

At an early age Mr. Funk united with the Congregational church, but in later years became a member of the Unitarian faith. Fraternally, he was a Mason. Several years ago Mr. Funk was married to Clara B. Huckins. Owing to poor health he moved to California where he resided until his death. He is survived by his wife and three daughters. He died February 11, 1923, and was buried on his birthday, February 15.

Mr. Funk was one of the representative men of Iowa. He was distinctively a man of affairs and in public and private life he discharged the duties in a manner that won for him the commendation of his fellowmen. Measured by the standard of his achievements, he was one of the big men of Iowa upon whose historical scroll is written the honor of a life whose duty was well and faithfully performed.

Whereas, the Honorable J. H. Funk was called from this life, February 11, 1923, therefore

Be It Resolved, That the House of Representatives has heard with deep sorrow and regret of his death, and that it recognizes the high character of his service to his state and in his death the state and nation has lost a worthy and noble citizen, and,

Be It Resolved Further, That these resolutions be spread upon the journal, and that engrossed copies of the same be sent to the members of his family.

L. V. CARTER,
HEIKE A. RUST,
OSCAR ULSTAD,

Committee.

Adopted April 12, 1923.

HON. WILLIAM THEOPHILUS

MR. SPEAKER—Your committee, appointed to prepare resolution commemorating the life, character and public service of the Honorable William Theophilus, late a member of the House of Representatives in the 27th and 28th General Assemblies, beg leave to report the following:

Judge William Theophilus was Judge of the District Court in Scott county from January 1, 1911 for a period of eleven years. He died at his home, 706 Kirkwood Blvd., Davenport, Iowa, at 5:15 o'clock a. m., November 23, 1922. He was sixty-four years of age at the time of his death. Judge Theophilus would have completed his term of office on January 1, 1923 had he lived, at which time he was planning to retire from active duty by reason of his failing health.

Wm. Theophilus, son of Daniel and Margaret Theophilus, was born at Troedyrhiw Carmathenshire, Wales, August 6, 1858. His maternal grandmother, a Williams, was born in the same village as Roger Williams, one of the salient characters in early colonial history.

He received his education in his native country, but came to America with his parents in 1868, settling on a farm near Lime Spring, Howard county, Iowa. There he continued his education, and during his twenty years of residence in that vicinity followed for a time the profession of teaching.

In 1882 he was elected clerk of courts of Howard county, and re-elected in 1884, serving until January, 1887. His leisure time during that period was given over to the study of law, and he was elected to the state legislature in 1887, the Twenty-second General Assembly.

He resigned from the legislature in 1889 after serving a term, and removed to Arkansas City, Kan., where he was admitted to the bar. There he became acquainted with George W. Scott with whom he later became associated in the practice of law. He was elected city attorney of Arkansas City at a time when important litigation was pending concerning the issuance of city bonds for waterworks and railways and at the hearing of these cases in the federal courts he established a reputation for energy, skill, and knowledge of the law.

One year following his removal to Davenport in May, 1894, he was joined by Mr. Scott with whom he formed a law partnership under the name of Scott & Theophilus, which continued until Mr. Scott's election to the office of city attorney in 1898.

In 1899 Mr. Theophilus was elected to the Iowa legislature, and upon the expiration of his term resumed the active practice of law alone until 1905, when he entered into partnership with George W. Scott and Benjamin L. Salinger under the firm name of Salinger, Scott & Theophilus. After May, 1909 he practiced law alone until his election to the office which he held at the time of his demise.

Mr. Theophilus married Miss Minnie Thompson of LeRoy, Minn., in 1888, the couple enjoying an extensive social acquaintance.

Among the fraternal organizations of which he was a member are the Blue Lodge, A. F. & A. M., Ozarepath Consistory No. 4, B. P. O., Elks, Knights of Pythias, and in his own profession the Scott County Bar association.

Several years ago, one of the Davenport newspapers said of him, "Mr. Theophilus is by nature thoughtful, methodical, exact, and technical, a construer of the law and a constructive attorney, loving rather the advisory and counseling work of the office, land title, estates, and corporation law than the court procedure. He is the counselor of many prominent business men and corporations, and made himself an enviable position at the Davenport bar."

Therefore, Be It Resolved, That the House of Representatives take this occasion to present this tribute to the memory of a faithful public servant, and to express appreciation of his character and public service, and at the same time extend to relatives most sincere sympathy.

Be It Further Resolved, That a copy of these resolutions be spread upon the journal of the House, and that the chief clerk be directed to send copies thereof to the relatives.

FRANK W. ELLIOTT,
OLE NATVIG,
C. F. LETTS,

Committee.

Adopted April 12, 1923.