankin, then treasurer; Colonel Carpenter, then register of the state land office, and General Baker, the adjutant-general. Governor Merrill had

reason to rejoice at the success of the affair. It had been his device alone. Hardly one of the men then prominent in state affairs to whom he spoke gave him any encouragement whatever in the undertaking; but it was not in Governor Merrill to retreat after having made a start.

Governor Merrill put a final stop to the diversion of swamp land funds, of which diversion there was yet more or less when he entered upon the governorship. He was repeatedly urged to waive the strictness of the law in favor of claimants for those funds, but he was immovable and gave all to understand that the funds which came into his hands as indemnity for swamp lands sold must go through the state treasury to the counties interested, so that they could make settlement with claimants of the funds.

Governor Merrill was firm to follow the path of duty as he saw it. After the adjournment of the legislature of 1868 the parties in charge of the railroad enterprises then projected in the state were disposed to insist that the proviso reserving to the general assembly the right to regulate rates of fare and freight on their lines should be repealed before they would put any money into projects. The desire for railroad facilities in the yet unsupplied part of the state was so great that a formidable movement was set on foot to induce the governor to call a session of the general assembly for the purpose of having the obnoxious proviso stricken from the statute book. When the clamor got to be pretty loud, the governor announced that he would not in any event call the legislature together unless he was fully assured that a majority of the members would vote for the repeal. He, however, gave no assurances that he would even then. It was subsequently claimed that the majority of pledges had been obtained, and the governor was called upon to convene the general assembly in accordance, it was contended, with his promise. But the governor was now satisfied that there was no emergency to justify the expense of an extra session, and he refused to issue the call. His course was criticised for a time, but it was soon seen that the railroad builders were about as anxious to construct the roads as the people were to have them built. When the legislature next met, there was no step taken to repeal the reservation clause. On the contrary it was put into the act of that legislature, amendatory of the act authorizing townships, cities, and towns to tax themselves to aid in the building of railroads.

Another instance of Governor Merrill's manly firmness may be cited: During the campaign of 1869, when he was candidate for re-election, resolutions were passed at one or more meetings held in one of the counties of the state that were especially affected by a decision of the supreme court of the United States to the effect that they must pay certain bonds issued for the purpose of aiding in the building of railroads in such counties. Many of the counties, and some of the cities as well, had, in the flush times of the 50's, issued their obligations for the purpose indicated, in order to hasten the construction of railroads. The supreme court of the state had at first sustained the legality of such issues, on the strength of which decisions the bonds had been marketed, and the holders got the proceeds. In some instances, that was all that was done in the business. The operators got what they were after, and did not go on with their enterprises. And in respect to these projects, which were in the hands of men who intended to push them, the financial panic of 1857 prevented their getting

the money with which to go ahead. But the interest on the county and city bonds came due and had to be met, as the principal would in due time. The communities that had thus loaned their credit were indignant that they should be called to pay out money and have no return for the outlay. Accordingly, proceedings were instituted in the courts to enjoin the paying of the bonds, with the result to obtain from our supreme court another decision overruling the former one, and declaring the bonds void. On appeal, the supreme court of the United States reversed this decision as to bonds issued while the first decision of our court was held to be the correct rule, the higher court holding that the buyers of the obligations were justified in accepting that first decision as the law, and in investing their money in the securities to which that ruling gave currency. At the meetings referred to resolutions were passed denouncing this decision, and demanding that the state authorities take steps to resist any attempt to enforce the order of the court. Candidates for the governorship and other offices were called upon to pledge themselves to such resistance.

Governor Merrill's opponent made such pledge, of which the governor was duly advised. But his answer to the demand was decisive to the effect that the power of the state should not be used, with his consent, for any such purpose, and that those who supported him for re-election must do so with that understanding.

When Samuel Merrill became governor he was satisfied that the time had come when the governor of Iowa must give practically his entire time to the duties of the office. He accordingly made the seat of government his residence, turning over the management of his extensive interests to others, and entered upon the discharge of his duties with determination to make that his business while he held the governorship. It thus happened that he was the first executive of the state to make the capital his home during his term of office. Just before the convening of the Thirteenth General Assembly Governor and Mrs. Merrill gave a public reception, the first gubernatorial reception in the history of the state.

Upon retiring from office Governor Merrill embarked in the banking business and became president of the newly organized Citizens National bank at Des Moines, Iowa, which position he held for many years. He gave much attention to matters of general financial concern. At a meeting of bankers of the country held at Chicago he advanced the idea that the amount received by the government from taxes on deposits should be held as a general fund to secure depositors in those banks. This idea has been revived of late years and found many advocates, especially during the period of depression in the present decade.

About a dozen years ago he removed to California, making his home at Los Angeles, where he passed away on the 31st of August, 1899. His remains were brought to Des Moines, where they lay in state at the capitol, and thence they were conveyed to the Plymouth church, where the funeral services were held, and thence to Woodland.

No more faithful or conscientious governor has the state known. He aimed in all things to do his duty as he saw it. His aim in public position may be expressed in his own words used at the close of his address at the laying of the cornerstone of the capitol:

"Let us see to it that to the extent of our power we securely fashion the fabric of the commonwealth, that freedom and equality, justice, intelli-

gence, and public virtue shall ever be its characteristics; that ours shall not be

A land of hastening ills a prey
Where wealth accumulates and men decay,

but one whose marterial triumphs, while enriching the whole, shall yet not impoverish any; and that the laws to be promulgated from the edifice soon to crown this fair height, while looking to the suppression of crime, the removal of poverty, and the dissipation of their causes, shall ever tend to the true object of righteous legislation—the greatest good of all the people."

Well will it be for the commonwealth if she shall always have in her first executive office a man as conscientious in the performance of duty, and as zealous for the honor of Iowa, as her seventh governor.

Governor Merrill was married three times. His first wife, to whom he was united in 1847, died fourteen months after marriage. He was married in 1851 to Miss Hill, who was the mother of his children, and Mrs. Merrill whom the people of Iowa knew and loved. She passed away several years ago. The governor's present wife was a resident of California, which is yet her home. Two children survive their parents—Harriet, Mrs. Craig, and Jeremiah H., both of whom are living in Realto, Cal.

CHAIRMAN: Gentlemen, according to the program our exercises for this day are now closed. Has anyone any report to offer?

MR. POWERS: Mr. President, it seems to me if one of the standing committee has prepared a memorial in behalf of our district—I refer to Hon. L. L. Ainsworth—it would be both uncourteous and unkind not to have them placed so as to become of record here, and his faithfulness in the performance of his duties should be recognized by this body, and it is not my understanding that the motion can be made by anyone; but, if so, I would like to make it, that the next thing that would be in order would be to listen to reports of the standing committees from the several districts.

SENATOR AINSWORTH: Mr. President and gentlemen, I am in rather an embarrassing position. I suppose when the rule of the constitution providing for the appointment of a statistician for the congressional district, as you will recollect the fact that it does, and when it had been the practice for that statistician to report upon the death, or deaths, in his congressional district, as was done by Professor or President Abernethy at the last meeting upon the death of Judge Murdock and the death of Hon. Reuben Noble from our district, that it was not my duty to do that and, consequently, I consulted with the friends of Senator Willett, who had died, and also with

Judge Rogers' friends, and had prepared a brief sketch of their lives, such as I thought them entitled to, and have it here; but it seems that the idea, Mr. President, of having a report from that committee had been abandoned, and my friend Governor Scott has been appointed to make a report upon them. I have these here and, if it is in order, would make the report, and I would make this report as statistician from the Fourth congressional district upon the death of Senator Willett and Hon. Jacob W. Rogers.

GEORGE R. WILLETT.

George R. Willett was born at Lacadie, province of Quebec, November 11, 1826. Shortly after his birth his father moved to Chambly, of the same province, and there established a small woolen mill. He was educated in a private school in Chambly, founded by a teacher whose name was Breathwood. At the age of 14 he entered his father's mill and remained in it until he was 28 years old, first as a worker and then as a partner with his father and brother Thomas.

Although he had a natural taste for mechanics, yet his tendencies were so distinctly intellectual that even when working hard all day he often read and studied far into the night. He was hoping to retire from this business with money sufficient to start him well in some professional calling more congenial to him, when a sudden fall in the price of goods through large English importations, not only swept away all profit, but plunged the partners into debt.

He had been married to Orlanda C. Kellogg, January 20, 1848, and at the time of this loss there had been two children born to them.

With only \$200 or \$300 in his pocket, and a family dependent upon him for support, he transferred his interest in the mill to his father and brother and removed to Champlain, N. Y., where he entered a lawyer's office and threw himself into the study of law with singleness of heart. After a year or so of this work and experience he entered the Albany Law school, than which there was no higher institution of the kind in its day, and graduated in the year 1856, when 30 years old. He practiced for a short time in Champlain with Lawyer Averill, in whose office he had first studied, but in the following year he moved west and located in Decorah, Iowa, November 20, 1857. Here he first engaged in partnership with Judge E. E. Cooley. Subsequently he headed the law firm of Willett & Burdick. While thus engaged the war of the rebellion broke out. The call to arms found an instant response in his patriotic zeal. Assisting in raising the first company for the war, he was unanimously chosen to be captain. He journeyed overland to tender his company to Governor Kirkwood, but found that too many tenders were ahead of him under the first call. But under the second call this company was accepted and became Company D of the Third Iowa volunteers. The first battle was at Blue Mills' landing in Missouri, where he was wounded in the knee and so disabled as to unfit him for marching. When, after a few months of rest, he found upon returning west he could not resume active field work, he resigned and returned to his professional work once more. In the year 1862 he was

appointed county treasurer to fill out the term of T. W. Burdick, who had also-enlisted for the war and been chosen captain of Company D, Sixth Iowa cavalry. Refusing a re-election to this office, as its duties were not congenial to him, he did accept the office of county judge and served from January 1, 1864, to 1869. The duties of the office related largely to probate matters and permitted him to continue in general practice in the higher courts.

In 1871 he was elected state senator to fill the vacancy caused by the resignation of Hon. H. C. Bullis, who had been elected lieutenant-governor. In 1873 he was re-elected, serving in all through three sessions and six years. He at once took an important place in that body. In 1873-4 he was elected president *pro tem.* of the senate, and in 1875 he was chairman of the judiciary committee.

During his incumbency of the latter position the question of state control of railway corporations was all absorbing; he believed in and advocated state control. The railways were fighting this proposition to the finish. It was necessary that this legislation, which was to be tested by litigation up to the supreme court of the United States, should be of the wisest, soundest and safest kind. At this time and in this connection, he gave to the state of Iowa services of the highest kind, whether judged from the standpoint of unblemished character, or legal ability. He devoted the remainder of his years to the practice of his profession and avoided everything which led him away from it.

In the acceptance of cases he was always careful to discourage useless and unwise litigation. In the preparation of them he was characterized by his grasp of the legal principles involved and his careful and logical arrangement of his testimony.

It is one testimony to his worth and success as a lawyer that his cases in the supreme court were an almost unbroken line of victories.

During the last five years of his life he was hampered and gradually weakened by a severe cough which deepened down to consumption. He passed away December 12, 1898, at the age of 72. He left behind him a wife and four sons, one son and one daughter having passed on before.

Such was the integrity of Senator Willett in social, business, professional and political life that he had the confidence of all with whom he became acquainted. His acquaintances became his friends and were ever ready to witness to the high esteem in which they held him. It may be truthfully said that no man in Winneshiek county, has ever enjoyed the confidence of so many of its citizens as did he. In his family relations he was very kind and considerate, and his attachment and anxiety for the welfare of his children was one of the controlling motives of his life. His relations with the members of the bar, with whom he came in contact, were always pleasant, and he was esteemed by them as one whose word was as good as his bond, and with whom it was a pleasure to do business.

By the death of Senator Willett, another of our early legislators, of whose record all of us may feel proud, has passed from among us. His memory deserves to be cherished and his example emulated.

JACOB W. ROGERS.

Jacob Wentworth Rogers was born in Moultonboro, N. H., August 15, 1820, and died at West Union, February, 8, 1900. He was mar-

ried to Sarah Jane Simons at Belvidere, Ill., February 25, 1848. Although born in New Hampshire, Mr. Rogers' boyhood days were spent in Vermont from which state he removed to the west in 1843 and for many years taught school in northern Illinois, in the vicinity of Belvidere, Boone county, but finally located at Monroe, Greene, county, Wis., from which place he came to Iowa, September 7, 1849, and settled at a point which is now the city of West Union, the county seat of Fayette county, which town was laid out and platted by him, in company with Wm. Wells, another pioneer from Monroe, Wis. Mr. Rogers engaged in the mercantile business to some extent and was the first postmaster at that place.

From boyhood he was studious and read carefully and understandingly the history of his country and of the questions which were of importance at that time. He was a radical anti-slavery man as well as a pronounced and active temperance man and opponent of secret societies. At West Union, he promptly avowed his sentiments upon these questions and became a leader of those who agreed with him regarding the same.

During all the time after he attained his majority, he had devoted considerable attention to law and had become quite well informed upon the same. In June, 1855, at the first term of the district court held in Fayette county by the Hon. Samuel Murdock, Mr. Rogers was examined and admitted as an attorney at law. He shortly afterward formed a co-partnership with Wm. McClintock, one of the ablest of the early lawyers of the state, and practiced with him for several years. He also engaged in the land business and many of the early settlers of Fayette county were indebted to him for obtaining the land upon which they made their homes, upon reasonable terms.

At the formation of the republican party, he was prominent as one of its organizers in his section of the state, and was elected a member of the house of representatives of the Fifth General Assembly, by the people of a district comprising a large portion of northeastern Iowa. In the legislature Mr. Rogers was active and influential, earnestly advocating and laboring for the success of measures which he deemed for the best interests of the state, and as earnestly opposing and working against those of which he did not approve. One of the measures, the passage of which was largely due to his efforts, was the prohibitory law.

In 1857, he was elected county judge of Fayette county, after a spirited contest for the office with his old partner, Wm. McClintock, and was re-elected in 1859. As county judge he was careful, conscientious and faithfully discharged the duties of the office and looked after the interests of the county, which were then largely under the laws of Iowa, in the hands of the county judge.

In 1862 he enlisted in the army and was elected captain of Company F, Thirty-eighth Iowa Infantry, with which he served until the same was consolidated with the Thirty-fourth Iowa. when he returned home and resumed his practice. As a soldier he was brave, faithful and patriotic. He was for some time editor of a republican newspaper at West Union, and as such he was fearless and able in his articles, advocating the right and opposing the wrong as he viewed it, with vigor.

His oldest son, Oscar W. Rogers, who was the first white child born within the limits of what is now the city of West Union, having attained

his majority, read law and graduated from the Albany Law school at Albany, N. Y. Judge Rogers and he formed a co-partnership for the practice of law at West Union, and for several years did a lucrative business. As a lawyer the judge was never learned, but he was always earnest and prepared his cases with great care and tried them with the vigor and determination so characteristic of him as a man. The most important case in which he was engaged was the defense of Ellison T. Smith for murder, whose acquittal he secured. His son, having become impressed with the idea that he could acquire property more rapidly in some other business than by that of a country attorney, the co-partnership was dissolved and a partnership formed between Judge Rogers and C. H. Quigley, which continued for several years, and was finally terminated on account of a failure of his health, since which time he had not been engaged in active business, but had been often consulted by old friends and acquaintances who had the greatest confidence in his ability and integrity. He always took a great interest in educational matters and was for many years a director of the schools of West Union, to the affairs of which he gave great attention.

While Mr. Rogers, on account of his outspoken opposition to what he deemed wrong, made many enemies, none of them doubted his sincerity of purpose or failed to respect him for his devotion to the interest of the causes he espoused. He had been several times the candidate of the prohibition party of the state for judge of the supreme court, thus showing that his reputation as a lawyer was much more than local. To the day of his death he never lost interest in the political questions of the day and was ever solicitous for the welfare of his country.

Song by the High School Glee club (boys)—“Massa’s in the Cold, Cold Ground.”

CHAIRMAN: If there is no further business to come before the association at this time we will stand adjourned until to-morrow morning at 10 o’clock.

MORNING SESSION, FEBRUARY 15, 1900.

Meeting called to order by Assistant Secretary Davis.

MR. BRANDT: Mr. Secretary, in the absence of Chairman Hildreth, I move you that Col. Warren S. Dungan act as president *pro tem.* of this session.

Motion carried.

MR. DUNGAN (taking the chair): Gentlemen, I will take none of your time to make any talk. I thank you for the compliment of being called to preside temporarily over this assembly to-day.

The chaplain, Dr. Frisbie, will open the session with prayer.

CHAIRMAN: Gentlemen, it will accommodate Senator Townsend very much to change the order of the program this morning in so far as to hear him in the memorial of J. S. Townsend, his father, so as to permit him to go to the senate, where important measures in which he is interested come up this morning in special order. As I hear no objection, we will call upon Senator F. Townsend to respond to and give us the memorial address on his father, J. S. Townsend. I will say that Senator Townsend has nothing prepared in writing and will speak extemporaneously, and you will, perhaps, ask him to put it in writing afterwards.

JUDGE JOHN S. TOWNSEND.

John Selby Townsend was born at Morgansfield, Ky., August 21, 1824. In 1830 his father, James Townsend, a successful planter and a man of strong religious convictions, becoming convinced of the evils of slavery, liberated his thirty slaves, gave them homes, and then moved to Putnam county, Ind. There he engaged extensively in mercantile pursuits until the panic of 1837, when all he had was swept away. My father was thus early thrown upon his own resources, but, in spite of many difficulties, managed to acquire a fairly good education in the district schools of the time and at Asbury university.

In 1848 he was married to Mary Brooks, and in 1850 removed to Iowa, stopping first in Lucas county, but later in the year locating at Albia, in Monroe county, where he engaged in farming. He soon abandoned farming, however, and began the practice of law and in 1851 was elected prosecuting attorney for Monroe county.

His beloved wife died in 1852, leaving one son, Rufus B. Townsend, now living in Arkansas.

In the fall of 1852 he was chosen to represent the counties of Monroe and Lucas, in the Fourth General Assembly, which assembled at Iowa City in December of that year. Although one of the youngest members of the assembly he was made chairman of the committee on agriculture, and chairman of a special committee to which was referred all bills to alter, amend, or repeal any sections of the code. He took an active part in the proceedings of that session, and gave such evidence of his ability as a lawyer that in April, 1853, he was elected judge of the Ninth judicial district of Iowa, then comprising the counties of Monroe, Wapello, Davis, Appanoose, Lucas, Wayne, Decatur, Ringgold, Clarke, Union, Madison, and Warren. He was re-elected without opposition in 1857.

The constitution of 1857 made a change in the judicial district, and Monroe county became a part of the Second judicial district. This change brought about the only great political battle of his life. Hoar, H. B. Hendershot was a candidate for the nomination for judge of the newly formed district, and, after a very close contest succeeded in obtaining it. The republican candidate withdrew, and Judge Townsend was induced to run on an independent ticket, and was elected after a heated and somewhat bitter contest. I am glad to say that soon afterwards Judge Hendershot

and my father became warm friends, and remained such until the latter's death. He remained on the bench until 1863, when he retired, and soon afterwards formed a law partnership with Hon. T. B. Perry, under the firm name of Perry & Townsend. This relation continued for a period of over twenty years.

Of his life and character as a man and a citizen, I feel that words of commendation and praise should come from those who knew him intimately during his forty years in Iowa, rather than from his son.

Hon. Josiah T. Young, for six years secretary of the state of Iowa, said of him: "His public life and acts as attorney, legislator and judge have been read and approved by his constituents, neighbors and friends. He was honest and fair in his dealings with all. In giving to the poor and needy his liberality was marked and well known to those, and that not a few, who received his help. But he made no display of his good actions and disliked even the appearance of parading one's acts of goodness before the general public. His life is now closed, and he lived not in vain. This is the closing tribute of one who knew him personally for more than forty years."

Ex-Senator T. B. Perry, for more than twenty years his partner in business, paid the following tribute to him: "Judge Townsend's name will long be remembered by all the old settlers of this county. No man has borne a more conspicuous part in moulding its institutions and forming its history. Entirely free from hypocrisy and deception, he was an earnest and true friend; though unassuming and retiring in his nature, no man was more tender of heart or affectionate to those in trouble or distress. He was peculiarly a man who minded his own business and gave it the closest attention and study. He was systematic, methodical, accurate and just in all of his business transactions. He wronged no man, and was of the strictest integrity."

On his way home from Iowa City, after the close of the session of the Fourth General Assembly, in January, 1853, he stopped at "The Oaks," in Van Buren county, Iowa, the home of Dr. John Downs Elbert, who, in 1842, was president of the territorial council. There he met Dr. Elbert's daughter, Annie Catherine, who, later in the year, became his wife. They had seven children, three of whom are now living, Judge James Elbert Townsend and Dr. Wilber Townsend, both of El Paso, Texas, and the writer. My mother is still living, dividing her time between the homes of her sons.

He was a Christian, one of the kind who believed in practicing and exemplifying in his life the doctrines of Christ. He was a courageous man, true to his convictions of right and with the courage to stand for them under trying circumstances. He never forced his convictions upon others, nor denied to them the right he claimed for himself, to think and act as his conscience dictated so long as his acts did not conflict with the rights of others. In politics, he was a li'elong democrat.

The last few years of his life he spent in caring for and enjoying the estate which he had built up during his many years of active business life.

He died at his home in Albia, Iowa, April 23, 1892, leaving behind to his sons the most precious of all legacies, a good name.

Chairman Dungan next introduced Hon. W. L. Eaton, member of the house, son of the Hon. A. K. Eaton, member of the Third and Fourth General Assemblies, who spoke in memoriam of Hon. A. K. Eaton as follows:

GEN. A. K. EATON, BY HON. WILLIAM L. EATON.

Mr. President, Pioneer Lawmakers of Iowa, Ladies and Gentlemen.

I do not stop to debate with myself the propriety of a son offering a tribute to the memory of his father, but gladly accept your kind invitation to speak on the life, character and legislative services of Ariel K. Eaton. The exhaustive biography of his old-time personal friend and co-legislator, P. M. Casady, which was published in your records of the reunion of 1898, and the elaborate paper read by A. K. Eaton himself on "Recollections of the Third General Assembly" at your reunion in 1892, which was also published, render it unnecessary for me to burden you with many details.

He was born among the hills of New Hampshire, at Sutton, in Merrimack county, December 1, 1813, and died July 16, 1896, at his home in Osage, where he had lived for more than forty years.

His was an heroic ancestry. His grandfather followed the Regulars from Concord to Boston; was at the battle of Bunker Hill; became lieutenant and served throughout the Revolutionary war. He was of the stern Puritan stock. He belonged to the New England race of Puritans—that race that challenged the haughty slave-holding cavalier of the south and was victor in the combat. It is the Puritan of New England that has made America what she is.

In his childhood his first morning view was of the sun-kissed granite crags of Kearsage, just across the valley from his home. That rugged mountain was worthy to give its name to the American ocean terror. Just over the mountain was the birthplace of the Leonine Webster, and a little farther away of the brilliant lawyer and afterward president of the United States, Franklin Pierce. At the foot of it Senator Wm. E. Chandler lives to-day. Adjoining the Eaton farm on the north was the birthplace of Gen. John Eaton and his family, for many years United States commissioner of education, and now in charge of educational matters at Porto Rico. Just beyond and across the valley lived the Pillsburys, now of Minneapolis, the elder members of whom went to school to my father in his young manhood. At an early age he became fatherless and somehow, upon the rockiest of all farms his mother lived and he managed to obtain an academic education. He was scholarly from his childhood and always an idealist. Those New England men of the earlier time communed with the mountains. They seemed to absorb the very integrity of the granite upon which they walked. I have wondered if those men of the earlier day, as they walked amid the hills and looked upon the purpling horizons and stood in the presence of the granite crag and lofty mountain, did not get visions of great things that we know nothing of. I have wondered whether great stone faces like that in the Franconian mountains did not form themselves out of the hills and become imbued with life and speak to them great thoughts in a language of which we can never know. It must make men kingly and majes-

tic to walk and talk with mountain brook and majestic New England scenery.

My father began teaching when he was seventeen. At the age of twenty-three he turned his face toward the unknown, trackless west. He finally reached Detroit, and lack of money compelled him to walk 300 miles across Michigan to Washington, Ohio. Stern necessity then pointed out to him a vacant log house, which he fitted up with slabs on pins for desks and began a select school with two pupils. His room was soon filled, however, and he taught there for three years and then made his way to Randolph county, Ind. For several years he was auditor of that county. He was admitted to the bar in 1842 in Randolph county, Ind. On December 7, 1844, he was married to my mother, Sarah Jarnigan, who still lives at the old home in Osage. In 1846 he again turned his face toward the west, and crossed the Mississippi and settled in Delhi, Delaware county, Iowa, in the second log cabin built upon the town plat. In this log cabin I was born October 13, 1848. He was soon elected to the office of prosecuting attorney, and 1850 he was elected to the Third General Assembly and re-elected in 1852. We are now speaking of a time half a century ago. The mists and the shadows have gathered about those days and to call them up seems like the stirring of the breeze upon the mountain. But two years before that the Indians had been removed from northeastern Iowa. In his first election but 350 votes were cast in all, west of Dubuque county. But fourteen families so far as known lived west of Delaware county. Eleven of those lived in the neighborhood of Cedar Falls and Janesville and three in the neighborhood of old Bradford, formerly near the present site of Nashua. When he entered the legislature he represented an empire. Its boundary on the east was the mighty Mississippi; on the south, the south lines of Dubuque, Delaware, Buchanan and Black Hawk counties to the Des Moines river; on the west, the Des Moines river itself; on the north, the Minnesota line. All this vast country, except what was termed the Turkey river country, was included in his district. To call up such a fact may well stagger credulity. In the presence of it one ought to pause and reverently, with uncovered head and uplifted heart, exclaim "what God hath wrought!" That tenantless empire of fifty years ago has become the garden of the world. The smiling face of prosperity looks upon it. Happiness walks its highways and virtue guards it. It challenges comparison with any other tract of its size under the sun.

When Ariel K. Eaton left his cabin home for Iowa City, the then capital, to attend the Third General Assembly, he walked the entire distance from Delhi and received pay for a mileage of 150 miles. The compensation of legislators in those days was \$2 per day for the first fifty days and \$1 per day thereafter, and mileage at 10 cents per mile. It was in this session that the code of 1851 was adopted, and it is a priceless heritage to me to scan the journals of that session and find the name of A. K. Eaton mentioned so frequently and so honorably. He was thoughtful and scholarly to the day of his death, and it was fitting that he should be chairman of the committee on schools in those earlier days when the foundations of our state were being laid. In those days was born our present school system, which is the delight and pride of Iowa. He served on many other committees, but it seems to me from my knowledge of him, and remembering

that in all his life he took a deep interest in our schools, that he must have been more interested in educational matters than any other, even his chosen profession of the law. There are those still living and in this presence who served with him and who know of his energy, his untiring labor and his valuable services in the third and fourth sessions of the general assembly of Iowa. While a member of the legislature he had the good fortune to become acquainted with that unique character in American history, George W. Jones. He was his loyal supporter in his successful race for the first United States senatorship of Iowa. The friendship between those men thus early formed was lasting and unwavering. Their deaths were within a week of each other. It was a beautiful sight and one never to be forgotten, to see those two men together in later years when their heads became white with the blossoms of age; when they lived in the glory of the past and without fear of the future. In 1855, through the good offices of General Jones, my father was appointed receiver of the land office, and first moved to Decorah and, finally, with the land office, settled at Osage, where he became one of the original town proprietors and where the balance of his life was spent. The last time my father met with you was at your reunion in 1894, when the whole state, as it were, under the proclamation of Governor Jackson, met in the capitol to do honor to that marvelous character, Gen. George W. Jones. My father sat beside him on the speaker's platform in the house. General Jones was then 90 years of age. A. K. Eaton, who was then over 80 years of age, spoke from the same platform. You will remember him, tall and stately, with the stoop that always comes in after life, as he spoke on the early days in Iowa. His mental characteristics were somewhat peculiar. He had the integrity of his own granite hills of New Hampshire. His purposes were fixed, but they were always upward. He was utterly incapable of a dishonest thought or act. His face showed strength of character, and, while he never uttered a joke in his life, yet he enjoyed pure wit and frequently indulged in it. No man ever heard him utter a word that was not perfectly proper for any parlor in the land. During his declining years he was the most familiar figure upon our streets. He had a smile and a kindly word for every man, woman, and child. Somehow he instinctively knew where poverty, distress, and trouble dwelt, and was a constant visitor to such as needed his encouraging presence. The angel of peace hovered over his declining years. He went out from this world without fear, for he knew that his upright life made him a prince wherever he might be, either here or in the hereafter. His funeral was held under the trees in the park and there were gathered such a company as never met before. Men, women, and children who never saw the inside of a church were there, for they were his friends. Our little world said of him, "The elements so mixed in him that nature might stand up and say to all the world 'this was a man.'" And he was a pioneer lawmaker of Iowa.

Gentlemen, the twilight and the shadows are gathering about the most of you. Remember that there is no such thing as death, for your works which represent you will follow you. Your friends or your sons will speak of you as I have done and keep your memory green. I thank you.

CHAIRMAN: Gentlemen, we will now return to the order of the printed program. The next address will be "Reminiscent of Iowa Lawyers," by Henry O'Connor, which will be read by Hon. S. P. Yeomans.

Hon. Hoyt Sherman, President Iowa Pioneer Lawmakers' Association:

Pursuant to the promise made to Doctor Yeomans and yourself a few days ago, and feeling pretty well this afternoon, not a daily occurrence with me now, I proceed to fulfill it as best I may.

As I said the other day, my thought intuitively turns to lawyers, and they, as you and I know, are law-breakers oftener than law-makers. Socrates talked wisdom, the wisdom of the world. Demosthenes proclaimed to the forests of Greece and to the crowds in the streets of Athens; Cicero, the real lawyer of his day and age read, wrote and practiced law. "Sir," said Daniel Webster, "lawyers govern the world," and the greatest living lawyer we have in the United States once said to me as we were talking of lawyers: "O'Connor, they are the salt of the earth." That was William M. Evarts. Is it any wonder that lawyers love and feel proud of their profession and all belonging to it?

But I have to do with Iowa and Iowa lawyers. I came to this state, my best loved home, in October, 1849. I came from Ohio, then the empire state of the American bar, filled with such legal giants as Tom Ewing, Henry Stansburg, Timothy Walker, William S. Grosbeck, Bellamy Storer, Allen G. Thurman and many others. I received such legal training and education as I was capable of taking from Storer, my tutor, and Grosbeck, the chief professor of the Cincinnati Law school. I settled at Muscatine, still my home. Here in the state in which I took up my abode and swung my "shingle," I found some fine lawyers even then, and in my over fifty years' residence since, I have met, become acquainted and, pardon the seeming vanity, made friends of and with the cream of the Iowa bar. In my own town was Stephen Whicher, then United States district attorney, and far and away the leader of our county bar. S. C. Hastings had just left on the Rocky mountain wagon route for California. His fine legal ability went with him and in the Golden state fame and fortune met him, smiled on him, lavished their favors on him. He became mayor of San Francisco, chief justice of the supreme court, and about three years ago died a millionaire banker. William G. Woodward, afterwards one of the judges of the supreme court of Iowa, was one of the three compilers of the Iowa code of 1851. Woodward was a graduate of Dartmouth college and the son of the plaintiff in the celebrated Dartmouth college case, when Webster's almost inspired eloquence prevailed over what many good lawyers thought was the law, and satisfied even the acumen and wisdom of John Marshall, the greatest chief justice the United States has ever had. Scott Richman, a fine lawyer and decidedly one of the best district or *nisi prius* judges the state of Iowa has ever produced. David C. Cloud, the first attorney-general of Iowa, a warm-hearted friend of mine, still living and now about 82 or 83 years old. Cloud and myself were law partners for four years and no angry word has ever passed between us yet in our fifty years. Cloud was and is the soul of good nature. And Jacob Butler, my friend,

and as dear to me as a brother, an Ohio man, graduate of Oxford, one of the best of Ohio's many fine colleges. Butler was one of the best Latin and English scholars I have ever met. How much farther he went into the classics I never knew, for Jake was no displayer of his learning; a fine lawyer and loving the civil law, which he mastered by a year's study in Louisiana. An orator really, but so anxious to excel that he would sometimes spoil a good speech by hunting through his mind for what he considered the right word. He died all too young in the early 70's, leaving seven or eight of the handsomest children that could be found in the state of Iowa, the children of himself and his lovely wife, Miss Esther Maynard, of central New York, one of the sweetest women and friends that man ever knew. How proud I am to call her my friend. There are other lawyers in Muscatine, but too young for this occasion. Jerome Cascaden among them, one of the best that ever came to Muscatine, a sketch of whom I will charge to Arthur H. O'Connor, a better lawyer than ever his father was, to write him (Cascaden) up for your society.

Leaving the metropolis of Muscatine now and skipping down the river to Burlington, once the proud capital of three territories, we come to the eagle's nest of fine lawyers.

There was Henry W. Star, the best all-around lawyer, to my thinking, that ever made a track in Iowa. You gentlemen can think as you like, Star was the Vermont north star, that state of born lawyers, the home of the Phelps family, all lawyers, and of George F. Edmonds, who went into the United States senate and out of it of his own free will. Henry W. Star was a scholar, lawyer, orator, and statesman. James W. Grimes, his partner, a fine lawyer, great statesman, fine talker, but without the first element of a real orator, all the same the best governor and much the greatest United States senator that Iowa has ever had. No, my dear Colonel Sherman, neither you nor I will ever get there, and 'there are others.'

J. C. Hall, chief justice of the state; Milton D. Browning, David Rorer, Charles Phelps, of the Vermont Phelps family; Benton J. Hall, really a better lawyer than either his father or his uncle Gus, of Keosauqua.

But I must go on to the Gate City. Keokuk has always been full of big lawyers. Reeves, the great real estate lawyer, knew Cruise's "Digest," "Preston on Estate," just as well as we little fellows are supposed to know Kent and Greenleaf.

Reeves' partner, Samuel Miller, as fine a lawyer as I ever knew, and after John Marshall, Judge Nelson, of New York, and Roger B. Tauneyroy, as great a judge as ever sat on the bench of the supreme court of the United States. George W. McCrary, the student of Reeves and Miller, cabinet officer under President Hayes, United States circuit judge, wonderful railroad lawyer, almost equal to N. M. Hubbard of Northwestern fame. Mac died all too young from nothing but too hard work in his great profession. John W. Rankin, Judge Miller's law partner, another great Keokuk lawyer. Ralph P. Lowe, the natural lawyer, the fair judge, the elegant gentleman, an Ohio and Muscatine man.

Then comes Keosauqua, that obscure but wonderful big village, giving to the state the most brilliant galaxy of lawyers that has ever trod the sacred soil of Iowa. George G. Wright; Knapp, his partner; Gus Hall,

Charley Nourse, Henry Caldwell, not a mediocre lawyer in this brilliant crowd. George G. Wright, since Henry Star, the best lawyer in Iowa. He raised a family of sons, three of whom became fine lawyers, none of them equal to their father. Tom is dead. Craig is confessedly the leader of the Sioux City bar. I believe him to be the best lawyer of the three sons, but I also know that the family would not agree with me. I know what the family think on that point, and there are few in Iowa outside the family know better than I do. There are besides the sons, two daughters, almost matchless women. To say that I loved the family would be superfluous, but Lucia better than any. Lucia and I were born on the same day of the month, July 26th. I will not tell the year.

Des Moines, the rich and elegant capital city of our loved and honored state, must be passed on one of the many railroad trains going north. There are many there who could go on with her story better than I could.

At Dubuque, the home of that great lawyer, Platt Smith.

I must say good-bye boys, as Frank Blair said to the "Fenians," "I cannot be with you, but you have my prayers, and as you fill your glasses with claret or maderia I absolve you in advance for drinking to the memory of Henry O'Connor of long ago.

With very good wishes, Yours sincerely,

HENRY O'CONNOR.

CHAIRMAN: Gentlemen, we are now ready to hear the reports of standing committees. The first will be the report of the committee on nomination of officers. My recollection is that Mr. Finkbine was chairman of that committee. Mr. Finkbine are you ready to report?

MR. FINKBINE: I would ask that I be given time for further consideration until this afternoon, when I will report.

CHAIRMAN: The next then will be the committee on resolutions.

COLONEL SCOTT: The committee on resolutions has no report to make yet, and I will, therefore, ask for further time to report.

CHAIRMAN: I will ask the committee to wait upon the governor and the two houses to give us their report.

Mr. Chairman: The committee has to report that they called upon the governor and he expressed regret, saying that he probably could not meet with us on account of the press of duties, but would exceedingly rejoice to have us visit him. We talked it over and the governor suggested that immediately before we visited the two houses we call upon him in a body and pay our respects. The governor stated to me that he was to hold a reception this evening and cordially invited every one of us to be there.

CHAIRMAN: I understand the governor does not expect us to call upon him in a body before we go to the house and senate, but does expect us to call upon him at the reception. His reception will be at the governor's rooms at the capitol.

The next thing on the program is "In Memoriam, Hon. A. W. Hubbard, Member of Congress and District Court," by Senator E. H. Hubbard.

COLONEL SCOTT: Mr. President, it is due to Senator Hubbard that I should make for him an explanation, which he made to me as I met him yesterday on the street car, that he did not receive the communication from the officers of this association until yesterday morning and that he had engagements that precluded his responding to a request which I made of him for a memorial in regard to William L. Joy, of Sioux City, and also the request that was made of him for the present announcement on the program. It was on account of missing his mail for about a week.

MR. BRANDT: I would say, Mr. Chairman, in addition to the regular program, the Hon. Owen Bromley was to make some remarks in memoriam of Hon. E. Lindley. Mr. Bromley is present, and that, before Judge Cole's address, would perhaps finish up our memorial matter. I think it would be in order to have Mr. Bromley and then Judge Cole.

CHAIRMAN: I notice, gentlemen, one thing I overlooked on the program and that is the address—Early Members of the Supreme Court, by Hon. C. C. Cole, who will now favor us with his address.

Senator McNutt, chairman of committee on nomination of officers, reports as follows:

REPORT OF COMMITTEE ON NOMINATIONS.

T. S. Parvin, president.

Vice-presidents, first, Dr. J. M. Shafer, Fairfield; second, Samuel McNutt, Muscatine; third, F. M. Knoll, Dubuque; fourth, L. L. Ainsworth, West Union; fifth, Chas. Weare, Cedar Rapids; sixth, Dan Anderson, Albia; seventh, L. Todhunter, Indianola; eighth, W. S. Dungan, Chariton; ninth, L. W. Ross, Council Bluffs; tenth, Walter C. Wilson, Webster City; eleventh, Rodey A. Smith, Spirit Lake.

D. A. Poorman, secretary; E. M. Stedman, assistant secretary.

Isaac Brandt, R. S. Finkbine, G. L. Godfrey, executive committee.

It was moved and seconded that the report of the committee be adopted and that the persons named by the committee be declared officers of this association for the ensuing year.

Motion carried.

Mr. Bromley here proceeded to deliver his address in memoriam as follows:

Mr. President and Members of the Pioneer Lawmakers:

I am not feeling very well and will not be able to make much of a speech. In order to get myself better acquainted in regard to Mr. Elwood Lindley I got an old copy of the Journal of the Tenth General Assembly in order to ascertain how he voted and how punctually he attended the sessions, and I find by looking over the reports here he was a member that was always very punctual, and he was always ready to vote "Aye" or "No" upon all questions that came before the body. He was a very quiet member. He was not one that pretended to make anything like long speeches and he was very amiable,—was an excellent, good man. No question at all in regard to that. And, another, to show you that he always voted right, I find by the Journal here that he always voted "Aye" when I voted "Aye" and he generally voted "No" when I voted "No," and you might take it, of course, if you think that I am a person suitable when it came to these important questions of voting right, that Mr. Lindley was also of that kind. I would like for it to be said in regard to all, and I hope it will be paid to all; I am willing to pay respect to all these eulogies in regard to abilities, the qualifications, the legal lore, and so on, that we are told about certain men that have been in the state here; I do not wish to detract anything at all from anything of that kind; but I will say this: That when we know, when we are positive, and when we have no hesitation at all with regard to expressing our opinions with regard to a deceased member, that he was a good man, an honest man, a man that desired to do that which was right, positive of it—that was the character of Mr. Lindley in every vote that he cast during the sessions that we were members.

Hon. Elwood Lindley was born in North Carolina, August 28, 1832, and died in Polk county, Iowa, March 25, 1898, aged 66 years. He was buried in the cemetery at Perry, Dallas county, Iowa, peace to his ashes. He was loved and respected by all who knew him.

JUDGE NOURSE: Mr. Chairman, this morning we had in attendance upon our session Mrs. Miller, the former wife and the widow of Justice Wm. E. Miller of our supreme court. I move you that she be admitted and recognized as an honorary member of this association, and also that Mrs. Phoebe S. Brooks, widow of the late Dr. L. K. Brooks, one of the very early pioneers of Iowa, be elected as an honorary member of this association.

Motion carried.

On motion meeting adjourned until 2 o'clock P. M.

AFTERNOON SESSION—THURSDAY, FEBRUARY 15TH.

CHAIRMAN: Mrs. Reynolds' high school glee club (girls) will give us a song, "When the Little Ones Say Good-night."

CHAIRMAN: Now, we will be pleased to listen to an address, "Some Early Recollections of Iowa," by Hon. A. B. F. Hildreth.

PROGRESSIVE IOWA.

BY A. B. F. HILDRETH.

MR. PRESIDENT: It is indeed a pleasure to me to meet, on this occasion, this large number of my friends and associates of former days, who are known as the pioneer lawmakers of Iowa. As you requested of me some days ago, I will briefly state some of my experiences since making Iowa the home of my adoption.

Not quite fifty years ago while engaged in the business of printing and publishing newspapers in the city of Holyoke in Massachusetts, I received a letter from a gentleman of Floyd county, this state, inviting me to come and start a newspaper at a location which is now known as Charles City. As good luck would have it, a few weeks afterwards, a gentleman from Vermont visited Holyoke and bought out my business there.

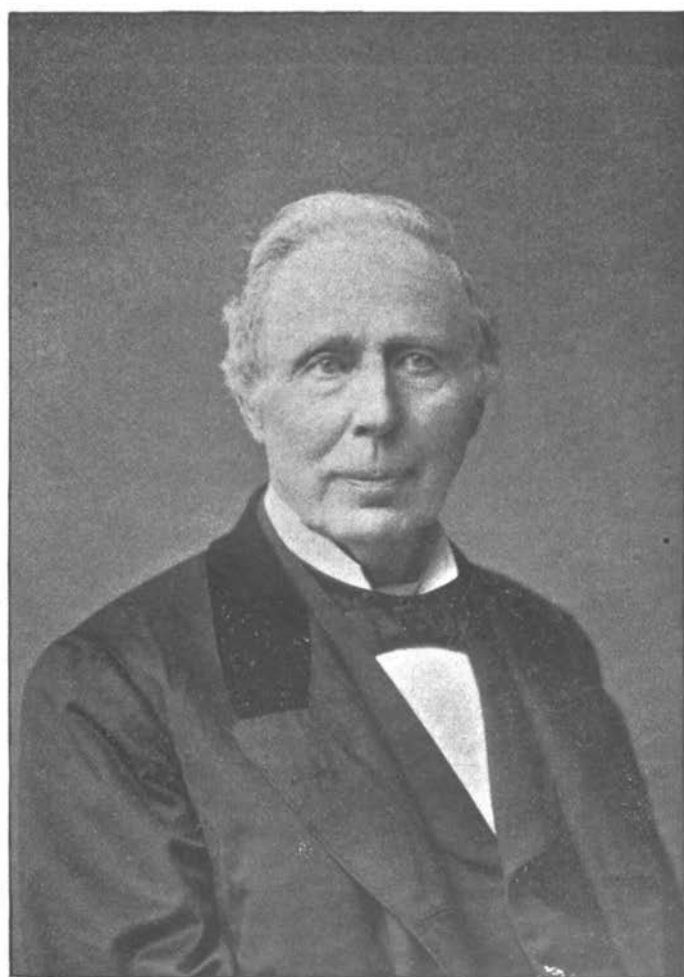
Not wishing to take a leap in the dark, I made the journey from Massachusetts to Iowa for the purpose of reconnoitering that wild and sparsely settled locality to which I had been invited. I found that the place where Charles City is now located was the site of an Indian village of the Winnebago tribe. I found there a few log cabins, and some frame buildings started, but none completed. One log building was known as a country store, a county judge's office, a law office, land office, postoffice, etc. The county judge was the postmaster and mail carrier, and occasionally would bring the mail from Janesville in the crown of his hat!

But notwithstanding the newness of that locality, I was so enchanted with its beauties and resources that I at once decided to make my home there. On my return to Holyoke, I stopped in New York city, where I purchased an outfit for a printing establishment, and a chest of carpenter's tools for erecting a printing house. These were all shipped at once to Iowa. Early in the spring of 1856 I was there with my family. Mr. Carver, recently of the *Dubuque Herald*, was my assistant. We did our own carpenter work, and while erecting a suitable printing house, we carried much of the lumber for it on our shoulders from a newly built sawmill at the river some distance away.

In July, 1856 the first number of the *Republican Intelligencer* was issued. It had for its motto the often misquoted words of Bishop Berkeley:

"Westward the course of empire takes its way."

The first impression of the first number of the *Intelligencer* was sold at auction for \$20! The *Intelligencer* is now in its 44th year, and has ever been



*Faithfully yours,
A. B. F. Childreth.*

(1896)

a staunch republican paper. The present owners and publishers are Messrs. H. N. and C. L. Dyke.

In the year 1857 a new constitution for Iowa was adopted, in which a state board of education was provided for to legislate for the public schools and the state university, and in the succeeding year I became a member of that board, being elected to represent the Tenth Judicial district of Iowa, composed of the counties of Allamakee, Winneshiek, Howard, Mitchell, Floyd, Chickasaw, Fayette, Clayton, Bremer and Butler. On the same ticket with me were elected Hon. Elias H. Williams for judge of the district, and Milo McGlathery for prosecuting attorney. The board comprised eleven members, with Gov. Ralph P. Lowe, *ex-officio*. Lieut.-Gov. Oran Faville was president of the board; and Josiah T. Tubby, secretary *pro tem*. Subsequently Hon. Thomas H. Benton, Jr., was elected as permanent secretary.

This state board of education held its biennial sessions in the old capitol building at Des Moines, and had control of all the educational interests of the state, except private or sectarian institutions. Among the more important results of my efforts as a member was the law requiring the State university at Iowa City, to be opened and free alike to young ladies as well as young men. This measure met with much opposition, and for it I was roundly abused by the press in different parts of the state. Thus it was that the Iowa university was one of the first colleges of the United States to establish co-education. Subsequently the professors of the university told me that the system was working well, that the young men did better for it, and at their recitations they were hardly a match for the young ladies. A spirit of emulation and rivalry was awakened which was profitable to both classes of students, and there was no difficulty in regard to morals and general deportment. That educational board was discontinued in 1864.

In the fall of 1863 I was elected to represent the Fifty-fourth district of Iowa in the Tenth General Assembly, and was appointed chairman of the committee on schools and State university, and was also a member of the committee on banks and banking, and that of printing. My lawmaking friends present can well understand that I had a plenty of work on my hands. Among the more important measures for which I labored, and one that has proved to be of great benefit to northern Iowa, was a memorial to congress asking for a grant of land to aid in the construction of a railroad passing from McGregor westward through Charles City to Chamberlain, on the Missouri river in South Dakota. For my success in that undertaking I was largely indebted to the influence of the late Hon. James Harlan, who was then a member of the United States senate.

Mr. President, it is said that one is an egotist who talks about himself. In this matter I trust that you will excuse me when I say that my statements regarding my political labors are given in deference to the courteous suggestions of President Sherman.

I remember that at one time a larger number of the members of the Iowa general assembly were born in Ohio than there were from any other state, and that a majority of our congressmen, and both United States senators for Iowa were natives of Ohio. The meaning of the word Ohio is, a young man of age, or 21 years old.

It is an old saying that "blood will tell." Now, from where did this blood come? It came from the rugged, rock-bound shores of the Atlantic. The Grants and the Shermans originated in New England, and their progeny had their birthplace in the Buckeye state. The two generals of those names were both born in Ohio. New York state has also furnished many great men, but I will not stop to name them.

Roger Sherman, the shoemaker statesman, was born in Massachusetts, and subsequently lived in New Haven, Conn. At one time, in congress, John Randolph, who boasted of his Indian blood, said he wished to ask the gentleman from Connecticut what he did with his leather apron when he left the shoemaker's bench and came to congress. The answer was: "I will tell the honorable gentleman from Virginia what I did with that leather apron. I worked it all up into moccasins to be worn by the descendants of Pocahontas."

Now, let us look at Vermont. The spirit of liberty dwells in all mountainous countries. In proof of this we may look to the Highlands of Scotland, to the

"Scots who have with Wallace bled,
Scots, whom Bruce had often led."

Look to Switzerland, or to the Tyrolese,

"Where the song of freedom soundeth!"

To the Circassians upon the Caucasus, who ever contend for liberty, and defy the whole power of Russian despotism. Vermont is often denominated the "Switzerland of America," and it is true that the spirit of a William Tell filled the breasts of those hardy mountaineers, Seth Warner, Ethan Allen, and their compatriots, who boldly captured fortifications in the name of the "Great Jehovah and the Continental Congress!"

The strife which led to establishing Vermont as an independent state reminds one of the monkey weighing the cheese. The territory was claimed by both New York and New Hampshire, but those hardy sons declared that they would have a state of their own, and they succeeded. On the 4th day of March, 1791, Vermont became an integral part of the new American union. Owing to the green verdure on her hills, the name of Verd Mont, or Vermont, was given her.

Ethan Allen once egotistically boasted to an old lady regarding his mother's seven sons, saying that he supposed no other woman ever had seven such sons as his mother had. The old lady replied, "I have a book here that speaks of one woman who did." "Who was it?" he asked. "I think her name was Mary Magdalene," was the answer.

Stephen A. Douglas, or some other good democrat, once said that Vermont was a good state to be born in and a better one to migrate from. Iowa to-day has 5,000 citizens who were born in Vermont. What will Ohio say to that? Allow me to name our present governor, Leslie M. Shaw; also Senator Perrin of my district, a cousin of Admiral Dewey; and Hon. W. B. Towner of my district, who represents us in the present general assembly. All of these gentlemen are Green Mountain boys. Who does not point with pride to such names as Admiral George Dewey, the hero of Manila; and a host of lesser lights, among whom let me name Chester A. Arthur, George F. Edmunds, Hiram Powers, who moulded the Greek slave, Justin S. Mor-

rill, and John A. Kasson? All Vermonters. That country in which the Pilgrims landed is indeed:

"A rough land of earth and stone and tree,
Where breaths no castled lord nor cabined slave."

At one time in congress a member from Mississippi asked John P. Hale what was the occupation of the people of his old Granite state. The answer was: "We build schoolhouses and raise men." At that time free public schools were unknown in Mississippi.

When I was a schoolboy, studying geography, I read on my map, "Great American Desert," just west of the Mississippi river, and right here where beautiful Iowa is located. That map was made in Massachusetts, and let me say that the old Bay state does not in these days raise provisions enough to feed her people twenty-four hours. They are dependent upon this "Great American Desert" of ours for their food supplies!

The rapid growth of Des Moines has rendered it the largest and most populous city of the state. Who does not look with pride and admiration upon its capitol building? That structure was erected under the supervision of my early legislative friend, the Hon. Robert S. Finkbine, and every dollar of its cost was honestly invested.

To-day we, the old pioneers, are holding our sessions in this beautiful historical building. Words fail me to express the gratitude we all owe to my early editorial friend, Hon. Charles Aldrich, the curator, who so industriously has collected thousands of valuable historical relics, and has influenced the general assembly to erect, under his supervision, this noble edifice for their preservation. Some one has said, "the good a man does lives after him," which certainly will prove true in his case.

In those early days when no railroad led to Des Moines, Lieutenant-Governor Faville, of Mitchell county, and I had to make the journey here with a two-horse team, and we would take along with us blankets and robes, prepared to sleep at night on the puncheon floor of some log cabin, and would be three or four days in making the journey. There were no bridges then and the rivers and streams had to be forded. Occasionally it was necessary to ask some one for the proper road and the distance to Fort Des Moines.

Mr. President, and my pioneer lawmaking friends, please permit me to say a few words more in regard to northern Iowa, and I will weary your patience no longer.

When I first saw the place where Charles City is located, no schoolhouse was there. The Winnebagos were in and around there continually until the time of the terrible Minnesota massacre at New Ulm in 1862, when the government removed them to a reservation on the upper Missouri river.

In those early days the rains were seemingly incessant. During one whole season the rivers and streams were greatly swollen. The Wapsipicon river was over its banks and the farmers' crops along its valley were drowned out. At one time having occasion to cross that river near Fredericksburg, to me an amusing incident occurred. I engaged Mr. Tingley's boy to take me over the river in his little skiff, and asked him if there were any fish in that stream. "Oh no," said he, "we have had so much rain the fishes are all drowned out!"

To-day Charles City has a population of over 6,000. It has thirty free public schools of all grades from the primary up and through the senior grammar and high school to the Charles City college and Catholic academy. It has a costly high school building, nice college buildings, a valuable free public library, ten churches of different denominations; six newspapers, seven hotels, a beautiful opera house; three national banks, two railroads, and others in prospect, various manufacturing establishments, the Holly waterworks, a large electric light plant, extensive sewerage, mercantile houses and shops of every kind; two large dairy factories, telegraph and telephone lines, streets with brick pavements and some streets macadamized, and other improvements too numerous to mention. During the last few years hundreds of nice dwelling houses have been built there and the town is properly named "The City of Homes." I will add that what is true of Charles City may be said of a hundred other towns and cities of northern Iowa.

At the time of my first visit to the county of Floyd, more than one-half of the lands of Floyd county were held by the United States government. The farms that could then be bought there at \$1.25 per acre, now sell at \$50 per acre, and some of them for more than that.

Charles City draws trade and business from a large portion of the surrounding country, and its business men and women are honorable in their dealings with hardly an exception.

To conclude, allow me to say: Our beloved Hawkeye state has all the natural advantages of an ideal commonwealth. In point of intelligence, education and influence in national affairs, she stands to-day the peer of any state of our glorious American union. During a long life I have watched with pride her advancement in all that is best and true to the needs of a free and patriotic people. No state of the union has progressed so rapidly in all that pertains to civilization and the welfare of the human race as has this beloved state called Iowa.

CHAIRMAN: Gentlemen, I notice the secretary of agriculture, commonly known as "Tama Jim" Wilson, is present with us. What is the pleasure of the association?

Mr. Wilson seemed to be called for unanimously, and made the following remarks:

Ladies and Gentlemen:

On my way out to Nebraska to talk to the Dairymen's association I gave myself leeway of a day or two so that I could stop off in Iowa and see the old boys and get inspiration for future work. The meeting of the old pioneer lawmakers takes one back to the early days in Iowa to the time when we came to the legislature; each of us was sent by hopeful constituents thinking there was something good in us, for the benefit of our state and our own constituents that might be evolved and developed and find its way to the statutes of the state, and so we all came, all hoping and resolving that if we found anything wrong among our fellow members that the people could depend on us to right all these wrongs. There is a common opinion abroad that a legislator is a doubtful quantity; you are never sure of him; never very sure of him. But when we came as lawmakers we were entirely sure of ourselves, and we resolved that we were going to do the best thing

for the future of Iowa that we could do, and the result is we always did, and the number of bad fellows we have each of us found vanished into nothing as far as that is concerned. The bad man that came up there to represent corporations is a fellow I never got hold of. The people have an impression that there are a great many of them found in legislatures, and, of course, corporations will send attorneys to give their opinion of how things should be and all about it, but the constituencies of the state of Iowa have been and are now peoples who would be represented by decent men, and faithful men, and they are being represented by that kind of men now; and, speaking generally, legislatively, it has been my observation that it is being elevated and being made better. The habits our people, the habits of the average legislator, are more unexceptionable. I do not want to be understood that the legislators of the past have been corrupt men. I do not believe they were. I think it has been a wonderfully rare exception that the Iowa legislator was corrupt. I never met with anything or even suspected the presence of any such man; but they were free and easy fellows who haven't got padlocks on all their habits; convivial fellows who always enjoyed themselves. I remember the last congress I was in, in 1884, it was my business to see that people of my party were present when votes were cast. I remember one man from a western state. I used to go and look him up when the roll call began—it takes three-quarters of an hour to call the roll—and I would find him well under the influence of drink and would say to him his committee sent me down to tell him he represented a proud state, intelligent high-minded people, and to notify him if he didn't straighten up he could not get their suffrages long; they were going to have a man free from these habits; that they were proud of his ability, but would not be represented by a heavy drinker. He said: "Mr. Wilson, there is a good deal of drinking around Washington among public men; there are men you will see drink, and drink too much, that represent constituencies that you would not believe it if you saw it. Do you think it is any use to talk to that kind of a man? Not a bit. I have talked to them and they go on drinking." The committee went back and represented to the people what they had found and so the people sent another man to represent them. And another class of old fellows that got mellow about 4 o'clock in the afternoon; not drunk, or anything of that kind, but feeling happy and always ready to make a speech. Now that class of fellows is vanishing from public life. Our representatives to congress are great men. Now I look into the faces of the house of representatives to-day, and what strong men they are, and I believe they are good men; they are representatives of our civilization from the several districts, and I am very sanguine about the future of our country. I think we have got up to a place where, understanding our government as we do, and understanding it better than any other people, and, in fact the only people who represent civil government, we are ready to do a little missionary work and teach it to other peoples.

CHAIRMAN: Gentlemen, I presume it is about time we repair to the capitol. What is the pleasure of the association?

Mr. Brandt, the marshal, here stated his program of order of marching to capitol.

Having arrived at the senate chamber, Chairman Dungan said: "Mr. President, the members of the Iowa Pioneer Lawmakers' association are here in compliancé with your request yesterday. We are your guests, we abide your pleasure."

LIEUTENANT-GOVERNOR MILLIMAN.

Gentlemen of the Pioneer Lawmakers' Association:

For the second time I have the distinguished honor in behalf of the state of receiving you as the guests of the senate.

No privilege bestowed upon me by virtue of my office affords me greater pleasure than to look into your faces and bid you welcome, thrice welcome to this hall. When we contemplate the work of you and your compeers; in view of the fact that our fundamental law and many of our statutes are substantially as you framed them, may I not say as we review your labors we are assured that faithfulness to duty is ever recorded in the history of our time, and we are made glad by the thought that our labors may prove measurably beneficial to the people we serve. Vigorous young Iowa as you knew her has grown into nobility and grandeur far beyond the expectation of any, and to-day she is a mighty influence in the affairs of our nation because truth, justice, and upbuilding were the aim of our lawmakers, while sister states have almost stood still and at least one is threatened with anarchy because the purposes of God were not found in their statutes. More eloquent lips than mine have been chosen to give you the welcome we feel, and tell you of our gladness at your coming. Speaking for this senate I might say "the glory of young men is their strength and the beauty of old men is their gray hairs." It is fitting that you occupy the east part of the chamber for most of you are indeed looking toward the setting sun.

Let me close with the blessed hope that in the "Sweet By and By" in the "Glad Sometime" each of you and yours will be there and that all of us and ours may be there, to dwell in that realm where all the statutes are the law of love.

Senator Mullan, from Black Hawk county, was appointed by the president of senate to extend welcome to this association, Chairman Dungan by a few well chosen remarks introduced Hon. L. R. Bolter, senator for Crawford, Harrison and Monona counties, who has filled the office of senator and representative more than any other man in Iowa, to respond to the very generous address of welcome by Senator Mullan.

Chairman Dungan here introduced Mrs. Reynolds with her girls, High School Glee club, saying that we had not only grey hairs and supposed great wisdom, but we have youth and beauty to cheer with song.

Song by Girls' Glee club, "Old Folks at Home," and also "Don't Cry, Little Girls, Don't Cry."

CHAIRMAN DUNGAN: The time has arrived when we are expected at the house of representatives.

Having arrived in the house of representatives Sergeant-at-Arms Brandt introduced the Pioneer Lawmakers as follows:

Mr. Speaker, permit me to introduce to you, and through you to the members of the Twenty-eighth General Assembly, the Pioneer Lawmakers of Iowa, who, twenty-five, thirty-five, forty-five, fifty-five and even sixty-two years ago, occupied official positions in the territory and commonwealth of Iowa.

SPEAKER OF THE HOUSE: We will call upon Hon. F. J. Blake to welcome our distinguished guests.

Mr. President of the Pioneer Lawmakers' Association, and Members:

This happy task which has been so kindly imposed upon me by the reception committee fills my heart with pleasure. It surpasses in its pleasure the joy and brightness of boyhood's youthful dreams of what may be in store for him in days to come; the quick heart-beat of budding youth's ambition as in his mind he shapes and moulds with easy hand his destiny and future.

The dreams of youth, though sometimes grand and often strange, are not more strange to me than my position here, acting as the mouthpiece of this house, to welcome back within these legislative walls those men who sat in these same seats before my eyes first met the light of day on this my native soil of Iowa; and stranger, too, it seems, as I recall to mind the days I sat on the home-made bench in the district school and tried to learn that lesson in our old geographies on government; and when we went to class one day and not one among us could answer the first or any other question in it, except to tell the page the lesson would be found on, our teacher, in her kind and gentle way remarked: "Now, children, you must learn this lesson, for who can tell but some of you perhaps may some day be members of our government."

Those words, spoken half in earnest, but mostly in encouragement, told us of something almost as strange and mystic as a tale of fairy land.

That slight prediction, lightly made, received more lightly in the strangeness of events, has strangely worked itself about. I have gotten into reminiscence.

There are two great periods in the life of an individual, in the life of a community, in the life of a nation; the one of activity, the other of reminiscence; the one is the period of building and construction, the other of pause and retrospect; the one accompanies youth and sturdy manhood, the other is the companion of well ripened age and purpose realized.

I believe I shall remain in the period of reminiscence, because therein doth dwell the happier thoughts, the kindlier feelings—those things upon which the memory loves to dwell, rather than to come back to the realization of the active and laborious present.

Gentlemen, your lives now cover half the period of our nation's independence. That boy who stood at the door of the Continental Congress in Philadelphia waiting to catch the first news of the Declaration to shout to his patriotic grandfather, to ring that historic bell which first proclaimed our liberty to the world that boy still lived, or could have lived while you have lived. Those grand old patriots who lay entrenched at Bunker Hill,

those suffering martyrs to our country's cause, whose blood-stained feet crimsoned the snows of Valley Forge still lived, or some of them still lived while you have lived. And it is possible that some old white haired man, with tottering step and bent with age has held you in your childhood on his knee and told you of the midnight ride of Paul Revere—not as he heard it, but as he saw it, for he was there!

You have breathed the atmosphere which surrounded the last of those grand old patriots who wrote with sword, as well as pen, the history of our Revolution and Independence.

You have watched the painters of our nation's maps remove the western boundary still farther into the unknown wilderness, inhabited only by savage beasts and beastly savages, until there are no boundaries from east to west, except those imaginary lines upon the surface of the deep, beyond which the ocean becomes the common property of all.

You have witnessed states carved out of this new land. You came to those new states to plant the tree of civilized life upon this fertile soil, You have seen the untamed savage flee before the onward march of progress. You have watched the magic hand of time touch the rolling prairies of this great and glorious state and change them from a barren waste to fields of flowing grain and forests of golden corn. You have watched the hardships of the past melt into the luxuries of the present. You have watched the progress of business enterprise from a mere nothingness to a mammoth inestimability. Our progress has been simply wonderful. Few could have foreseen it. Whittier once pictured it in poetry but subsequent advancement has made even that inadequate:

“Behind the scarred squaw's birch canoe
The steamer smokes and raves;
And city lots are staked for sale
Above old Indian graves.”

You have seen the last log thrown upon the fireplace, you have watched the flint and steel drop into the fabled past, and generations born since then that do not know their use.

You have seen the day when the sweetest strains of music that had ever caught your ear were played upon a large coarse comb by one of the neighbor's girls while the rest of the happy crowd would wind their way down the complicated mazes of the Virginia reel. You have watched the progress in musical art from the clear guileless whistle of the farmer boy to the complex, compound, incomprehensible compositions of sounds produced by the fantastic girations of Paderewski extracted from an instrument that resembled very much in appearance a three-cornered billiard table with the cover raised to prevent his tearing the insides clean out of it and scattering them to the four winds of heaven. You have seen the day when the rate of speed for travelers was four miles per hour by ox team, you increased the rate by half when the horse displaced the ox; you made another gain in speed when the stage coach came in use, and now you step into a steam heated palace car and see the landscape dancing by at the rate of sixty miles per hour.

You have seen the greased rag shed its ghastly light about the room, you have seen the tallow displace it, the kerosene lamp depose the tallow dip, the gas jet burn away the lamp, and finally the wasting elements of

nature that play about the clouds in time of storm are now collected by ingenious man, to make a light so strong and powerful as to actually cast a shadow in the dazzling light of the noonday sun. You have played your part in all of these great changes. You have laid the foundation upon which could be built the great industrial structures of the present time, by formulating the government of this state upon the principles of justice and equality to all and by marking out the paths for us to follow that lead to the one great object of legislation in this state, the universal good of Iowa.

You are the pioneers of Iowa legislation; to you belong the glory of our success and the victory of our progress. "Like the peak which catches the first morning light is crowned the monarch of the hills," so the pioneer who first erects that legislative structure on principles of right so true as to stand the storms of time unchanged and unaffected is rightly crowned the monarch of our legislation.

It became your lot to occupy these seats when a dark warcloud arose to intercept the light of the southern sun. All hearts stood still with awe at sight of the terrible spectacle. Would governmental structure—state and nation—stand the storm about to fall? How that storm cloud burst, carrying death and destruction with it! Thousands went out to protect those fundamental principles of right and equality to all men; some of you left your seats in legislative halls and joined that brave and loyal throng. Many never saw again the happy fireside they left behind. I can not picture those long lines of brave and valiant men marching with fearless step to the place where that storm would burst. I do not know what happened then; you lived and witnessed it. When by the grace of God I was permitted to see the light of day, the storm had passed, and all I know is the picture impressed upon my memory as drawn by those who knew.

But I know this from the records here, that while you sat in these legislative halls you never failed to respond at once to the nation's call, and that by your wisdom, your sense of right, your patriotic loyalty to home and state and nation, that bright star which represents the state of Iowa in the field of blue of our nation's emblem, has not a stain or spot upon it, and by your untiring efforts and constant devotion, you have assisted in carrying this nation through that dark and threatening storm cloud of war into the beautiful sunshine of prosperity and peace.

I beg to bid this association, organized to perpetuate the names and memories of the Pioneer Lawmakers of Iowa, a most cordial and sincere welcome back to these legislative halls, and may you all enjoy the blessings of health, long life, and abundant prosperity.

Chairman Dungan, with very fitting remarks, introduced Hon. S. P. Yeomans, a member of the house of representatives of the Fifth General Assembly.

RESPONSE TO HOUSE OF REPRESENTATIVES.

BY S. P. YEOMANS.

Mr. Speaker and Gentlemen of the Assembly:

Not having the power of eloquence to hold you longer upon the mountain top I invite you to step down to the level plain while for a few minutes we consider the practicabilities of the situation. As I look back over my sixty-three years' experience in Iowa I am amazed at the stupendous changes that have been wrought. They seem to almost rival the mythical transformation scenes of Aladdin's lamp. I sometimes fear that the profusion of compliments with which we are honored as we come up to enjoy these biennial visitations may turn our heads and fill us with exaggerated notions as to the importance of our individual work in promoting these changes. The truth is the Almighty made Iowa, and when we came we found a veritable cornucopia of wealth awaiting our advent. We found it in the grand rivers upon our borders; in the multitude of smaller streams that meander through all parts of our territory; in the broad prairies all ready for the plow of the husbandman; in the forests of timber, in the fertile soil and salubrious climate and in the subterranean storehouses of mineral treasure planted beneath our feet.

If you would seek the really potential factor in the utilization and development of these beneficent resources you will go back to the white-covered wagons, prairie schooners, as they slowly wended their way drawn by ox teams along our trails and byways, freighted, not with pioneer lawmakers, but with pioneer farmers, their wives and children and all their earthly possessions, seeking a new home beyond the Father of Waters. In these caravans were the stalwart men who laid the foundation of the future growth and prosperity of Iowa. It was these who planted the trees whose luxuriant fruitage we enjoy to-day. They established their homesteads, built their cabins and commenced the cultivation of Iowa soil. As their numbers were increased settlements were formed and by a common impulse their combined forces erected the church for divine worship and the school-house for preparing the young for the activities of life. These settlements created a necessity for towns, villages and cities for the interchange of commodities as well as for the homes of merchants, professional men and mechanics; also for mills and factories for converting the crude products of the farm into the household necessities of daily life. The rapid increase of population and enlarged area of tillage resulted in a brief period in a surplus of grain and the surcharged granaries created a loud call for means of transportation to eastern markets, and in response to this call the iron horse came thundering across our plains, followed by others and yet others in a wild race for leadership and supremacy until the state became gridironed over with iron rails. Thus step by step by an evolutionary process we have

grown from an unexplored wilderness of a few years ago to the proud position we occupy to-day in the sisterhood of states. Now our work was to formulate laws for the regulation of society; to provide a judiciary system for the protection of individual interests, for restraining vice and punishing crime, a school system, rudimentary in its inception but a nucleus whose grand culmination was to be education for all as free as the air we breathe, a system for the equitable assessment of taxes and collection of revenues for the support of the government and such other measures as the exigencies of the times seemed to demand. Now if we have been so fortunate as to have done this work acceptably we are fully paid in the approval of the people, past and present, and have no claims to further reward or special consideration. Gentlemen, the eminent Charles Sumner is reported to have said to a younger colleague upon his first appearance at Washington, "Young man, you have come too late. We have settled all the important questions that agitated the people of this country and there only remains the humdrum routine work of congress." We do not concur in this sentiment; we believe that as the Iowa car of progress rolls onward towards a distant future whose magnificent proportions no man can picture there will constantly arise new problems to solve, new questions to settle by legislative action; there are coming before you day by day possibly as important to the interest of the state and involving as great responsibility as those which confronted us in the old days, and while it is not our province to dictate counsel or advice as to your action we may congratulate you on your felicitous opportunities for doing good work. Your luxurious environments in this grand capitol building of Iowa, enduring monument of artistic and mechanical skill, and still further we may express our honest conviction that as you enter upon the consideration of these questions you will reverently invoke the spirit of wisdom, patriotism and loyalty, that they may all be settled wisely and well, so that when you return to your constituents to render up an account of your stewardship you may receive a cordial greeting and be able to say to them we have done the best we could to promote the interests of the grand commonwealth we all love so well.

CHAIRMAN DUNGAN: Members of the house of representatives, we not only come at your bidding to-day to enjoy your welcome, but we bring with us and accompanying old age, the school boys of to-day, who will in the future occupy the places of the gentlemen on the left, and, if they behave themselves properly, may reach the place of those on the right. [Applause.] Mrs. Reynolds will now through the boys' high school club entertain you with a song, "Tenting To-night."

CHAIRMAN DUNGAN: Mr. Speaker, to the eloquence of speech and song we wish to add the inspiration of poetry, the "Builders of the State" by Iowa's poet laureate, Maj. H. M. Byers.

MR. H. M. BYERS: Mr. President and gentlemen, I regard it as a very great honor to be here to pay my tribute to a company of men who have made this state second to no state in the

republic. It was my intention at the other building to read another poem called the "Pioneers of Iowa." I see, however, where the clock stands and I know how precious are your moments, and I shall only read the latter part of what I have called the "Builders of the State." Before reading this I would like to say one thing that seems to be overlooked—untouched by the speakers who have received this company of lawmakers to-day, and that is the very general feeling that these early lawmakers—these pioneers—who lived in farmers' cabins, were no great sticks after all; that they happened to be out here, a class of poor farmers who made some laws, the best they could. I know that many of you know how vast a mistake that is. There are among us those men—this little company of men, who came from the cultivated east to those cabins; men who occupied high positions in the cultivated east; men who were lieutenant-governors, secretaries of states, and ministers. One man among these pioneers came within one vote only of being nominated for president of the United States. That was the kind of men who made these early laws, and some of that kind of men are here to-day and have spoken for themselves. Do you know that I doubt if in any company of a like number in the whole state of Iowa there could be found so many men of distinction, state and nationally distinguished, as among this little body of forty or fifty lawmakers of the state of Iowa? They built the state and this little tribute of mine I am happy to have the honor of reading before them.

THEY BUILT THE STATE.

BY S. H. M. BYERS.

'Twas scenes like this that fired our fathers' breasts
 To love of nature, and to deeds of fame;
 They built the state; still its foundation rests
 On the bed-rock they quarried when they came.
 They built the state, like her wide prairies—free;
 On truth and right her boundary lines were set.
 O men, O youths, so may they ever be—
 O sons of theirs, be worthy of them yet!
 They built the state, and when the conflict burst
 To save its life their blood they freely shed;
 In war's red lines they stood the very first,
 And honor wept o'er their heroic dead.

They built the state, and lived to see it stand
 First in all things that make a people great;
 Wealth, plenty, honor, traveled hand in hand—
 There was no good but entered at its gate.
 They built the state, more glorious than they thought,
 These simple carvers of an earlier time;
 Though rude the tools and few with which they wrought,
 The passing years have made their work sublime.
 And like in dreams they hear its praises sung,
 Its stretching seas of green and waving corn,
 Its glorious soil, whence wealth and plenty sprung,
 Land of new hopes for millions yet unborn!
 They built the state, and while its rivers flow,
 Deep, vast, resistless to yon ocean's tide,
 May love for it and its new splendors grow
 Till all the world shall see how just our pride.
 They built the state, our hands shall keep it whole,
 Proud and erect and glorious it shall be,
 Lofty its path, forever great its goal—
 Beloved one, we pledge our lives to thee.

JUDGE CARR: Mr. Speaker, while we are lawmakers of Iowa it would be that simple phrase, it constitutes the title page of the story of Iowa's past. It is true, as was said by the gentleman from Lucas that "God made Iowa," but the pioneer lawmakers of Iowa in no small degree were privileged to make Iowa all that her Indian appellation signifies "This is the Land." Time will not permit that I should recite in detail the deeds of these men by which Iowa has been made rich and the evidences of which we must see to day upon every hand. To their wisdom and foresight and patriotism we are indebted for our free school system by which every boy and girl may obtain an education, and which has given to Iowa a smaller percentage of illiteracy than any other state in the union. To them is due the fact that the married woman of Iowa to-day is emancipated from the common law disabilities from which she formerly suffered, stands to-day before the law the equal of her husband in every respect, so that she may make contracts, buy and sell property and conduct business. To their wisdom and great-heartedness we are indebted for a system of exemption laws by which the home and the family are protected from the improvidence or the misfortune of the husband and father. To them we owe the code of 1851 and the revision of 1860, by which the complicated, intricate machinery of the common law procedure in courts of justice was forever put away among the musty relics of the past, and the broader, more equitable, simpler and

more efficient method of court procedure was inaugurated. To them we owe the fact that Iowa has been honored by being represented in the highest legislative body of this nation by such grand and noble men as James Harlan, James W. Grimes, Samuel J. Kirkwood, Iowa's great war governor, and George G. Wright, whose great mind and great heart has made his name a household word that will last as long as time shall exist. I wonder if there are any here present to-day who were members of that legislature which held its memorable special session in the early summer of 1861, when, after one of the most heated, one of the most acrimonious, one of the most bitter and partisan controversies that ever took place in the legislative hall of the state of Iowa, voted \$800,000 to put Iowa on a war-footing, thus enabling our infant state to perform her part in the great war for the preservation of the union. Pioneer Lawmakers, I do not believe it is true that you have had your pay for what you have done and that you are now entitled to be no longer considered. That is not the feeling of the people of the state of Iowa. You did a great and a good work and you will be held in grateful remembrance by the people of the state of Iowa so long as it shall remain a state. In the poetical language of one of Iowa's gifted sons, "So long as its great cycle runs, and nations weep their fallen ones she will not forget her patriot sons." Mr. Speaker, I can pay no higher tribute to our guests of to-day than to indulge the fond hope that we, of the Twenty-eighth General Assembly will prove worthy of the example which they have set us. [Applause.]

CHAIRMAN DUNGAN: Mr. Speaker, all ambition has not yet departed from these friends on the right. We are not disposed to be outdone by your generosity. I notice a gentleman who was discovered a good many years ago at Keosauqua, the hotbed of the great statesmen of Iowa, the "Nourse" of one political party in this state. I call upon the Hon. C. C. Nourse for a response.

MR. EVANS: Our co-laborer, C. C. Nourse, was a member of the third house. I believe he is thoroughly versed in that.

C. C. NOURSE: Mr. Speaker, this is an imposition on me. Someone did suggest to me as we started over here that I might possibly be called-upon on this occasion to make a speech, and I begged off and told them that I was not prepared, or had not thought of such a thing, and he complimented me by saying that I was an old fool that never could make a speech if I

had notice of it beforehand, and the only chance of getting a speech that would be worthy of the occasion would be to surprise me. I hardly know what I am called upon to respond to. I said to my Brother Ross as we came into the hall that posing as a relic was not my forte. [Laughter.] I do belong nominally to the Ancient Lawmakers' association, or the Pioneer Lawmakers' association, but I am not the youngest member of that body, and I am not worthy to represent their age, or their dignity, or their wisdom. I hope some day in the far future that I will attain that age and experience in life that I would be able to say something on an occasion like this that would be worthy of your consideration. You ought to call upon our ancient friend yonder, the Melchisedec of our association, our friend Parvin, who interested us much the other day in our society in giving us the account of the early history of the territorial government. I call him the Melchisedec because he is without beginning, and, I trust, without end of days. [Applause.] Before Iowa was he was. [Laughter.] Whether he will survive Iowa or not I do not know. [Laughter.] I recollect of being present on several occasions like this in years past when the members of the legislature talked about the matter of these ancient lawmakers falling.

One gentleman from this party who addressed us to-day said to us that two years hence some of us would be in our graves. The remark was not received with enthusiasm. [Laughter.]

I was glad, indeed, to hear from several members of this honorable body who addressed our association who are the sons of some of the older pioneer lawmakers of this state. There is no higher duty that a man owes to his state, after giving his own services to the state, than that of furnishing a boy that can take his place in society, in his lawmaking and law enforcing duties as well, and I am glad that the older lawmakers have left these younger men in their own sons, their own blood, their own flesh to carry on the great work that they begun. I never believed that the early settlers of Iowa were accidents; I never believed that they came to Iowa by accident or by chance. I always was taught to believe, and do believe in a special providence that develops the history of nations. This great meadow lying between the two great rivers of this continent that was reserved for settlement by a Divine Providence was settled by men who were called here by Him. Did you

ever think of that particular feeling that sometimes comes over the young man in the early days of his manhood, that prompts him to get out from the land of his birth and go west for a new purpose? When God in His providence wanted to make a great nation and a great people to whom did He commit His ark to preserve a civilization that would recognize Him. He went down to Mesopotamia and said to a young man there "get out from the land of thy fathers and go to a land that I shall show thee." and the young man went west. He came to the source of the Mediterranean and the voice said to him "I will make of thee a great people and a great nation." It was that same voice that called for men that settled Iowa who had homes, come west from eastern states. You may call it an impulse; you may call it an inspiration; you may call it what you will, but it was not an accident. It was the fulfillment of a great and a divine purpose. Iowa to-day is the fulfillment of that great divine purpose and not an accident. These, my brethren and friends, so many of you; these pioneer lawmakers of Iowa are here to-day simply for the fulfillment of that purpose. They have, I believe, done their duty and done it well, and to you, in the providence of God is permitted the great work of carrying forward the civilization that they have begun. [Applause.]

CHAIRMAN DUNGAN: However pleasant these associations, the time to quit must come. We have a little business yet to be done and the time is limited to do it, and therefore we bid you farewell.

After leaving the house of representatives the Pioneer Lawmakers' association met at the office of the custodian of the capitol building. The Committee on Resolutions offered the following, which were unanimously adopted:

Resolved, That in the death, on the morning of the 13th instant, of Mrs. Frank A. Sherman, daughter of the beloved president of this association, there has come to us a personal sorrow and sincere regret that in this providence we have been deprived of the genial presence, wise counsels, and strong administrative abilities of our president for the current biennial meeting of the association.

Resolved, That we remember with much pleasure the hospitality extended us two years ago by our young hostess, the deceased, and her husband, in charge of the elegant home of her father, our president, and cannot but deeply feel her untimely and unexpected death.

Resolved, That we tender to our president, Hon. Hoyt Sherman, our heartfelt sympathy in this bereavement, and assurance of our affection and kind wishes for his continued health and strength in the years to come.

Resolved, That we recognize with thankfulness his labors toward making this meeting a success, and his untiring devotion to the interests of the association in the years that are past.

Resolved, That it is with much interest and satisfaction that the Pioneer Lawmakers' association has accepted the tender of the initial occupancy of the hall of the state horticultural building for its seventh biennial meeting.

Resolved, That we heartily approve of the scheme and purpose of this building, and commend the same to the conservative care of the present and future legislatures of the state.

Resolved, That we heartily thank Mrs. Reynolds and her pupils for the pleasure they have given the members of the association in the artistic rendering of the beautiful selections with which we have been favored.

The newly elected officers were duly installed in their respective positions and the president then addressed the association as follows:

Mr. President and Gentlemen of the Pioneer Lawmakers' Association of the State of Iowa:

I can assure you that had my personal wishes have been consulted you would have retained in office my illustrious predecessor for another term, a suitable reward for the efficient services that he was able to render us, and whose absence, because of death in his family, has been a source of unfeigned regret, and our sympathies extended to him in the appropriate resolutions from your committee and unanimously adopted by the association.

Having taken a part in the organization of the association and continued since an active and interested member I have learned to render due obedience to the commands of my associates when properly presented—I, therefore, accept, and with very great pleasure, the honor your preference has shown me in selecting me to preside over your deliberations the coming two years. It is no small honor to have succeeded the illustrious and honored gentlemen who have filled this position from its organization—the names of Duncombe, Johnstone, Wright, Scott and Sherman will go down through the lines of the history of our state for the illustrious services they were enabled to render it. From the first I have looked upon this association as one of the permanent institutions of the state, serving, as it does, to bring the members of the earlier legislative and general assemblies of the state, with its executive and judicial officers, into closer touch and greater harmony with those who are serving the public at the present day. The valuable papers which have been presented from time to time and incorporated in our proceedings published by authority of the state and so made the permanent records of its progress in the past and its hopefulness for the future, have served to keep in the memory of the people the services and the deeds of those engaged in an early day in the state building and the laying of the foundation upon which subsequent laborers have builded.

Among the more prominent services rendered the public by this association has been its service in the collecting and preservation in permanent form of the historical data relating to the state, and later in securing the erection of a historical building for their preservation, a building in which we have held our present sessions, and for its enlargement we have

labored, we trust, with success, and which will continue through coming years a monument to the foresight and the wisdom of the Pioneer Law-makers and their successors in the great work of perpetuating the glorious history already made and the encouragement given to our successors in the great work in which they are at present engaged.

Time has dealt heavily with our membership, and of those who wrought so faithfully in the territorial days but two or three remain, and of the earlier years of the state their numbers are but few and limited; even of our associates who met with us in 1886 a large number have passed over the dark river. The membership in the constitutional convention so recent as 1857, under which we are now living, may be counted upon the fingers of a single hand; and when two years later the association shall assemble in the more completed hall in which we have met, in all human probability several of those who have greeted us upon this occasion will be absent, for their whitened locks and feeble steps indicate that while time has dealt gently with them its years are the more easily numbered.

It will be my earnest and constant endeavor to further the best interests of the association and so to conduct its affairs that your confidence may not be misplaced. Should providence spare my life and enable me to meet with you again I shall hope to meet not only those who have assembled with us upon this occasion, but many others, even some who have never met with us of the earlier periods in our history, and that in the meantime the blessings of Heaven may rest and abide with each and all of you is the fervent prayer of my heart, for I love the brethren; I honor their services and rejoice with them in the success that has followed their labors in the growth and the prosperity of our beloved Iowa. I thank you again, gentlemen, and wait the closing moments of our session.

After singing "Auld Lang Syne" the president declared the association adjourned *sine die*.

**REGISTER OF MEMBERS IN ATTENDANCE AT THE SEVENTH SESSION OF THE PIONEER LAW-
MAKERS' ASSOCIATION, FEBRUARY 14-15, 1900.**

NAME.	POSTOFFICE.	STATE.	No. years in Iowa.	PLACE OF BIRTH.	DATE OF BIRTH.	CHARACTER OF OFFICIAL SERVICE, AND TIME SERVED.
Charles Aldrich.....	Des Moines.....	Iowa.....	43	New York.....	Oct. 2, 1838	Clerk Iowa H. Rep 1860, 1862, 1866-70. Member, 1863-64.
Isaac Brandt.....	Des Moines.....	Iowa.....	44	Ohio.....	April 7, 1827	Deputy Treas. of State 1867-73. H. Rep. 15th G. A.
Samuel McNutt.....	Muscatine.....	Iowa.....	46	Laundry, Ire...	Nov. 21, 1826	H. Rep. 1864-70; S. 1870-74. U. S. Consul to Venetia 1890.
Daniel A. Poorman.....	Des Moines.....	Iowa.....	44	Ohio.....	Aug. 6, 1831	Deputy Treasurer of State 1861-62.
S. P. Yeomans.....	Charles City.....	Iowa.....	63	New York.....	Jan. 23, 1832	Rep. 5th G. A. Private 1st Iowa; Major 25th Iowa.
Harry O'Conner.....	Muscatine.....	Iowa.....	51	Dublin, Ireland.	July 26, 1820	Attorney-General 1863-72.
C. J. A. Erickson.....	Boone.....	Iowa.....	41	Sweden.....	Mar. 3, 1840	H. Rep. 1872; S. 1896-99, 26th and 27th sessions.
E. S. Finkbine.....	Des Moines.....	Iowa.....	49	Iowa.....	July 9, 1828	Member of 10th and 11th G. A.'s, Supt. of Capitol Bldg.
Lafayette Young.....	Des Moines.....	Iowa.....	51	Iowa.....	.....1848	S. 15th, 16th, 17th, 18th, 21st and 22d G. A.'s.
Lewis W. Ross.....	Council Bluffs.....	Iowa.....	46	Ohio.....	.....1827	S. 10th and 11th G. A.'s.
J. H. Powers.....	New Hampton.....	Iowa.....	46	Vermont.....	.....1830	S. in 1860.
A. O. Fulton.....	Davenport.....	Iowa.....	56	Pennsylvania.....	.....1811	S. in 5th G. A.
Geo. L. Godfrey.....	Des Moines.....	Iowa.....	45	Vermont.....	.....1833	Member of H. Rep. 1866.
A. L. Friabee.....	Des Moines.....	Iowa.....	29	New York.....	.....1832	
John Scott.....	Des Moines.....	Iowa.....	44	Ohio.....	.....1824	S. in 1860-66. Lieutenant-Governor in 1866.
L. L. Ainsworth.....	West Union.....	Iowa.....	44	New York.....	.....1831	S. 8th and 9th session; Rep. 14th session.
A. B. F. Hildreth.....	Charles City.....	Iowa.....	44	Vermont.....	.....1816	State B'd of Education four years. Member 10th G. A.
C. C. Nourse.....	Des Moines.....	Iowa.....	49	Maryland.....	.....1829	Cl'k of 4th G. A. Sec. of S. 5th G. A. Att'y-Gen. 1861-65.
J. M. Otis.....	Des Moines.....	Iowa.....	43	Pennsylvania.....	.....1833	Sergeant-at-Arms Senate.
E. F. Brockway.....	Iowa City.....	Iowa.....	58	Pennsylvania.....	.....1834	Member 15th G. A.
T. S. Parvin.....	Oedar Rapids.....	Iowa.....	63	New York.....	.....1817	Priv. Sec. to Gov. Lucas 1838-39. Sec. of Council 1840. Reg. Land Office 1857.
B. F. Gue.....	Des Moines.....	Iowa.....	48	New Jersey.....	.....1823	Member of H. Rep. 1858-60; S. 1862-64. Lieut.-Gov. 1866-68. U. S. Pension Agent 1873-81.
Wm. O. Evans.....	West Liberty.....	Iowa.....	44	New York.....	.....1832	Member 13th and 14th G. A.'s.
Jno. M. Davis.....	Des Moines.....	Iowa.....	45	Ohio.....	.....1831	Deputy Sec. of State 1854-65. Deputy Reg. State Land Office 1867-91.
P. M. Cassidy.....	Des Moines.....	Iowa.....	53	Indiana.....	.....1818	Member of S. 2d and 3d G. A.'s., 1848-50.
B. F. Keables.....	Pella.....	Iowa.....	48	New York.....	.....1828	Member S. 18th and 14th G. A.'s.
J. L. McCormick.....	Knoxville.....	Iowa.....	42	Ohio.....	.....1836	Rep. 10th G. A. Senator 14th-17th G. A.'s.
Warren S. Dungan.....	Chariton.....	Iowa.....	44	Pennsylvania.....	.....1832	Senator 9th and 24th G. A.'s. Rep. 18th and 19th G. A.'s. Lieut.-Gov. 25th G. A.
Louis Hollingsworth.....	Des Moines.....	Iowa.....	45	Ohio.....	.....1831	Rep. 9th G. A.
Chas. Linderman.....	Clarinda.....	Iowa.....	45	New York.....	.....1829	Rep. 11th, 24th and 25th G. A.'s. Cl'k Sup. Court 1867-75.
T. B. Perry.....	Albia.....	Iowa.....	49	Ohio.....	.....1832	Member S. 24th and 25th G. A.'s. B'd Education 1858-60.
Wm. H. Fleming.....	Des Moines.....	Iowa.....	45	New York.....	.....1835	Deputy Sec. of State 1867-69. Priv. Sec. to Gov. 1869-82, 1896-98.
Owen Bromley.....	Des Moines.....	Iowa.....	43	Wales.....	.....1825	Member House 1864. Sergeant-at-Arms H. 18th G. A.
Frank M. Davis.....	Corning.....	Iowa.....	45	Ohio.....	.....1831	Fourteenth General Assembly.
D. N. Sprague.....	Wapello.....	Iowa.....	45	New York.....	.....1832	Seventh General Assembly.
J. F. Hopkins.....	Madrid.....	Iowa.....	46	Ohio.....	.....1831	Thirteenth General Assembly.
Chas. C. Horton.....	Marshalltown.....	Iowa.....	50	New York.....	.....1831	Fifteenth General Assembly.

HONORARY MEMBERS.

NAME.	POSTOFFICE.	STATE.	No. years in Iowa.	PLACE OF BIRTH.	DATE OF BIRTH.
Mrs. Saml. J. Kirkwood.....	Iowa City.....	Iowa.....	45	Ohio.....	.....1825
Mrs. C. C. Carpenter.....	Ft. Dodge.....	Iowa.....	45	.....	.....1835
Mrs. Julia A. Hildreth.....	Charles City.....	Iowa.....	44	Maine.....	.....1834
Mrs. Wm. E. Miller.....	Des Moines.....	Iowa.....	50	Pennsylvania..	.....1829
Mrs. Dr. T. K. Brooks.....	Des Moines.....	Iowa.....	55	Ohio.....	.....1826
Flora Wright.....	Des Moines.....	Iowa.....	42	Iowa.....	.....1857
Mrs. Mary C. Davis.....	Des Moines.....	Iowa.....	56	Ohio.....1839
Mrs Peter Cassell.....	Madrid.....	Iowa.....	50

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