

law in his home town, and was engaged in extensive railroad litigation for a number of years, gaining a statewide reputation. The last thirty years of his life was spent largely in farming operations, developing the many hundreds of acres of which he was the owner.

He was a member of the American Academy of Political and Social Science and was a man of liberal culture and wide acquaintance with literature and art. On May 4th, 1859, at Delhi, Iowa, he married Miss Helen Martin, who died in April, 1911, and left one daughter, Miss Emma Brayton, who is a graduate of Lenox College, Hopkinton, Iowa, and of the Law School of the State University of Iowa.

Judge Brayton was a lawyer with an active, keen mind, who readily analyzed the legal case presented to him for solution and arrived at the fundamental principles involved in the cause. He was not a case lawyer, but a lawyer who sought legal principles, and in the early days in his practice in Iowa developed and settled in the Supreme Court of Iowa many of the fundamental cases involved in the practice of law in a new state. In the death of Judge Brayton, Iowa has lost one of her best citizens, a man beloved by all who knew him, and in honor of his memory, be it

Resolved, That in his death the state and county in which he resided has lost a worthy and upright citizen, an honest Judge, an honorable man; and we hereby extend to the bereaved daughter and friends our sincere sympathy; and be it further

Resolved, That a copy of these resolutions be printed in the Journal of the Senate, and that the Secretary of the Senate be directed to forward an engrossed copy to the daughter of the deceased.

ELI C. PERKINS,  
FREDERIC LARRABEE,  
E. P. FARR,

*Committee.*

The resolutions were adopted unanimously by a rising vote.

Senator Perkins, in moving the adoption of the report, spoke as follows:

MR. PRESIDENT—In moving the adoption of these resolutions it is fitting that I should call your attention for a moment to the life and services of J. M. Brayton, or better known in northeastern Iowa as Judge Brayton.

Judge Brayton came in an early day to Iowa, and if you will take the reports of the Supreme Court of the state of Iowa from 1854 to 1872 you will find in the cases that are there decided there are many of the causes for which he worked and labored. Mr. Brayton was a man who from his earliest days was a student. He was a man who loved his books. And throughout the many years of his life spent in Iowa the days were spent in his office. The last days of his life were largely spent in that office, although from there he was directing his farming interests.

He was a man who reasoned from principles. In trying cases he did not rely so much on what other courts had decided as he did from the principles that seemed to him to be just and right, and with the fundamental things that were involved in the cause that he had in hand. This perhaps came largely from the fact that when he first came to Iowa the laws were then indefinite, vague and few compared to what they are now, and then there were but one or two volumes of decisions to which he could turn. So he was one of the first pioneers of Iowa in developing the system of jurisprudence that we have here now as developed by the courts of this state.

As I said, Mr. Brayton lived with his books. With those books he spent all of his life until past his eightieth year, and on his eightieth birthday was able to go to the postoffice, get his mail and return from there, for the purpose of knowing what was going on. He was a man who kept posted on the events of the day, was up on the condition of his country, was one who took part in the affairs of the country in the stirring days of the 60's. In those times were the days when he came to the Senate of Iowa, and was one of those who represented his county during the days of the 60's.

Mr. President, I move the adoption of the resolution.

Senator Boe, from a special committee, submitted the following report and moved its adoption:

CHARLES GATES.

MR. PRESIDENT—Your committee, appointed to draft resolutions commemorative of the life, character and services of Senator Charles Gates, begs leave to submit the following report:

Charles Gates was born April 2, 1856, at Marble Rock, Floyd County, Iowa. He was of German-Irish descent. He attended the rural school and later graduated from the Marble Rock high school.

On June 8, 1883, he was married to Miss Carrie E. Stickney. They had no children of their own, but adopted a boy, who is now living, John F. Gates.

He was a farmer for some years, and later went into the implement and banking business, in which business he continued until his death on January 30, 1913.

In politics he was a Republican, and always took an active part in the affairs of his party. He was mayor for three years, and served as alderman for one term and a portion of another.

In 1908 he was elected State Senator from the Thirty-ninth District, composed of Bremer and Butler Counties, and was re-elected in 1912.