

Pioneer Lawmakers in Session

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ISRAEL A. SMITH

President Pioneer Lawmakers Association of Iowa
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PIONEER LAWMAKERS IN SESSION

By EMORY H. ENGLISH, Secretary

The Twenty-ninth biennial session of the Pioneer Lawmakers Association of Iowa convened in the portrait gallery of the State Historical building, at Des Moines, March 12, 1947, at 9:30 A. M., with President Israel A. Smith presiding. He served in the House of Representatives in the Thirty-fourth General Assembly in 1911 and now resides at Independence, Missouri, being the president of The Reorganized Church of Jesus Christ of Latter Day Saints.

The invocation was given by the Rev. Tom Fogelson, pastor of the Capitol Hill Christian church, as follows:

"Vouchsafe Thy blessing, dear Lord, upon this organization, this institution, and the efforts of this day. We pray Thee, Lord, that the very word "Pioneer" may awaken a memory of association and give buoyancy to our spirit for a better statehood and for a better way of life, and Thy blessing, Lord, upon all the things that point for good. We pray in Thy name. Amen."

The secretary read a list of those who by reason of their official service twenty or more years ago at this time had become eligible to membership in the association, introducing those of the group who were present. The total members present was about sixty, with a group of guests in addition.

The president suggested that respect be paid to those members who had died since the sessions of 1943, no meeting of the association having been held in 1945 on

account of war restrictions governing travel and meetings.

President SMITH: Mr. English, our secretary, has a list which he now will read of those members recorded as having died during the years since our last meeting—probably not entirely up-to-date, because after the notice came of this meeting I received a card notifying me of the death of a member. Governor Blue will be here at 9:45. We will try to get through with some preliminaries in the meantime.

Secretary ENGLISH: It is difficult to keep a complete and accurate record of the membership of this association, because like other people, we move about, and do not always continue the same postoffice address year after year. A large number of former Iowa legislators pass away each year. The list today is longer than that read of members newly eligible, and includes several whose service dates back to early sessions. One, William J. Stewart of Polk county, was a representative in the Twenty-third General Assembly, his service beginning in 1890, antedating that of any other member here listed or any still living. The list of those who have died during the four year period includes:

LEGISLATIVE MEMBERS DECEASED SINCE LAST MEETING
(Date given is Year of First Service)

Name	County	Sessions Served	First Year
William J. Stewart.....	Polk	R 23	1890
Henry T. Saberson.....	Buena Vista	R 24, 25,	1892
Olaf M. Olson.....	Webster	S 24, 25,	1892
William H. Klemme.....	Winneshiek	R 25, 26, 27	1894
		S 42, 43, 44	
John L. Wilson, Sr.....	Clinton	R 25, 26, 26x	1894
		S 27, 28, 29, 30,	
		31, 32, 32x, 33,	
		34, 35	
Frederick O. Ellison.....	Jones	R 25	1894
		S 26, 26x, 27	
Chas. F. Johnston.....	Franklin	R 26, 26x, 27	1896
		S 41, 42, 42x	
Claude R. Porter.....	Appanoose	R 26, 26x, 27	1896
		S 28, 29	

PIONEER LAWMAKERS OF IOWA

Name	County	Sessions Served	First Year
Rush G. Clark.....	Hamilton	R 27, 28	1898
John P. Cruikshank.....	Lee	R 28, 29	1900
Thos. A. Way.....	Hancock	R 28	1900
Gardner Cowles	Kossuth	R 28, 29	1900
A. W. Hamman.....	Scott	R 29	1902
M. H. Calderwood.....	Scott	R 29	1902
Byron W. Newberry.....	Clayton	S 30, 31, 32, 32x, 37, 38, 39, 40, 40x	1904
John H. Jackson.....	Woodbury	S 30, 31, 32, 32x	1904
John C. Bonwell.....	Audubon	R 32, 32x, 33	1907
John T. Clarkson.....	Monroe	S 33, 34, 35, 36	1909
H. H. Boettger.....	Scott	R 33, 34, 35	1909
Fred H. Hunter.....	Polk	R 33	1909
John M. Brockway.....	Louisa	R 34, 35	1911
Frank S. Shankland.....	Polk	R 34, 35	1911
Arthur G. Pickford.....	Cerro Gordo	R 34, 35	1911
Joseph R. Frailey.....	Lee	S 36, 37, 38, 39 42, 42x, 43, 44, 45, 45x	1915
Peter J. Klinker.....	Crawford	R 36, 37	1915
Fremont E. Shortess.....	Tama	R 36, 37	1915
Chester W. Whitmore.....	Wapello	S 36, 37, 38, 39	1915
Charles C. Helmer.....	Carroll	S 36, 37	1915
Seth B. Durant.....	Hancock	R 36, 44, 45, 45x	1915
Jas. E. Craven.....	Jasper	R 36, 44, 45, 46, 47	1915
Addison M. Parker.....	Polk	S 36, 37, 38, 39	1915
Henry Edgington.....	Monona	R 37, 38, 39	1917
John K. Hale.....	Jones	R 36 S 37, 38, 39, 40, 40x	1917
H. S. Van Alstine.....	Pocahontas	S 37, 38, 39	1917
C. B. Santee.....	Blackhawk	R 37, 38, 39	1917
J. S. Garber.....	Floyd	R 38, 39, 40, 40x	1919
B. M. Stoddard.....	Woodbury	S 38, 39, 40, 40x, 41, 42, 42x, 43, 44	1919
Charles L. Gunderson.....	Pocahontas	R 38, 39	1919
H. A. Darting.....	Harrison	S 39, 40, 40x, 41, 42, 42x	1921
Daniel A. Emery.....	Wapello	R 39	1921
A. V. Brady.....	O'Brien	R 39, 40, 40x	1921
Warren A. Caldwell.....	Mahaska	S 39, 40, 40x	1921
Lee O. Wolfe.....	Kossuth	R 39	1921

Name	County	Session Served	First Year
John M. Ramsey.....	Butler	R 39, 40, 40x S 41, 42, 42x	1921
Charles A. Hollis.....	Blackhawk	R 40, 40x, 41, 42, 42x, 43, 44	1923
Charles Rhinehart	Dallas	R 40, 40x, 41	1923
Ward B. Smith.....	Chickasaw	R 40, 40x, 41	1923
W. E. G. Saunders.....	Palo Alto	R 40, 40x, 41, 42, 42x	1923
John G. Hempel.....	Clayton	R 40, 40x, 41, 42, 42x	1923
E. E. Cavanaugh.....	Webster	S 41, 42, 42x	1924
John C. Bauer.....	Washington	R 41, 42, 42x	1925
F. M. Harrison.....	Clarke	R 41, 42, 42x	1925
R. J. Higgins.....	Greene	R 41	1925

OTHER OFFICIAL MEMBERS DECEASED

Name	Residence	Position	First Year
George E. Delevan.....	Jones	Fish Comm'r	1894
Clifford P. Smith.....	Mason City	District Judge	1900
Frank P. Woods.....	Estherville	U. S. Repr.	1908
David E. Hadden.....	Alta	Phar. Comm.	1909
Edw. P. Schoentgen.....	Pottawattamie	Bd. of Ed.	1909
Burgess W. Garrett.....	Des Moines	Sup. Court Clk.	1910
Clarence Nichols	Vinton	District Judge	1910
George F. Kay.....	Iowa City	St. Geologist	1911
John W. Kintzinger.....	Dubuque	District Judge	1911
Christian W. Ramseyer.....	Bloomfield	U. S. Repr.	1915
Homer A. Fuller.....	Mount Ayr	District Judge	1917
Wm. H. Gemmill.....	Dallas Center	Sec. Bd. of Ed.	1917
Henry F. Wagner.....	Sigourney	District Judge	1919
Smith W. Brookhart.....	Washington	U. S. Senator	1922
W. L. Eichendorf.....	McGregor	District Judge	1926

Secretary ENGLISH: It is important that we have a correct record, and if any present know of any other names that should appear in the necrology report they will be included.

The president suggests that I make particular mention of the death of our Past President H. S. VanAlstine, of Gilmore City, who presided at the meeting in 1941. He was a vigorous individual when at the last meeting and seemed to be one of the last we would think would

go; but his was one of the early deaths following the meeting four years ago.

President SMITH: With several hundred ex-members of the legislature it is to be expected that there will be a large list of those who have passed on from year to year. There are a large number in the list read that we mourn as personal acquaintances. Since we have lost an ex-president, with your indulgence the chair will appoint Judge Scott and Mr. Anderson to prepare resolutions with respect to the passing of Past President VanAlstine, to be presented later in the sessions.

In the meantime, until Governor Blue arrives, Mr. English will read some of the letters from those who are not able to be here today.

LETTERS FROM MEMBERS

Secretary ENGLISH: There are several of more especial interest, being more than simple regrets. One is from Senator Titus of Muscatine, who is one of the oldest living members of the association. He says:

I do not think the association ever had a meeting that I wished to attend as much as this one. While I am in my usual good health and come to the office everyday except in the severe cold weather, some recent dental work not completed will interfere, and I will not be there. I had hoped to ask for the privilege of telling the joint session some historical facts which I think they ought to know and I am quite sure they would be interested in, but I guess I will have to wait until some other meeting. I am now nearer ninety-one than ninety. My birthday will be the 19th of May. My physician tells me if I watch my step I may reach the century point. That makes me feel quite sure I can attend the next meeting. (Senator Titus died at his home in Muscatine, April 9, 1947. His obituary appears in the Notable Deaths section in this magazine.—Secretary.)

Please express my good wishes to the members and tell them I hope to meet them at the next session. What I had intended to tell the members of the joint session of the legislature are some things that no living man knows except myself. Some of it is rather humorous, but important.

Here also is a portion of a letter from J. O. Kasa, of Wallingford, saying:

It would have been a pleasure to meet with you folks at this time and show what a tough, long-lived guy can do. But it will be impossible. As near as I know, I am the only living member of the Twenty-fourth General assembly (1892) A meeting of any kind is not of much value, only as to what I can see, as I am nearly totally deaf. It would have been a pleasure to give the gathering in the General Assembly House a little talk. . . .

And one from Wm. G. Kerr of Grundy Center, reminisces a little, saying:

I have looked forward to this meeting this year with pleasure and satisfaction But I am not sure that I can be there. I judge you find there are not very many alive who will be present at this meeting who served with us forty-seven and forty-five years ago. It was forty-seven years ago this winter when I was a member of the Twenty-eighth, and then forty-five years ago in the twenty-ninth when I served with you. We have long been friends, I voted for Allison's return in 1902, as you did, and also for J. P. Dolliver, who had been appointed U. S. senator by Governor Shaw. I voted for John H. Gear to succeed himself as senator after he had defeated Cummins in the caucus, and then Cummins only a private citizen. But in January, 1902, Cummins became governor.

I consider it was a special privilege for me to serve through two sessions of the legislature with George W. Clarke, who later became an honored governor. He was a fine type of a man, and then there was H. W. Byers of like stature. There were many others, and to have come in contact with them was an opportunity for appreciating values.

Another good letter comes from Ora Williams, a former secretary of this organization. Since retiring from the Curatorship of the State Historical department he has been residing at Decatur, Georgia, with one of his daughters, but I apprehend is living many of his days in Iowa over again in pleasant reflections. He says:

The Pioneer Lawmakers Association of Iowa has been for more than fifty years the sparkhead of a sincere movement looking to the preservation of the basic materials of Iowa History. To this association, more than any other, Iowa owes its beautiful Historical building with its priceless collection of Iowana. The association should be kept to a high standard and its activities be continued for the good of all.

It was my duty as a local reporter to make a news story of the first meeting, and I have never slackened my interest in its work.

The zeal and enthusiam of the founders has carried over into the years.

Other letters in shorter expression voiced regret of the inability of the writers to be present at this meeting.

President SMITH: I had the pleasure of visiting Senator George A. Wilson three weeks ago in his office in Washington. He was mindful of this meeting which was about to be held, and said for me to "tell them that there is an old fellow down here that would like to be there."

Senator RAY P. SCOTT: Just for a minute and before you proceed, and before you close the greetings, a word from Senator Van Law of Marshalltown. I saw him a couple of days ago and he told me to be sure to bring his best regards to those in this meeting who knew him. I fear that the senator is upon his death bed. He is not expected to survive long. But he remembered that this occasion was to be in a few days and he asked me to bring a greeting from him to those who would remember him, and I am very glad to do so.—Senator Van Law died at his home in Marshalltown, April 20, 1947. His obituary appears in the Notable Deaths section of this magazine.—Secretary.)

President SMITH: The chair now appoints the following committee on nominations: Senator Henry L. Adams, Senator Leslie E. Francis and Representative Frank M. Hanson.

ADDRESS BY GOVERNOR BLUE

The president named a committee consisting of Senators Chas. F. Clark and John M. Lindley to escort Gov. Robert D. Blue to the speaker's station, who was presented to the meeting by President Smith. The governor addressed the meeting as follows:

Gentlemen, it is a pleasure to be here this morning. Before I came over my wife said, "You are almost a pioneer lawmaker yourself," and I guess that that is rapidly becoming true, because

it won't be many more years before I shall have the privilege of joining your distinguished body.

It is a great privilege to be here and to greet you, and in the few words that I have to say to you I would like to point out one or two things that perhaps we all might be thinking just a little bit more about than we have been.

In every man's life and in every nation's life there always come periods of stress and strain and of particular importance, where men as well as nations determine the course which they shall follow. We have had some of those periods in the history of this nation, such as the Revolutionary war, the War of 1812, the Civil war, the Spanish-American war, and of course this last World war.

Today not only is the nation trying to map out for itself a new course to follow, but every local community, every state, and the world as a whole is finding itself in the position that it must reconsider the relationships which have heretofore existed, and to adapt itself to these new conditions. Whether we like it or not, here in America today we find ourselves more or less in the position of a receiver or a trustee for modern civilization, a civilization that is more or less bankrupt. It is financially bankrupt, economically bankrupt; it is socially bankrupt, it is morally bankrupt, it is politically bankrupt. We are at the crossroads where men are going to determine what the philosophy of government is that is going to prevail here in this world of ours in the generations that lie ahead.

SELF GOVERNMENT ON DOWN GRADE

For the last seventeen, eighteen, yes, more than twenty years, the cause of representative self-government has been on the down grade throughout the world. In Russia after the revolution representative self-government failed. In Germany after the war a republic was set up, and it became politically and socially and economically bankrupt and failed. Before this last World war broke out self-government in France was on the decline—the inability of men to agree, for the little factions to get together and iron out their differences.

The growth of Socialism and Communism were to a very substantial degree responsible for the failure of France to defend itself against the aggression of Germany. In Spain the republic failed and a dictator was set up. After less than a hundred years of experience representative self-government failed in Italy and Fascism became the style there, became the father of all the dictatorial governments that have spread throughout the world. In Japan self-government failed and a military clique took over the

administration of civil affairs and plunged that country into war. In China dissensions between the Communists and the other groups led to civil war.

In England following this war there has been a steady decline of representative self-government and a definite drift toward Socialism. And here in the United States of America following the economic depression which we suffered along with the rest of the nations in the world there has been a steady decline of self-government and individual responsibility on the part of individual citizens and local communities until today men individually and local government individually are too often looking to the state and the nation for solution of financial problems and other problems which beset them.

ECONOMIC ILLS FOLLOW UNBALANCED BUDGET

So, I say to you today, we stand at the crossroads of determination, and at the basis of this problem we find the question of financial structure involved. Looking to Italy, which became the first of the nations to turn to the Fascist form of government, we find that a man by the name of Depretis became the philosopher who sold the people of that country and the leaders of that country upon the philosophy of borrowing and spending, and for forty-six out of the sixty-six years immediately preceding the rise of Mussolini to power Italy operated upon an unbalanced budget.

For you gentlemen who want to study the story, I recommend that you get the book by John Flynn, "As We Go Marching Along," and pursue the story of Italy's financial wreck.

And if you will look toward Germany and reflect for a moment upon what happened there. If you will recall, it was the failure of the Austrian bank which plunged Europe into economic chaos, as the failures of the banks here in America plunged America into economic chaos.

You will remember that the then president of the United States called an economic conference in London. I think you will recall the election in 1932 when there was a change of administration in the United States government at that critical time and the fact that the president-elect refused to confer with the acting president with reference to the economic crisis which confronted the United States and the world, refused to endorse or help the London Economic Conference, scuttled it, went out on a sailing boat and said "That's not my baby," and within sixty days Hitler rose to power in Germany, to recall that the economic question is of paramount importance in restoring order to this world.

CRISIS CONFRONTING STATE

Now it is of importance here in the United States in a major way, and it is of particular importance over on the hill in the legislation that is now being considered there. For just a moment I would like to outline the crisis which I believe is confronting state and local government here in America in this year 1947.

A year ago—a year ago in April, as I recall it—the Secretary of Commerce of the United States of America issued a statement to the effect that wages could be raised eighteen per cent without increasing prices—a statement which he later repudiated and attributed as having come from a hireling in his department. Nevertheless, his philosophy was adopted by the United States government as a guide in the settling of the economic disputes then current in this nation.

With the adoption of that philosophy of economy the financial structure of every state, every county, every city, every school district in America was weakened and undermined, and in so weakening and undermining the financial structure of local government, local government itself was undermined. It was undermined because the resultant increase in the price of both labor and goods inflated the cost of every unit of local government; and it thus became particularly important to the units of government below the state level because those units of government are dependent almost entirely upon property taxes for their support. Property taxes are comparatively an inelastic sort of revenue.

What has happened? A year ago this month, almost to the day, I was in California and visited with the Mayor of Los Angeles. The city of Los Angeles then was facing stringent financial conditions and was seeking for new sources of revenue. The result of this economic action has been that every major city in America has been placed in economic distress. They are turning to city income taxes, wheel taxes, occupational taxes, cigarette taxes, business taxes, sales taxes, liquor taxes of all kinds with which to secure sufficient revenue to carry on the services and functions which local cities furnish to their citizenry.

What has been the net result? Throughout the nation, because of the tremendous increase in the wages of labor, the white collar workers, including those who work for cities and county governments and school districts, have found themselves placed between an economic pincers to a degree that many of them found it necessary to leave the employ of local government and seek employ in industry. This brought on a crisis in education, and today throughout America school districts are clamoring for additional funds with which to carry on education.

THE PICTURE IN IOWA

What is happening in Iowa? This is what is happening in Iowa. This is the picture in Iowa. Two years ago your legislature saw the impending crisis. They levied an additional gasoline tax and divided it between the counties and the cities—units of government that were dependent upon property taxes for support. They recognized the problem in your school districts and they gave to them additional support for the operation of schools. They set up a Tax Study committee to study the problems of the support of local government, and that committee made an exhaustive study and report to this session of the legislature.

Now this present current session of the legislature, realizing the financial distress which continues in local units of government, is struggling to meet and to solve that problem by considering such legislation as additional aid to cities and towns. Some of that has already been passed by the way of giving cities and towns a percentage of the receipts from the sale of hard liquor. It has been recognized in another way by the passing through the house a bill refunding to cities and towns up to twenty-five mills the amount of military exemptions. It has been recognized by the passage in the senate of the county assessor bill, recognizing that a more uniform and a more equitable means of assessment would raise more money for local units of government and recognizing the fact that if the state of Iowa were to enter into the field of subsidizing local governments on a large scale that there would have to be equality of assessment, especially in view of the experience of the last two years resulting from the supplemental aid given schools, where one county, Ida county, received as little as \$41.78 in supplemental aid given to schools, while another county, Pottawattamie county, received in excess of \$61,000 supplemental aid for schools. That is behind the interest of this legislature and behind the recommendation of the Tax Study committee for a county assessor bill.

The economic question is likewise behind the recommendations for increased state aid for school districts. In other words, gentlemen, we have here in Iowa and we have in the nation—yes we have in the world, an economic problem which must be met and be solved. The budget of the United States of America must be balanced in order to bring solvency to local government, and local government on the county, the city level and the school district level must have aid or the burden of taxation through the property tax will become greater than can be borne.

So as you meet here as Pioneer Lawmakers the men who represent the state of Iowa today in the House of Representatives and

in the Senate are struggling with difficult economic problems as a result of the first World war and as a result of the depression following, and of this World war. The questions that they face are of major importance and of tremendous difficulty. I am sure that they will be happy to pause in the midst of their deliberations, difficult as they are, to greet you and to visit with you and to have your advice as they meet in one of the most important sessions of the Iowa legislature in the history of this state.

President SMITH: Thank you, Governor, for taking time out from your urgent business in the State House to make these remarks to us.

We feel it is a pleasure to come back here from time to time and meet in what I feel impelled to call "classic shades" and renew old associations, so close to the scene of our labors so many years ago—labors that are rapidly receding into the silent past.

There is a state song of Texas that starts, "The Eyes of Texas Are Upon You." So, when we sit here I am impressed that the eyes of noble men of Iowa are upon us. And, Governor, I hear that you have almost a state song in Iowa which is getting quite popular known as "Iowa Blues."

I think that as the representative and spokesman for the hour of this association, that to you, Governor Blue, as the chief executive of the state I can pledge our affections and our allegiance to the people, the incidents and traditions of this great state. Thank you, Governor.

THE PRESIDENT'S ADDRESS

President SMITH: I was very much surprised when the nominating committee brought in my name for president four years ago. As I said at the time, it was something that I had not even dreamed of. But all my associations up here have been so pleasant I assumed that I could probably carry on after a fashion.

We now come to a place where I am supposed to take the laboring oar. Perhaps one should have a great deal of temerity to come before a group of Iowans—one to come from another state—and talk to you about affairs most

intimately connected with this other state, and I am wondering if I can be successful in holding your interest. I will try to expedite matters as much as possible.

THE MAKING OF A MODERN CONSTITUTION

Within a few days after you honored me by electing me president of this association in 1943, I was chosen a delegate to the Missouri Constitutional Convention, which the people of Missouri in 1942 said should be held. The method of securing such delegates in Missouri is as follows: One delegate is nominated by each of the two major political parties in each of the thirty-four senatorial districts of the state and fifteen are selected at large, making in all eighty-three delegates. By an agreement between the state organizations, the fifteen at large were divided eight and seven politically, competition was thus eliminated, and when the election was held on April 6, 1943, I found myself duly elected to the convention, the Republican member from the Fifth Senatorial district. My colleague, the Democrat member, was a distinguished Missourian, Major General Edward M. Stayton, one of the military heroes of Missouri, a resident also of Independence. It happened that I was the first delegate to address the chair, when Secretary of State Brown, who organized the convention, called for a temporary president, and I got the General elected by acclamation. And on the last day I was called to the chair when the president of the convention attached his, the first signature to the perfected document. I trust you will pardon this bit of egotism.

Two years ago, when it was thought that we might meet during the session of the 1945 General Assembly, because I had so recently served in the Missouri Constitutional Convention, it was suggested that I present to this association something connected with that experience. After the lapse of two years, however, when my experience was not so fresh in memory, I entertained the idea of addressing you on a wholly unrelated subject, and had made some preparation for it, when I received a copy of today's program and found that our good friend, Emory English, had committed me to the proposition that I was to talk to you about the "Making of a Modern Constitution."

I was happy indeed to have had a part in the drafting of a new basic law for my home state. I would not claim that what we produced was either a perfect instrument or the most modern, in the light of what many idealistic gentlemen have proposed as a "model" constitution.

When the delegates assembled in September of 1943 there was much talk about "streamlining" the constitution then in force, and

I believe we did succeed in "streamlining" it in many respects; we made one major achievement at least in that the new constitution is more than eleven thousand words shorter than the old one, a reduction of thirty-five per cent.

Under the old constitution of Missouri there was a provision—which is included in the new one—that the people of the state should, every twenty years, vote on the question of whether a constitutional convention should be held. In 1920 the citizens of Missouri approved the holding of a convention. It met and, after almost two years, submitted twenty-one amendments to the old constitution. The people accepted five and rejected sixteen. Therefore it was generally conceded that that convention was a failure. This experience created a fear that we, too, might prove to be unprofitable servants. Consequently there may have been some "psychology" in the proposal that we submit what we had to offer as one complete and whole constitution so that it would be incumbent upon the voters to accept all or reject all. This we did. Our judgment was vindicated, because our work was approved by a vote of more than two to one. My colleague, General Stayton, and I carried our own senatorial district by a vote of five to one.

The convention met on September 21, 1943. We adjourned sine die on September 29, 1944. During the first two months there were presented 377 proposals which were referred to various committees, of which there were twenty. Two months or more were devoted to the holding of public hearings and after that to committee meetings until each was prepared to take action, and this was done in the nature of a committee file in which the results of all proposals considered were crystalized or consolidated or rejected.

Then began the matter of the perfection of our files. Each committee chairman handled his file on the floor of the convention and paragraph by paragraph the report of the committee was considered and amended and finally whipped into shape. Then the file went to the committee on phraseology for improvement as to verbiage and arrangement. It was then returned to the convention for a second reading, at which time final amendments could be considered and acted upon; but after that it was very difficult to have any change and the files were finally passed to a third reading, and after all files had passed this stage the document as a whole was presented and voted upon.

There was a striking unanimity in the minds of the delegates, for upon final vote, only four of the eighty-three delegates voted against the document, and only a few actively opposed the adoption when the constitution was submitted to the voters on the 27th of February, 1945.

DISTINCTIVE FEATURES OUTLINED

I shall briefly cover some of the distinctive features of the new constitution which went into effect on July 1, 1945. Incidentally we threw a tremendous lot of work on the last legislature to implement the statutes of the state to conform to the new constitution. It was in session twenty-one months.

The old article on the bill of rights we considered historic and excellent and we made but few changes. All discriminations against women have been removed, assuring them equal civil and political rights with men; provisions for protecting freedom of speech and of the press have been extended to include the radio; the right of employees to organize and bargain collectively is recognized. (One of the delegates was the state president of the American Federation of Labor.)

There was a strong movement to convert the Legislature to the one-house plan. This was rejected, largely on the theory that the county—and we have 114 of them—has always been the unit of representation in the legislature. Every county has always had at least one member, and a unicameral legislature could hardly be arranged to give each county a member.

We did provide restrictions on the conduct of legislation: One-third of the members of either house may at any time take a bill from a committee for consideration by the house itself. Each committee is required to keep a public record indicating how each member voted on every bill.

If a senator or representative accepts any lucrative employment or office under the United States, the state, or any municipality, he thereby vacates his office.

The number of petitioners required to initiate a Constitutional Amendment was increased from five to eight per cent. This was done because the state of Missouri had been put to great expense to vote on what might be called fanatical proposals; by increasing the number of required signatures, proposals not justifying the expense would likely fail.

The state had a provision for senatorial redistricting, but the question being political, the legislature had refused to act for forty years; no redistricting had been done during that time. Consequently there came about a very great disproportion of population of the various districts. This was overcome by providing a bipartisan commission which was required within a certain time to redistrict the state. Upon failure to do so, all senators would be chosen at large. This brought prompt action.

The convention struggled for some days with the matter of fixing uniform interest rates to control the evils of small loan companies.

The governor was given power to allocate each of the some seventy then existing boards and bureaus among fourteen departments.

The merit system was applied to employees in all state hospitals and penal institutions.

One of the most practical things done by us was the provision for a department of revenue. State taxes, licenses, and fees had been heretofore collected by a dozen different agencies. It is estimated that there will be a saving of a half million dollars a year as a result of this consolidation.

Provision is made that all revenues derived from highway users must be devoted to the construction and maintenance of state highways. State funds may now be used in the continuation of state and federal highways through incorporated cities and towns.

One unique provision was incorporated: Under the right of eminent domain, only the land or area actually used could be taken. We provided for "excess condemnation" by which the state can control the use of adjoining and contiguous tracts, thus preventing any private use that would destroy the beauty or usefulness of the project. It also made possible the taking of land for vistas or view purposes—for parks and scenic drives—highly desirable in our picturesque and romantic Ozark and park areas.

I was chairman of the committee on Public Health and Public Welfare and Federal Relations. I considered it quite an honor to be made chairman of a committee of such importance. Up until this time the constitution of Missouri had never had as much as one line with respect to public health and public welfare, although the supreme court had held to be constitutional many statutes under the general welfare clause of the bill of rights. Eminent lawyers of the convention threatened to thwart my plans; but we were successful, however, in perfecting a short and concise file containing a mandate that the legislature create a Department of Public Health and Public Welfare. At this time, this department so created by the legislature under the provision of the constitution, from the standpoint of service and amount of money expended, is the largest department of our state government.

Under one of the sections of our file we took all industrial and training schools, hitherto classed as "penal" institutions out from under that classification and placed them under the head of "educational" institutions under a bi-partisan board with instructors and employees operating under the merit system. A commitment to such does not make a "criminal record."

CORRECTS ABUSES OF JUDICIAL SYSTEM

In 1940 the people, by initiative, had secured the passage of a constitutional amendment intended to correct some of the abuses

with respect to our judicial system. In counties where St. Louis, Kansas City, St. Joseph and Springfield are located there had been an abuse by the appointing powers, and very frequently, especially in Kansas City and St. Louis, judges were appointed to fill vacancies—and through machine politics they were able to stay—who were anything but an honor to the state. This constitutional amendment had been attacked in 1942 in an effort to rescind it; but the voters refused to do so. Since we were considering the judicial system so soon after the people had spoken twice on it, we deemed it advisable to keep it. Under this system when a vacancy occurs by death or resignation or otherwise in these four most populous counties, the governor appoints, but he is limited in his appointment to a list of three names filed with him by a committee in each judicial district made up of one layman appointed by the governor and two members of the bar selected from time to time by the lawyers in these circuits. When any judge seeks re-election at the end of his term, in these particular circuits, he declares his intention and stands for election without an opponent, running solely on his record as a public servant. At the first election under this system in 1942, we succeeded in throwing out of office one of the political judges appointed by the governor to fill a vacancy—it happened to be the Independence division—so that the complaint, made so often during the sitting of the convention, that it “froze” judges to the bench, was well discredited. This system of appointment and running on their own records also applies to the judges in our three appellate courts as also to the supreme court of the state. It is now referred to, throughout the country, as the “Missouri System” and is receiving considerable attention.

We abolished all justices of the peace in the state and provided for courts of record known as magistrate courts. This is operating very satisfactorily and does away with the evils of justice of the peace courts where, in Jackson county, where I live, they had resolved themselves almost into “judgement for the plaintiff” courts.

All probate judges and magistrates must be members of the bar except, in the case of magistrates, one who has served as much as four years as a justice of the peace is eligible. All judges are on a salary basis and the fee system is abolished.

No appellate or supreme court judge may continue in office after he becomes seventy-five years of age.

We provided for a classification of counties in order that each county can have a form of government suited to its wealth and taxable property, each county to make its own choice. We have provided for voluntary consolidation of counties by the voters

themselves under which two or more contiguous counties, not in excess of ten, may cooperate in the building and maintenance of any governmental function, such as airports, parks, almshouses, and also roads. We have also provided that all counties having a population of 85,000 or more may come under a charter form of government, such charter to be worked out by a committee of freeholders of the county.

The fee system for law enforcement officers, and in fact for all state officers, except public administrators, has been abolished and all have been placed on a salary basis. There have been county officers in Jackson county with a statutory fee of \$4,000 actually realizing \$40,000 out of fees.

By a 4/7 majority any city or incorporated town may issue revenue bonds for the purchase or construction of its own municipal utilities.

SOUND FINANCIAL PROVISIONS

In the matter of finances the four principal features of the new charter are generally accepted as sound. They are: The limitation on the amount of the debt which any local unit may contract, based on a percentage of the assessed valuation of taxable property therein; the requirement that two-thirds of the voters, voting on the proposed debt, must approve it; the levying of an annual tax sufficient to pay the interest and the principal as they fall due; and, fourth, the retirement of the debt within twenty years.

In the matter of public officers, trial for impeachments was transferred from the state senate to the supreme court, except in the cases of the governor and members of the supreme court, who must be tried before a commission of seven eminent jurists selected by the senate. Election contests for state officers have been transferred from the general assembly to the supreme court.

In suffrage and elections the important change was the provision for absentee voting being extended to all qualified voters of Missouri who are absent from the State on election day.

In education we increased the age limit in the public schools from twenty to twenty-one years and eliminated the former minimum of six years. This makes public kindergartens possible. Provision is made for adult education and for area schools giving special training in trades and crafts and training for underprivileged or handicapped children.

An important change in the article on education consists in the establishment of a bi-partisan board of education composed of eight lay members appointed by the governor for overlapping terms. The board's principal function is to select a state commissioner of education and to advise with him on general educational policies.

This has been thought to be one of the most significant things done by the new Constitution, in that we have taken the public schools of the State entirely out of politics.

Provision is also made that county and township school funds are to be invested in government bonds or distributed to the schools themselves, rather than loaned on real estate, as heretofore provided.

A new section was provided for state support for public libraries.

We now come to the matter of taxation, a subject in which I am sure all of you are interested. The changes in the new constitution result in a much more equitable distribution of taxes on property and give far greater control to local units of government. The general property tax, however, remains the principal source of revenue for local government.

The most important change is a provision for the classification of property for tax purposes. Forty-three states now have such provisions; property is classified as real estate, tangible personal property, and intangible personal property. The last two classes may be divided into classes by the general assembly and different tax returns may be applied to each class. Intangibles will be taxed on the basis of yield not to exceed eight percent thereof. This tax will be levied and collected by the state but the proceeds will be returned to the local units of government and it is expected will result in a substantial increase in the revenue from intangibles.

Many of you will recall that the Thirty-fourth General Assembly, of which I was a member, fixed a flat millage tax of fifty cents on the \$100.00 on intangibles, monies and credits, etc. This was done, as I recall the arguments, because millions of dollars of Iowa capital were being invested in other states and no return being made on such investments to the assessors, in the justified belief that the state tax up to that time had been confiscatory. And I was interested in noting that in the argument on the floor of our convention with respect to this provision, the results of your experience here in Iowa were presented to the convention.

The legislature fixed the tax at six percent on intangibles, so that if you own a \$1,000.00 mortgage on which you get a yield of six percent, being \$60.00, you would be liable to a tax of \$3.60 on that \$1,000.00 investment.

Money in the bank is exempt from taxation, unless invested in savings account and drawing interest, when it comes under the other provision.

A maximum limit on the general property tax return for state purposes was reduced from fifteen to ten cents on the \$100 assessed valuation. The new maximum rate for school purposes in

cities is \$1.00 except in St. Louis where the maximum is eighty-nine cents, under the provisions of their own local laws, and they did not wish to have this provision disturbed. In all other school districts it is sixty-five cents and the maximum limit in all municipalities is \$1.00. In counties whose assessed valuation is \$300,000,000 or more the maximum is thirty-five cents, in all other counties it is fifty cents.

The voters in any unit of local government may by two-thirds majority vote increase the rate, but the general assembly may place restrictions on such an increase, and special levies may be authorized by law for library, hospital, health, recreation and museum purposes. Under this provision Jackson county, Missouri, is just now creating its own library.

LEGISLATORS OBSTRUCTED SESSIONS

We made minor changes in the methods of amending the constitution, not necessary to mention, perhaps, but a unique and annoying situation having arisen at the beginning of our deliberation, and out of a little resentment among the delegates, we did write into this article something that had never been in it before. When we assembled at Jefferson City we found that most of the committee rooms and offices, and especially on the senate side, were securely held under lock and key by some of the members of the legislature, and there was considerable reluctance on the part of such legislators to accord to our delegates the ordinary courtesies of using these offices. In fact we had been in session two months before the speaker of the house granted to the president of the convention the privilege of using his private office. So we wrote into this article—I proposed it—that when the constitutional convention is in session it is specifically authorized to use the legislative chambers and quarters in the state capitol.

Now I trust that these features which I have presented are not without interest to you as ex-legislators and ex-state officials, and if there is any additional information that any of you should like, I shall be very glad indeed to supply it.

I trust, as I have already said, that what I have presented in a more or less fragmentary way concerning the making of this constitution, which we honestly believe may be called a modern constitution and which we feel is meriting considerable favorable comment throughout the United States, has not been without interest to you, and if it has been tedious, I trust you will pass it on the plea that not having been a resident of your good state for quite a number of years, if I should present anything in the way of personal experience, it must necessarily have to do with things outside of Iowa.

I have not had occasion to read closely the constitution of Iowa, but I understand it has been subjected to quite a number of amendments. Your state, however, was not born out of conditions comparable to those of Missouri when the first constitution of 1820 was adopted. In 1845 a constitutional convention sat, but the work of the convention was not approved. A convention was called again in 1875 and the constitution then worked out and approved by the people (and which had been amended some sixty or seventy times) had been adopted under post-war conditions where there were many crosscurrents and deep feeling. Your constitution undoubtedly meets the requirements of your state much more acceptably than did this antiquated constitution of 1875 for us, and while there was much complaint that we were called together during war-time conditions, we recognized that the state had spoken and it was incumbent upon us to do our best. This we did, with results that are entirely satisfactory to ourselves and apparently to the state, and we believe we may now and hereafter look back on our experience and feel we were profitable servants.

THE UNVEILING OF PORTRAITS

President SMITH: At this time we will have the unveiling and formal presentation of portraits of eminent Iowans to the State Department of History and Archives. And at this juncture it is my pleasure to present the Chief Justice of your state, the Honorable Charles F. Wennerstrum. Judge Wennerstrum, ladies and gentlemen:

Gov. GEORGE W. CLARKE

Chief Justice WENNERSTRUM: It is with a sense of deep appreciation that I am permitted to participate in this meeting of the Pioneer Lawmakers Association and to receive on behalf of the state of Iowa a portrait of Gov. George W. Clarke.

I think it is perhaps fitting that preliminary to my formal remarks that I say it was with a feeling of deep sentiment that I accepted the invitation to speak on this occasion. At the conclusion of my law school work at Drake University it was my privilege to go into the office of Governor Clarke in Adel and to be there employed during a portion of the period that he was in Des Moines as governor of the state of Iowa. I am certain that I gained inspiration from my association with that office and the ideals that were there present. The past year has witnessed the observance of one hundred years of statehood for Iowa. In many communities in the state fitting observances were held and recognition was given to the developments that have been made during the past century. Indeed it has been a "Century of Progress." However, in

the consideration of the achievements of the state during its first one hundred years perhaps greater emphasis was placed upon the material and economic developments and less recognition given to the men who have been responsible for this progress which was in part due to worthwhile administration of our state government.

It is therefore fitting and proper that on an occasion such as this that we honor and pay respect to men who have contributed to the cause of good government in our state. In this group unquestionably should be placed one of our former governors, George W. Clarke, who left an imperishable impress upon this commonwealth. We have gathered here today for the presentation of a portrait of this outstanding public servant to the state of Iowa, by the family of Governor Clarke. This likeness will hang in this gallery in recognition of his superior statesmanship. On the occasion of the receipt of this portrait by the state it is proper that we review his career as a statesman and appraise his estimable qualities manifested throughout his private and public life.

George W. Clarke was born on a farm in Shelby County, Indiana, October 24, 1852, and died in Adel, Iowa, November 28, 1936. His parents, John and Eliza J. Clarke moved to a farm a mile and a half southeast of Drakesville, Davis County, Iowa, in October, 1856. There Governor Clarke grew to manhood and during that formative period of his life worked on the farm and attended school. For a period of about a year following the completion of what was then a high school course, he taught school, first in the country, then in Drakesville and finally in Bloomfield. In 1874 he entered Oskaloosa college and was graduated from that institution in 1877. For a brief period of time he read law in the offices of Lafferty & Johnson at Oskaloosa and then entered the law school of the State University of Iowa, from which institution he was graduated in 1878. This same year he began the practice of law at Adel, in which community he maintained his residence throughout the remaining period of his life despite the fact that his later official duties took him to the capital of the state for long periods of time.

In 1882 he became associated with John B. White of Adel in the practice of law under the firm name of White & Clarke. These two men were recognized for their legal ability and they were regarded as outstanding attorneys in that part of the state.

George W. Clarke early received recognition from the citizens of his community. Shortly after he went to Adel he was elected justice of the peace and served four years. In 1899 he was elected state representative from Dallas county, was reelected in 1901 and again in 1903. He served in the Twenty-eighth, Twenty-ninth and Thirtieth General Assemblies and because the biennial amend-

ment was adopted at the general election of 1904 and the terms of the members of the Thirtieth General Assembly were extended another period, he was in the Thirty-first General Assembly. His fellow legislators, elected him speaker of the Thirtieth and Thirty-first General Assemblies. In 1908 he was a candidate for the Republican nomination for lieutenant governor and won the nomination for this office in the first primary election in the history of the state. His opponents in the primary were Bernard Murphy and James H. Wilson. At the general election he won over his Democratic opponent, D. A. Ray. In 1910 he was renominated as lieutenant governor without opposition and won in the general election over his Democratic opponent, Parley Sheldon. He was a candidate for the Republican nomination for governor of the state of Iowa in 1912 and won this nomination over Perry G. Holden and Aaron V. Proudfoot and in the general election of that year defeated his Democratic opponent, Edward G. Dunn and John L. Stevens, the nominee of the Progressive party. His plurality over Mr. Dunn was only 1699 votes. In 1914 he was again honored by reelection to the office of Governor of Iowa, defeating John T. Hamilton, Democrat, and George C. White, Progressive. His plurality over Mr. Hamilton was 25,845.

After Mr. Clarke retired from the governorship in January 1917, he served one year as dean of the Drake University College of Law. Then he returned to Adel where he resumed the practice of law for a few years. He did not again engage actively in politics, although in 1926 he was chairman of a committee which managed the campaign of A. B. Cummins for reelection to the United States senate. At this meeting of the Pioneer Lawmakers of Iowa it is perhaps unnecessary to mention or comment upon the qualities known to most of you that brought to George W. Clarke his many official recognitions. However, one would be remiss not to do so. He was an individual whose policy in public office was to do that which he felt was the right thing to do. He was also farsighted in his ambitions for his state. This was particularly manifested in his support and advocacy for capitol extension. To him, perhaps more than any other man, may be given the credit for the beautiful grounds which now surround our capitol building. It was during his first term of governor that he espoused the cause which was then referred to as "The Capitol Extension." He recognized the need of more ground to provide a proper setting for the state capitol building and such additional and necessary buildings that might be required for future proper administrative expansion. His sense of the beautiful brought to him an appreciation of a setting for state buildings which would bring dignity and satisfaction to the state. He lived to see the accomplishment of this project.

The fulfillment of the plans for more beautiful capitol grounds was not realized without effort. In his campaign for reelection in 1914 he encountered most strenuous opposition from people who claimed that the appropriation for capitol extension was most extravagant. He did not avoid this issue or its political dangers. He did not seek to pass the responsibility for Capitol extension to the legislature which had passed the necessary legislation but went out over the state in support of the cause which he felt was for its best interest. In an address in a southern Iowa community when he was justifying the program for a more suitable and beautiful setting for our capitol building he made this statement: "When this battle is over and I may be listed as a casualty it will never be said of me that any bullets entered my back." This spirit of courage and forthright statesmanship appealed to the citizens of Iowa and in part resulted in his reelection in 1914. There is no monument on the capitol grounds honoring Governor Clarke. He needs none. Fittingly if such a monument were erected might it have inscribed upon it the words placed on the tomb of Sir Christopher Wren in Saint Paul's Cathedral, London, "If you would see his monument look ^{about} around."

Although Governor Clarke will be best remembered for his espousal of the program for a more beautiful capitol ground yet a review of his several messages as governor to the legislature indicates his progressive views on state problems. Many of his suggestions to the legislature have since become laws. In his inaugural address as governor of Iowa in 1913 he advocated a good roads program and therein said, "There can be no complete solution of the country life problem in advance of the permanent road." In this same message he advocated the creation of an office of business manager for the affairs of the counties. He fearlessly stated "Until some such methods are introduced it can hardly be otherwise than that the business of the counties will be done in an uneconomic and unsatisfactory way. The methods of fifty years ago will no longer do." He was particularly interested in the development of proper schools in the country and stated that if the student cannot come to the high school in town then the high school must go to the country.

Due, undoubtedly, to his legal training he was especially interested in the reform of court procedure and it is of particular interest to realize that many of his suggestions as incorporated in his first inaugural address have now been adopted by this state. He advocated that all exceptions to instructions should be taken before they are read to the jury and no others considered or allowed. He suggested that the law should provide for majority verdicts in civil cases. It was also suggested by him that the time for taking appeals should be greatly shortened. In his biennial

message in 1917 he again commented upon some of his suggestions as to court procedure which he had made at the beginning of his term of office as governor and further advocated that the trial court should be given control in the matter of the examination of jurors, so that the selection of a jury would not take a long period of time. It was also his suggestion that if a defendant in a criminal case should decline to become a witness in his own behalf, the county attorney should be permitted to comment on that fact to the jury and that the law forbidding the prosecutor to comment on the failure of the defendant to testify should be repealed.

It will be observed that several of the suggestions made by Governor Clarke as to court procedure have now become laws.

One of the outstanding qualities of Governor Clarke was his evaluation of men in his selection of appointees to state offices. His rule in the matter of appointments was whether the one suggested was the best available person in the state for the position to be filled. Because of the general feeling that an appointment received at the hands of Governor Clarke was a distinct honor a number of appointees called upon him near the conclusion of his second term as governor and presented him with an appropriate gift of appreciation. In accepting this gift he spoke from his heart and clearly set forth his conception of the duty of the chief executive in selecting men for public office. He there said:

It was not easy for me to appoint a single one of you men. In nearly every case you were chosen from a group of applicants, or those urged as especially fitted for the place, or deserving as a supporter or friend. But, disregarding political pressure or ties of personal friendship, I carefully canvassed the qualifications of the men available for every single appointment, and named the man that I believed was best qualified to render the highest order of service to the state of Iowa in the particular position under consideration. It is not praise, especially, but a plain statement of fact, that each of you was the best man I could find to render the service the state is entitled to receive in the position you are filling. It has been my rule of procedure in every instance to approach the selection of men to be appointed by me to places of public responsibility, with care and deliberation, and I exercised the best judgment of which I am capable. As a group I have no hesitancy in saying that it is my belief you are the finest, best qualified men that I was able to find in the whole state of Iowa for the individual tasks for which you have responsibility, and I commend the fidelity you have brought to your tasks, as well as the success you are demonstrating in attending to the affairs of the state.

3 Governor Clarke was an outstanding public servant. He was a man of conscientious courage and a man of vision. His qualifications can be best summarized by saying that he was a good citizen. He made a most worthwhile contribution to the life of this state.

state and it is with a sense of distinct pride that the state of Iowa accepts this portrait of him. It will fittingly hang in these galleries beside portraits of other distinguished Iowans who have contributed much to the development of this great commonwealth.

President SMITH: Thank you, Judge Wennerstrum. We are now pleased to announce that we have as guests today Frances Clarke Kinnick, a daughter of Governor Clarke, Mrs. Charles F. Clarke, a daughter-in-law, and Kingsley Clarke, a grandson. They have honored us with their presence. Will they arise so that we may honor them? (Applause).

The next portrait to be unveiled today is that of Col. William Patterson, a territorial legislator of Iowa, and it is now my pleasure to present Honorable Stanley L. Hart, of Keokuk, senator from Lee county.

COL. WILLIAM PATTERSON

Senator STANLEY L. HART: Mr. President, Mr. Chief Justice, Members of the Iowa Pioneer Lawmaker's association, Ladies and Gentlemen:

It is indeed a pleasure for me to be here today to participate in the presentation of this fine old portrait of Col. William Patterson. I regret that I will find it necessary to refer to manuscript, but I am taking you back 145 years ago last Sunday when this eminent gentleman was born.

It is told of Oliver Cromwell that he had a mole on his face, and when sitting for a portrait the artist asked if it should be omitted from the picture. "Paint me as I am!" vehemently replied the man. The individuality of Col. William Patterson was of that noble cast that to paint him just as he was will give the truest and best delineation of his fine qualities. He was a courageous pioneer and a grand old citizen.

Colonel Patterson was a prominent character in Lee county, Iowa, and a detailed biography of his life would form an interesting history of the entire locality adjacent to his Iowa home. Coming from sturdy, honest pioneer stock, of large and commanding stature, he stood a strong, living monument to the worth of honest manhood and life of sterling, active Christian qualities. He was born in Wythe county, Virginia, March 9, 1802, was the son of Joseph and Jane Patterson, and is of Scotch descent. When about five years old his father moved to Kentucky, settling in Adair county, where he received a common-school education, attending

school during the winter months and assisting on the farm in the summer. He had a fondness for farming and in early manhood intended to make that his life vocation, but subsequent events caused him to abandon that determination, and he drifted into mercantile pursuits.

On April 2, 1822, Colonel Patterson was married to Miss Eleanor Johnson, both being in their twentieth years. Eleanor Johnson was born in Anne Arundel county, Maryland, April 21, 1802, and in early childhood moved with her parents to Adair county, Kentucky. Her father died soon thereafter, and the mother of Colonel Patterson died in his boyhood. Joseph Patterson, the father, married the mother of Eleanor Johnson, and the two families became as one. Thus Colonel Patterson and his wife had known each other from childhood. In 1829 they left Kentucky and settled in Marion county, Missouri, but after a residence there of three years removed to Sagamon county, Illinois. In 1837 they moved to West Point, in Lee county, Iowa, which was then a portion of Missouri territory. Colonel Patterson became tired of farming and in 1846 the family located in Keokuk. He opened a store in connection with furnishing boats with provisions. Keokuk at that time had only from one hundred and fifty to two hundred inhabitants, and the village was built on the edge of the river. The hill upon which the city now stands was covered with timber and underbrush.

After engaging in the mercantile business in Keokuk Colonel Patterson, as an experiment, began in a small way to pack pork. In 1848 he sold his store and engaged exclusively in the pork-packing business, which he followed for over thirty years. The firm for a considerable time was Patterson & Timberman, the latter dying in 1879. The packing operations grew to 20,000 hogs per annum. Colonel Patterson took an active part in shaping affairs in early Iowa days. He was elected a member of the first legislature of the Territory of Iowa, in 1838, and was influential in settling the disturbance about the boundary line between Iowa and Missouri, which was strenuously agitated at that time. He was commissioned a colonel of militia by Governor Lucas, of Iowa, and in 1839, during the border troubles, was ordered by Maj-Gen. I. B. Brown to report with one company at Farmington, Iowa. The company was sent to the front, but by the efforts of Colonel Patterson and some of his colleagues in the legislature, bloodshed was averted, the militia was disbanded and soon the boundary line between Iowa and Missouri was established by congress according to the claim of Iowa. Colonel Patterson served in nine regular or special sessions of the Iowa legislature, was three times mayor of Keokuk, and for seven years postmaster in that city. He was a member of the constitutional convention, which convened in Iowa

City in 1857, and was for a long time president of the Des Moines Improvement Company. For over nine years he was president of the Keokuk National Bank, a position he held at the time of his death.

Colonel Patterson was one of the principal movers in the work of building the First Westminster Presbyterian church, of Keokuk, one of the most substantial and commodious edifices in the city, built of stone, and subscribed liberally to the enterprise. For over sixty years he had been of the Presbyterian faith. In 1837 he was elected an elder of the Old School Presbyterian church, at West Point, Iowa, and was the first Presbyterian elder ordained in the state. He was a wise, able and conscientious Christian man, a recognized patriarch in the church. Firm yet mild, many interesting stories are told of his rebukes to members whom he thought had deviated from rectitude. He had no patience with hypocrisy or shams.

When he located in Keokuk goods were received by river only; that was the only means of transportation and these goods were distributed over the sparsely settled surrounding country by means of ox teams and wagons. Colonel Patterson was, therefore, identified with Keokuk from its earliest history, from the inception of its first infant industry, up to the time when it had grown into a prosperous little city, and the greater part of the time intervening was spent by him in ceaseless activity.

In 1881 he had a limb broken, which gave him much trouble and forced him to retire from active business life. The use of crutches became necessary, and consequently he remained most of the time in the quiet of his beautiful home. Almost up to the time of his death his general health was quite good, his mind clear, and in pleasant weather would ride down town to greet his many friends. He was still a notable figure at church, where at the Sunday services he was helped by a faithful attendant to a large arm-chair near the pulpit.

Socially he was pleasant and affable, one of the old-style gentlemen, intercourse with whom was calculated to make men and women proud of their ancestry, the early manhood and womanhood of the country. Reading was one of his chief pleasures, and he kept a strict watch on the current events of the country. He was one of nature's noblemen, a large-brained, big-hearted, honest man.

April 2, 1872, Colonel Patterson and his wife celebrated the fiftieth anniversary of their wedding. This golden wedding was a notable event in Keokuk.

On April 2, 1880, just fifty-eight years from the date of her marriage to Colonel Patterson, Mrs. Patterson, ripe with years and full of Christian hope, was called from earth and passed over the river to the eternal city, lighted by the glory from the Master's throne.

Saturday evening, March 9, 1889, the eighty-seventh anniversary of his birth, an informal surprise reception was tendered to Colonel Patterson at his home by a number of his friends and admirers for the purpose of grasping his hand and extending warm and heartfelt congratulations. As a matter of history, in this connection it will be interesting to perpetuate with his memory those who were among the number present on this notable occasion. Included were ministers of the Gospel and their wives, doctors, high-ranking army officers, eminent lawyers, judges of the court, bankers, captains of industry, and numerous people from all walks of life, totaling more than 100 guests, all gathered together to pay reverence and mingle in social communion with this great and good man.

It was well, for only a few months after this memorable reception, this kindly tribute to Colonel Patterson, he was called to his reward. He died peacefully at his home, October 23, 1889, greatly lamented, not only in Keokuk, but wherever Colonel Patterson was known. He lived to a ripe old age, far behind the three score and ten, and his lengthened days were days of usefulness and peace. And the world is better that he lived.

Colonel and Mrs. Patterson were the parents of eleven children, three of whom died in infancy. Those who lived to manhood and womanhood were the following:

Mrs. Mary A. Creel, born in Kentucky;
Mrs. Eliza D. Marshall, born in Kentucky;
William Albert Patterson, born in Kentucky;
Joseph C. Patterson, born in Kentucky;
Sabert L. Patterson, born in Missouri;
Mrs. Margaret Starkweather, born in Illinois;
Miss Eleanor Patterson, born in Iowa;
Thomas B. Patterson, born in Iowa.

None of these survive. And so on behalf of a surviving grand-daughter, Mrs. Maud Marshall Hassell, of Keokuk, it gives me great pleasure to present to the Iowa State Historical department, the oil portrait of that magnificent old patriarch, who contributed so much to Iowa culture, progress and prosperity—one whom we all might well pattern our lives after—Col. William Patterson.

President SMITH: Thank you, Senator Hart. Now will this grand-daughter, who is present and has just

been named, please arise, so that we may honor her. (Applause). Thank you, Mrs. Hassell.

Now, Judge Scott, has your committee a resolution to report?

IN MEMORIAM

Hon. RAY P. SCOTT: Mr. President, Gentlemen of the association, your committee on resolutions on the passing of Senator H. S. Van Alstine begs leave to present the following:

It is with regret that we have learned of the passing of Senator H. S. Van Alstine. Some of us who served with him knew particularly of the valuable service which he rendered to the state of Iowa. We believe confidently that the senator had the broadest knowledge of the great subject of taxation of perhaps any man who has served in the Iowa legislature in recent years. His service to the state of Iowa has been priceless and his devotion to duty was without reserve.

Those of us who are still here, and those who shall come hereafter and enjoy the fruits of the labor and sacrifice of men like Senator Van Alstine should never tire in honoring such a memory. Senator Van Alstine was a Past President of the Pioneer Lawmakers' association, and was untiring in his labors for this association.

Therefore, be it resolved by the Pioneer Lawmakers' association that we mourn the loss of Senator Van Alstine, and that in his passing the state of Iowa and this association have lost one of its ablest and most distinguished citizens; and

Be it further resolved, that a copy of this resolution be spread upon the records of this association and that a copy be forwarded to the family of the deceased.

OSCAR ANDERSON
RAY P. SCOTT
Committee

The resolution was unanimously adopted by a rising vote of those in attendance.

President SMITH: Now, Senator Adams are you prepared to report for the nominating committee?

Hon. HENRY L. ADAMS: The nominating committee respectfully presents the following names for your consideration for officers for the ensuing year:

President—H. J. Mantz, Audubon, Justice of the Supreme court
Vice President—C. F. Clark, Cedar Rapids
Secretary—Emory H. English, Des Moines
Executive Committee—The above three, plus Israel A. Smith, Ray P. Scott, Geo. E. Brammer and John M. Rankin

District Vice Presidents—

First—William Carden

Second—Ernest R. Moore

Third—Arch W. McFarlane

Fourth—Frank J. Shane

Fifth—Ed M. Smith

Sixth—W. W. Goodykoontz

Seventh—Julius A. Nelson

Eighth—C. E. Narey

The report of the committee was unanimously adopted and those named duly elected.

President SMITH: We are to lunch in a group at the capitol building and will now recess until the calling of the afternoon joint session. I wish to thank the association for the courtesies extended to me and for your very patient hearing.

JOINT CONVENTION SESSION

The Joint Convention of the Fifty-Second General Assembly was called to order by Lieut. Gov. Kenneth A. Evans presiding. A committee consisting of Rep. Arch W. McFarlane and Sen. F. E. Sharp notified the Pioneer Lawmakers that the Joint Convention was ready to receive them and escorted the members of the association to the House Chamber.

President EVANS: At this time it is my honor and privilege to present to the Joint Convention the Hon. Israel A. Smith, president of the Reorganized Church of Jesus Christ of Latter Day Saints, of Independence, Missouri, a former representative in the Thirty-fourth General Assembly from Decatur county, Iowa, and now president of the Pioneer Lawmakers Association of Iowa, Mr. Smith:

President SMITH: Mr. President, it is my pleasure as my first official act on this occasion to present Hon. Frank C. Byers, who will welcome the Pioneer Lawmakers on behalf of the Senate.

Senator BYERS: Mr. President and Pioneer Lawmakers: It is an honor and privilege to be allowed to welcome the Iowa Pioneer Lawmakers on behalf of the Fifty-second General Assembly. It is especially a pleasure for me to welcome you on behalf of the Senate at this time because at the next meeting of the Pioneer Lawmakers two years from now I will be eligible to become a member of the Pioneer Lawmakers and hope to be here and be one of you.

There have been many changes in recent years. There are new conditions constantly arising which require legislative consideration and regulation.

You laid the foundations of the laws of our state wisely and well, and I presume you felt when the last session of your terms in the legislature ended and you had adjourned that the state had all the laws it needed. You would have been correct if life had remained of the tempo of those days, but in this day of the radio, airplane, automobile and the streamliner, the rule of life is change rather than stability, and it is to meet this change with its increased complexity of human relations that new enactments are constantly required.

You realize as well as we that all change is not progress. It is still true, as in the past, that we must consider well what is proposed and hold fast to that which is good. Though we have thus far preserved the heritage of a free people which our forefathers brought forth and you helped hand down, democracy was never as much challenged in the world as today. With highly organized pressure groups making their influence more and more felt in America, there never was a time when it has been more necessary to exert every effort and strain every power at our command to maintain our Republic and transmit it unimpaired to the coming generation.

These are the problems of today. They seem to us greater than the problems of yesterday. They may not be; they may only be closer. We take from you the inspiration, the zeal, the steadfast loyalty to the principles of the constitution of our country which you in your legislative careers so highly exemplified. We hope to carry on upon the same high plane of public endeavor. The future only can judge of our success.

For the services you rendered the state, for handing down the charter of American freedom undimmed and unerasd, and for the example of useful and necessary legislation you set, I welcome you here in the name of the senate.

A musical selection was rendered by the orchestra of the College of the Blind from Vinton.

President SMITH: I now am pleased to present the Hon. A. H. Avery, who speaks in welcome on behalf of the House of Representatives:

MR. AVERY: President Smith and Venerable Men: I use that term advisedly, because you are venerable men. As I think back, as I can, of the pioneering you did in lawmaking for the last fifty years, I am impressed that you did a great service in building well for the future.

I picked up a copy of the journal of 1909—that is quite a while ago—and you did some pioneering in 1909. You provided for voting bonds for the building of county hospitals, and on that foundation we in this session of the legislature have before us an enabling act permitting us in Iowa to avail ourselves of federal aid for county hospitals. We have another bill before us for licensing of county hospitals, or building hospitals for that matter, and setting up a board to see that these hospitals are built the best to serve the purpose for which they are built. That county hospital bill that you passed in 1909 is being copied in many other states, or has been copied in many other states of the Union, and probably will be copied in many more during the present and the next year.

In Iowa it may interest you to know that twenty-five counties are voting county hospitals this year.

Five years ago America was engaged in the business of devising ways and means to make instruments to destroy life and cause human suffering. Today in this legislature in the county hospital bills that we are proposing to pass we are providing for the relief of human suffering and the saving of human life.

That is one peculiar thing about America. When it becomes necessary to preserve the things for which our pioneer ancestors away back fought, we are ready to lay aside everything and produce the instruments to cause human suffering and destroy human life in order to preserve it. But when it is all over then we turn right around and start doing those things that will prevent human suffering and prevent the destruction of human life.

Venerable men, in behalf of the House of Representatives, I cordially welcome you this day to this occasion.

RESPONSE TO WELCOME

President SMITH: Mr. President, Mr. Speaker, Ladies and Gentlemen of the General Assembly:

As president of the Pioneer Lawmakers I extend to Senator Byers and Representative Avery and to you our sincere thanks for your very warm reception. It has been said, and said long ago, that republics are ungrateful, but after having a few experiences of this kind we are assured that this does not apply in Iowa.

It is indeed a pleasure to return to these halls where one labored in a more or less humble way. Every place that is consecrated and dedicated to the service of hu-

mankind becomes hallowed, and it is with this in our minds that we return to this chamber.

For a brief period I served as a member of the house. Here at seat No. 84 I took my bar examination and was admitted to the bar of this state, something of which I have always been very proud.

So we are happy indeed to be your guests and greatly appreciate the opportunity to meet you and to look into your faces and are greatly impressed that, between you, your wives, your sweethearts, your good-looking clerks and your husky faces, the affairs of Iowa are in good hands.

I was not a member of the legislature of the state of Missouri, but I had the honor to serve as a member of the constitutional convention of that state in which we write our basic law. I have had an opportunity in the third of a century I have been in Missouri to have some idea of the capacity of the people of that state, and it is no disparity to them, but if things should go smash as some people seem to think they are, and that orderly government is going to go by the boards, if there is any state in the Union that justifies faith of continued capacity for self-government, I put my money on Iowa.

Before I introduce the speaker of the hour I want to extend on behalf of this assemblage our sincere appreciation and thanks to this orchestra for coming here and making this a more pleasurable occasion.

And may the God of states and nations that shapes the destinies of states and of men, rough hew them as we may, continue to be with you and with this great commonwealth.

It is now my pleasure indeed to present to you as the speaker of the hour a man who served voluntarily for three services, in the United States army, was a member of this body, a senator, and who served with distinction for quite a number of years in the national congress. It

is a pleasure indeed to present Hon. Lloyd Thurston, of Osceola.

THE MIDDLE COURSE

Senator THURSTON: Mr. President, Members of the General Assembly past and present: It is a privilege to take part in a program with the governor of the state of Iowa, and also to appear before former and the present members of the general assembly of a state, wherein the level of living conditions has a higher average than elsewhere in the nation—possibly the whole world. For in Iowa, we are not too conservative or too radical; few are very poor or very rich. Our people are measured and weighed on the scale of their talent or capability, rather than by their holdings. The children of our citizens find their place in the community through their own mental alertness; the leader in the girls' club or the captain of the football squad is chosen by the rule of leadership rather than by family position.

An inland empire named "Iowa" was created out here in the heart of the nation, which was to be the melting pot that received its human portions gradually, so there was complete absorption into the American way of life; while a few communities revere some of the customs or traditions of the land of their forbears, alien isms were not tolerated. If the pioneers had in mind the creation of a state where peace, toleration, education, industry, agriculture might thrive, their labors have borne fruit.

Only a few months have elapsed since the celebration of the centennial of the admission of Iowa into the Union. It was observed in every city, town and village in the state, so it would be superfluous to attempt to add to the splendid record of achievements so vividly portrayed from one great river to another. The great debt this and future generations owe to those hardy pioneers cannot in substance be paid; we can only voice what our heart has transmitted to our minds.

However, an abstraction might be mentioned; if the food products of our state should be withdrawn from the channels of trade, hunger and suffering would be felt in many sections of our country, because Iowa supplies ten per cent of the food consumed in the United States, so without boasting, it can be said that our applied science in agriculture and farm products directly concern the whole world.

While our state stands first in many food and cultural fields, Iowa is not only a land of glorious memories, it must be a place with a promising future, so in education, science and social achievement, if Iowa cannot lead, it must be kept abreast of the march of progress in movements that will maintain our hard earned place near the top of American citizenship.

A study of the science of history discloses an age old conflict between men who are willing to be slaves and those who prefer to fight for freedom; that self preservation is the impelling motive of human endeavor; so it matters not whether absolute power is vested in an autocracy or in a self-centered dictatorship; the result is the same for all except the favored few. The centralization of power has been the scourge of all times, whether ancient, modern or present.

Caesar, Napoleon, Cromwell, in their time, started out as the champions of the oppressed, but ended as tyrants. Later, Hitler, Mussolini and others organized a trail of bloodshed, anarchy, which brought ruin; as will all, who seek to rule through force rather than by orderly processes.

The thought expressed brings the logical corollary; men come and men go, but the principles of justice and humanity are as fixed as the North star. Stated broadly, those who put their faith in men awake in despair, as few mortal beings are strong enough to withstand the flattery of court jesters or office seekers. Washington, Jefferson, Lincoln, were among the limited few on this continent who survived the test. And the humility of these great men, might well be used as a precept for others who slightly overweigh their talents.

Then a further search into the field of human motives is met with the stern, but indisputable evidence that the Almighty did not place all of the brains or intelligence of an era in one cranium; the diffusion of learning and knowledge was not confined to a race, a class, a creed, and never to an individual. The application of industry, coupled with a determination to achieve, has and always will survive. Merit or lack of merit cannot long be concealed.

So, to recur to the thought heretofore developed, the co-operation, the combination of the talents and the energy of the people of Iowa brought forth a government, with its subdivisions, that is second to none in the universe in serving those within its borders. A century of legislative enactments have been added to the original structure, many of those statutes have been written by former members of the general assembly who are present today. Now as in the past, changes must be made to meet different conditions, trends toward the future must be constantly in mind, but the main structure of our state government is practical and sound, from the four corners of the state, to the top of the gilded dome above.

WHY IOWA IS SOUND

Inquiry might be made as to the reasons or causes responsible for the sound condition of our state. The reply can be made in a

few words; short tenure in office, and frequent, uncontrolled elections. Iowa, recognizing the rights of minorities, many years ago provided for a bi-partisan representation in the important boards having control over state institutions. Likewise, required that each election precinct must be under the supervision of officials representing two or more political parties. These salutary laws were not forced through by expediency, but were made mandatory by a citizenship who was willing to provide for honest and fair elections.

Right now it might be said that free elections are the bulwark of free man. Little of the world, and many of our great cities and some states, have yet to enjoy free suffrage, one of the greatest privileges of man. Sweat and free elections will do more to save the world than orations and relief.

TAXES, is a phrase which the present members of the assembly might prefer to have omitted from these remarks. However, the voters of Iowa have returned a select list of legislators whom they believe can wave a magic wand to make one dollar do the work of two. All eagerly await this transition. It has been said that government does not create wealth; it just eats wealth; so the problem appears to be, just how little this beast can subsist upon, rather than to satisfy his greedy demands. Probably, each of your constituents would be willing to have you lightly pass over his interests and then press down somewhat heavily upon his neighbors. Life appears to be just that way.

The legislator occupies much the same position as a member of a trial jury. He is expected to hear all of the evidence of those for, as well as those against, proposed measures, then apply his mental processes so as to separate the grain from the chaff; thereafter, his task is simple. Sometimes, it is asserted that he failed to winnow the grain as now required by seed testing statutes; but his constituents usually feel that he has used his best judgment, and elect him again. It is hoped that no member will take offense at the last statement.

While the functions of the federal and state governments are fairly well divided, yet, the policies and actions of the central government affect the parts; just as the activities of the parts affect the whole, so each must take cognizance of the other. Each tax liquor, tobacco, gasoline, income and inheritances, and in some social fields there are duplications. It therefore follows that the obligations of the federal government are of deep concern to all because of the gigantic, almost incomprehensible debt, fixed and contingent, of about three hundred billion dollars. The units mentioned do have one thing in common; they derive their sustenance from the people, as they create nothing.

The one phase intimately connected with this subject, seldom mentioned in government circles, is that the most current debts, public or private, were incurred during a period of high wages and high commodity levels, so the wherewith to pay current taxes or charges comes rather easily, whereas, if wages and commodities and property substantially diminish in value, obviously, the wherewith to pay becomes more difficult to obtain, so the debt just mentioned, in effect, might be considerably, or even greatly, increased insofar as its payment is concerned. Debts do not fluctuate with wages and property values, so the ability to discharge an obligation may vary from time to time. It is axiomatic that a strong nation is a solvent nation. This subject will be one of prime importance in the years to come.

And it is again apparent that the states through their executive or legislative branches, must intervene to conserve the assets of our savings and insurance institutions from acquiring securities of an international character, not one share of which will be purchased by a member of the federal government who assisted in creating them. If a provision had been incorporated in the bill requiring each member of the government in favor of the enactment to invest even one month's salary in such securities, the bill would never have become a law. The officers of mutual concerns acting for depositors, and life insurance policy holders, should be protected from the pressure that will be made to negotiate that questionable paper.

LENIENT WITH FEDERAL EXPENDITURES

One of the strangest developments of recent years has been the unexplainable attitude of the people of our country in regard to federal expenditures, as compared with state and local expenses. If a local school board, or library board, whose members serve without compensation, paid a few cents a ton more for fuel than the current price, a great wave of complaint would arise. If a city council or board of supervisors should slightly overpay for labor, or exceed some local price for materials, there would be a storm of criticism. But apparently, no one, until recently at least no executive federal officials, expected the Washington government to get fifty cents on the dollar for its expenditures. And when the domestic demand for free funds slowed up, these dispensers of public funds canvassed the world for new outlets. They usually found them.

Although we complain about excessive taxation, it would be interesting to know the total amount of funds that would be required if we did not have so many persons and charitable organizations which annually contribute millions of dollars to assist the unfortunate, and a multiplicity of worthy causes. The list of such donors

would be a long one, but included are the churches; private schools, hospitals and colleges; service units such as the American Legion, the Veterans of Foreign Wars and their Auxiliaries; the Farm Bureau with its 4-H and Future Farmers; the Farmers Union and the Grange; the Federation of Women's Clubs and the Business and Professional Women; the Y.M.C.A. and Y.W.C.A.; the K.C.; the U.S.O.; the Red Cross; Salvation Army; the Rotary; Kiwanis; Lions; Boy and Girl Scouts; Parent-Teachers Association; Women's Relief Corps; the Masonic and I.O.O.F. Orders and their auxiliaries, are a few of the many who carry public burdens. So a survey of the charitable field discloses that if all of the splendid work done by these and other like organizations were to be paid for out of public funds, there would be a tremendous increase in taxes.

Not only do many of the groups mentioned expend their funds as indicated, but their educational programs cover a broad field of public service; civic, national, international; and their welfare and patriotic teachings extend vital support to uphold American ideals and traditions. May their number not diminish.

It may be said with propriety that many of the statutes first enacted in our state have been adopted by other state governments, which is a tribute to the sound judgment, the practical vision of hundreds of members who so well served this state and the nation. Many a legislator has been surprised, amazed, then angered by what some court said was his legislative intention. It is true that a statute is somewhat advisory until it has been construed by the highest authority having jurisdiction over the subject matter. Undoubtedly, one of the reasons why courts of last resort so frequently cite opinions of the Iowa Supreme Court is because that body has largely confined its analysis of statutes within the rule of fair interpretation, rather than to substitute the vagaries of minds disturbed by Shangri-La meditations.

As our national legislature is now intimately concerned about the domestic and foreign affairs of China, India, Hungary, Greece, Palestine, and several other nations, it is apparent that less and less time will be given to our affairs, so of necessity, the states will be required to devote more time to matters within the country. Whether this great transition will be best for our people, only time can tell.

We had fervently hoped that when the war had been concluded, that propaganda, both foreign and domestic (and huge sums are now being used for both) which had taken so much of the air channels and space in the press, might subside, so the fog would be cleared and our citizens could again have clear vision to normally consider the problems of our homeland; but this hope is for the

future. A bubble in Europe, transmitted to the global boys here, brings a quick huddle in the Washington departments, a spokesman makes a timely release that mountains of boiling, seething, caldrons are about to boil over and engulf the world; which blankets the efforts of our economy statesmen; but funds for the state and service departments are not reduced.

The propaganda dispensers have rendered one service for our American people, they are not required to think any more, their thinking is done for them.

The science of legislating, flexible as it is, affected by ambitious leaders, always subject to dynastic, ethnetic, economic, religious phases, expanding population, must of necessity adjust statutes to trends and times; and crude though many of its enactments have been, the composite judgment of the legislators when they could freely act, pointed toward the betterment of humanity, in contrast to ukases and commands of the heads of nations, whether under the discarded guise of divine rights, or military or financial usurpation. While jibes may be pointed toward the legislator, God save us from the vanity of those who appropriate public funds to increase or perpetuate their authority.

It would appear that there is one weak spot in our national structure, in that which vests the veto power in the chief executive, requiring a two-thirds majority of both the senate and the house of representatives to override his individual decision, which is largely influenced by his own appointees, most of whom have never been elected to any office by the people. As there are 96 members in the senate and 435 in the house, the difference over a majority equals 16 members in the senate and about 72 in the house, or a total of about 88 members in the two bodies. Surely, it will not be seriously contended that the chief executive, who is often a political accident, has greater ability or is more interested in the welfare of the nation than one of our eighty some members of the congress. Modern development has placed tremendous sums at the disposal of the president, plus many thousand lucrative offices, which can, and have been flagrantly used to influence legislation. Many a member of the congress has been denied his share of public works because he did not vote as the president directed. A few years ago, there was much ado about "lame ducks", but legislation was enacted to terminate this complaint. It can be definitely asserted that presidential patronage to affect, to coerce, has been a far greater menace to our government. An impartial survey of this subject would bring forth a startling array of facts to confirm the remarks just made.

A BALLOT, A CLOCK, A BANNER

To digress to the facetious, a story, somewhat antedated, has percolated down from the northeast part of the state; it runs like this: An aged patriarch, with long white beard, leaning on a staff, approached officials in an election precinct in Black Hawk county in the good year 1977, and requested a ballot, which was delivered to him. He then retired to the voting booth where he remained some time, and returned the blank ballot to the election judge saying: "This is not an official ballot." Upon being assured by the election judge that the ballot with others had been sent out by the county auditor, the applicant said: "I know it is not official; it does not have Arch Mc Farlane's name on it."

Then there is the incident about the member of the assembly from Linn county, who retired early because the indicator over the entrance of the elevator in the Savery hotel pointed at the figure II. He was astounded to learn that the mechanical device was not a clock. Whether this ignorance reflects more on Linn county or on the state senate, you may determine. It is only fair to say that the member was not Senator Byers.

There was a measure pending in the Thirty-eighth Session, backed by the Daughters of the American Revolution, proposing a State Flag, but some other patriotic orders, mainly the Grand Army of the Republic, opposed, asserting there should be only one flag—that of the United States. An appeal was made to a member of the body across from this chamber, who made a survey and found the opposition adamant. Later, he called up the bill for consideration, obtained unanimous consent to strike the word "flag" and substitute the word "banner", the measure was promptly passed by both branches, signed by the governor, so the Banner of the State of Iowa proudly floats just below the national emblem.

But the humor directed toward legislative bodies should not be confined to state law makers. It is reported that a public spirited citizen entered a place of business and requested a merchant to donate \$2 to assist in defraying the burial expenses of a former member of congress. The merchant went to his cash register, withdrew a piece of currency, turned to the solicitor and said: "Here, here is \$10; bury four more of them."

America does have innumerable problems, domestic and foreign, but no real American would exchange his citizenship for any of the tinsel decorations passed around by foreign governments. The most enduring, the most valuable title that can be bestowed upon a human being is that accorded to the citizen of the United States of America.

But what is America? So many million square miles of territory, with a great area of fertile land; gigantic industries; quantities of mineral deposits; unexcelled transportation facilities; large cities with beautiful parks and tall buildings; churches, colleges and schools without number; millions of good homes; most of the labor saving devices and comforts of the whole world?

Or, is America a great host of generous persons who in recent years have donated to other people more than fifty billion in dollars and supplies? Has any nation been more humanity-minded than our own? Is America the only nation in the world that is constantly to be required to purchase good-will? It seems that many of our own people have forgotten about the contributions of their government and citizens to people in other parts of the world, and believe it to be their duty to sharply condemn their own without carefully analyzing the other side of the picture. Possibly, some of these carping critics might find it more congenial, in other climes.

It has been only a short time since the most devastating war of all time was ended, and its conclusion was largely brought about by the tremendous power of the American armed forces and American economic and financial resources. The unparalleled success of our forces through devotion and loyalty to our flag, places all who did not thus serve under everlasting gratitude to those who so gallantly met and conquered every obstacle, whether on land, the sea, or in the air. The sons of Iowa did their full share in this world-wide holocaust. May their flags and banners be placed in the rotunda of this building alongside the flags of the Iowa boys who served in the Civil, Spanish, and World War I Wars.

This America of ours is the most noble heritage ever handed down to a people. America's position in the world did not just happen; it was attained through the toil and privation; the genius, yes, the sweat and blood of thousands of men and women who were determined to prove that human agencies under Divine guidance could create and maintain a form of government that would insure free institutions for a continent extending from sea to sea.

The courage of our people, the strength of our nation, is equaled by the generosity, the tender mercy which we have extended to the afflicted of many stricken lands. Because of the constant contributions made by our citizens to aid the impoverished abroad, it must not be thought that we intend to change the basic concepts of our well balanced government to meet the views of vocal minorities whose lung power greatly exceeds their mental capacities.

There are in our midst those who would tear into shreds the most benevolent haven of freedom known to man. Real Americans will

resist these wreckers, inside and outside of our government, if necessary, with the last drop of their blood.

The spirit of America, with its creative genius, coupled with its humanity, is the beacon light to all mankind. We cannot afford, the world cannot afford, to have its foundations undermined.

The American Ship of State will sail on and on, if there is a crew in command which will not change the course to the shoals on the left, or to the rocks on the right. The middle course, is the American course.

President SMITH: Thank you, Senator Thurston. It was indeed a privilege to listen to you, and an honor to all to have this address from our distinguished fellow citizen.

Now, with the hope and expectation that we may be able to be with you two years hence, the pioneers bid you a fond farewell. It is my good pleasure to surrender the chair to the Lieutenant Governor.

President EVANS: Thank you, Mr. Smith. I can assure the Pioneer Lawmakers that the previous question has not been ordered. We are happy, President Smith, that we could have you with us on this traditional occasion and we hope that you will be back with us two years hence. And, Lloyd Thurston, thanks for a very fine address.

Many musical numbers interspersed the program and were given by the orchestra from the State College of the Blind at Vinton.

The committee previously appointed came forward and escorted the Pioneer Lawmakers from the house chamber.

MORE IOWA YOUTHS SEEK EDUCATION

When Drake University was founded in Des Moines in 1881 it had 270 students. In February, 1947, the number enrolled were 4,572—just another indication of the part education is playing today in fitting youth for life's responsibilities.

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