

adopted a resolution, which, after reciting the family and public history of the life of Senator Andrews, concludes as follows:

"Now, be it resolved, by the members of the bar of Audubon county, Iowa, assembled in memory of our deceased friend and colleague, Henry Franklin Andrews, that we deem it proper to publicly express our appreciation of his admirable qualities as a lawyer and as a citizen and that it is but a just tribute to the memory of the departed to say, that in regretting his removal from our midst, we mourn for one who was, in every way, worthy of our respect and regard, and

Be it further resolved that, the court so ordering, this obituary and resolution be spread upon the records of this court."

*Now Therefore, Be It Resolved* by the Senate of the Thirty-ninth General Assembly of Iowa, that in the death of the Honorable Henry Franklin Andrews, the state and community where he lived, have suffered the loss of an influential and honorable citizen; and

*Be It Further Resolved*, That a copy of these resolutions be spread upon the journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the sons of the deceased.

H. J. MANTZ,  
J. A. NELSON,  
B. W. NEWBERRY.

The resolution was adopted unanimously by a rising vote.

Senator Mantz spoke as follows:

In moving the adoption of this report I would say that I do not suppose that any of the members of this legislature knew Senator Andrews. He served in this body during the sessions of the Twenty-fourth and Twenty-fifth General Assembly, nearly thirty years ago. It was my privilege to know him intimately. I have known him ever since I was a boy. He came to that part of the state when it was a part of the Wild West, following the close of the Civil War, where he served with honorable record. He came out there into that country when possibly there were not five hundred people in the county, and settled at Exira, which was then the county seat, and remained there during the rest of his life. As has been recited in the resolution, he first took up and followed the profession of teacher; later on he held the office of county recorder. He was admitted to the bar, and from the date of his admission to the bar he practiced in the courts of western Iowa down to within a few years of his death. At one time he served as county judge. The last few years he became afflicted with a difficulty in hearing, which barred him from the active practice of his profession. He then turned his attention to writing genealogies, and he became quite expert in that line. He had a penchant for doing that kind of work. He was a relative of Hannibal Hamblin, vice president under Lincoln, and he wrote the genealogy of the Hamblin family. I recall on one occasion I dropped into

his office to see him, because I enjoyed visiting with him—he had gone through the experiences of an early day, and it was a weakness of mine to want to sit at the feet of those men and listen to their narratives of the past—I remember on this occasion going into his little office, and he was showing me some of the work that he was doing. He had some works there on genealogy as large as our compiled code. I asked him when he expected to get through with that work; and he said he never expected to get through with it. I suggested that I thought I would never start anything that I could never get through with; and he said, "Young man, when you get to my age you will find that there are a lot of loose ends hanging around." And the older I get the more I realize that there are a lot of loose ends hanging around.

He was one of the pioneers of that period; he saw the change, the marked change, since those years of development. Coming to the county when there was not five per cent of the land under cultivation, staying through all that period of development down to the date of his death, when practically every acre was under cultivation,—it is marvelous when we think of it, that a man could pass through all the stages of those years and see that great change in the county; and coming in, as he did, as a sort of public personage, taking a part in the public affairs, a leader as he was, it is hard for us to estimate the influence a character like that had upon the community. He entered into the profession of the practice of law, and while he was a busy man all his life, he died poor, as we speak of men. As a lawyer, however, he was not inclined to push litigation; he was not what we commonly call the ambulance chaser; but rather he was a lawyer of the old school. Usually when men came to him with their tales of their grievances and wrongs, he would get up, put on his hat, and go out to see the other fellow, to get the other side of the case, and try to effect a reconciliation. Up in his office when people would come to him with a complaint, reciting their grievances and difficulties, he would try to see the other fellow; and he had a wonderful faculty of bringing the parties together and harmonizing and reconciling their difficulties. I have often thought that many a lawyer of today could emulate the example of that lawyer of the old school, and if instead of rushing into court and starting the legal processes, they would get the parties together behind closed doors, and act the part of a citizen to settle their difficulties out of court, it would be a great deal better. For this reason, the reason that he did not encourage litigation, he never became a wealthy man. He simply did it as a public service, and I know as a matter of fact that many a time he has acted as an attorney where he knew when he took the case that he would never receive any compensation. He did it as a public service, having regard for his oath that he was an officer of the court, and that he would do his duty irrespective of fee or reward.

As I have stated before, he was an old soldier, a member of the G. A. R. and held a number of positions in the state organization. Very active, very loyal, there was nothing that he would not do for an old soldier. He served as a member of the Soldiers' Relief Commission for

a number of years, always active and interested in the welfare of the boys in blue. While I know nothing about his work as a legislator, knowing the man, I feel and know that he took an active interest in all legislation which would interest the whole people and be for their welfare. In his departure the state lost a good citizen and the community lost a good neighbor and a good friend.

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### BENJAMIN MCCOY

Senator Caldwell, from a special committee, offered the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and public services of Benjamin McCoy, beg leave to submit the following report:

Benjamin McCoy, a member of the Twentieth, Twenty-first, Twenty-second and Twenty-third General Assemblies, was born in Jefferson county, Ind., March 22, 1846. He received his higher education at Cornell College, Mt. Vernon, Iowa, and after leaving school was employed for some time as a surveyor and teacher. During the Civil War he served as a private in Company H, Forty-seventh regiment, Iowa infantry.

Judge McCoy was admitted to the bar in 1871, and located at Oskaloosa in 1874. He was a member of the law firm of Bolton, McCoy & McCoy, later of the firm of McCoy & McCoy. While acting as one of the judges of the district court of the sixth district, he was appointed as one of the code commissioners to revise the code, and was also appointed a railroad commissioner by Governor Frank Jackson, both of which latter positions he declined.

In 1920 he underwent a serious operation in Chicago, from which operation he never fully recovered and he died August 24, 1920, at his home in Oskaloosa, Iowa.

Hon. G. S. Robinson, judge of the state supreme court, who has been quite intimate with him, professionally and politically, for eighteen years, gives the following estimate of Mr. McCoy's character:

"He is a man of absolute integrity, of fine ability, whose inclinations lead him to seek for and to do justice in all cases, even though matters of mere form have to be disregarded to attain that end. As a practicing lawyer, judge and legislator, he has attained high rank and achieved distinction. He is an exceedingly companionable gentleman of many excellent personal qualities, who deservedly stands high in the state."

Whereas, The Honorable Benjamin McCoy, a member of the Twentieth, Twenty-first, Twenty-second and Twenty-third General Assemblies, has been called from this life, therefore,