

Referred to Committee on Judiciary.

Senator McCulloch presented a petition from the members of the bar at Fort Madison, asking an enlargement of the jurisdiction of Circuit Courts.

Referred to Committee on Judiciary.

Also, a petition from A. C. Roberts and others, citizens of Lee county, asking the enactment of a law taxing railroads the same as other property.

Referred to Committee on Ways and Means.

#### INTRODUCTION OF BILLS.

By Senator Mitchell: Senate File No. 82, A bill for an act to legalize the action of the Board of Supervisors of Story county, Iowa, in relation to the issuance of bonds to the amount of \$7,000, for the purpose of purchasing land for a poor farm for said county, and for the erection of buildings thereon.

Read first and second time and referred to Committee on Judiciary.

By Senator Bulis: Senate File No. 88, A bill for an act to protect the citizens of Iowa from empiricism, and to prevent incompetent persons practicing medicine and surgery.

Read first and second time and referred to Committee on Medical Institutions.

By Senator Tuttle: Senate File No. 84, A bill for an act to legalize the devoting of the swamp and overflowed lands, and the indemnity lands obtained for swamp and overflowed lands, of Cerro Gordo county, Iowa, to the construction of the McGregor and Sioux City railway through said county.

Read first and second time and referred to Committee on Judiciary.

By Senator Patterson: Senate File No. 85, A bill for an act regulating election between dower and homestead.

Read first and second time and referred to Committee on Judiciary.

#### RESOLUTIONS.

Senator Beardsley rose and said:

MR. PRESIDENT:—I rise to formally announce the death of Hon. Charles L. Mathies, a Senator from Des Moines county. Since the organization of this body, twenty-three years ago, no member of it, if I am correctly informed, has been called upon to discharge a like duty. It is quite remarkable, indeed, that until within the last two years, death has never entered this chamber. But, during that time, two of the most honored and beloved members of the Senate have finished their labors on earth.

In view of these facts, it is certainly not unbecoming or inappropriate that we should lay aside for a brief hour the usual routine of business, and pay a proper tribute of respect to the memories of our

deceased associates. And the time thus spent will not be lost if it shall serve to impress our minds more deeply than before with the solemn truth that

“Life is real, life is earnest;”

and that while we bear its responsibilities and enjoy its gifts, we may well remember that we have no assurance, even for a single day, that we may not at any hour be called upon to give up all these things and follow in the way our lamented associates have passed. I further believe that a close scrutiny and contemplation of the characters of Senators Matthies and Needham will confirm the conviction which all men must sometimes feel that there is no true honor, no desirable reputation even, except that which is based upon an honest, conscientious, and faithful discharge of the duties and obligations resting upon us.

CHARLES LEOPOLD MATTHIES

was born in Bromberg, Prussia, on the 31st day of May, 1824. When sixteen years old, he entered the University of Halle, where he received a thorough military education. At the age of twenty, he entered the Prussian army, and by his bravery and good conduct won a commission, which he resigned in 1848, and immigrated to this country. Settling in Burlington, Iowa, the following year, he chose that city for his home during the remainder of his life. Engaging in mercantile pursuits, he continued in that business until the rebellion broke out. In the meantime, his military education was brought into requisition in drilling independent military companies, one of which he was Captain of during that terrible winter of doubts, and fears, and forebodings, which preceded the actual commencement of armed hostility to the Government. On the 9th of day of January, 1861, in a letter to the Governor of this State, he tendered the services of that company to aid in crushing the threatened revolt. It is claimed, and I believe the claim has never been successfully disputed, that this was the first offer of the kind anywhere in the United States. This fact should be mentioned here to the honor of Senator Matthies, to the honor of the State of Iowa, and to the honor of our adopted fellow-citizens, who have in the last nine years so gloriously vindicated their devotion to the institutions of this free land, which they have voluntarily chosen as a home for themselves and their posterity to the latest generation.

When the lurid lightnings of the gathering storm of rebellion flashed out at Fort Sumpter, and the proclamation of the President of the United States was issued calling for 75,000 men, Captain Matthies was one of the first to respond to that call; and his company, the “German Rifles,” formed a part of that illustrious band—the First

Iowa Infantry—whose deeds of valor in one short campaign immortalized its members, and placed our noble State in the van of loyal Commonwealths which lifted up the soiled banner at Sumpter, and re-wrote on its shining folds those magic words, "*Liberty and union, one and inseparable, now and forever.*"

Before the expiration of the three months for which the First Iowa Infantry entered the service, Captain Matthies was promoted to the Lieut.-Colonelcy of the Fifth Iowa Infantry, to which he at once reported and entered upon his duty as the second officer in that regiment. The early death of Col. Worthington devolved the command of the regiment on Col. Matthies, which he assumed and retained until April, 1863, when he was made a Brigadier-General for gallant and meritorious services in the field.

It is not my purpose to give a detailed history of the noble Fifth Iowa while it remained under the immediate command of Col. Matthies. The records of our State and the history of the war show that its achievements were not surpassed in brilliancy, nor in heroic bravery and endurance, by any in the service. A single incident will illustrate the manner in which it won its way to high renown, reflecting upon its brave command the greatest credit, and bringing to the State they represented imperishable laurels.

The battle of Luka was fought on the evening of Sept. 19, 1862. Though the numbers engaged on either side were comparatively few, it was one of the most fierce and bloody engagements of the war. In that memorable conflict the Fifth Iowa, under its intrepid Colonel, led the main column of attack, and, during the battle, with two other regiments, supported a battery against which the enemy massed his forces in overwhelming numbers. The battery was taken and re taken, and defended our brave boys until the horses were killed, the gunners slain or disabled, and the battery itself a heap of ruins. It is simply impossible for a soldier to exhibit a more daring and invincible spirit than was shown by our defenders on that day. The Fifth Iowa lost nearly one-half its number in killed and wounded. Inspired by the presence and lofty courage of its heroic commander, its members faced the storm of death with the coolness and devotion of the storied "six hundred."

Gen. Rosecrans in his report says: "The glorious Fifth Iowa, under its brave and distinguished Matthies, bore the thrice-repeated charges and cross-fires of the rebel left and centre, with a valor and determination seldom equaled, and never excelled by the most veteran soldiery."

Gen. Hamilton in similar words remarks: "The Fifth Iowa, under its brave and accomplished Matthies, held its ground against four times its number, making three desperate charges with the bayonet, driving the foe in disorder each time; until, with every cartridge exhausted, it fell back slowly and sullenly, making every step a battle ground, and every charge a victory."

For his services at Iuka, Col. Matthies was commissioned a Brigadier-General, and given an important command. In this wider sphere he acquitted himself with equal ability and success, receiving the highest commendation of his superior officers, and winning the confidence and affection of his men.

At Mission Ridge, Gen. Matthies' brigade was in the thickest of the fight. The wound he received in that battle, and the failure of his health from hardships and exposures in the field, compelled his resignation. He would not remain in the service a single day after he was unable to discharge the duties of his position. The same high sense of honor and patriotism which caused him to quickly come to the defense of his imperilled country, impelled him to return at once to private life when he could no longer wield his sword in that defense.

The military record of Gen. Matthies is without a blot. As an officer he possessed that happy combination of faculties which enabled him, without relaxing the discipline of those under his command, to sympathize with them, and to make them feel that while he was above them in point of rank in the service, he stood on the same plane as a man and a patriot. Hence he was regarded by his soldiers as a friend whom they could trust, and on whom they could call in time of need with full assurance that they would receive not only his sympathy and counsel, but material aid, if necessary, to the extent of dividing the last dollar in the pocket of their beloved General.

In 1867, he was nominated by acclamation by the Republicans of Des Moines County for a seat in this body, and was elected without opposition. Though his health was much impaired, he remained at his post during most of the session of 1868, discharging his Legislative duties with the same fidelity, and in the same unselfish and generous spirit which ever characterized him as a true and faithful soldier.

During the summer of 1868, his health continued to decline, and on the 16th day of October, of that year, he quietly sank to rest. Loving friends watched and waited tenderly by his bedside during his last hours, and the whole community mourned the death of a man so noble and true. His remains sleep in Aspen Grove Cemetery, near the city of Burlington. During the past year voluntary contributions have been made to the Matthies Monument Fund, to the amount of about one thousand dollars, and in due time a suitable stone will mark his final resting place. On last Decoration Day, though no wife nor child of his—for he was never married—was there, yet little children with hands full of flowers, gathered about his grave, and strong men and women wept as they remembered the hero who came from a distant land and laid down his life for our flag—aye, the *old* flag, thank God it floats in beauty and glory above us to-day! Ah,

"How sleep the brave who sink to rest,  
By all their country wishes blest!"

Our departed associate has passed on to join that innumerable company of heroes and martyr's, whose

———"Silent tent are spread  
On fame's eternal camping ground."

Evermore their countrymen will honor them. Evermore the friends of liberty will build monuments to their memory. But though we visit all quarries, and search out the fairest marble, fresh and pure as it came from the hand of the creator, and fashion it with all the deft and cunning skill of the sculptor, until their monuments gleam white in every cemetery of the land, and on every battle-field of the Union—still the greatest honor of all is the shrine we make for them in our own hearts.

"When the brave and good go down,  
Then statues do arise  
Within these temples of our own,  
Our fadeless memories.  
And when the sculptured marble falls,  
And art goes on to die,  
Their forms shall dwell in holier halls  
The pantheon of the sky!"

If, in the far future, there shall be marshalled on some celestial plain all those who have fought, or labored, or suffered, or died in defense of human liberty, or for the preservation of good government, there will not be one in all that shining host whose devotion to his country was more unselfish, whose love for his kind was more sincere, or whose loyalty to the lofty principles of justice and humanity was more simple and true, than that of Charles L. Matthies.

Honest man, pure patriot, brave soldier, upright legislator, hail and farewell!

Senator Beardsley then sent to the Secretary's desk the following resolutions:

*Resolved*, That the Senate has heard with sincere sorrow of the death of Hon. Charles L. Matthies, a Senator from Des Moines county.

*Resolved*, That as a mark of respect due to the memory of Senator Matthies, these resolutions and accompanying proceedings be spread upon the journal of the Senate.

Senator Bennett seconded the resolutions in the following remarks:

MR. PRESIDENT:—I arise for the purpose of seconding the resolutions, but feel incompetent to add anything to what has been so eloquently said by the Senator from Des Moines (Mr. Beardsley), or that can give new lustre to his name, fame, and memory of the