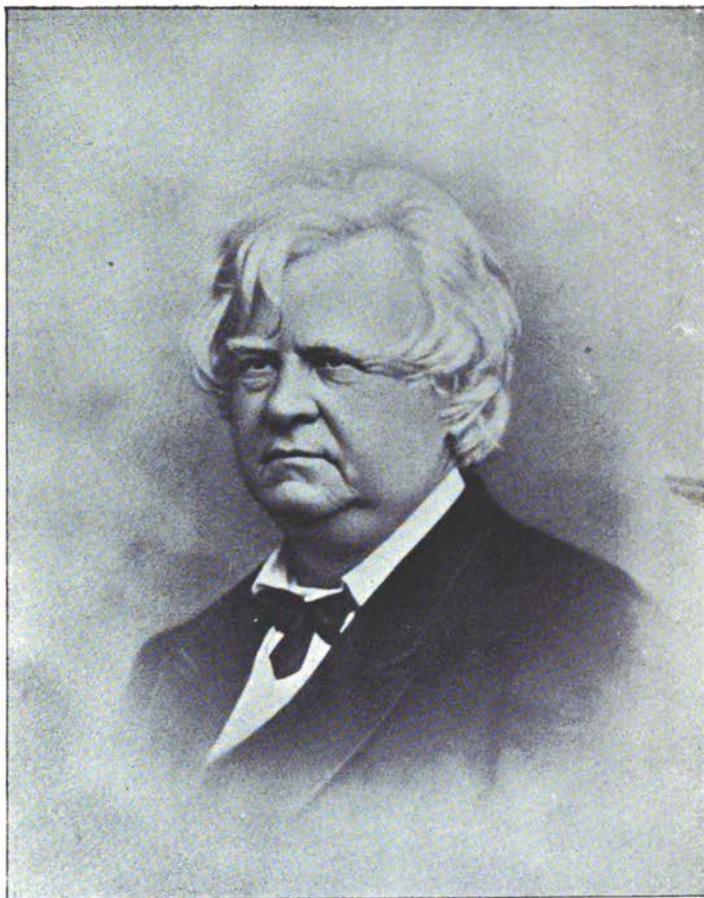




# *Reunion*



George Washington Peck



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## PREFATORY NOTE.

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During the interval between the Second and Third Re-Unions of the Pioneer Law-Makers Association of Iowa, both the President, Hon. Edward Johnstone, of Keokuk, and our most efficient Secretary, Hon. Alexander R. Fulton, were removed by death. The action of the Association in choosing a President *pro tempore*, will be found recorded in the proceedings. Of the three assistant Secretaries, it was determined by the Executive Committee that I should act in the place of Judge Fulton. As provision had been made that a stenographer should make a *verbatim* report of the proceedings, this action left to me little besides the collection and supervision of the biographical notes and the reading of the proofs. I am, however, very glad that we are able to present excellent portraits of both Judge Johnstone and Judge Fulton. Appropriate notices of these distinguished pioneers will be found elsewhere. Particular attention is called to the very excellent addresses of Hon. Messrs. Nourse, Wright, Carpenter, Parvin, Pusey, Eaton, Yeomans, and others, which will be found to contain much valuable historical matter. The sketch of Hon. W. W. Chapman our first delegate in Congress, who lately died in Portland, Oregon, which was carefully prepared by Mr. Parvin, is a most valuable contribution to Iowa biography. Several very interesting biographical sketches have also been contributed by Hon. B. F. Gue. The delay in the publication of these proceedings arose from causes wholly beyond my control.

CHARLES ALDRICH.

*Des Moines, Iowa, Dec. 21, 1892.*



## PROCEEDINGS OF THE THIRD REUNION.

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The Third Annual Meeting of the Pioneer Law-Makers was called to order February 10, 1892, in the assembly rooms of the Young Men's Christian Association, by the Secretary, Charles Aldrich.

Judge P. M. Casady submitted the following motion: That Judge G. G. Wright be called to act as temporary chairman of the Association, the chair having been made vacant by the death of our President, Judge Johnson. This motion was seconded and adopted, and Hon. Geo. G. Wright, of Des Moines, came forward and acted as temporary chairman.

The chair announced the first business in order to be the address of welcome by Judge Nourse.

The address of welcome was here delivered by Judge Nourse, as follows:

GENTLEMEN—*Pioneer Law-Makers of Iowa:*

The pleasant duty has been assigned to me, of bidding you welcome—welcome to our Capital City, which on this occasion may very properly represent the hearthstone of our Iowa home, of which you have been the architects and builders. Certainly no men could be more welcome than yourselves.

The future historian of the American nation will find in its history nothing more wonderful or more worthy of hispen than the planting and development of the new States that during the century have been founded and grown up in our national territories.

It seems almost a miracle, that such a commonwealth as Iowa, in a little more than half a century could have been developed in a territory theretofore occupied only by savages, now teeming with vigorous political, social and commercial life, with her two millions of people, her schools, colleges and churches; and her public charities, her manufactories, her enormous agricultural productions and varied industries, her people enjoying all the blessings of the best and highest civilization known to the world.

As you look at your surroundings to-day — this city, with its sixty thousand inhabitants, its manufactories, its warerooms, stores and beautiful homes, its spacious hotels, the Capitol building crowning yonder hill, this home of the Young Mens' Christian Association, where we are assembled — it is hard to realize that until October, 1845, less than fifty years ago, this portion of Iowa was in the exclusive possession of the Sac and Fox Indians, and that it was unlawful for a white man to make a settlement here.

And it has been less than sixty years (Sept. 15, 1832) since General Scott stood upon the west bank of the Mississippi, where Davenport now is, and concluded the treaty with the Indians by which the occupation, by the white men of any part of Iowa, became lawful.

Why should not the people of Iowa cultivate an honest, loyal State pride, and with it an ardent love for the home of their adoption or their nativity?

Where in any place on earth has a man a better chance than here in the State of Iowa? Where is honest effort or labor more respected or better rewarded? Where can a man's children be better educated or educated with less expense? In no place, State or nation, can conditions and environments be found more desirable than in our own Iowa.

To have been the founders and builders of such a State is an honor of which you, the Pioneer Law-Makers, may feel justly proud. You were the founders of our schools and colleges. You established our institutions for the care of the unfortunate classes. You laid the corner stone of yonder magnificent capitol building.

All these stand to-day the monuments of your wisdom, your foresight, your sense of moral obligation and duty as guardians of the public welfare and trustees of the people's bounty. And in the expenditure of these millions of the people's money you have not only acted wisely and with due regard to economy, but you have acted with the strictest honesty and integrity. The architecture and strength and durability of our public buildings are not the only source of pride and gratification felt by the people of the State as they look upon the work of your hands; they feel more pride in the fact that no stain or suspicion of fraud or speculation is associated with their construction.

In our organic and statutory enactments you have secured the rights of persons and property. You have secured to every head of a family a homestead from the rapacity of creditors; you have secured the equality of all men before the law, and in nothing have you disregarded the rights of man or the claims of humanity; you have maintained the public credit of the State and no stain of repudiation has ever dishonored her fair name.

It is true that when you formed our political institutions, you had the advantage of the example and experience of the older states of the republic, and the model of our national constitution as well. So had Moses been shown the fashion of the Tabernacle when in the mountain, but it was only by the hand of the Son-of-Uri inspired, says the record, by the spirit of God, in wisdom and understanding and knowledge that the work and plan of the Divine Architect ever materialized in its beauty and perfection.

The Pioneer Law-Makers of Iowa did not hesitate to wrestle with any question involving the material interests and general welfare of the people of the State. Like those of the present day they were earnest partisans and were divided in sentiment upon grave questions of national politics, but in

matters involving only the peace and good order of society in the State, the health, morals and domestic happiness of the people, the security and safety of the home and of the children, party lines were not drawn. They were not of that class of statesmen who are "all their life time in bondage through fear of political death." No legislation could be more radical on the temperance question than the provisions of the Code of 1851, and the Maine law, so-called, of 1855, yet no mention is made of the question in the State platforms of either of the political parties of that early period. The Code of 1851 declared that thereafter the people of the State would take no share in the profits of retailing intoxicating liquors; and places where intoxicating liquors were sold to be drunk on or about the premises were declared public nuisances. The law of 1855 was quite as thorough and strict in its provisions as is the prohibitory law now in force, and yet the vote upon its passage was, in the Senate (equally divided as to parties) twenty-three yeas and only eight nays, and in the House, with only six majority for the dominant party, the vote was yeas forty-four, nays eleven. The only local option law passed by the early law-makers of Iowa related to the right of hogs to run at large in the State. A very learned opinion of our Supreme Court, delivered by his honor Judge Wright, decided that as to hogs they were not all necessarily "equal before the law," or rather that the law need not necessarily affect all the hogs alike. The opinion, however, makes this nice distinction: It declares that if the Legislature had undertaken by direct legislation to permit the hogs in one county to run at large and had by the same act denied to the hogs of another county the same privilege, the law would have been unconstitutional; but as the law provided that the people of any county, and all the counties of the State had the same privilege of deciding by their votes for or against the liberty of the hogs, the law was therefore constitutional as a police regulation.

But I must forbear to pursue this subject: I dare not discuss political questions to-day—this is sacred ground.

The fact that I desire to emphasize today in this brief address of welcome is, that this commonwealth of Iowa is not an accident. It is not like Topsy, of Uncle Tom's Cabin. It hasn't just growed. This home of free men and free women, of free schools, of free thought, and free speech and free press; this busy hive of honest industry, of untiring energy and enterprise, protected and encouraged by constitutional guarantees and equal laws, is the result of patient thought and honest patriotic effort.

You, venerable men, planted the tree, you watched over its early growth, you pruned its branches and gave it strength, beauty and vitality, and these thousands are here in Iowa to-day to bless you and enjoy the fruit of your labor.

Of course you are welcome—welcome here and welcome everywhere, where wisdom, patriotism and honesty are recognized and honored. You will no doubt be compensated for your journey to this gathering by meeting many of your old-time friends and co-laborers. It has been, no doubt, quite an undertaking for some of you to come so far from your homes. Fortunately the hardships of travel are not what they were in the good old days. I see some here who reached Iowa City in the winters of 1854-5-6, in open wagons, with the thermometer 20° below zero. They won't soon forge Washington Prairie, English River or Mother Younker's pork pies. No

doubt many of you have floundered in the sloughs of Skunk River bottom in order to reach your homes after the adjournment of the General Assembly. Even in this goodly city in the spring of 1858 you reached the old Capitol building from your hotels by traveling a good part of the way over the floods of the Des Moines in boats. Now things are more comfortable. You came to Des Moines in a Pullman Palace car, traveling twenty-five or thirty miles an hour at half-fare, and when you go over the river this afternoon to visit the Legislature, we will send you over by lightning.

In recalling the associations and incidents of other days, you will no doubt realize a genuine pleasure. There are no better friends on earth than old friends. You have arrived at that time of life when you do not so much look to the future as to the past. You are young again in its memories, and I am happy to congratulate you on the fact that in your official lives as law-makers of Iowa you have so much to remember and recall with pleasure, and nothing that you desire to forget.

(Applause.)

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Song by the choir.

Address by the President, Hon. Geo. G. Wright:

*Gentlemen of the Association:*

Should I say that this call is to me a surprise, you would say that it is not so, for the same thing has been said so often under like circumstances that it has ceased to have even the semblance of truth. Then, too, this somewhat voluminous manuscript would dispel any possible delusion on that subject. The truth is, some friends suggested that I ought to be selected for this place, and hence had as well prepare for the same, and assuming that the good sense of the Association would probably endorse their unofficial nomination, I got ready! So I am not taken by surprise!

And now I give you thanks for the compliment, and use the words in no perfunctory sense, but most sincerely and cordially.

In the next place, and what I have said above naturally leads to it, I beg to suggest the propriety of changing the rule or practice so as to elect our officers for the ensuing re-union at the close rather than at the beginning of our meetings. Or, if not this, that you leave it for the Executive Committee to do so during vacation. This enables your presiding officer to prepare with more care, as he should, whatever he has to suggest, or to elaborate at greater length the subject or subjects of which he may treat. And, if such opening addresses are of any value, there ought in justice, to be time for this preparation rather than, as may occur, a call after a few minutes or hours notice. I beg also to make one other suggestion, and that is, that we change the name of the association so as to read "Pioneer Association of Iowa State Officials" or "Iowa Pioneer Association of State Officials." At present the title includes only *legislators* or *law-makers*, whereas as we know, State officials—executive and judicial, as well as legislative—are members. As a consequence many pioneer State officials are misled if they did not belong to the legislative branch, and until specifically advised have no thought of

attending. As I have in many instances had inquiries on this very subject and growing out of the name of the association, I suggest the propriety of this change so as to correspond with what is in fact intended or meant. But without entering further into the reasons for these changes, I submit the same for your consideration.

This is our third re-union. That those preceding have resulted in good, not only to those in attendance, but to all the people of the State, I will not doubt. So cordial have been our greetings and our receptions by officials and people, so helpful and beneficial the renewal of old time friendships, so much has been done in uniting the old with the new and projecting the influences of the early days into the future, that no one, it seems to me, but rejoices that we can come together and speak of the past of our good State, and labor for its still further progress and advancement. To illustrate: Legislative acts, judicial utterances, executive orders and other like matters aside, and omitting the living for obvious reasons, referring to the departed alone, how pleasant and how profitable and with what pride may we refer, among others, to Robert Lucas, our first governor, of iron will, spotless integrity, a Christian statesman and citizen—John Chambers, a soldier of the early days of the century, a fit representative of his Kentucky home, an honored member of legislative halls or the chair executive—James Clarke, self-educated, modest and reserved in manner, the printer statesman, a leader among his brethren of the craft, faithful and zealous in every public work; Augustus C. Dodge (whose son is now of our State Senate and well honors the name), than whom few men accomplished more for our Territory and State, courtly in manner as he was generous and honest, a gentleman in private and official life alike; the soldier-like, erect, honest-hearted and cool-headed Charles Mason; the genial and never-to-be-forgotten Joseph Williams; few men ever helped the State more, whether on the bench or in other positions; the chivalrous and ever polite Warner Lewis, Isaac N. Lewis, Loring Wheeler, Thomas Cox, J. W. Parker, John G. Shields (whose son also most worthily fills his place in our State Senate); the apparently morose but big-hearted and very able Joseph C. Knapp—John P. Cook, the favorite of every circle and the light of every assembly, not by any means forgetting the seemingly necessary part of every Assembly in the early days, "Old Timber" (James W. Woods, the presiding officer of the "Third House"),—and Captain Irish and John B. Russell, the inimitable story tellers,—and the sedate and unique Turner, who from charity if from no other motive, was always given some kind of a clerkship, whichever party was in power, and the neatest penman of the old Capitol—those most eloquent and able advocates, Ben. M. Samuels, David Rorer, Fred Mills (who fell in Mexico), Thomas Gray, C. W. Slagle, M. D. Browning, W. E. Leffingwell, W. F. Sapp, I. M. Preston, Curtis Bates, Stephen Whicher, Lewis R. Reeves, Thos. Rogers, Norton Munger. Henry W. Starr, who was flashingly brilliant, and left perhaps more good sayings and was the author of more happy hits than any of his brethren; Platt Smith, not of many words but of ideas the most direct and ponderous; James Grant, ardent, and a most gallant fighter, whether at the trial table, in a court of last resort, or elsewhere; Gil Folsom, eccentric as he was able, and as cultured in mind as he was apparently rough in exterior; L. D. Stockton and James P. Carleton, who ever exemplified on the bench and in private life that "a traveler in a straight road never gets lost;" the

Halls (J. C. and Augustus)—the one of marvelous natural force and power; the other not so strong in these but more politic and shrewd; Woodward, of culture and the best education of the eastern schools—his colleague, Isbell, without his polish but more direct and of fewer words; George Greene, not especially learned in the law or letters, and yet by his patient industry among the most valuable in our court of last resort, as he was afterwards distinguished for his force, energy and enterprise in the widest fields of business; Baldwin (Caleb), a natural leader, as true in his friendships as he was faithful in the many places which he filled with marked ability; the three Lowes—Enos, the presiding officer of one constitutional convention and the Senate of the Third State Assembly—Joseph, from Indiana, old-fashioned in ideas and manners, and yet respected by all—Ralph P., the Governor, District and Supreme Judge—his honesty led him to have confidence in all, seeking for the right, utterly regardless of technicalities and a very lion in physical courage; Rice, McJunkin, Bissell, Allen, Cutts—Attorney-Generals, worthy the State and the bar; Curtis, Belknap, Smyth, Reed, Warren, Crocker, Merritt, distinguished in military life and no less so at the bar, legislative halls or departments of the nation; Zimri Streeter, as full of good thoughts as he was of humor unsurpassed, and friendships only limited by his acquaintances; Pleasant and Amos Harris, Timothy Day, Moses W. Robinson, Freeman Alger, Evan Jay, John D. Elbert, H. G. Stewart, Jacob G. Vale (whose senatorial toga his son Benjamin now fitly wears), Theophilus Crawford, Thomas and C. G. Dibble, W. G. Haun, J. C. Jordan, Van Caldwell, O. D. Tisdale, Paton Wilson, Stewart Goodrell, Stephen B. Shellady, Wm. Patterson, George Temple, Laurel Summers, John M. Whitaker, Henry Felkner (a member of the House fifty years since—his son, W. F., now follows in the same place, the honest footsteps of the father), Hardin Nowlin, George Hepner, Thomas McKean, R. R. Harbour, Hugh W. Sample, Jesse Bowen—laborers in our agricultural interests or in active business, and most of them making their impress in our legislative and constitutional history or elsewhere, and with marked good to the State. Fales, Reno and Jesse Williams, officials without stain in our earliest history, followed with equal efficiency and with like good name by Cutler, Bonney, McCreary, and James Wright, by Pattee, Cattell, Elliott, Faville, Wells, Hart, Miller, Benton, Fisher, and those always acceptable presiding officers, Wallace, Morgan, Hamilton, Brown, Eastman, Needham, Walden, Rusch, McFarland, and Clarke; and then there was Grimes, among the brainiest of all, a born politician, a Colossus among statesmen, whether of Iowa or the nation; the banker, politician and able legislator, W. F. Coolbaugh; the young Ajax of the Seventh General Assembly, George W. McCreary, afterwards in the Commons of the nation, holding the war portfolio, and distinguished as a lawyer and a judge, and his great patron and instructor, S. F. Miller, who was a McGregor wherever met or in whatever engaged, and always at the head of the table; his partner, too, J. W. Rankin, bright and quick, ranking the highest in his profession and most popular as a Senator from the county of Lee where he ever had strength beyond his party; and his neighbor, Thomas W. Clagett, unlike all his compeers, and yet generous to a fault and ever working for the advancement of the city and county of his love, and for the agricultural and other interests of the State of his adoption; Gen. N. B. Baker,

"as generous as a prince of the royal blood," New Hampshire's governor, Iowa's legislator and Adjutant-General, who in the hour of supreme danger, struck off all party shackles and sought alone to "maintain inviolate the constitution and sovereignty of the nation:" Alfred Rich, falling early in life, he was "an evergreen, and yet a never green, plant" and among the most brilliant and popular whether of the first or later days of our existence; Shepard Leffler, president of the first Constitutional Convention, having length of service equal perhaps, to any in the Senate and House of the Territory and State; with Hastings, elected to the first Congress after our admission, a Virginian of the old school, with good ability, he was always a favorite; Asahel W. Hubbard, a most popular judge in Indiana and here, for six years in Congress from the Sixth or Northwestern district, prominent in all things tending to the upbuilding of that new region, and as honest and true as any man representing the State at home or abroad: and there was his colleague and friend, Josiah B. Grinnell, a Christian gentleman, ever at home whether in a church, political, agricultural or any assembly, than whom few men ever attempted or accomplished more for Iowa's growth and development in lines the most desirable; James B. Howell, the able lawyer, editor and Senator, of habits clean, manners most positive, in intelligence and study ranking with the best, whether in the chair of the editor or seat of the Senator; then there too was Eliphalet Price, rough exterior but of poetic nature, a most ready and interesting writer, lymphatic, and yet of great mental power, a good official and one of the most entertaining conversationalists I ever met; and his warm and constant friend, Timothy Davis, a member of the Thirty-fifth Congress, and of whom H. W. Starr once said, that he had enough nuggets of common sense to make him the fit head of the highest court of State, though he might never have read a law book; Henry P. Scholte, preacher, editor, lawyer, farmer, a Hollander by birth but an American in every fiber of his being; Ansel Briggs, first State Governor, from the Green Mountain State (as Hempstead was from Connecticut and Grimes from New Hampshire), a stage-driver in early life, a legislator in our Fifth Territorial Assembly, 1842, of pleasant address, plain and most unostentatious, whose utterance at a banquet, "no banks but earth, and these well tilled," is said to have contributed largely, such was then the opposition to banks, to his nomination; Stephen Hempstead, elected Governor in 1850, of a family among the most distinguished, of fine presence, popular on the stump, most pleasing address, his last days were as sad as his professional and public life had been worthy of praise and emulation; Bernhart Henn, among the most faithful officers ever in public life, no constituent or "land buyer" ever appealed to him without aid, if in his power to give; those lights of the church, Henry Summers, Bell, Cowles, Young, Hare, Nash, Father Turner, Clark, Bishop Lee, Jameson, Ripley, Dean, Spaulding, Daniel Lane, who in cabin, the shaded forest, log school house, or in edifice more elegant, furnished abundant evidence that eloquence and ability were not confined to the bar or politics, and who stood head and shoulders with the ablest of Iowa or any State east or west. Nor must I omit those of the lower courts, Tuthill, E. H. Williams, Gray, Bradford, Isaac Cook, D. S. Wilson, Olney, Booth, Smyth, Loughridge, Mitchells (G. C. R. & John), Tracy, Conklin, Burt, Chase, who on small salaries and without books almost,

traveled large circuits and demonstrated the wisdom of the people in their selection; nor that group of able legislators, James Hall, T. S. Woolson, Hurley, W. T. Barker, John A. Parvin, Bradley, Gurley, J. B. & G. W. Teas, Benson, Negus, Bunker, Baker, Hughes, Sanford, Babbitt, Bonham, M. T. Williams, J. D. Test, and others equally worthy of mention, whose imprints are in our statutes during Territorial as well as the first quarter of our State history, and ever for good laws and their honest administration. Nor would I be excused if I omitted mention of some of our many noble women, such as Mesdames Fales, Reno, Wittenmeyer, Cook, Grimes, Isbell, Lowe, Woodward, Kirkwood, Dodge, Harlan, Jones, and how many others equally worthy, I cannot stop to name, who in their homes or in social life, in church and school room, by the couch of the suffering at home and the soldier in the hospital and camp, by untold labors, activities and ministrations, which politicians could not estimate, but grand good hearts everywhere appreciated, assisted far more than we are accustomed to concede in making Iowa as grand as it is, the peer of any, in her churches, Bibles and school-houses, patriotism and devotion to the Union, and in advanced legislation for the protection of themselves and all the women of the State, in rights essential to good government and good order throughout our borders. And referring finally to a few not heretofore named, who were of us two years since, now no more, James M. Love, the incomparable judge, as generous and affable as he was honest and full of true friendships, whose name was but another for manly bearing and monumental integrity; Coker F. Clarkson, a very Puritan in manner, knowing no compromise with evil or dishonest thought, a lover of his country and State, among the readiest and most vigorous writers of his day; and finally, our last President, a man of leonine mien, Edward Johnson, respected and admired by all and commanding most marked and deserved attention in any audience or any assembly; and with him, our late secretary, A. R. Fulton, as modest as he was cultured, the embodiment of industry and patient attention to duty, whether in legislative halls or the field of journalism, and of both of whom we shall hear much more, as I am advised during our session, and hence I do not refer to them, however much I should like to do so, at greater length.

But the list so increases that I must desist. Repeating the inquiry, however, may we not refer to it with pride and with a pleasure ever allowable, when we think of the history of our State and what a large share these men and women had in giving us our proud name and position in the great galaxy of the now forty-four.

But I look beyond or away from these mere names for a moment, and inquire of their work, how they discharged their several duties, about what it was they legislated and labored and how well or otherwise they executed, upheld, construed and enforced the laws.

Gentleman of the Association, it is an easier task to govern a State and administer its affairs, when all foundations are once well laid and its great principles fairly established, than to begin anew. In other words, it is easier to amend than to originate; "to conserve prosperity than create it"; and especially if in the early days all is experiment, with little money and poor constituency; while later, the foundations being well laid, there is a full treasury and little demanded beyond occasional amendments (and perhaps not these if the best interests of the people were consulted!) to meet the

changes which the growth and supposed new conditions of society render necessary.

Look back and see what these men accomplished. They made the Blue Book of 1839 (for six months this constituted my entire library), as also that of 1843, Code of 1851, the Revision of 1860, adopted three constitutions, tore up the very foundations of the common law, and especially in the important matter of pleading and practice in our courts, settled a most important and dangerous question affecting our southern boundary, passed all laws now the foundation of our railroad system, banks, all corporations, schools, taxation, county and municipal governments, those governing all the domestic relations, for the settlement of estates, and in a word everything relating to the local and internal affairs and government of the State. It is comparatively easy to amend these, with the lights and aids of after years and the experiences of other States, while it required the best thought and most patient investigation to build them all new, to determine what was best for a new people, for a new State, a people coming from New England and the South, the Middle States and the then West, and all parts of the civilized world, with their many and conflicting ideas as to what was best and safest. And as of legislation, so of the courts. Think of Mason, Williams, Wilson (who it is sad to know is lingering on the confines of the grave), Hall and others, for say fifteen years, if no more, of our Territorial and State life, without the semblance of a law library, as compared with what we now have (said to be among the five best in the nation)—with new constitutions to construe, without printed abstracts or printed briefs, all these statutes to which I have referred, to measure by the yard-stick of new fundamental laws, questions novel and most difficult, a people and society not quite like that of any other in then existing States, compelled to make their own blazes through the untrodden paths of judicial forests, few if any precedents to aid and no authorities, and then think of all the aids and lights to assist those now in their places.

And so without saying more, while I would not withhold the just meed of praise to those who have built so well on the foundations, and so well discharged their several official duties, nor claim too much for the influence of the vanishing past or the adventurous present or hopeful future, I nevertheless insist that the work of 1838 to 1860-'72, was fraught with greater difficulties, and that the then actors should ever be held in esteem, whether for the present or the great and—let us hope—ever progressing future of the State we all love so much.

There are some things, however, as we look back, and especially to those now in active life, that seem passing strange, and may well excite surprise. Who can believe now for instance, that a controversy between the owners of the "Decree and Judgment Titles" and the Settlers (in political nomenclature known as "Possums,") on the Half-Breed Tract, a tract of 119,000 acres between the Des Moines and Mississippi rivers in Lee county, shaded and almost controled for years the complexion of our General Assemblies. With from two to three Councilmen or Senators and from three to seven members of the House, from that rich and always strong county in the politics of the State, it can be readily seen that in a Senate or House composed of say thirteen to thirty members, the views of the representation, whether for or against the Settlers, was of the first importance. And hence it

occurred that whether Huner and Sprott, or Miller, or Clifton, or Johnston and Patterson, or Griffith, or Hammil, or Love, or Wright, were successful depended more or less, proposed or possible legislation as to "Real Actions," or the rights of the Settlers to recover for "improvements," when ousted their possessions, "Forcible Entry and Detainer," and the like. Now this is all changed. For while in those days litigation as to these titles was most rife in all the courts, and legislation constantly demanded, State and Federal, to-day we scarcely know there ever was a Half-Breed Tract, and perhaps in no part of Iowa is there a more quiet or orderly people, or one where the general laws are more faithfully executed.

Then, too, how like a romance it seems, that for years following 1846, the whole politics of the State, north as well as south, was influenced by fidelity to and belief in the practicability of improving the Des Moines river by slack water navigation? It was more than any man's political life was worth, whether a candidate for Governor, Congress or any office, for him to suggest a doubt even that the great work that was to give us a Lowell every ten miles at least, of the beautiful river, from its mouth to the north line of the State—to make us the great manufacturing State of the whole northwest—to invite skilled labor from all parts of the world—to give us a home market, unexampled and unexcelled, and also stately steamers upon the waters of this river, the whole iceless season of the year—I say faith, or want of faith on this subject, made and unmade many aspirants for public favor; and there were few things, if any, so prominent in our legislation or so influential in our elections. If a man like J. P. Cook or Sir Francis Burdette (Springer), or Gen. Shields, for instance, outside of what was called and known as the "Des Moines Republic," quietly and in confidence, suggested a doubt he was, by a friendly and very prompt hint, silenced, since his opposition might injure the prospects of the party to which he belonged. In 1850, like many other ambitious young men, I had my aspirations and made the race for Congress in the lower district, against that good and faithful democrat, Bernhart Henn. Hempstead was the democratic candidate for Governor, Rev. James L. Thompson, his competitor, George Gillespy, and James Nosler for Treasurer of this improvement. Some, or all of us, together or alone, visited almost every county in the district, made speeches, and the great body of the debate involved friendship or enmity to or luke-warmness in this great enterprise. The struggle was to beat your competitor in your asserted confidence in the ultimate success of the work, and praise to the government for the magnificent donation. I remember that I occasionally attempted to ridicule my competitor's devotion and his constant harping upon this topic, and was accustomed to tell that he would, in his sleep (we often occupied the same bed in the hotels and cabins where we stopped), shout, "I am loyal to the Des Moines river improvement," and that once, seeing a man in a field, both started to shake his hand and that he, being fleetest of foot, approached the supposed voter first, hurrahing for the "Des Moines river improvement," only to find that it was a *dummy* to protect the corn! And I remember also that when at Ottumwa, in 1853 perhaps, I, as one of the Commissioners, drew and we consummated a contract with the New York Company, through Col. Henry O'Reilly, which was to result, as we supposed, in the completion of the work; the town was illuminated, we had bon-fires on every corner, a banquet in the

evening, followed by the most patriotic and inspiring speeches, and the press of the State eulogized the Commissioners, foretold the consequences to the State, and O'Reilly and all those connected with that contract, were the lions of the day! Some of us Whigs, it is true, entertained a doubt whether the grant extended above the Raccoon Forks, and for this expression of even an occasional distrust, we were charged with want of zeal in the cause and the people were appealed to by the press and from the stump, to defeat us and elect those who were loyal to a scheme so necessary to the State's advancement and future greatness! Look through our legislative and official documents, including message after message of our Governors, and you will see how fierce the contention was to occupy front rank on this all absorbing enterprise. The years passed on, the whole work abandoned, scarcely a locked dam or a damned lock left to tell the story. Railroads traverse the whole valley and we not only laugh now at such zeal, but are amazed that with the means at command, or with all needed means, it was ever thought practicable.

May I refer to one other matter in this connection? The constitution of November, 1844, was defeated at the August election of 1845, by the small majority of 421, or 7,235 for and 7,656 against it. Thus narrowly did we escape being admitted into the Union with a western boundary which cut off at least one-fourth, if not more, of our present area. Now, how incredible it seems that the people should have been so evenly divided upon a question that to us of the present day, has but one side. This grew, among other things, out of the following considerations: 1. The oft-repeated assertion that we could not get more, and if we did not come in with these boundaries we could not at all, or at least not for a long time. 2. There was a good deal of political human nature then as now and there were not a few interested in admission on any terms to the end that they might be Governors, Senators, Congressmen, Marshals, Judges and possess all the offices under the new deal. 3. As already intimated, the strong opposition to all banks of issue or possible favors to corporations, and since this constitution prohibited all and everything like paper money, it met favor for this reason, though it might have been objectionable to many such on other grounds. 4. But the strongest argument against it, I think, was that the territory west of the proposed line was a *desert* and would be a *burden* instead of an *advantage* to the new State. There were those who said, and as I believe in all honesty, that what we now know as the Missouri Slope, with its cities and towns, its soil perhaps, unequaled by any of like area, with its great wealth and increasing in an almost unexampled ratio—would not be settled in a hundred years. How entirely improbable this all seems now? For the man that would suggest this to-day would either "be shot on the spot," or sent to an asylum. And how thankful, therefore, we ought to be for the 421 voters who held out against all arguments, resulting in the convention of 1846, under which, and the second sober thought of the Federal Congress we obtained our present area, with the great rivers of the west on either side, "flowing like the affections of our people, to an inseparable union." Reflecting upon this incident, the great delusion under which so many then labored, I have been led to believe that there are no deserts in this American republic, and what are now so styled will in time, by irrigation or some means or agencies to be devised, be reclaimed and made to blossom and

produce, if not like western Iowa, at least to such an extent as to add to the wealth and greatness of our country and to demonstrate anew that it is without a rival in progress and development among the nations of the world, old or new. Whether my assumption be true or not, however, let us be thankful, I repeat, that we have our present boundaries, including the once feared and dreaded Missouri Slope.

Turn we now for a short time to the future. These re-unions are profitable in proportion as they assist in the future work of the State. This we may do in many ways. Among others, allow me to mention that it would seem to be a part and appropriately of our work to call attention to the need of immediate and most active efforts in compiling, collecting and preserving all, whether in records, transactions or biographies or otherwise, that go to make up the history of the State. The actors in our past legislation, schools, churches, executive and judicial departments, in our agricultural, horticultural and the whole wide field of industrial development, are passing away. Thus far in the line indicated, and all, I fear, indeed, I may say I know, we are quite behind many of our sister States. That this is so consult the libraries and collections; look for a moment at the catalogues published and sent broadcast over the land of our sister States no older nor richer than Iowa, nor, I trust, with more State pride; and how comparatively insignificant our work, and how every citizen of the State has cause for shame and mortification in this respect. In view of this fact and others to be referred to, it seems to me that this is not only an opportune occasion, to urge and inculcate more zeal in the line indicated, but that the time now lost will be lost forever. As we know, one of our members, Prof. Parvin has been most diligent and has removed from old halls, pigeon holes, basement rooms and other dark receptacles, documents and historical data of the greatest value, and for which he is entitled to the lasting gratitude of all our people. In the same line, but upon a larger and perhaps more valuable scale, because among other things he has given it more exclusive attention, I may refer to the labors of our most excellent Secretary, Charles Aldrich. For years, as we know it was with him, a labor of love, he serving without money and without price, save that which comes from the unstinted praise of friends, which shall swell and become more and more valuable as his labors shall be more and more appreciated. For the past two years he has had compensation and assistance, and though most meager, most acceptable I am sure, as far as it goes. I have said this was an opportune time to enlarge this work. And we must have it now and of the most helpful kind. He or some one must continue the needed work of collecting books, public documents, original letters, State and county maps, portraits, biographical memoranda of early settlers, swords, commissions and like of our officers and soldiers in the late and all wars, collections illustrating the arts, arms and industries of our Indian Tribes, fossils, pre-historic implements showing our natural history, these and other matters readily occurring to you and which I have not time to enumerate, should be gathered now by competent hands, for the years as already suggested will not be many when they will impossible of attainment. Then, the advisability of this is just now peculiarly pressing. Within the next two years there will be held near us, the largest, richest, and to be the most largely attended exposition ever in this or in any other country. Iowa, and all the States will be there fully represented in all the matters above

indicated, as well as in others of equal interest. In passing I may say, that I for one, favor the most liberal appropriation to this exposition, at all consistent with our finances and yet to the extent and only to the extent fully needed, that the State may have an exhibit worthy our pride and our admitted high standing among our sister commonwealths. Every dollar spent will be returned in many ways, fifty and even an hundred fold. But while I might, and would, did the time allow, say much more in this line, I refer to this exhibit especially to suggest that from the immense amount of material there collected under proper supervision and with needed means there will be found the richest store-house from which to select and make more and more valuable what we already have. Miss this and we miss the opportunity of a century, if not indeed of all time. To this end and to the accomplishment of what we shall all so much desire, we need united, concerted and systematic work all along the line. We must have assistance as well as zeal and enthusiasm. So, too, we must have increased room and facilities for placing and taking care of these collections. And hence it seems to me the law-making power either by enlarging the work of the Historical Society and other like agencies, or what would be better, by concentrating and unifying effort in one line and under one supervision in rooms to be provided at the Capitol, or by such methods as the best thought develop should in aid thereof make most liberal appropriations. And from no body of men could an appeal on this subject come with more propriety, and let me suggest, with more force and influence than from those now before me.

Am I asked, what else? I answer that if our members would make it more and more a duty to prepare, and prepare with thought and care, papers upon subjects connected with our early history, and if by the continued liberality of our Legislature, our proceedings shall, as I doubt not they will, be published in a preservable and inviting form, we shall do no little in keeping alive this history. To this end it is not needful that such papers shall relate alone to legislation or matters connected with the political or official affairs of the State. On the contrary, suppose some one would give us a well authenticated account of the organization of our State Agricultural Society, or of our first county organization in that line; or the history of the so-called Missouri war, involving our southern boundary; or how and under what circumstances our counties, and especially those in the western part of the State, were named and their meanings; or the incidents and history of the Mormon exodus from Nauvoo, the passage of that people through Iowa, their temporary settlement in large numbers at Kainsville (now Council Bluffs) and vicinity, and of our elections about that time in which they bore an important part; some one or more of several celebrated murder trials, as for instance that for the killing of Col. Davenport at Rock Island, or of the trial of Peck, McCaully, Hariman, Foutz, Nash, Jones, and others; or where and how many of our first courts were held and so-called primitive justice administered; something of the opening of our first lead and coal mines and their subsequent great development and, especially the latter, and how much this product has added to the wealth of the State, and how many other kindred subjects, I cannot stop to enumerate; but I say, if we could have such papers and documents we should aid largely in preserving our history in many, the most desirable lines. And then if, in addition, those who have filled a large space in the development of the

State, would follow the example of the late lamented J. B. Grinnell, and prepare reminiscences (his, I am glad to know we are soon to have) not necessarily for present publication, or during the writer's life-time, but for use in the coming years, it can be seen again what a mine of wealth we would have, and how much those to follow would be aided in preparing a later and further history of that Iowa than which we fondly think there is none prouder, none more worthy of the fullest preservation.

But excuse me. I talk too long. I have hurriedly thrown together these suggestions. If worthy of attention so treat them. If not, pass them over and search out, as I doubt not you can, better ways for the accomplishment of the objects of the Association.

And now, gentlemen, again thanking you, and extending to you most hearty greetings as we come together in this year of grace, 1892, expressing my great pleasure that so many are permitted to meet once more in this beautiful and growing Capital City, I only add (quoting in part from another), "We have recalled somewhat of the past. What shall be the future? The gift of prophecy is mercifully withheld from man: Hope, kindlier than prophecy, stands in the place of it—the just and reasonable hope instructed from what has gone before." The memories of the past, our State pride and that kindness of feeling which age should ever bring, let me hope, "raise us far above the jargon and turmoil of the poor quarrels of the hour which seem at times to oppose to our vision, obstacles dangerous and portentous." Men shall come and men shall go; legislative assemblies shall meet and adjourn; laws good, bad and indifferent shall be made; we individually, in political contests and otherwise, have met with disappointments and have had our ephemeral triumphs and may have them again; but the sure foundations of the State and the Great Republic shall stand. "Patriotism and devotion shall and often as heretofore bring them out resplendent from even darker days," if they come, than those we have ever known; and as we pass away and turn our work over to others, I, and I trust you also, "looking forward to the open glare of the dying century, with the eyes of hope, shall see an advancing civilization, not without the vicissitudes, the blemishes, the mistakes, the sorrows, through which humanity's path must always lie, but in which the gain shall still surpass the loss and the better surmount the worse, enlightened from generation to generation by an increasing intelligence, broader knowledge, higher morality, alleviated and illuminated as it was in the beginning by the inexhaustible blessing of our father's God."

Music, violin duet, "Swanee River," by Misses Smith and Welsh, of Boone.

The Chairman appointed as committee on nominations, Messrs. P. M. Casady, Samuel McNutt and Mr. Hilton; as committee on resolutions, Messrs. Reuben Noble, F. D. Campbell, Geo. W. Bemis and Ed. Campbell.

Here a communication from the House of Representatives, signed by Messrs. Linderman, Lane and Campbell, was read, as follows:

MR. PRESIDENT:—We are directed by the House of Representatives of the Twenty-Fourth General Assembly, to extend a cordial invitation to the Pioneer Law-Makers of Iowa, to visit the House of Representatives this afternoon at 3 o'clock.

On motion the invitation was accepted.

On motion of Judge Casady, Hon. Barlow Granger was elected an honorary member of this Association.

By motion of Judge Casady, Mr. Frank A. Sherman was also made an honorary member of the Association.

*By the Chairman:* I appoint as committee to make known the acceptance of the invitation of the House, Major Hoyt Sherman, Dr. Wright and Mr. McNutt.

The Association was then addressed by Hon. Theodore S. Parvin, as follows:

#### GLIMPSES OF EARLY IOWA, OR RECOLLECTIONS OF TERRITORIAL TIMES.

BY T. S. PARVIN.

[Delivered before the Pioneer Law-Makers' Association at their third biennial reunion February 10, 1892.]

##### BLACK-HAWK WAR.

It was during the year 1832, famous throughout the country as the cholera year, which wrought such devastation through our western as well as eastern populations, that I well remember, as we boys had assembled in the preparatory school where we were being worked up for entrance to college, that one of the boys had a paper containing a notice of a great event in the western part of Illinois which subsequently became known as the "Black-Hawk War," originating upon Rock river in Illinois, under the leadership of the famous chief Black-Hawk, and terminating with the battle of Bad Axe, Wisconsin, in the summer of that year.

Indian wars and rumors of wars were not so frequent then as in these later days, and the event created a profound impression upon the minds of the youth there assembled in the chief city of Ohio. That event not only elicited great interest throughout the States of the "Great West," as the States of the Mississippi valley were then termed, but throughout the country, and was pregnant of great and future results. It led to the cession of a strip of territory bordering on the Mississippi on the west, some thirty miles in width, extending from the Des Moines river to the land of the Sioux on the north, called then the "Black-Hawk Purchase," and soon to become known as the "Iowa District." This event, opening up to settlement the garden spot of the West, marks the first great epoch in the history of Iowa.

None of the boys, and least of all myself, of the readers of that paper then

dreamed that in the future several of us would become residents and actors among the men who were to become the future settlers of the lands thus ceded.

#### IOWA ATTACHED TO MICHIGAN.

Two years later (1834), when a sophomore, I well remember that the Professor of Ancient Languages, an Alumnus of Harvard College, met us as we entered the class room with Horace Delphini under our arms, with a newspaper containing an account of a recent trial in Judge Lynch's court which the dignified professor termed "mob law," occurring in the Dubuque Lead Mines of the Iowa District aforesaid. The staid old Puritanism of the professor was so shocked that he forgot the lesson of the hour, read the recitals of the event from the paper to the class and invited remarks from its members upon the subject.

The facts were that a miner had murdered his partner in the bluffs bordering on what is now the city, but then the small village of Dubuque. The fellow miners of the murdered man seized the murderer, and as there were no courts in the district, carried him over the river to Galena, the chief if not the only town of any size in all the region north of the Rock river, Illinois, and west of the great chain of Lakes. The court there properly held that it had no jurisdiction, whereupon the miners carried their victim back, improvised a court, selected jury and officers, assigned one of their number to the prisoner as his counsel, proceeded to try him and found him guilty, when Judge Lynch sentenced him to be hung by the neck till he was dead, following the usual forms of law. The sheriff of the hour, assisted by a *posse comitatus*, executed the sentence and he was hung and the district rid of a murderer.

Some members of the class, as well as many people, disapproved the act, while as the leader of the class I well remember that I earnestly supported the court, upholding its doings, and so became the advocate of a people with whom, strange to say, four years later I became well acquainted, and the chief officers of that court became in later years among the most distinguished and useful of our public citizens.

This event, too, was pregnant of great results. It reached the ears of Congress and led to the enactment of a law providing that Wisconsin and Iowa be "attached to the Territory of Michigan for judicial purposes," and thus the "Iowa District" west of the Mississippi, including the present States of Iowa, Minnesota and Dakota, were brought under the dominion of the civil law and government of the land from which it had been excluded since the admission of Missouri in 1821, prior to which time it had been a part of the Territory of Indiana and later of Missouri.

#### IOWA TERRITORY ORGANIZED.

Notwithstanding we had no railroads and telegraphs in those days, time and its events moved rapidly on, and on the Fourth of July, 1838, Iowa, which, since the spring of 1836 had been a part of Wisconsin, was separated and erected into a territorial government, known as Iowa Territory.

Having been an actor, though in a humble way, in many of the most important events of that era, I propose to speak somewhat from my personal knowledge by way of recollection and reminiscences of the "Pioneer Law-Makers" and others of Iowa, and relate

"The old, old story that never grows old,  
The saddest or sweetest that tongue ever told."

When Iowa was organized there was not a public road or highway worthy of the name in all the Territory. The weekly mail to Burlington, which became the Capital, was brought in coaches from the east over the National or Cumberland road to Indianapolis, and west once a week in a two horse hack, carried in the same way to Davenport, and then horseback to Dubuque. The postage on our letters was twenty five-cents, payable on delivery.

So little did the people of the far east know of this, then the "far west", now Iowa, that I well remember a letter from the State Department addressed to his Excellency the Governor, Burlington Iowa, was several weeks reaching its destination. The good Postmaster at Washington City sent it first to Burlington, New Jersey, evidently ignorant that there was any other Burlington. It was returned to Washington, again mailed and this time it reached Burlington, Vermont, when there being no such "excellent" person as Robert Lucas it was carried back to Washington. Then the Postmaster endorsed upon it "For God's sake let this letter go to some other Burlington, wherever it may be." There were no envelopes in those days and the endorsement of the Postmaster was on the back of the letter well sealed with wafers, sealing wax, and the big stamp of the Department. That letter was an object of curiosity, shown to many persons during the winter of 1838, and I have always regretted that I had not laid it aside and substituted a copy, to the end that it might now find its way into the famous Aldrich Collection of to-day in our State Capitol.

#### HOW IOWANS CAME BY THE COGNOMEN OF HAWKEYES.

The Governor, Territorial officers, and leading citizens of Burlington, were accustomed to meet from time to time in the parlor of the Burlington House, kept by L. J. Lockwood, where the Governor and his staff were domiciled. At one of the early meetings of this social group the question arose and was discussed, by what cognomen should the settlers of Iowa be known.

James G. Edwards, editor of the *Burlington Patriot*, soon to be changed to *Hawk-Eye*, and who in future years became known as "Old Hawk," suggested (as had a correspondent of his paper, Hon. David Rorer, before) the name of *Hawkeye*, which was universally agreed to, when he came out in an editorial endorsing the action of the improvised Senate.

At that time Jesse Williams, who afterwards became Secretary of the Territory, and myself, were members of the Governor's staff, and correspondents for leading papers, Williams for the *Ohio Statesman* at Columbus, the leading Democratic paper in the west, edited by Sam. Medary; I, for the *Cincinnati Gazette*, for many years the leading paper in the west, edited by my old friend Chas. Hammond, and later by my preceptor in the law, Judge Wright (John C.), who, in 1836, was Chairman of the Whig National Committee, having in charge the canvass of General Harrison (the grandfather of the present President) for the presidency. We made a big blow over the name and it went like prairie fire over the land, was universally received and accepted as the title by which all Iowa people were to be, and are now known.

In this connection I might mention a little anecdote of our Secretary of the Territory, Hon. Wm. B. Conway. He with a number of us were on our way, in the mid-winter of 1838, to Fort Madison to become the guests of the good people of that village. The ride was a cold one and we stopped at a prairie cabin to warm and refresh ourselves. Conway was a talkative man and soon became engaged in conversation with the good hostess, who was surrounded by about as many children as was John Rogers in the times of old. In response to a query of Conway's she said that "all of her children, save the one in her arms (which was busily contributing to its physical comfort), were 'Suckers,' that is, natives of Illinois. "My dear madam," said Conway, "I should think that *that* little fellow was a sucker also," which created a hearty laugh on the part of all present, including the mother.

#### NEWSPAPERS OF THAT PERIOD.

Having alluded to the fact that James G. Edwards was the editor and publisher of the *Burlington Patriot*, later *Burlington Hawk-Eye*, which has continued uninterrupted to this hour, I might add that he had come in the spring (March) of 1838, from Jacksonville, Illinois, where he had published a paper, bringing with him his press and materials, and started the *Fort Madison Patriot*, which upon the separation of Iowa from Wisconsin and the making of Burlington its capital, he removed in December to the latter city. In point of age it was the third of the only three papers then existing in the Territory, the oldest being the *Iowa Territorial Gazette*, published and edited at Burlington by James Clarke, who succeeded Conway as Secretary of the Territory and later became and was the last of the Territorial Governors.

This paper, brought from Belmont, Wisconsin, had been founded and published the preceding year by Clarke and John B. Russell.

The third was the *Dubuque News* edited and published by Russell and Reeves, the foreman in the office being Andrew Keesecker, who had worked upon the *Dubuque Visitor*, a paper published by John King during the year May, 1836, to May, 1837. A copy of the old *Dubuque Visitor*, the first paper published in Iowa, is in a perfect state of preservation and in the custody of an old settler, whose life has been wasted by strong drink and who is living upon the charity of those who knew him in better days, and yet he knows so well the value of that paper that he has refused every effort of mine and others to secure it, even though I have offered him \$50 for the bound volume. The State should possess that volume which contains much, indeed more of the history of Iowa for the year of its publication than can be found elsewhere throughout Iowa.

The libraries of Congress, the Astors, and the British Museum, each paid \$1,000 for complete files of the Richmond *Enquirer*, published at the capital of the Confederate States during the years of our civil strife, which shows the value set upon such historical documents by those most competent to judge and capable of appreciating their importance.

An incident had occurred in the period immediately preceding the Black-Hawk war, illustrating the value and the agency of newspapers in the making as well as recording of historical events. Keokuk, who became the successor of Black-Hawk as chief of the confederated tribes of Sacs and Foxes, was friendly in his disposition toward the whites and deprecated the

acts of Black-Hawk which were so likely to lead to open warfare, whereupon he dictated a letter to the editor of one of the village papers whom he styled as *Village Crier*, adding that "If you Criers do not stop saying so much about Black-Hawk you will make a great man of him. He does not amount to much now."

The influence of the three papers, ably edited as they were, and which would compare favorably with a like number of the weekly papers of to-day, was great, not only in the shaping of events of that period, but in the making of some of the men who became conspicuous in the early and later periods of our State history.

Messrs. Clarke, Russell and Edwards, were practical printers and made most excellent editors. Mr. Edwards continued in charge of his paper until his death, many years later. Mr. Clarke was from Pennsylvania and at the head of (what by partisans was charged as) the "Pennsylvania junto" or clique, for Iowa had its cliques even at that early day. Upon assuming the gubernatorial functions of the Territory Mr. Clarke disposed of his interest to John McKenny, who had been his foreman, became later sheriff of the county, and upon the election of Polk as President was appointed Register of the land office at Brownsville, Minnesota. Later, however, Mr. Clarke re-purchased and continued as editor of the paper he had founded and which continues under the old title, while the *Dubuque News* was later transformed into the *Miners' Express*, and then the *Dubuque Herald* of to-day. These three papers are now among the leading dailies, as they were then the only weeklies of Iowa.

The creation of Iowa into a territorial government awakened not only a profound interest among the few thousands of people residing in the river counties but throughout the land, and a spirit of emigration arose in the eastern and middle states, leading many to pull up stakes and remove to what was then known as the "New Country" or "Black-Hawk Purchase." People in those days did not travel by rail as now, but came in the summer by water, down the Ohio from Pittsburg and up the Mississippi as far as Dubuque, which was the frontier town on the north. During the months when navigation was suspended they came by land, most of them traveling by their own conveyances, and we have shaken hands with the heads of many families who drove their own team, and brought their few household goods all the way from the Nutmeg State.

#### FIRST ELECTION.

During the summer, in company with Governor Lucas, I traveled from Keokuk to Dubuque, stopping some days at each of the landings, as the villages were called at that time. The first election for members of the Territorial Legislature came off during one of these trips, when, seeing a crowd upon the river's bank at what is now Sabula, we inquired of the captain of the Brazil what was the occasion of the gathering. He said "it was the voting precinct and would we like to vote," whereupon he ran the steamer to the shore, let us off, and as the election was held under the proclamation of the Governor, in the absence of all territorial law or any law save that of Congress, our request to vote was readily granted, and then and there I cast my maiden vote, which was for Peter Hill Engle, one of the four candidates for Congress, the successful candidate being William Wil-

liams Chapman, of Burlington, who still lives, an octogenarian, in Portland, Oregon.<sup>1</sup>

His other competitors were David Rorer, of Burlington, who became one of the most prominent of Iowa lawyers, the author of a number of law books of standard value, and who erected the first brick house in the territory of Iowa, and laid with his own hand the first brick. In later years when, by the growth of the city, the lot was demanded for the erection of a large and fine block, the house was torn down, he watching the process until they came to the last brick which he himself removed and used as a paper weight upon his desk until his decease.

He was short of stature, had come to Iowa from Arkansas where he had grown up under the influence of the peculiar society of that frontier State and age, and while a very companionable and genial man, because of the strife in which he became involved during this canvass, became engaged in a personal encounter, which from its results, for many years marred his usefulness, but which he outlived, and was known and respected as an honored and honorable citizen.

The remaining competitor was Benj. F. Wallace, a young lawyer of Mt. Pleasant, who became the first Secretary of the Council of the Territory. His brother, a somewhat pompous man with a high appreciation of his own abilities, was Speaker of the first House, and later became prominent not only in the affairs of Iowa, but of the Territories of the west, having been appointed Governor and later became Territorial delegate from two of the Territories, Washington and Idaho, in the Rocky Mountain region.

Mr. Engle, who was the ablest of all the candidates, had been Speaker of the Wisconsin House of Representatives before the separation of Iowa, and after his defeat removed to St. Louis, where he rose to great distinction at the bar and became Judge of one of its leading Courts. All of these men, as also all of the editors and those connected with their press, save one, are dead.

George Paul, recently postmaster at Iowa City, and for some years sheriff, and a most useful member of the Legislature from Johnson county, worked in the office of the *Fort Madison Patriot* and later the *Territorial Gazette*, and upon the removal of the capital from Burlington to Iowa City, engaged upon the old *Capital Reporter*, now the *State Press*, of which he later became publisher and editor.

Upon the occasion of our first visit to Dubuque we stopped at a two story frame tavern kept by a man named John Plumb, Jr., who had a son, a civil engineer, who was an enthusiast, almost to the becoming of a monomaniac, upon the subject of a *Railroad from Lake Michigan to the Pacific Ocean*. His table in the hotel was covered with maps and plats, and he bored every visitor with a description of the route, the feasibility of the construction of such a road, and always wound up by declaring that he himself would live to see the construction of such a road. To this youthful Iowa enthusiast belongs the honor of being the first projector, in theory at least, of the great Pacific highway, which thirty years later (1868) was consummated, and the iron rail became the bond of union between the Atlantic and Pacific oceans.

But so readily are the services of the pioneers passed by and their names

(1) NOTE.—Mr. Chapman has since deceased, Nov. 9, 1892.

even forgotten, that he, like many another of those who were so largely instrumental in the "making of Iowa" have been forgotten or overlooked by the historian or would-be historians of to-day.

#### FIRST NEWSPAPER.

It was upon the occasion of this visit to Dubuque that I made the acquaintance of John King, the founder and editor of Iowa's first newspaper, and who lived to render much service to his adopted State as one of its most useful citizens and leaders in the horticultural development which has made Iowa the garden spot of the Mississippi valley. He was from Ohio, and while not a printer by trade, was fortunate in the selection of one Andrew Keesecker to do his work, who became the most famous printer that Iowa has yet produced, and who only some twenty years ago (1870) passed from among the living after having spent thirty and more years of his life in the disseminating of light and knowledge through the Press among the people at home and abroad, touching the resources of the State to whose interest he was so earnestly wedded.

He was a fast as well as useful type setter, with a little impediment in his speech and not overly religiously inclined. It is related of him that one time he offered a wager with a fellow printer, who afterwards became prominent as an editor both in Iowa City and Dubuque, and who still lives, our good old friend Mr. Wood<sup>1</sup>, to determine which was the fastest type sticker. They agreed to set up the Lord's Prayer, and each to conclude with the word Amen, audibly pronounced. Keesecker came out ahead and tried to pronounce the word, but stuttered so badly that Wood pronounced it distinctly first. When Keesecker said, "That is what I have been trying to say the last half hour." Upon comparing the work they found that Wood, who was a Christian man, had followed the New Testament text, while the memory of his school days was more lasting with Keesecker who had set it as he had learned it in his New England primer of earlier years. While so many of these men and others have passed away, verily their works survive them.

#### GENERAL JONES.

After visiting the Lead Mines awhile we started for Galena, which was the head of steamboat navigation on the Mississippi, or rather one of its smallest tributaries, Fever river. On our way the carriage in which we were being driven broke down and we had to foot it some two or three miles to Sinsinawa Mound, then the residence of General George W. Jones, who was delegate in Congress from Wisconsin and through whose efforts the division of the Territory had taken place and the organic law creating Iowa enacted.

The General still lives, a hearty pioneer, at an advanced age, a resident of Dubuque where he has resided for, lo, these many years, and he is so well known to all of the public men and readers of Iowa history that we need not speak of him, further than to say that he proved himself to us, as he has to every one since, most hospitable, kind, and courteous. He not only welcomed us to his house but provided an ample meal for us and took us in his own carriage on our way rejoicing to Galena, where we met many of the pioneers of that, the oldest frontier town in the great northwest. (The

NOTE—(1) Mr. Wood has deceased since the delivery of this address.

General was present and heartily thanked the speaker for this kind allusion to him.)

ANTOINE LE CLAIRE.

Returning we stopped at Davenport and became the guests of Antoine Le Claire, who boasted that "he was the first white settler in Iowa." As to the settlement no one would question his statement but he was a quarter-blood Indian, his father being a French trader, his mother a half-blood Indian, and he himself for many years a chief interpreter of the Sacs, of which Black-Hawk and Keokuk were, in their day, head Chiefs.

Mrs. Le Claire could not speak English but conversed in a French patois. As we were fresh from the halls of learning and a fair French scholar we were at table assigned to a place beside the good dame, when between the English, the French and the patois we had a hard road, like Jordan, to travel.

However the old gentleman, Le Claire, with whom we later became most intimately acquainted, complimented us upon our success.

IOWA — THE BEAUTIFUL LAND.

Later, when editing the Annals of Iowa (1864), published by our State Historical Society, and when the question as to the origin of the name came up for discussion, we addressed a letter to Mr. Le Claire and received from him his version, which was that Iowa meant, "This is the land," or "The Beautiful Land," the name given by the people of his tribe when they first reached the bluffs on the eastern bank of the Mississippi and overlooked the promised land beyond. It is true that this does not correspond with the ill-natured definition assigned in the appendix to Webster's Dictionary, but it is that which has been universally adopted by all the people of our State, and will remain to substantiate the correctness of the interpretation given by the venerable and patriotic interpreter, settler, and pioneer of the land.

With Colonel Davenport, who had been in command of old Fort Armstrong on the Island, he became the founder of the city of Davenport. At that time the block-houses of the old Fort stood on the point of the Island just south and west of the present railroad bridge and crossing, and it is a shame that the vandalism, for which the American people are the most noted of any since the vandals of the Roman period, led our people to destroy those last relics of the Fort, so famous in the early history of Iowa and Illinois.

At Montrose, the head of the Des Moines Rapids on the Mississippi, there stood at that time an orchard of apple trees which had been planted by Louis Honore Tesson, a French settler and trader, at that point in the last decade of the last century.

Later when a Clerk of the United States Court, the title of the land in question became involved, the old deed was presented by the Chouteau heirs claiming title under sheriff's sale, the forms of the old Roman law coming down to this Iowa region through France and Spain having obtained.

The executive officer of the court in St. Louis, where judgment had been rendered, came up to Iowa, then without a name, levied upon the property by taking a handful of earth, a twig from one of the apple trees, and an old iron kettle, as the representatives of the tract in question, bore them with him by *piroque*, the only method of navigation at that period save the

Indian canoe, and in front of the Catholic church on three successive Sabbaths made proclamation of sale, when the sale took place, the transfer made and recorded in the deed which I long had in possession, a copy of which I placed in the "Historical Society" as a relic of early law times in what is now Iowa.

#### FIRST WORK ON IOWA.

It may not be improper to mention another historical incident in this connection. At that early period I made the acquaintance of Lieutenant Albert M. Lea, who was connected with the corps of United States engineers making a survey of the "Des Moines Rapids of the Mississippi" above the mouth of the Des Moines river. The county of Lee had been previously organized and he always claimed that it was named for himself, but that, through the ignorance of the clerk in transcribing the bill, it was spelled L-e-e, whereupon General Robert E. Lee, afterward chief of the confederate armies, who was then in charge of the survey on the rapids, has always had the credit or honor of giving his own name to the county.

Albert M. Lea, whose name is perpetuated in one of the most thriving towns on the B., C. R. & N. railroad in Southern Minnesota, was the author of the *first work* ever published upon or relating to Iowa, a small 12mo volume written and published by himself in the summer of 1836, entitled, "Notes on Wisconsin Territory and the Iowa District," with a map.

But three copies of that, the first and most interesting work on Iowa, now exist, one of which is in the *Iowa Department* (placed there by myself) of the "Iowa Masonic Library," and presented to me by the author in the summer of 1838, when I first met him. The edition was shipped from Philadelphia, where it was published, and the boat upon which it was shipped, in descending the Ohio, was sunk and the edition destroyed by the accident.

The subject of the names or origin of the names of our several counties is one of historic interest, and some of them, like that of Lee county, involved in much obscurity.

Lieutenant Lea recently died at Corsicana, Texas, at an advanced age of upwards of eighty years.

#### EDWARD JOHNSTONE.

The year, and also the early succeeding years, of the settlement of the Territory was one of unusual sickness, the prevailing diseases of that day being the bilious fever, with fever and ague, not the chills and fever of a later period which was the original disease much diluted, but the old fashioned ague with which people shook from the crown of the head to the soles of the feet.

It was at a period very soon after my location in Burlington that the good landlady, Mrs. Lockwood, who afterwards became the wife of the first Auditor of the State of Iowa, Mr. Fales, and later figured largely as one of the blessed angels who ministered to the comfort of the sick and wounded and dying soldier during the War of the Rebellion, as a noble member of the Nightingale Corps, asked me one evening if I would not accompany her to a law office near by to see a sick young man confined therein. Of course I readily assented and soon after was ushered into a small room where I found lying sick with a fever a young lawyer who afterwards became noted

and prominent in the history of Iowa and of this Association. I well remember his greeting of his guardian angel as she extended to him her hand and with it the hasty plate of soup for his nourishment.

I soon found that he was becoming convalescent and ere long he was restored to the society of the young men of which he was a bright and shining ornament. The young man was Edward Johnstone, whose recent death has deprived this Association of its President and one of its most active, useful and honored members. Like many another of that period he had come to Iowa with but little of this world's goods.

In a modest way he later related to me that when he arrived at St. Louis, he found from his long detention by reason of low water and the increased demand upon his funds that he did not have the sum wherewith to pay his passage to Burlington. In this dilemma he noticed in a paper of the city a card offering a premium in behalf of the proprietors of a new theater about to be opened, for a poem to be recited at the opening.

Here he thought was his opportunity, and being somewhat poetically inclined and with a poetic spirit cast in his veins, he wrote off a poem, mailed it as directed, and remained with fear and trembling awaiting the result.

Mr. Johnstone went to the theater that evening and was agreeably surprised to hear his own poem recited. The next day, when he saw a notice in the paper bidding the writer of a certain poem with a fictitious name, which he had attached, to call at the office and receive the reward, he felt a spirit of gladness such as had never before crossed the shadow of his life. Of him I shall take pleasure in speaking at another time and to a greater length.

#### KEOKUK'S VISIT.

A notable event of some interest occurred at Burlington in the early fall of 1838. It was a visit of state made to the Governor and other territorial officers by Keokuk, the head Chief of the Sac and Fox tribes which were the principal Indian tribes then occupying the territory. He was accompanied by his braves, no squaws being permitted to share in the visit. The leading citizens were assembled at the Burlington Hotel when the *pow-wow* or address was made by Keokuk (who was a most eloquent and natural orator), and the response by his Excellency Governor Lucas.

Being at that time somewhat versed and proficient as a short hand writer I took the speeches down, and a few years since, coming across my manuscript, which I had fortunately translated from my notes, published the address of Keokuk in the Historical Record of our State Historical Society.

I remember upon one occasion that Keokuk and other chiefs of his tribe were summoned to Washington to meet the Secretary of War in connection with the chiefs of the Sioux tribes upon our north. The interview took place in a large church where a platform had been erected for the Secretary and other high officials, placed in front, with the chief of either tribe arranged in lines upon either side facing each other. The chief of the Sioux, whose name I have forgotten, in addressing the Secretary stood with his back to the audience, composed largely of the fair ladies of Washington. When Keokuk came to reply he rose and stood as he had been sitting, so that he might cast his eyes readily not only toward the Secretary, but upon the left to the ladies in the audience, when he arraigned his opponent and charged him with a want of gallantry, in that he had stood with his back

rather than with his face toward the ladies the whole time of his discourse, which showed that he was a man of gallantry as well as of policy in his intercourse with his fellow citizens of the white race.

The coming spring it was arranged that the Governor, with his friends, should make a return call and visit Keokuk and his braves at their home, and I well remember the extent of the preparations made for the occasion to which all had been looking forward for several weeks if not months. We secured tents, baggage wagons, with bedding, cooking stoves, and utensils, with provisions in abundance as if for a long journey, and then we wended our way over the prairies and across the streams, bridgeless as they were, the only landmark being the Indian trail for a part of the way. And where, my good friends, do you suppose we were journeying? Not to the far off Council Bluffs, or even Fort Des Moines at the junction of the Raccoon with the Des Moines river, but only to what is now Agency City, then the Indian Agency, some six miles south and east of the city of Ottumwa, where, in a most lovely spot, General Street, United States agent of the tribe, had erected his quarters, and surrounding his home were the lodges of Keokuk and the other chiefs and braves of the aboriginal tribes.

And this reminds me of an anecdote which created a good deal of laughter from time to time in the Second Territorial Council when an honorable member (Mr. Hawkins) whenever speaking of the aborigines (which word he used instead of Indians) would always pronounce it *abergoines* and no effort of his fellow members could educate him into a better pronunciation.

Some most amusing incidents took place on our journey and occurred while we were engaged in the important work of a grand visitation to the wards of the Nation by the representative of the Great Father, for the Governor was by law made the "superintendent of Indian affairs."

#### FIRST LAND SALE.

The first land sale at Burlington, in November, 1838, constituted an epoch, the fourth, in the history of Iowa. It was an occasion of extraordinary interest to two classes of people, the settlers or squatters upon the lands, and the speculators or land grabbers who were ever-ready to take advantage of the poverty of the settler and either lend him money at fifty per cent or buy his home from under him.

The citizens of Iowa to-day in their comfortable homes (even though many be mortgaged as has been charged) know nothing and can realize less of the excitement and interest of the pioneers of that early period. Men who had braved the experiences incident to frontier life to secure their homes, found the lands brought into market and about to be exposed to public sale without the means to pay for them. Noted capitalists had come from Albany, New York (Dr. Benedict), Springfield, Illinois (Dr. Barrett), and Columbus, Ohio (Lyne Sterling), who at that sale lent more than one hundred thousand dollars to settlers at the rate of fifty per cent. The Mississippi was full of floating ice, and we remember standing upon the bank when one of these capitalists was crossing in a small boat, loaded down to the water's edge with silver coin which was soon to go into Uncle Sam's coffers in exchange for lands which have since become fruitful in the abundant harvests of later years, the reward of honest toil.

The squatters or settlers from every acre exposed to sale attended this land sale in force. They came, we remember, to Burlington by boat, by wagon, on horseback and on foot, any way indeed to get there and be present at the opening of the sale. They were banded together like a band of brothers, prepared to stand by each other, as they did, to the last. It was a dangerous undertaking for any land-grabber to attempt to bid against any of the hardy honest squatters, and yet we remember one of the bold speculators, a citizen of Iowa, ventured upon the hazard, when no sooner did he overbid the bidder appointed, as each township had one for its settlers, than he was "knocked down and dragged out" and but for the timely interference of those interested in the preservation of public order his life would have been the forfeit. His bid, by his order, was cancelled, his life preserved, and he ushered away, when no further disturbance occurred.

There is preserved in the Historical Society at Iowa City one of the township records of that early day which explains the *modus operandi* by which all contesting claims were adjudicated by arbitration at home, so that from the list of claimants then made out, one man of the number was selected to buy in all the lands. But a small portion of the Territory had been surveyed and not all of that brought into market.

At the first land sale General Van Antwerp, one of the old Knickerbockers of New York, a chivalrous man, educated at West Point, and who was known among the rough pioneers as "the man with the boiled shirt and the starched collar," was the Receiver of Public Monies. He was full of grit, always true to, but never one of the masses, an aristocrat in feeling, he nevertheless was strongly opposed to the wealthy few who came to impose upon the poverty of the many.

The Register of the Land Office at this period was General A. C. Dodge, his chief clerk being Bernhart Henn, who afterwards succeeded him in office and was later elected to Congress from the State of Iowa. General Dodge, of whose official career and personal worth, the public are well advised, held the office but a short time, when he was elected second Territorial delegate to Congress. It was, however, during the brief period of the land sales, when he came so directly and personally in contact with the great body of the people that he laid the foundation of his great personal popularity with the masses whose good will he held with unabated interest to the hour of his death.

The citizens of to-day have reason to bless the old settlers of that period who saved their homes to the inheritance of future years. No such land epoch has ever occurred since, either in Iowa or in the regions opened up to settlement in the Territories further west. It was then and there that the honest Pioneers upon the virgin soil first met *en masse* with a common interest, made a common acquaintance and opened up an era of better feeling which led to rejoicings upon every returning anniversary of the Old Settlers' Associations, which came into being at a later day in all of the counties of that period.

#### FIRST LEGISLATURE.

The first Legislature of the Territory of Iowa convened at Burlington on the 12th day of November, 1838. It was composed of thirteen members of the Council and twenty-six of the House.

Of these members, so far as we remember, only three had any legislative experience, Arthur Inghram, Councilman, and Thomas Blair, Representative, from Des Moines County, had been members of the House of Representatives of Wisconsin Territory at its last session (1837); Hardin Nowlin, Representative from Dubuque County, had been a member of the Wisconsin Territorial Council the same year. Both branches, therefore, labored under great disabilities for the want of having experienced members to direct the business of the session. They labored also under other difficulties and embarrassments.

The winter of 1838 set in at an unusually early period, and the stationery which I had purchased in the east, as agent for Secretary Conway, for the use of the Legislature had been blockaded by the ice at St. Louis, and in a small place like Burlington proper supplies could not be had, wherefore it became necessary to go to St. Louis, and at the instance of the Governor and Secretary I hired teams at Burlington under the direction of Moses W. Robinson (who afterwards became prominent in Agricultural affairs in the State, a member of the Constitutional Convention of 1857, and died at Des Moines in 1882 while the surviving members of that Convention were celebrating its twenty-fifth anniversary), and succeeded in getting the supplies before the close of the session.

All the towns on the Mississippi river from St. Louis to the most northern settlement were cut short of their winter supplies and had, like ourselves, to send to St. Louis for the necessaries of life even, and I remember that the road from Alton to St. Louis was lined on either side with teams waiting for the river to freeze over, to the end that they might cross.

That session was held in the old Zion church, a brick edifice recently erected, which had been put in special order for the use of the members, the House occupying the upper room and the Council the basement of the building.

William H. Wallace, a young lawyer of Mt. Pleasant, was the Speaker of the House. He was genial in his intercourse with the people, popular in his manners and possessed of great magnetic powers which won the admiration and esteem of his followers who always adhered to his fortunes. He also possessed a large share of the spirit of adventure common to the pioneers of that period. Defeated later in his aspirations for a seat in the National Congress, he removed to Washington Territory in 1853 and in 1861 was appointed Territorial Governor and while serving as such was elected delegate to Congress, consummating the hopes of his ambition in this direction. Soon after he was appointed Governor of Idaho Territory, and in a short time was also there elected a delegate to Congress. Serving one term he returned to Washington Territory where he resided until his death in 1879.

The president of the Council was Captain, afterward General, Jesse B. Browne. With one exception he was the tallest man in Burlington during the session and was called, "the tall cedar of Lebanon." His rival in height was the minister of the Methodist church who had come hither from Little Rock, Arkansas, where he had been engaged in the practice of law. Being somewhat of a wag he had a sign painted and fastened over the door of his office which read:

"A. M. Scott, Attorney at Law,  
The tallest man in Arkansas."

One summer when the river was very low he had succeeded in wading the stream, when upon the following morning the sign was observed to have been changed and to read:

" A. M. Scott, Attorney at Law,  
The man who waded the Arkansaw."

Both of these persons were men of mark in their day. Captain Browne had resigned from the Regular Army, having been one of the Captains under General Sumner, then Colonel in command of the U. S. Fort at Montrose, Iowa. He was a very popular man, and but for strong drink, the bane of many a man of promise of that early day, would have become one of the most useful citizens who ever served Iowa in a legislative capacity. He continued to serve his constituents through several succeeding legislatures, and upon one occasion I remember, in the fall of 1840, when going to the bar room of the hotel (National) where the mail matter of the members boarding there was delivered, to get my weekly mail, I found the room filled with patrons of the bar, the tallest man in the crowd being Captain Browne, who observing me said, "Gentlemen, I move that our young friend, Mr. Parvin, have the honor of treating this crowd." And immediately added, "All in favor of the motion say, Aye." It is needless to say that a universal "Aye" went up from the crowd.

Though I had never treated a company before, or since, to spirituous liquors, I at once took in the situation and directed the bar keeper to treat Captain Browne and his friends and hand me the bill the next morning. Some one, or more in the crowd, at once insisted that I should join in the drink, which I peremptorily refused, when Captain Browne coming to my rescue, said:

"Gentlemen, you all know that Mr. Parvin does not drink, but he is a gentleman, and lets us drink at his expense. You will now form lines and we will escort him to his lodgings," which they did with the honors of the occasion, giving me three cheers, as they retired from the entrance to my room, and the next morning I had \$15.00 to pay at the bar. I might entertain this audience the entire evening in relating anecdotes of "Captain Browne and his friends" of that early period, but time is too short and the subject matter in hand too great.

While the majority of both Houses were Democratic in faith, the presiding officers of both Houses were Whigs. Party lines had not then been drawn, and the members of the first Legislature had largely been elected upon the County seat question.

In view, however, of the coming presidential contest of 1840 (though Iowa had no vote therein), party lines were strictly drawn at the second election (1839), and henceforth members of every succeeding Legislature were elected in accordance with the party preference of their constituents.

The two leading questions coming before the Legislature, were the unsettled boundary question between Missouri and Iowa, and the location of the future Capital of the Territory. The Library which I had purchased in Baltimore for the Territory had been left in St. Louis when bringing the stationery up for the use of the Legislature, and the members labored under great difficulties for the want of the statutes of the several States to guide them in their legislation. Several of the members of that Legislature rose

later to distinction and filled honorable positions in the State and National Government.

James W. Grimes, whose biography has been well written and presented to the public by Rev. Dr. Salter, of Burlington, was a young but leading member of the House, a native of New Hampshire, and graduated from Dartmouth College. He later became the third Governor of the State of Iowa in 1854 and a Senator in Congress in 1858, and in my humble judgment was the most distinguished citizen Iowa has produced, and a man of more intellectual ability than any officer who ever served the State. He was my friend from our first acquaintance, and when assailed with calumny by his own party for the vote he cast during the impeachment trial of President Johnson, I had the opportunity of publicly defending him before the students and citizens of Iowa City, and for which I received his warmest thanks.

Cyrus Jacobs, another Representative from Des Moines, was appointed United States District Attorney for Iowa, but died soon after.

Laurel Summers, deceased since our last meeting, of Scott County, and Dr. Gideon S. Bailey, still living, of Van Buren County, were both later appointed United States Marshals for the State of Iowa.

S. Clinton Hastings, a native of New York, a member of the House from Muscatine, and who continued a member of the Territorial Legislature in one or the other House during Territorial days, was elected one of the first two Congressmen from the State at large upon its admission into the Union (1846), and later became the second Chief Justice of the State (1848) and still later held the same office, as also that of Attorney General for the State of California, to which he had removed and where he still continues to reside.

Chauncey Swan, Representative from Dubuque, and Robert Ralston, Councilman from Des Moines County, were two of the Commissioners to locate the Capitol and the former to superintend its construction at Iowa City. That building is now the Stone or Central Hall of the State University of Iowa.

A. B. Porter rose to distinction and became Major in the military service during the late war. He was from Mt. Pleasant, Henry county.

Beside these there were Hawkins Taylor, a Representative from Lee County, a prominent member of this Association, who has written much of the early history of Iowa, and who was with us upon a former occasion of our meeting. At an advanced age he still continues to labor and holds a Government position at Washington.

A member of some note, for the amusement he created, was Robert G. Roberts, of Cedar County. He was never in his seat, but roaming about the House from desk to desk, always in a good humor with himself and fellow members, and whenever the yeas and nays were called would rise and say: "Mr. Speaker, if Cedar is in that 'ere bill I vote yea, if not, no." This became too common, even for a joke, so the members resolved to turn the tables upon him, when they, in a mockish way, passed a bill to deprive Cedar County of a Representative in the House. As usual, the member from Cedar County rose, and upon being assured that "Cedar was in *that* bill," voted aye. The next morning he discovered the nature and character of the bill, which he supposed was genuine, and then he begged like a whipped spaniel to have his vote changed, for he said that it would be his eternal ruin when he went home to his constituents to find that they had been attached to

another County and so lost the right of representation in the Legislature. As it was only a fiction it served its purpose and ended there.

Colonel Thomas Cox, another prominent member, led the citizens when, in later years in Jackson County, they rose *en masse* against the gang of gamblers and counterfeiters who were plying their trade to the detriment of the good people and the advancing civilization of the State. He was an engineer and engaged with John Frierson, a member from Muscatine County, in locating and surveying the new Capital, Iowa City, upon the Iowa river. His vote was the turning point in the location of the Capitol at Iowa City, and the Territory and State became indebted to him by whose vote the location was determined.

Among the most active and useful of the members of that session were two whom I have named, Messrs. Summers and Bailey, who however, were rewarded, more for their political than for their civil services in the office to which they were later appointed by the President. As citizens in their several localities most of the members became prominent and noted for their services to their Counties and the Territory.

The Clerk of the House was Joseph T. Fales, of Dubuque, who became the first Auditor of the State and later Chief Clerk in the Patent Office when Judge Mason, of Iowa, became Commissioner of Patents. From the dawn of the Territorial Government to the close of his long life he was in service, and always made himself useful in some capacity.

Of the members of the House there are only three survivors, one, Dr. Bailey, still resides where he has lived for more than half a century, at Vernon, Iowa; Judge Hastings in California, and Hawkins Taylor in Washington.

Beside the preferment named as shown to the members of this first General Assembly, two, Hempstead and Hepner, of the Council, and three, Bailey, Delashmut and Toole, of the House, became members of the first Constitutional Convention of 1844. One only, Col. Coop, of the House, from Jefferson County, was a member of the second Constitutional Convention under which the Territory was admitted into the Union as a State, 1846; and one other member, Colonel Patterson, of Lee county, was a member of the third and last Constitutional Convention of 1857.

Some little may be learned of the complexion of that Legislature from a statement of the professions and occupations of its members. These I give wholly from personal recollection, the data which I made at the time not now being accessible.

Of the thirty-nine members the larger number, to-wit, twelve, were farmers, nine lawyers, and nine merchants—or store keepers as they were called at that day—three were miners and from Dubuque and contiguous Counties, two doctors, one in each House to look after the health of the members, two mechanics, and two surveyors.

Many remained to serve their fellow citizens in succeeding years while a few removed farther west and helped to organize other Territories and build up other States.

In the Council the most useful member was Stephen Hempstead, a prominent lawyer from Dubuque, who became the second Governor of the State of Iowa, and later (1851) one of the codifying Commissioners of its laws.

Robert Ralston, of the Council, was one of the three Capital Commissioners, one being taken from each House while the third, John Ronalds, was taken from among the citizens and from Louisa county.

General Warner Lewis, of Dubuque, was also a prominent member of the Council and later appointed Surveyor-General of the Territory by the President.

None of the members of the Council survive. Most of them lived and died upon the soil of the Territory they helped to create.

This Legislature became involved in an unpleasant controversy with the Governor and the Secretary of the Territory, the latter being William B. Conway, who had edited a democratic paper in Pittsburg, was a man of no experience in public life outside of the editorial office, and illy fitted for the post to which he had been assigned. He had, however, the good sense to take the advice of his friends, and at an early period made peace with the Legislature, whose ire he had aroused by a humorous communication to the Council, and so left the Governor to fight his battles, not only alone, but with Conway his secretary, added to his opponents. The first, and indeed the principal bone of contention, was in regard to the expenditure of the public funds, the Governor holding to the doctrine, which he publicly expressed, that the Legislature should use and appropriate the stipend set apart by Congress for Legislative expenses as Trustees of the National Government.

A majority of the members, however, held and as boldly proclaimed the doctrine that "Uncle Sam was a cow and they should milk her freely," and so draw from the public Treasury all the money they could get, and so liberally did they draw thereon that they largely exceeded the amount appropriated and many had to go home upon borrowed funds; the Secretary, even, having to borrow money to meet the legislative expenses and trust to the liberality of a future Congress to repay the same.

The Governor having had large legislative experience in Ohio, where the people, and not Congress, footed the bills, and where the Legislature practiced a greater system of economy, wisely sought to impress more economical ideas upon the minds of the Iowa Legislators and thus provoked a contest which led to much ill will, if not obstruction of the public business.

Economy has been a subject preached at every election and practiced by few Legislatures, elected even upon such a platform.

It is easier for legislative bodies (as for individuals) to spend money than to earn it, and so long as they can be removed from those who have to pay the bills they will continue such practices.

At that session Governor Lucas, following the custom of our first Presidents, read his first Message to each branch of the Legislature.

#### WHO MADE IOWA?

Two or more important papers have been issued within the past two years by distinguished citizens of Iowa, enumerating and descriptive of "The Men Who Made Iowa." The writers of these papers are noted more for the omissions than for the sins of commission they published, the principal one of which is, the *including* of names of men who had little or nothing to do with "the making of Iowa," but found it already made, and well made to order, when they became citizens of the State.

Of all parasites the mistletoe is one of the most beautiful and renowned. It attaches itself to the highest branches of the live oak of the south, and when the leaves of Autumn have fallen, by its conspicuous greenness, attracts the attention of the passer-by. It, however, draws all of its vitality from the giant oak, upon which it lives, while it is useless in the construction of the navies of the world, or even for the woodman's ax.

So, some men, instead of helping to make the State and give to it the character it has, derive all, or much, at least, of their notoriety from their connection with it in the later periods of its history. I would not, under any circumstances, detract one iota from the merits of such men, but I propose to vindicate the majesty of the truth and speak a word in behalf of some few, at least, of those not mentioned by the writers spoken of, who, in my humble judgment, lent not only a helping hand, but contributed most largely, in their several spheres, to the making of Iowa what it is to-day, one of the greatest States of the Union.

The first in point of time is *Robert Lucas*, first Governor of the Territory, a native of Virginia, advanced in years and ripe with experience. For two decades President of the Ohio State Senate, twice Governor of the Buckeye State, he came to Iowa, its Chief Magistrate, not only clothed with authority, but with the gathered wisdom of experience and of age. Few, no doubt, even of the professed historians of to-day ever saw, much less read, his first Message, in which the key-note to the advancing progress of the Territory and State is foreshadowed.

With prophetic vision he declared "that the eyes of the people of the United States were upon the pioneers engaged in its first legislation."

They had an interest in the new Territory and felt an anxious solicitude for its prosperity and hence they regarded as of immense importance the laying of good foundations for the Government of the Territory, soon in his view, "to become one of the States of the Union." Prominent among his recommendations, most or all of which were later incorporated into law, in accordance with his views, and which have been the rule of action ever since, I may mention that of "township organization," the corner stone of the peoples' Government both in the administration of its civil and criminal affairs and especially in regard to "the system of public education" upon which he urged the Legislature to enter.

"Religion, Morality and Knowledge being necessary to good government and the happiness of mankind, schools and the means of education," he said, "should be encouraged and provided for, as Congress in the ordinance of 1787 had wisely directed."

He also urged the compilation of "a Code of laws," especially a Criminal Code, and so declaimed in severe terms against the practices of that early period, and not by any means gone into disuse in later years, of "gambling and intemperance" which he considered the fountains from which almost every other crime proceeded. He suggested and urged that a committee of three, learned in the law and of experience and weight of character, be appointed to prepare a complete Code during the recess of the Legislature.

He also suggested that provision be made for the "location of the Territorial Capital," and that Commissioners to that end be selected by the Legislature, and last, but not least, he became the founder of our growing "State Library," and I recall with pleasure that I was by him appointed the first

Librarian, and made the purchase, with the \$5,000 appropriated by Congress for the purpose, of the books constituting that Library.

Few Executives live to see so many of their recommendations, all wise and good in themselves, carried into execution by the legislative authorities of the State. More than this, he became one of the "makers of Iowa" in that through his efforts more than any other did Iowa secure the confirmation of her title to the strip bordering upon her southern boundary, to which claim had been set up by the great State of Missouri. Iowa, a weak and humble Territory, the ward of Congress, would have lost that most valuable strip of land but for the timely and efficient efforts of her first Territorial Executive.

Next to Governor Lucas we would present the name of Honorable *Charles Mason*, who became the first, and continued Chief Justice of the Territorial Courts from the organization of the Territory, in 1838, to its admission into the Union in the winter of 1846. He was a native of New York; had graduated at the head of his class from the Military Academy at West Point, having as fellow-members the no less distinguished persons than the late General Lee, Joe Johnston and President Davis, of the Confederate States. He was learned in the law, a model jurist, and rendered most essential and efficient service, not only to the Territory, but the State, in that he, in 1851, became one and the Chief of the three codifying Commissioners who reported the famous "Code of 1851," which continued until 1860, when it was somewhat revised, the Code of Laws under and by which the State was governed. His master mind is written upon every page of the early laws and reports of Iowa.

In connection with the Legislative, Executive and Judicial Department of the Territorial Government, an actor and a very prominent one in its Legislative history should not be overlooked or omitted.

Prominent, if not the most prominent of all the "Law-Makers" of those Territorial days was *Stephen Hempstead*, who, later (1850), became the second Governor of Iowa. He was a native of Connecticut; a resident of Galena at the breaking out of the Black-Hawk war, in which he served as an officer of an Artillery Company. After the defeat of the Chieftain, August 2, 1832, which resulted in the cession of a part of the Indian lands in Iowa, he removed to, and located in Dubuque, and like Judge Mason, was a citizen and practicing attorney in the "Iowa District" when the Territory was organized. He was elected to the first and succeeding Territorial Councils and presided over one of them.

He, with Judge Woodward, later of the State Supreme Court, was associated with Judge Mason in the preparation of the "Code of 1851," and in that capacity rendered efficient service. The Code then enacted became, and has since continued, the *basis* of the subsequent Codes of Iowa. He was largely influential in much of the most important legislation of the Territorial period, and has left the impress of his genius and superior knowledge upon the statute books through many years.

As all good Government is based upon the education and morality of its citizens, we are pleased to refer to two gentlemen most prominent then, and through all the period of their lives.

The man who, of all others, has had the most to do with the founding and building up of the educational system of our free schools in Iowa was

*Thomas H. Benton, Jr.*, one of the earliest and for many years Superintendent of Public Schools in the State. He was an early educator himself, taught a Classical Academy in the later thirties in the city of Dubuque, where we first met him. Later he became conspicuous as a Legislator; devoted his attention more particularly to the subject of public schools, and no man deserves that his name should be held in more grateful memory by children and parents than does Thomas H. Benton, Jr.

Another is "Father Turner," as he later became known, and whose history has been presented to the public in a most valuable and readable form, entitled "*Asa Turner and his Times*," by President Magoun, of Iowa College. No minister of his day in Iowa exerted so wide an influence in behalf of churches, Sabbath-schools, public and higher schools of education than he, and his influence was felt for good by legislators, judges and our chief magistrates, as well as in the more familiar walks of home life, and in all these departments he well fulfilled the highest and noblest mission of men on earth, which is to promote the moral and social well being of all the people; and no more fitting example than "Father Turner" could be selected to illustrate the influence, widespread then and now, of the pulpit, the churches, and Christian teachers of the land.

While commerce, manufactures and mechanical arts constitute an essential portion of every State life, "Iowa is" and must remain pre-eminently "an agricultural State," and as a practical farmer and an agriculturist in its highest sense, no one of the many thousands whose names have been before the public stands forth so pre-eminently as the late Honorable C. F., familiarly known as "Father" Clarkson. He proclaimed the right and dignity of labor and of the working man, in his teachings and by his example ennobling labor, for by his labors in the field and at the desk as a worker in behalf of his fellow men he made his mark and left the impress of his mind and his hand more deeply than any other in the agricultural districts of the State.

The *Press* has always been an agent in every community and in selecting a member as a representative man of the early Press of Iowa, I at once turn to *James G. Edwards*, the founder and for many years the editor of the *Burlington Hawkeye*, in its earlier days the leading paper of the Whig party of the Territory and State, and since, one of the recognized leaders not only in the Republican party but among the chief papers of the State. He was both a practical and theoretical printer, a Christian gentleman, whose influence was ever exerted in the cause of morality and good order, and he was as conspicuous in the affairs of his church (Congregational) as in politics.

Having spoken of two of the chief factors of that early period, neither of which, however, was so prominent then as they became in later periods, yet they were both powers for good in promoting the general welfare of the people. They were the Press and the Pulpit, which leads me briefly to mention the remaining of the illustrious trio of P's, the *Petticoat*, an unknown factor then in the solution of the great problems of the State and of society, but destined in later years to predominate, if possible, in that the petticoat has not only entered into the pulpit and the press, but our schools of medicine and of law, as well as the halls of learning, and while excluded from the halls of legislation its influence in all other walks of life is seen and felt throughout the land.

A good woman of those early days once said to me when I had congratulated her on coming (as she did in advance of myself) to the beautiful land of Iowa, that "Iowa was indeed a beautiful land, beautiful for men and horses, but not by any means so beautiful and goodly a land for women and oxen." The good woman did not live to see the ushering in of the time when the oxen should vacate the land and traverse the unknown regions to the west, bearing thither to distant Washington, Oregon and California many of the pioneer settlers of Iowa, and to see her own sex elevated to positions of honor and influence in the land.

I would do injustice to my theme did I not lend a willing and loving testimony to the worth of the women of those early days. Many a time have I shared their hospitality in their humble cabins throughout the Territory, always met with a hearty welcome, where the latch-string was ever out to the stranger traveling that way. Often have I seen the mother and the motherless woman watching at the bedside of the lonely stranger and new comer, when stricken with the fever so prevalent in those early days, and ministering to his comfort as only ministering "angels with their wings cut away" could lend relief when most needed.

Often, too, have I heard their voices raised in "songs of praise" in the improvised places of worship when there were no "Meeting Houses" in the District or even throughout the county. 'Mid the toils and trials and discomforts of frontier life they were ever ready to share with their husbands, fathers and brothers in their labors to make for them homes upon our prairies and along the streams where clustered the narrow strips of woodland which rendered our State a land of beauty, and to become in future years a joy forever to those who had made their homes upon its soil. From among the many pioneer women whom I knew in those early days I may mention in addition to the one already named, Mrs. Lockwood Fales, the daughter of our first Governor and the wife of the first Chief Justice of our State, and who through all the Territorial period was an Associate Justice of the highest Court; the Misses Lucas and Mrs. Williams, Christian women, noble representatives of their sex, whose lives of self-sacrifice and loving labors lent encouragement and aid to the sterner sex in the work to which they had devoted their lives.

Why, then, in the name of Truth, should the names we have named and others be omitted, and much more why some others less deserving be substituted by those pretending to write of the men most prominent in the "making of Iowa?"

We are not yet done. One other name, not known to public fame in the field of his greatest usefulness, is deserving of the greatest honors, and no man more than he deserves to be commemorated in our history, or to have a public monument erected to his memory.

I refer to the late Lieutenant-Governor of Iowa, Enoch W. Eastman, the author of Iowa's famous motto, "Iowa—the affections of her people, like the rivers of her borders, flow to an inseparable union." And so great was his love for Iowa that he would not see her dismembered and shorn of her chief beauty. It may not be, and doubtless is not, known to a majority even of the pioneers of this Law-Makers' Association that the people of the State of Iowa are indebted more to Enoch W. Eastman for her present boundaries than to any other man, living or dead. When the constitution of 1844, pre-

scribing substantially the same boundaries as now, was adopted by the Convention and sent to Congress for ratification before being submitted to the people for their approval, Congress struck out the boundary and in lieu of that adopted by the Convention, and since established, provided that the western boundary should be a line drawn from the intersection of the little White Earth river with the Minnesota river south, passing about thirty miles west of the Racoon Forks or the present city of Des Moines to the Missouri line, thus cutting us off from the western half of the State, known in later years as the "Missouri Slope," and directed that the boundaries as prescribed by to be submitted to the people.

All the office holders and office seekers were anxious for the adoption of the Constitution to the end that they might secure the preferment they desired. Mr. Eastman, then a young lawyer recently arrived in Burlington from New Hampshire, where he was born in 1810, united with the late Captain Mills, who lost his life during the Mexican War and also a prominent attorney of the same place, to defeat that measure before the people. They undertook to stump the Territory but finding the job too large a one they invited myself to relieve them in the Second Judicial District of the Territory, which I did, taking as a text of my discourses before the people the famous distich of Bishop Berkley, "Westward the star of Empire takes her way," and from that I proceeded to urge the people to insist that inasmuch as emigration followed the parallel lines of latitude we should insist upon our State extending to the Missouri river and that the only way to accomplish this would be the rejection of the boundaries prescribed by Congress.

Our efforts in the first and second Districts were successful and the Constitution was defeated by some four hundred votes, and but for the efforts of Mr. Eastman in organizing that effort and combination against its adoption the Congressional boundaries would have been imposed upon our people and there would be two States where now there is but one—Iowa.

I am compelled, in the presentation of this historical fact, to allude to my own efforts, because, being the only survivor of the three, and there being none left of the early pioneers who were conspicuously witness to those efforts, without which I could not do justice to the memory of one to whom the people are so greatly indebted.

And yet, not one of all these names has received the credit or any portion thereof, their due from the historians of to-day, whose laudation has been so liberally expended in the presentation of other names, some of whom well merited all the praise bestowed upon them, and others, while deserving men, have *no place* among the pioneers who contributed so largely to "the making of Iowa" as it is to-day, and as it will remain when we shall cease to be actors upon the stage, and when our memories, too, have faded from the public eye.

There are other names deserving of a place here but we cannot include all, so close this portion of our theme.

Iowa was not made in a day. It did not spring into being full-fledged for life's destiny like Minerva from the brain of Jupiter. Her wisdom was the growth of years and the fruits of the labors of many who toiled in her harvest fields. Much less was it made in Congress, nor yet upon the battle field. It was made upon its home soil and by home-spun men. Still, her citizens have won honorable mention and deserved fame in the noble deeds done

and valiant record made in the National Halls and upon many a bloody field where victory was won by the sacrifice of noble lives, offerings upon their country's altar.

These men, who builded wiser than they knew, are all dead, and but few of their co-laborers left to tell the tale of their deeds; some earlier and some later have crossed the dark river to the unseen shore. The builder dies, but the temple of our grand State, which they builded upon the virgin soil of fair and "beautiful Iowa," once the hunting ground of Black-Hawk, Keokuk and Appanoose, Poweshiek, Wapello and their brave warriors, still goes up and generations in the future will come to succeed us, rise up and call them blessed, and share in the rich inheritance of the fathers who labored not in vain nor spent their strength for naught, but to prepare the way for earth's teeming riches to go to far off lands, to feed the hungry, and the richer and more beautiful harvest at home of virtue, of educated manhood to bless the State and the Nation.

While we contemplate these things we are reminded that there yet remains a connecting link between the past and present. One above all others well deserves the name of soldiers' friend; one whose victories of peace made those of war a noble record; one whose praise is upon every tongue, as he who so nobly helped to turn aside the fratricidal war and save the Nation, with the dome of its capitol pointing skyward to welcome the morning sun of peace on earth, good will to men. Need I tell this Pioneer Law-Makers Association that he as one of the leaders of the Seventh General Assembly (1858) made the way clear for the higher honor of becoming Iowa's "War Governor," Samuel J. Kirkwood, of Iowa City.

The committee appointed to wait upon the House of Representatives and accept its invitation submitted their report. They also reported that they had accepted a similar invitation extended by the Senate. The report was approved and adopted.

By motion of Governor B. F. Gue, Hon. H. W. Lathrop, of Iowa City, was made an honorary member of the Association.

Adjournment was here had until 2:30 P. M.

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At 2:30 P. M., the Association re-assembled in the Senate Chamber:

**SENATOR BOLTER:** *Mr. President*—I have the honor to announce the presence of the honorable body of the Pioneer Law-Makers of Iowa.

*Gentlemen*—To me has been assigned the honor, on behalf of the Senate, of extending to you who have favored us with your presence this afternoon, a kindly greeting. I am entirely unprepared to do more than extend the warmest possible welcome that can be given from the present members of the Senate, or the present members of the General Assembly, to you, gentlemen, who have previously occupied these places and have previously borne their responsibilities. We gladly greet you, and hope that your stay with us will be both pleasant to you and profitable to us.

HON. GEORGE G. WRIGHT: *Mr. President, and Gentlemen of the Assembly:* (Cries come "forward.")

JUDGE WRIGHT: No, Mr. President, I am not to make a speech. I am the autocrat of this body and have the power to call out these boys that are around me to make the speeches.

On behalf of the Pioneer Law-Makers of Iowa—which not only includes those prior to 1872, who were connected with the House and Senate, but also those who occupied State offices prior to that time—on behalf of those I extend to you for them the most cordial greeting. You see among the gentlemen before you some very aged men. There are such persons present as General Jones, Barlow Granger, Colonel Pusey and myself, who are among the young men of the Association, but all come to you from a former generation, and as such I introduce them as members of our Association, and will say to you, gentlemen of the Senate, that I announced the rule before we came here that I was to be the autocrat and would not make a speech, as I had the absolute power to call upon whomsoever I chose; and I take it for granted that you, Mr. President, will do the same thing with the young men before you on the other side of the chamber. I take it for granted that you have some persons who can talk if occasion demands. Before I introduce to you the first gentleman, I trust I may be pardoned for referring to an incident in the politics of the State many years ago. Among our prominent politicians were Grimes and Kirkwood, who afterwards became our Governors and United States Senators. One year they canvassed the State together. At Gutenberg, in Clayton County, Grimes spoke first with unusual ability, making an elaborate and most able speech. He consumed so much of the time that when he closed Kirkwood spoke very briefly, merely telling a few stories to wake up the boys. When the meeting closed an enthusiastic German invited the speakers to go to his house and partake of some cakes and wine. The invitation was accepted, to the delight of the good-humored old Teuton. While they were enjoying his hospitality, inspired no doubt by the wine, the host slapped Governor Kirkwood on the shoulder, exclaiming: "You should go vid Meester Grimes all de dimes." This exclamation he repeated twice or thrice, when Kirkwood asked — "Why?" "Oh! Meester Grimes he dalks de sense, and you foolish de boys and de girls." I will now introduce to you the bright and glorious—because he is not bright and glorious—Ed. Campbell, who will "foolish the boys, if not the girls."

Mr. Campbell spoke as follows:

*Mr. President*—In military times the general in charge of the army moving to the front generally surrounds himself with subordinate officers for advice, and the uniform rule is to call upon the youngest man in the crowd first. I suppose that is why Judge Wright, having somewhat of a military education, calls us boys. It seems that I am one of the four boys that have just graduated together, with my friend, Judge Hilton, and two others, and they want to put the young men first. This is, doubtless, in order that the old men may have the benefit of the wisdom of the young. I do not propose to say the good things that I might say, because thirty or forty years hence when such men as Judge Nourse, Frank Campbell and others, have grown old I may be an old fellow myself. You know old men have a habit of get-

ting things by the contrary, so, when you heard Judge Wright call me bright and glorious you knew it was because I was not bright and glorious.

We come here as the beardless boys of the Fourteenth General Assembly. Hilton and the Judge and I have ever since remained beardless men, but these men—I hope that Gabriel won't blow his horn, for if he does he will fail to catch one of them if he gives a "toot" now. I did not hear the "toot," but I kept in the cellar.

I do not propose to say anything that the old officers can take advantage of, as I stated before. Judge Wright wanted to take out all of the wisdom I had and he knew that would not take long, but it would be more than he had for a long time. I do not propose to give you anything until these old fellows die and the young ones grow up.

JUDGE WRIGHT: *Mr. President*—I must confess that I have been disappointed. Mr. Campbell told me before we started over that he wanted to make the first speech because he had the best kind of an unprepared speech on hand, and was afraid somebody would get ahead of him and say it before he did. I now call upon one of the earliest pioneers of our State, Hon. Reuben Noble, of Clayton County, who was Speaker of our House of Representatives in 1854.

MR. NOBLE: *Mr. President*—In behalf of the old Law-Makers' Association I also tender, in addition to the thanks already tendered by Judge Wright, the earnest thanks of the members of our organization for the consideration manifested by the General Assembly of Iowa while here. I did not suppose that any one would look for a speech from me. There are those who, as Judge Wright says, are much younger than I, who are better fitted, and have taken upon themselves the pleasant duty of addressing this branch of the General Assembly. I will say, however, Mr. President, that it is expected usually upon occasions like this that we old men will, to a certain extent, extol our patriotism, our virtue and integrity and honesty in days long ago, and that we would apparently seek to institute a comparison favorable to ourselves. Now, I have just this to say: That if I should attempt to institute any comparison of these characteristics of the old Legislature as far back as the Fifth General Assembly, over which I had the honor to preside two sessions as Speaker of the House, I will say, that if I should attempt such a thing, I would expect that you would not believe one word I would say. I never raised a boy that I did not believe was as good a boy as I was when I was a boy, and I never associated with a body of men of the same character as this that I was familiar with in the long, long ago, but I find that the comparison is certainly reasonably favorable to the present. I may say, though, for the purpose of uttering a thought that I feel a deep interest in, and I think it will interest all people of Iowa at this time. I am glad to have an opportunity for a single moment to express the thought. You are aware that next year, if no calamity happens to our beloved State, that at least one million of our people will leave Iowa for the greatest fair of the world, and they will visit that fair for probably the last time, to about three-fourths of those people at any rate. I say one million of our people, for I believe one-half of Iowa will visit Chicago some time next year. I wish to say, that I hope everybody in the State of Iowa could hear what I said—that the great question for the Iowa people in this matter is to provide for the personal comfort and safety of Iowa's women and children as well as men

at that great World's Fair. The great interests of the country will take care of themselves; the stock will take care of itself, and the productions of the country will take care of themselves; but when you come to place a million of people in a city that has grown so fast that it has grown past the point of safety for its own people—when you come to contemplate that one million of the people of Iowa will visit that city next year, we have not done our duty unless we have fully provided as far as possible for the personal safety and comfort of all our people. I am just now from that city, and while I said awhile ago it has outgrown itself, it has grown to that point beyond which it is impossible now to take care of its own people. Next year millions will be there. I wish to express the hope that the present Legislature of Iowa will not adjourn until they have made provision for that personal comfort and safety of our people. At the present time those of our people that are in Chicago are taking care of themselves, but I do not know how they will get along when the throng gets there. Chicago is only a little ways from Iowa. We are so close by that we should take care of our own people and not expect them to. But in order to do that successfully it will involve some expense and thorough organization over the State. It would not require much expense. A large, capacious building, but a cheap one, should be erected, and in that should be at least twenty to fifty of our best men and women to take care of the others when they come there. Our people should go there with their friends and register. This may be outside of our present business of the old Law-Makers, but it is one that presses so heavily on my mind that I cannot forego the duty of making this digression upon an occasion of this kind.

JUDGE WRIGHT: I am sure that the gentlemen on this side of the chamber will be pleased to hear from some of the distinguished Senators.

Senator Bolter spoke as follows:

*Mr. President, and Early Law-Makers of Iowa*—The Senate warmly welcomes you to these marble halls of your building and thanks you for the inspiration given and for the suggestions you have made. We feel under obligations to counsel with those who have enacted such legislation as was necessary to make this capitol one of the finest buildings in the world. To you has fallen the distinguished honor of laying broad and deep the foundations upon which these walls arise. We were not advised of your coming in time to make such arrangements as we would gladly have done had we had time, but, representatives of the Pioneer Law-Makers, I think I express the wish of every one who to-day occupies seats simply as one of your audience, when I say that whatever counsel you may be prepared to give, whatever suggestions you may be prepared to make, will be kindly received and carefully considered by this and the other house of the Twenty-fourth General Assembly. May your organization of the Pioneer Law-Makers of Iowa be as imperishable as the fundamental principles of State government by you established in the early times, and may your memory be as imperishable as the works that you have performed in the early days of Iowa—and may God bless you all. And trusting that you may prosper, and may call upon us again and call upon us often, feeling that you will be received with welcome, I bid you good-bye and God-speed.

SENATOR SHIELDS: *Mr. President*—There are many of the early Pioneer Law-Makers of Iowa with us to-day. Among others I see my old friend, Barlow Granger. And another of the Pioneer Law-Makers is that old gentleman who came to Wisconsin before civilization dawned upon that wilderness; who came and made his home in sight of the old house I now live in as far back as 1828. He represented Wisconsin as a territory in Congress—Michigan and Wisconsin—and represented the territory of Iowa as Senator of the United States. I can allude to but one man, my old-time and honored friend, George W. Jones. (Applause.)

It was with peculiar affection that I look upon these early Law-Makers, and while I am not one of them, yet I am the son of one. I saw the Third and Fourth General Assembly, where I met some of these gentlemen, who have probably forgotten me, but from that early time, boy as I was, I have known them ever since, and I wish only to add that I sincerely wish, and I know that it is the hope and prayer of every Senator present, that the evening of your days may be as contented and happy as its morning was full of promise and as its meridian was full of honor. (Applause.)

SENATOR GATCH: I would be glad to respond to the call of the Speaker, but the Senate will be more edified by hearing from others of our visitors.

GENERAL JONES: *Mr. Speaker and Gentlemen*—I feel very highly honored that my noble friend, Senator Shields, should bring my name forward to-day, but I will say that if I was honored by being elected first Senator from Iowa, I must give credit for that honor to his father as much as to any other man. His father was Representative from my county, and upon his vote it depended, as much as upon any other man. My friend A. K. Eaton was another of the men that sent me there to represent Iowa at the Capital.

I know we are intruding upon your time and I don't wish to detain you any longer, but I wish to say that I am deeply grateful to the people of Iowa for the distinguished honors that they have conferred upon me. They elected me as the first delegate in Congress, and then they elected me as their first United States Senator. How can I feel otherwise than grateful to such a noble people. I am proud of the honor of having given the name of Iowa to this State, as I gave the name of Wisconsin to our sister State.

No other country can compare with Iowa in agricultural products. It has improved more rapidly than any other section of the whole country.

I thank you for this honor of being called out to speak to you on this occasion. (Applause.)

JUDGE WRIGHT: Our invitation to wait upon the House of Representatives expired at three o'clock. With many other things to which the young men around here can attribute their success in life, is the fact that they have always been prompt. Therefore, while I am sure we would all like very much to remain here longer and hear, as we have heard already, from the members of the Senate and also from the members of our own body, I deem it my duty, since we are reminded of the fact that we are expected at three o'clock in the House of Representatives, to say to you once more that we return to you thanks for the complimentary manner in which you have received us.

To me, also, has been assigned the great pleasure of asking you to visit us at the Young Men's Christian Association rooms to-morrow forenoon in a body. That invitation has been extended and we expect you there. Then

we shall have an opportunity to hear from you further, and also from the gentlemen there.

*Mr. President*—Every day we live in this grand and proud State of Iowa, standing in these marble halls, thinking of our country, west and east, and north and south, how much prouder and prouder we become of Iowa; Iowa—it is a trite saying, "Iowa, the beautiful land;" Iowa, the land of all others; as we think, ahead of all others in intelligence; equal to all others in morality, and everything that goes to make people happy and prosperous. Away back in the history of the Nation, it comes to us that a great feast was given, and that the father and son were there, each one attending the banquet. When the father was asked, "Upon what do you most pride yourself?" he said, "Upon being the father of such a son." When the son was asked the same question, his answer was, "Upon being the son of such a father."

Gentlemen of the Senate, and Gentlemen of the Pioneer Law-Makers' Association of Iowa, we have been, as you are, making the laws and records of the State for future generations, and I trust we will all, so live and act that Iowa can say she is proud of us as a portion of her children, and that we in turn can say also that we are proud that we are citizens of Iowa. [Applause.]

The Pioneer Law-Makers then repaired to the Hall of Representatives.

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HOUSE OF REPRESENTATIVES, 3:00 P. M.

The arrival of the Pioneer Law-Makers in the House was announced by the Sergeant-at-Arms.

*SPEAKER MITCHELL: Gentlemen*—On behalf of the House of Representatives of the State of Iowa, I desire to extend to you Pioneer Law-Makers a most cordial welcome, and thank you for your presence this afternoon. We will be glad to hear anything that you have to say to us. Again I extend to you our hearty welcome.

*JUDGE WRIGHT: Mr. Speaker and Gentlemen of the House of Representatives*—In behalf of my distinguished colleagues—and they are all distinguished—the truth about it is we have not any persons in this State but what are distinguished. Every citizen in Iowa is distinguished, but these young men around me are specially distinguished. I say in behalf of these distinguished gentlemen around me, I return to you, Mr. Speaker, and to you, gentlemen thanks for the compliment you paid us in extending to us the invitation to be here at this time. This is our third reunion. I might say we have a very fair attendance—quite as many as we expected considering the surroundings. We are here at work. In the years long gone some of them at least attempted to do what they best could for the interests of Iowa. They have watched the progress and development of the State. They have seen all the General Assemblies, and some of them have represented constituencies in Congress and held State offices, from 1846 to this time. They have watched these steps of progress taken by our State with not a little interest. They have taken pride in it and they take pride in it to-day. It is my fortune as the youngest man of the entire crowd to

preside over them. They wanted the youngest man and so selected me. I am the autocrat of this body. I am not allowed to make a speech if I wanted to, and I would not if I were wanted to, and being the autocrat, I therefore, have the absolute power to call upon any of these young men who are with me to respond. And you, Mr. Speaker, as I look into your eye have the same right, and you can call on any person you please, and it will be his duty to respond. I know you have a number of members present who can talk. I now introduce to you the best looking man in the crowd—not the oldest, but the best looking man in our crowd, who went out among the Pottawattamies before they left this country, and grew up with them until civilization came in, and who has progressed and held his own pretty well since. I introduce to you Senator Pusey, of Pottawattamie, County.

SENATOR PUSEY: *Mr. Speaker and Gentlemen*—The Judge has a very happy way of embarrassing us young fellows. Since entering these halls I have been impressed with the thought, "How quickly our fondest idols are dashed to pieces." I have been listening, a quiet auditor, to some of the most eloquent and entertaining remarks filled with statistics, filled with history, and from our meeting on the other side of the river in which we, when leaving that hall, left it with the glow of satisfaction, feeling that we had builded Iowa; that we had formed all the laws that were worth obeying in Iowa; that we were the pioneers who laid the foundation of this beautiful building, the pride of our beloved State. But when I get over here I find myself surrounded by young athletes from all parts of the State, and I find that we are only just commencing to build Iowa. I am like the little boy, a son of one of the Federal soldiers of the late war. He had listened at the table and the fireside to the stories of the camp, and the field, and the march, until his young mind was filled with the stories of the adventures of his father. One day a comrade came to visit, and in the course of conversation he got to talking about his company, his regiment and his division, and finally the little boy looked up in surprise and said, "Why, father, I thought you put down the rebellion!" I came across the river supposing that we fellows had builded Iowa, but I see around me that evidence of future growth and prosperity that makes me believe, gentlemen, this afternoon, we are just standing upon the threshold of a glorious future.

Now, I don't want to make a speech. Judge Wright said he didn't want to either, but he is always talking—is the best talker in the State. I wish he would let us fellows off who are so easily embarrassed when before such audiences. I think possibly, I could best entertain you with a little anecdote—somewhat personal perhaps, but it relates more to three Senators who are yet living. At the time it made a very great impression upon them—one of them, at least.

One cold winter morning in 1858, after traveling one hundred and fifty miles in a stage coach, with the thermometer twenty-one or twenty-two degrees below zero, I arrived at the old Des Moines House and asked where the Capitol was, and was directed up here to a little brick building. I came to the building, and when I went in and stepped forward, I found Charley Nourse there as Secretary *pro tem* of the Senate. I handed him my credentials and was sworn in—but never qualified. I dropped into the nearest seat I could find. There was not a face in the room that I had seen before. I didn't know personally the Governor, nor a member, nor a single State officer,

and I felt as Mark Twain did on entering the great theater and looking around: says he, "The most solemn thing that enters my mind on this occasion is, that in this vast room there appears not a single person of my acquaintance." Being one of the youngest members, of course I was inexperienced and unknown. In fact, I didn't know my own constituency. I had only been in this State one year, and was a Representative of twenty-eight Counties out on the Missouri River. There are fifteen or twenty of you here now representing those wealthy counties.

The Standing Committees were announced, and I found myself placed, among other committees, on the Committee on Banks. At the close of the morning session, an old farmer, back in the corner of the old Senate Chamber, arose, offering a resolution instructing the Committee on Banks to bring in two kinds of bills, going into particulars as to the restrictions, scope, and power of that Legislature. I turned to a friend of mine and remarked, "I am opposed to that resolution," and says he; "So am I." I says; "Who is that Senator?" and he says, "He is an old farmer that don't know anything about banking. Let's just go for him." And thereupon there was instituted a very lively debate which covered the whole question and scope of banks, and the finances and condition of our State, and the result was, a resolution or instruction was passed as a compliment to that old farmer, and he was unanimously put upon the Committee on Banks. My informant, who was the young and guileless Judge Trimbball, and myself, found that there was but one thing more exciting than hunting a Statesman who happened to have farmer's clothes on, and that was when the Statesman turned around and hunted you! That farmer was Samuel J. Kirkwood! There is a moral, young men, in this. I was very young and inexperienced that morning. I have learned something since—have you? [Laughter and applause.]

MR. CHASE: *Mr. Speaker*—I hardly know how to find words to express the high honor that I feel, and that the other members of the House feel, towards the members of the Pioneer Law-Makers, who are our honored guests to-day. It seems to me that there can be nothing more impressive than to see these gentlemen, whose hair has whitened in the course of many winters, with their blood still warm with loyalty for the grand old State of Iowa. I believe, knowing many of them as I do personally, and others by reputation, that they will never become old, but that they can rejoice and be glad in the prosperity of this State and the proud position she occupies in the sisterhood of States.

We do not forget that the prosperity we now enjoy—that we are so pleasantly situated in this magnificent structure to-day—are due to the fact that firm and strong intelligence, good judgment and discretion, laid the foundations broad and deep upon which we have built and prospered. The present is always a lineal descendant of the past. No State can be prosperous unless those who made its constitution, who first ushered it into existence as a State, laid its foundations upon adamant which would support any structure which would be built thereafter; and I will say that, with hearts full of appreciation, we recognize that the blessings we enjoy in this great State and the prosperity that has been accorded to us, so wonderful beyond everything we have ever seen, is due to the fact that we have had men in

the early history of the State who made no mistakes, and who predicated this State government upon principles that must ever endure.

I desire to express, as far as I can, the appreciation of this House that you are with us to-day; that you have been spared to visit us here, and to show that you have a continued interest in what is going on in the legislative halls of the State of Iowa. I can also say further, that I hope you may long be spared to assist in the building up of our prosperity and improving and furthering the best interests of the State of Iowa.

JUDGE WRIGHT: *Mr. Speaker*—I knew that Mr. Pusey had a great many good qualities, but I never suspected before that modesty was one of them. I was wondering to myself how a man of his excessive modesty ever got into the Senate of the State of Iowa, but he made it quite plain before he concluded, when he said that there was not one man out of ten of his constituents that knew anything about him! (Laughter.)

Now, I am about to introduce to you a gentleman who has a good name, but if I hear any person again talking about modesty, I think I shall shoot him on the spot. The gentleman I shall introduce to you is one of the early presiding officers of the State; a man who did gallant and valiant service in the field to preserve this nation. While I say he has a good name, and while he has the same name as I have, I want you to understand once for all that he is not related to me—Gen. Ed Wright.

GEN. WRIGHT: *Mr. Speaker and Gentlemen*—There is one thing I have always been ashamed of, when I have been around in certain places, and that is my name. I don't know that I have anything to say to this audience. I never made a speech in my life; I never attempted to make but one. I was connected with the General Assembly a great while ago, and I was like a great many other parties, I thought I had to make a speech. It was in the House of Representatives in 1856. At that time the General Assemblies were in the habit of passing resolutions and establishing political principles. I found out pretty soon after the General Assembly convened that we would have resolutions of that kind. I thought I could make a speech if I prepared myself carefully upon that question. I spent a good deal of time upon that speech. I thought I had a good one, and think yet I had a pretty good one. I memorized it and repeated it out in the woods and it sounded very well. The resolutions, just as I expected, were brought up. When the time came around and I expected to make a speech, there was another member got the floor and got up and made a pretty fair speech; when he got through, Barker from Dubuque got up and moved that we sing the doxology and adjourn! That spoiled my speech, and the next morning a gentleman from Muscatine made some remarks and passed the resolution. A few days afterwards, my speech was made in the Senate, made by two or three members in the Senate, and I burned my speech and have never tried to write or make a speech since.

We thank you, gentlemen of the present General Assembly, for the courtesy extended to us. I have been connected with the General Assemblies for a good while. First, I was a member in 1856, and I believe I have seen every General Assembly since, except the one in '62, and they are all about alike. I don't see that one is better than the others, but it always seems that the ones we were members of, and naturally, were the best.

Mr. Dayton, of Allamakee, was then called for.

MR. DAYTON: *Mr. Speaker and Gentlemen*—Being but little acquainted with the early times and history of the State, I am unable to tell the situation of the early Law-makers when repairing the Constitution and enacting the laws of our State; but I understand they did it in a room where it was less difficult to speak than where we are congregated now. I have found the greatest difficulty is to get an attentive audience, and the next to yell loud enough to be heard on the opposite side of the room. These two matters are of vast importance when you come to speech-making. One of the most necessary things in speech making is to have something to talk about, and that is just what I lack at the present time, and for that reason I shall have to discontinue any further remarks.

JUDGE WRIGHT: We would like to hear from Judge Rowell, of Union County.

JUDGE ROWELL: *Mr. Speaker and Gentlemen*—I am pleased to be here to-day and to meet with the present General Assembly, but I confess the highest pleasure that I have is being able to meet with the Pioneer Law-Makers of Iowa. These, Mr. Speaker, are not a company of ordinary men. Here is represented in this aggregate body, men who have come down since the earliest settlement of the territory of which Iowa is now composed; men who have had to do with the very first laws that are written upon our statute books; men who have had to do with making the very constitution under which we have lived. There is represented in this body men from all the Legislatures from the beginning on to the Fourteenth General Assembly. We have not met merely for the purpose of congratulating each other that we are here yet, but we have met for a better purpose. We have met for the purpose of handing down to the State of Iowa, as far as it is in our power, some of the history of this State. I am pleased to say to you that this body of gray-headed men have that within their own knowledge which can give a complete history of this State. Mr. Speaker, we shall pass over to this State a large amount of written history of Iowa, with the expectation and hope that such steps will be taken as will be necessary to preserve it in the archives of the State. We are here, sir, to look about and see what we have done. We ask you, gentlemen, to take the history of the legislation of this State and compare it with the legislation of other States; compare it with the history of our country and see if, in your judgment, gentlemen, these men have not done their work faithfully and satisfactorily, not only to themselves, but to those who lived in their time and those who shall come after them.

Now, we are not here for the purpose of suggesting legislation. We are here to remind you that the laws of Iowa are in your custody and keeping for the present. You may tear down, or you may build up, and after years will determine the wisdom of your acts. All we can say is, strive to do that which in after years, when you shall become our Pioneer Law-Makers, you shall look back with pride upon the past, as these, our friends, can look back upon the labors of their days. In doing this, do that which in your judgment shall seem right and serve the best interests of your constituents, but do not be afraid of them. That legislator who comes up here afraid of his constituents would run from his shadow, and would accomplish nothing for himself or the State he represents.

I return sincere thanks to you for the courtesy you have paid this body—I don't mean myself personally, but to these, my friends, and in their absence if it please Him who keepeth all things that they should return again, we trust they will find the State of Iowa in as safe hands as to-day, and in as prosperous a condition as we find it at this hour.

MR. WILSON (of the present House): I am somewhat out of place among these old gray heads, and if I had known that the Speaker expected to call me out, I should have gone into company where I more properly belong, but as I overlook that, I hope you will overlook and forget me for the time being.

I am glad to see these old men here whom we reverence and love as we love all those things which are good. We recognize in them those to whom we look, and whose steps we are glad to follow, and I only hope that the Legislature convened here at the present, and those that shall succeed, will each be able to look back upon the past with as much satisfaction and pride as the Pioneer Law-Makers assembled here to-day.

I thank the Speaker and the gentlemen around me here for extending me this opportunity of expressing my feelings, and for your attention. (Applause.)

JUDGE WRIGHT: I feel, though we have but a few moments left, that I will not be doing justice to the occasion if I do not ask a gentleman who is here to arise so that you can at least see him and know who he is. While he needs no introduction, I will say that he is the oldest Law-Maker west of the Mississippi River, and I was about to say east of the Mississippi River—a man who represented the country of which Iowa was once a part before Iowa had any existence. A gentleman who represented us not only in the nation, but also in the judiciary, and afterward represented us with such ability in the Senate of the United States as well as the House of Representatives. I introduce to you General Jones. (Applause.)

GENERAL JONES: *Mr. Speaker and Gentlemen of the House of Representatives*—I am very much delighted in having been called upon to say a few words to you. I do not believe I am entitled to the great credit my friend has given me. I believe I am the oldest Senator who served in the Congress while I was there, now living in the United States. There are only two other members still living in this country that were Senators in '36, one of them, Bradbury of Maine, and the other, Alfred Phelps, my esteemed, beloved friend. I was a Representative and he was a Representative in 1835. He did not live in the Territory of Michigan.

I paid a visit to Detroit in October, and my friends prepared to give me a reception. They invited him, and he went from Ann Arbor to Detroit for the express purpose of meeting me. We had not met since '53, when we served six years together in the Senate of the United States. Some of our friends spoke to the gentleman who gave the reception and said they wanted to know if we knew each other. When he came down I was the first man in the room, and I was watching for him; and the moment he walked into the house I knew that noble Senator. He came down into the room, and I looked at him and he looked at me, and we recognized each other. I said, "God bless you." (Applause.)

Mr. Richman, of Muscatine, was next called out by the Speaker.

*Mr. Speaker*—It is certainly an unexpected honor to be called upon to make remarks upon an occasion of this kind. I was not expecting that I would be called upon to say anything, and am wholly unprepared to make remarks befitting an occasion of the kind which is now before us.

It affords me, however, great pleasure to meet these gentlemen of such wide range and experience, who have participated in such deliberations and I trust that we in our generation will discharge our duties as faithfully as these representatives of a former generation have done.

I do not feel like taking up the time of this meeting with any extended remarks, and merely desire to express individually the esteem that I feel confident every member of this House and all these gentlemen assembled have for the ability and integrity of these gentlemen who are now before us and who honor us with their presence this afternoon.

JUDGE WRIGHT: I suppose according to the program it is time for us to retire. Before doing so, however, I wish to say two things. The first is, that you have, as you are aware, as a body, extended to you an invitation to visit us as a body at three o'clock to-morrow. That invitation you have and I now emphasize it, and trust that every member of this House and its officers, together with the members of the Senate, whom we have already invited to be with us to-morrow at three o'clock, will come. As the ladies say, "return our call;" but don't do it by cards, come in person. We have a meeting to-night at 7:30, and shall have some very interesting papers from gentlemen appointed some weeks since, and who have prepared themselves with care. Among others, without naming all of them, we shall expect papers from General Jones, Dr. Yeomans, and also from our ex-Governor, Cyrus C. Carpenter. I am advised that all of these gentlemen come prepared, and I trust you will honor us with your presence to-night as well as to-morrow.

Now, as we are about to retire, in the name of all the Pioneer Law-Makers, I again return thanks for the most cordial manner in which you have received us. As I stand to-day in this beautiful Capitol, I think of the time when, fifty-two years ago, I crossed the Mississippi river seeking to make my home in this then new territory. I was quite a boy. I had no right to vote then. I was coming to a new land and among strangers. I was coming to a new land, among strangers, and without money. I was going to see what I could do in this new country. I stopped, Mr. Speaker, in that county of Van Buren of which you have heard something. I left there twenty-five years ago and then sought the capital. I remember the men who assisted in making Iowa what it is. Of those, again, I remember Lucas, and Chambers, and Clark, and Grimes, and Hempstead, and Briggs, and Lowe—the first Governors of our State; and I remember Mason, Williams, Hall and Greene—all gone now. I remember also prominent Legislators from 1840 who assembled in the old Mt. Zion church in Burlington, and that wooden structure in Iowa City, and then the more palatial edifice where our State University now is. I could tell you name after name of those men who have served the State, but they are all gone, and, Mr. Speaker, the grand, great and important thought with me is this: Men come and go; Legislatures meet and adjourn; the strong in mind and body

pass away; men die, but thoughts live forever. The thinker passes away, but the thought lives on for all time. The thoughts of these great men have been put upon the statute books of our State; have been given in the decisions of our courts, and those thoughts will live after them when they are gone. These gentlemen around me, as I believe in all honesty and sincerity, endeavor to so impress their thoughts that they should be good thoughts and that they might worthily live on. Some few of them have lived on. The great body of them are gone, but their deeds live on, their thoughts live on, and I know, I know, I know, that with all the advantages that Iowa has had for the last fifty years; I know, I know, I know, with all the circumstances that have been around us to assist and build us up; I know, I know, I know, with all the advantages you, Mr. Speaker, and you, gentlemen of this House, have, that we, as we pass away, can safely entrust into your hands the work which comes down to you, and you and those to follow will uphold the banner of Iowa, and as we pass away, we shall feel and know it is in safe and reliable hands. (Applause.)

A motion was made in the House of Representatives to accept the invitation of the Early Law-Makers, which was carried unanimously.

The Pioneer Law-Makers' Association then adjourned to meet at 7:30 o'clock in the evening.

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7:30 P. M., February 10th, 1892.

The meeting was called to order by the President.

Song: "A Thousand Years," Quartette.

Address by Gov. C. C. Carpenter:

#### REMINISCENCES OF THE WINTER OF 1858 IN DES MOINES.

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*Mr. Chairman, Ladies and Gentlemen*—On the second Teusday in October, 1857, the first general election was held under the present Constitution of the State. Although the election was under the new Constitution, the apportionments for Senatorial and Representative Districts, on the basis of population, had been made by the Sixth General Assembly, and in accordance with the provisions of the old Constitution. The members of the Legislature chosen at this election constituted, with the hold-over Senators, the first General Assembly under the new, and the seventh under the old Constitution. As illustrative of the increase in wealth and population during the intervening years, I may say, that the Thirteenth Representative District, which I was chosen to represent, was constituted of nineteen Counties, viz.: Worth, Cerro Gordo, Franklin, Wright, Hancock, Winnebago, Humboldt, Kossuth, Web-

ster, Hamilton, Calhoun, Pocahontas, Palo Alto, Sac, Buena Vista, Clay, Dickinson, Emmet, and Bancroft. All these Counties, comprising a territory larger than any Congressional District in Iowa to-day, were grouped together, without the benefit of the "Gerrymander," to secure a sufficient population to entitle them to one Representative.

On the 11th day of January, 1858, this General Assembly came together at Des Moines. It was the first General Assembly that had met in this city. The people of the city were much elated at what they regarded as their good fortune in securing the re-location of the Capitol, and were correspondingly rejoiced at the first assembling of a legislative body in their midst. We were therefore welcomed with a hospitality and friendly warmth that could not well be repeated. I came here two or three days before the time of assembling, traveling by stage down the old State road leading from Fort Dodge to Des Moines, staying over night at Boonsboro, and arriving in the city the evening of the second day.

Des Moines was then a town of about 3,000 inhabitants, as two years thereafter at the Federal census, it only had a population of about 3,900. It was literally a city of "magnificent distances." The site of the Capitol was then a wooded hill, occupied by the old (then new) Capitol building, and perhaps some twenty-five or thirty family residences scattered here and there in the openings of the timber. The bottom intervening between the foot of the hill and the river was a low muddy flat, comparatively unoccupied and unimproved. In this connection I remember an incident which shows the character of the bottom during much of that winter. On the day fixed for the election of State Printer, Binder, etc., Will Porter, who was the Democratic caucus candidate for printer, started with a friend in a buggy to come over from the west side to witness the proceedings of the Joint Convention. Their horse and buggy stuck in the mud and they were detained until the State Printer, John Teesdale, had been elected. Will laughingly said on his arrival, that if his horse had not failed him he would have broken the Republican slate. The east bank of the river was fringed for half a mile along the main front with residences, a few shops, a mill and a woolen factory. The west side of the river comprised the larger portion of the population and business. There were then but few residences which to-day would be regarded as equal to second class, and all business was confined to the street fronting the river and Second Street.

A bright editor of the *Boone County News*, Luther Sanders, came down during the winter to see the town and look in on the Legislature; and upon his return described his trip and gave his impressions of the city. He said (I quote from memory) that when he came out on the wooded heights northwest of the city and caught his first view of it, "he just fell off into it."

I have said that a Legislative Assembly was a new thing to the population of that day, and that on every hand was manifested courteous and generous hospitality. The houses of her citizens were not large, but the doors were wide, the hinges swung towards the interior, and the Legislators who had time, and were given to the social amenities, were everywhere generously entertained. During the winter almost the entire population united in giving a reception to the General Assembly. The festivities occurred in the Sherman Hall, situated, I think, at the corner of Third Street and Court Avenue. It was a whole-souled western "blow-out." The lamps (literally) shone

over fair women and entranced Legislators until after the midnight hour, and the dance and promenade still went on.

The General Assembly was not to be outdone by the good citizens in the social amenities. So on March 12th the two Houses adopted the following resolution:

*Resolved* (If the Senate concur), That the use of the Hall of the House of Representatives, Senate Chamber, Supreme Court Room, and Library, be given to Messrs. Coolbaugh, Kirkwood, Patterson, Edwards, Lundy, Jackson, and Clune, on Thursday evening, March 16th, for the purpose of giving a festival to the citizens of Des Moines.

A little discussion sprang up upon the passage of this resolution. One moved to strike out "Library," and another "Supreme Court Room," expressing a doubt as to the constitutionality of using rooms which had been set apart for these purposes for such an affair as a festival. But the imagination of the entire Assembly snuffed the aroma of the forthcoming spread, and before their eyes flitted the beauty and intelligence of the city, so all constitutional scruples were silenced and the resolution passed unanimously. At that day a donation of ten dollars by each Legislator was sufficient to furnish a generous entertainment for the entire city. In fact, at that time, the one hundred and fifty Legislators, with the officers of the two Houses, and the usual quota of lobbyists and visitors which such an assembly calls together, made a very appreciable addition to the population of the city, and the whole thing was thoroughly enjoyed by all the people.

I would like to say more of the Des Moines of 1858, and give my impression of some of the men who, in the years that have since come and gone, have been no ordinary factors in making the history of the State. Our State has been too indifferent to the preservation of the material from which history is made. Other States have expended thousands of dollars in gathering and preserving for the use of their future historians, the data from which the story of their growth will be elaborated, and by which the deeds of their heroes and statesmen will be kept alive. I hope that this neglect and short-sightedness of the past may be in some measure repaired by a greater wisdom in the future. But I must not linger, as I desire to give some incidents of Legislative proceedings, as also my impression of some of the men of that period. I must necessarily limit my observations respecting individuals to the few whom I regarded as the most striking figures. I would like to speak of them all, for the truth is, that when a casual on-looker casts his eye over a legislative body he is apt to be impressed that it is composed quite largely of pretty ordinary men. But let him come into the nearer relation of fellow membership, and wrestle with those men in committee and on the floor, and he will find that, without exception they are all possessed of characteristics for certain lines of work which furnish abundant reasons for their having been chosen from the body of their fellow citizens for the special duties of the Legislator.

When that Legislature assembled we stood upon the threshold of the great events which, three years afterward, resulted in the Rebellion. Some of the most conspicuous characters of that day had been drawn into new relations to public affairs by their well known anti-slavery sympathies. Such was the fact in relation to the most distinguished man then in public

life in the State of Iowa. I need hardly say that I allude to the out-going Governor, James W. Grimes. He had been a member of three Legislative assemblies prior to his election as Governor in 1854. But he was a Whig, was in the minority in this State, and except the fact that he had shown the solid and persistent qualities which afterward distinguished him, he had not made himself particularly active or influential in public affairs. But the long series of encroachments by the slave power, climaxing in the repeal of the Missouri compromise, aroused the lion in his nature. He was nominated for Governor on the anti-Nebraska ticket in 1854, was elected, had filled the office to the advantage of the State and with such fidelity to the growing sentiment of the times as to make himself illustrious in the ranks of those who were held in party affiliation by common anti-slavery convictions. He cared nothing for personal show—never played a part to secure the approval of even the constituency whose good opinion he valued. He was in no sense a trimmer and could not be a demagogue. I saw much of him during the canvass preceding the caucus which nominated him for United States Senator. There was quite an element, especially among some of the younger Republicans in the Legislature who were supporters of Judge Smythe, of Linn, and Frederick E. Bissell, of Dubuque. They sought to form various combinations to defeat him. He knew all their movements and knew the motives that actuated them. And while he was exceedingly anxious to succeed, as it was natural that a proud and ambitious man should be, still I believed *then*, and I know *now*, that he would have preferred defeat a thousand times rather than to have secured success by compromising, in any degree, his self-respect.

He stood erect and unyielding throughout this trying ordeal, and when it was over was unembarrassed by a single personal promise or political pledge. He could remember a friend who had been true to his interests without any exactions as the price of his support; but he never sought by any form of words or through the intercession of mutual friends to conciliate an enemy. If a man was his friend his good will must rest upon the basis of mutual respect; if he was his enemy he would not buy his friendship at any price. He was a man of the simplest personal habits. In dress, in the food upon his table, and the house in which he lived there was comfort, but no ostentation. Although no children had come to his home, he loved children; and I shall never forget his telling me how he had trained up to physical health the little girl whom he and his wife had taken to rear, and who came to their home so frail and slender in health that the neighbors thought her but a tender flower transplanted in this beautiful home to die. He had heart as well as brain. He was a Senator worthy of his State, and fitted by nature for the duties of the supreme hour of his great career.

Governor Lowe, his successor, was in many respects his antipode. He was his equal in honesty of purpose and in fidelity to his moral convictions. But he lacked in some respects his self-sustaining steadiness of character, was more the creature of his emotions, and more largely influenced by his surroundings. He was a man somewhat too visionary for the cold realities of life. He could sometimes be made a victim of wolves in sheeps' clothing. He was, especially, I think, likely to fail in his calculations as to worldly accumulations. And yet, with his activity of mind and body, he was constantly engaging in new enterprises. But he was a good lawyer, and when

on the bench, either as a *nisi prius* Judge, or as a member of the Supreme Court of the State, he was never given to visionary views of the law. He was utterly without moral or physical fear, and although mild of manner, and ordinarily of a gentle and religious nature, when aroused to anger by what he regarded as an affront, he was a dangerous antagonist. I shall never forget a scene of the last night of the legislative session. Bills and resolutions were going through the two Houses and reaching him for signature in quick succession. He had been led to sign a joint resolution, of the propriety of which he was in doubt, by what he believed to be the misrepresentation of a member of the House, and when this impression dawned upon him he flew into a towering passion. A few moments after I heard not very far from my seat the hot words of a quarrel, and turning around saw the Governor, white with rage, shaking his long forefinger in the face of the gentleman whom he thought had deceived him, whilst his red-hot words were suited to his gestures. Mutual friends, however, succeeded in quieting matters, and mutual explanations followed and restored good will.

He told me himself, years afterward, of an occurrence in connection with the pardoning power, whilst he was Governor, which illustrates the character of the man. A scoundrel in the penitentiary had succeeded by the use of some drug, which had been furnished him, in so reducing his flesh, and producing such pallor in his face, as to lead the physician and Governor to believe that he was about to die with consumption. The Governor in the goodness of his heart pardoned him, in order that he might die at home. A few months afterward, he said, while at a hotel in Montrose, he was approached by a stately, well-dressed fellow, who introduced himself as the man he had pardoned. The Governor was mad. Whether he was most outraged because the rascal did not die according to contract, or because he had deceived him, he did not say; but he so berated him—threatened that he would have him arrested and re-incarcerated within the next two hours—that the fellow fled across the Mississippi river into Illinois and he never saw or heard of him afterward.

The story is told that when he was on the bench of the Muscatine District, a lawyer, whose case had been badly pulled to pieces in his court, instead of going down to the hotel and swearing at the court, as is said to be the habit of some lawyers who lose their cases, made some rather uncomplimentary allusions to the court within the hearing of the Judge. Of course there was a scene. The Judge fined him and ordered him in arrest. The lawyer was still madder, and said if the Judge was not protected by his office he would get even with him. "Ah!" says the Judge, "if you want to try titles on that score I am ready for you and will remit fine and imprisonment." The story goes that the lawyer paid his fine. But withal he was a most generous-hearted, patriotic and noble man. I saw him in the closing years of his life struggling for bread by the practice of the law in Washington City, and shall never cease to grieve that the last years of his life were embittered by disappointments.

The Lieutenant-Governor, Oran Faville, was a polished, scholarly man. Had for years been at the head of a seminary of learning in Vermont, and after coming to Iowa was Lieutenant-Governor, Secretary of the Board of Education and State Superintendent of Public Instruction—a most useful and estimable man.

The State Senate contained several men who subsequently were distinguished in public life. I have only time to mention three or four. The finest debater, possessing an extraordinary power of analysis, was Senator Kirkwood. His subsequent career is well known. I may parody Webster's defense of Massachusetts in speaking of him: "He needs no eulogy. *There he stands. Look at him.*" I boarded during the winter at Alexander Scott's, whose house, now falling into decay, stands on the east bank of the river near the Rock Island railroad bridge. My fellow boarders were Senators Rusch, of Scott; Thompson, of Linn; Atkins, of Winneshiek, and Carter, of Clayton, and Representatives Trumbull, Drummond, John W. Thompson, of Scott; E. E. Cooley, of Winneshiek, and Stewart, of Dubuque. I became very well acquainted with Nicholas J. Rusch, then a Senator, subsequently Lieutenant-Governor, and a staff officer during the war, where, I think, he sickened and died. Senator Rusch was a most interesting man. He was a Prussian by birth and education and an American by choice. He was tall, straight, with black hair, a large, round dark eye and brunette complexion. He was not only one of the handsomest men in the Senate, but in education, in wide and varied reading, and in travel and observation he was probably its most cultivated man. And withal he was a most genial and companionable man.

Another bright and useful man who afterwards was an able Congressman, was J. B. Grinnell. He was a ready debater and really one of the most busy and active men in the Senate. I did not see him after the adjournment of that Legislature until I met him in Washington the day after the great review following the close of the war. I shall not forget the cordial welcome with which he received me—invited me to call at his room, which was the room in the National Hotel once occupied by Henry Clay and in which he died. As my imagination was always awakened by reminiscences of Clay I spent a most enjoyable evening with a genial man in that historic room.

Another man who was a valuable Senator and afterwards a man of distinction and usefulness in public affairs was Jonathan W. Cattell, of Cedar County. During the subsequent years of his active life, as State Auditor, as Senator from Polk, he was always clear-headed, honest and industrious.

If time permitted I would like to speak of John R. Allen and John W. Rankin, of Lee County, the latter a Colonel in the war of the Rebellion—of Henry H. Trimble, of Davis, also an officer in the war who bears a memento of his service to this day; of Alvin Sanders, of Henry, subsequently Governor of Nebraska and a United States Senator; of Daniel Anderson, of Monroe, another honored soldier of the war; of W. H. M. Pusey, of Pottawattmie; of William Loughridge, of Mahaska; of A. O. Patterson, of Muscatine; of M. L. McPherson, of Madison, and David S. Wilson, of Dubuque, but I must forbear. I turn now to the House, with the personnel of which I was more familiar. First in order I will name the Speaker, Stephen B. Shelledy, of Jasper County. Mr. Shelledy was at the time past middle age, had served in two of the Territorial Assemblies and in both Constitutional Conventions. He was a very fair and impartial Speaker and retired from the office carrying with him the respect and cordial good will of every member of the House. During the war he was a soldier in the Grey-beard Regiment and was always and everywhere a patriotic citizen.

James F. Wilson was Chairman of the Committee of Ways and Means,

and a decidedly strong and able Legislator. His standing in this Legislature was a prophecy of his future career. He has since been three times a member of Congress, serving during the great events of the war as Chairman of the Judiciary Committee, and is to-day serving his second term as United States Senator.

Another member of that House whom I regarded as a remarkable man, was Dennis A. Mahoney, of Dubuque. He was probably past fifty years old and an editor by profession. He had been partially palsied for several years, which caused a constant shake of his head. When he rose to speak he stood with the tips of the fingers of both hands touching the desk before him. He never made a gesture, but just talked with an accuracy of diction and a force of logic which always gave him the undivided attention of the House. He was a Democrat and the acknowledged leader of his party. Next to him, as a debater on that side of the House, was Lincoln Clark. He, too, was probably past fifty; hair and beard white, whilst his form was erect and his complexion youthful and blooming. He was an exceptionally handsome man and a very likeable man.

Next to him among the Democrats, in point of influence and power, was Wm. W. Belknap, of Lee County. He was then young, fine looking, with a military bearing. I came to know Belknap well, and was so familiar with his characteristics, that at the very beginning of the Rebellion I believed he would become a soldier of distinction. He was partially reared and educated in a military camp; was born in the city of Washington whilst his father was Adjutant-General of the United States Army; his tastes and ambitions were decidedly military. He was a soldier and a patriot. And notwithstanding the misfortunes of his later years, I have never seen a soldier who served with, or under his command, whether belonging to his regiment or brigade, who would not fight for him or his reputation. And the man who carried into civil life the love and respect of men whom he led on the field of battle, was no ordinary man, and his memory will find an honorable place in history.

If I were to name all the men who were entitled to honorable mention in that General Assembly it seems to me that I would have to go through the roll call. There was Zimri Streeter, familiarly known as old "Black Hawk," who was a man of infinite jest with a large fund of common sense, and M. M. Trumbull, an able man who enjoyed the distinction of having served in the Mexican War. During the Rebellion he rose to the rank of Brigadier-General. And there was Tom Mitchell, a man of sturdy character and sturdy patriotism, and Wm. H. Seevers, a thorough lawyer, Chairman of the Judiciary Committee, and in recent years the honored Chief Justice of the Supreme Court.

And there was Ed Wright, of Cedar, a student of parliamentary law, and an industrious Legislator. No bill found its way through the House that did not receive his careful scrutiny. His service in the House was but a promise of his future useful life. As an officer in the war of the Rebellion, as Secretary of State, and finally for long years the efficient and pains-taking Secretary of the Board of Capitol Commissioners. I verily believe he saw every brick and every stone that went into the massive walls of that great Capitol building. With Ed. Wright, wherever you put him, the manifesto never exceeded the performance. And there was B. F. Gue, to whom the

State is more indebted than to any other man for the persistency and good judgment with which he advocated the establishment of the Agricultural College; and W. H. Clune and Justus Clark, the one bright, and the other solid; and honest John Edwards, who afterward led a regiment and a brigade in the Civil War. But I must not lengthen this roll call, however much I would like to do so. There were, however, two other members of that House whom I can not forbear to mention. One was George W. McCrary. He was the youngest member of the House, but he was one of the most influential and useful. He was a man of a pre-eminently level head. He was a fine debater. His habits were faultless. I don't suppose he knew the taste of spirituous liquors. I doubt whether he knew the jack of spades from the ace of clubs. He was always in his seat, and always attending to business. It is not surprising then that in subsequent years he should become an honored member of Congress, serve his country as Secretary of War, resign that office to accept the position of Circuit Judge of the U. S. Court, and resign that office to become the distinguished Attorney of one of the greatest railroad corporations in America.

I come now to speak of Tom Drummond. We were fellow boarders. I knew him well. He was young, ambitious and a politician by instinct. He was a man of striking personal appearance, tall, straight and willowy, hair and eyes black, and a brunette complexion. There was in his every movement a sort of dash which would attract attention anywhere. He spent much of the winter in efforts to secure the location of the Institution for the Blind, at Vinton, and his efforts were crowned with success. I have been told that upon his return two years afterward as a Senator, he had equally as hard a fight to retain it, and secure an additional appropriation. But he was successful. He was a forcible speaker, a strong partisan, and a good friend. When Lincoln became President he went with the large crowd of Iowans to the inauguration. He was also an applicant for an appointment to a civil office under the new administration. Senator Harlan, who was particularly his friend, tried to secure for him some office suited to his tastes and capacity. But competing applicants were so numerous and persistent that he had about given up his purpose and was preparing to return home, when Senator Harlan said to him: "The army is being increased and minor offices are being filled by appointments from civil life. How would you like an appointment in the regular army?" He replied, "You could not please me better." And when his commission as Captain in the Fourth Regular Cavalry was sent to the care of Senator Harlan, and by him handed to Drummond, he said: "Senator, I had rather have that commission than the one you hold as U. S. Senator." He was soon in the active duties of his command, and engaged in the realities of war. He served gallantly to the end. During the second year of the war he was made Lieutenant-Colonel of an Iowa Cavalry Regiment, was with it for several months, when he returned voluntarily to his old Regiment in the regular service. At the battle of Five Forks, when Grant was reaching out to strike the Richmond and Danville railroad, which was Lee's only remaining line of supplies or retreat, Drummond fell just at the close of the engagement. This was really the last engagement of the war that could be called a battle. A few weeks after, as Sherman's army was *en route* from Raleigh to Washington, it moved in the vicinity of the Five Forks battle-ground. As I was riding with an

Illinois officer, talking of the close of the war and the prospects of getting home, we halted for a moment at Dinwiddie Court House, not far from Five Forks. We knew it to be an old historic town, and as the fence of the cemetery was down we turned in to look at some of the old monuments. There were not only old monuments, but hundreds of new made graves of both Union and Confederate dead. The first name that caught my eye was that of Col. Tom Drummond. I had never seen him after the adjournment of the Seventh General Assembly. I did not know until then that he had fallen, and his form stood before my imagination, and is imprinted on my memory to-day. The intrepid Drummond was a striking type of the heroism of his day. It seems to me that the people of Vinton should erect a tablet to his memory in the institution which his efforts secured to that city. It would be a just recognition of his services to the city and of his career as a soldier. Emerson has said: "The people who forget the sacrifices of their soldiers, will have to fight their battles over again."

Before passing from the mention of names to which future successes have given a personal interest, I may say, that the Private Secretary of the Governor was Thomas F. Withrow. The Secretary of the Senate was George E. Spencer, and the Clerk of the House was Wm. P. Hepburn.

Three or four incidents of the session and I have done. It was a working Assembly. Besides many other statutes which have become part of the Code of Iowa, it passed the State Banking Law, under which a complete and safe system of State Banks were organized and operated, until superseded by the National Banking system. It passed a school law, which with some modifications, constitutes our present school system.

The Chaplaincy of the House was performed by all the ministers of the city gratuitously. I think, however, at the close of the session a small appropriation was made for Chaplain service, which they divided between them. One day a minister by the name of Shinn, who had formerly lived in Iowa, but was then a citizen of Nebraska, happened in the House at the hour of opening. The Speaker invited him to make the opening prayer. It was a unique and original prayer. After the usual opening invocation it consisted of the following single sentence, "Bless this grand, young State with righteous laws, with an undefiled religion, with good women, true men, pure water and a sound currency." There was more than a ripple of approval when he closed. The old man, I was told afterward, knew the value of a sound currency.

We had some experience with the modern "Fillibuster." In the course of the session the House passed a Registry Bill. It was made a partisan question—supported by the Republicans and opposed by the Democrats. After a long discussion of its merits the "previous question" was ordered. There was, during that session, a railing extending across the Chamber of the House about two-thirds of the distance from the front of the Speaker's desk to the rear wall. Inside of the railing were the seats of the members, and it was called the floor of the House. Back of the railing was the lobby. When we finally reached the point that the vote was to be taken on the bill, Mahoney rose and said in his impressive manner, that it was the duty of the Democrats to let the Republicans furnish their own quorum to pass this infamous measure. Upon this suggestion all our Democratic friends, except one, sprang over the railing into the lobby. The one exception was E. R.

Guiberson, of Madison county. He sat, with Jeffersonian simplicity, smoking an old clay pipe, and seemed perfectly indifferent to the whole proceeding. I talked with him afterwards about it; for I was on very good terms with him, and he was really a very nice, sensible old man. He said he was too old to play the boy. And then he went on to give his reasons for his course; and I have thought many times since that he touched the very core of the folly of the Fillibuster in politics. He said: "I would never engage in dilatory tactics unless there was an attempt on the part of the majority to stifle debate. But when a question has been fairly debated, so far as I am concerned, I will let the majority rule, certifying my opposition by my vote. This, putting it on no higher ground, I think is good politics. If this is a bad measure, as I think it is, and you people pass it, it will help us beat you in the next election, and that is just what we want. But if it should prove a good measure we will have made great fools of ourselves in fillibustering to defeat it." The old man stated the whole philosophy of the situation.

I have spoken briefly and admiringly of Mr. Speaker Shelledy. The old gentleman was a very grave and serious looking man, and yet he had a vein of humor in his nature. There was a member of the House who was anxious to make himself solid with his constituency by playing the role of an economist. He frequently criticised the House for its long debates, figuring out how much of the people's money was wasted by an hour's debate. At one time he criticised the Speaker for allowing too much latitude in discussions.

On the last night of the session, which by the way was continued all night, the House had got along with business, and was awaiting the Enrollment of Bills. In the lull the Speaker thought there was a little chance for fun, so he called this gentleman to the Chair. He walked up and took the gavel with an air which implied that there had been a good deal of time fooled away, now we will proceed to business. He had scarcely squared himself in the chair, when a member rose to a question of personal privilege. He succeeded in getting about a dozen words, when Ed Wright, who never allowed a member to wriggle around long when out of order, interposed with the point of order that the gentleman's remarks failed to disclose that he was speaking to a question of privilege. In an instant another member was on his feet in defense of his right to speak, another was up in defense of the point of order, whilst a third was insisting that the Chair should decide the point of order. So for the next half hour Bedlam was turned loose. Finally the Committee on Enrolled Bills was ready to report, when the Speaker took the gavel and order was restored.

The day of adjournment found the Des Moines river bank full of water. A small steam boat had come up the river and was lying at the so-called Point. In the afternoon it moved down the river carrying all the members from the Southeast portion of the State and those living near the Mississippi even to the Northeast corner of the State, as they could reach their homes easier and quicker by going to Keokuk and up the Mississippi, than by traveling all the way across the State in a mud wagon. I stood on the bank and waved them adieu as they swarmed like bees upon the deck of that little steamboat. Since undertaking to prepare for this occasion I have tried to learn how many of the one hundred and fifty members of the Seventh General Assembly are now living. This has been an impossible undertaking.

but from such inquiry as I have made, I do not believe more than twenty are on this side of the Great Beyond. And standing in your presence this evening I can appreciate the story told of the old monk who had inhabited his monastery for more than a generation; had seen its inmates come, and lingering for a time, pass out to the silent city of the dead, until the pictures which had been preserved of each inmate covered the dark walls of his cavernous home, when in his loneliness he exclaimed, "*Men are but shadows, and their pictures are the reality.*"

Music, "Home Sweet Home," quartette.

Address by Dr. Yeomans, of Charles City, "Recollections of the Fifth General Assembly."

*Mr. President, Ladies and Gentlemen*—As the index upon the dial plate of time by its slow, but unceasing revolutions measures off the days, months, and years as they come and go, impulses are quickened, energies intensified, giving birth to new ideas which lead on to continuous progress. These evolutionary developments are oft times so slow in maturing that we may not readily discern them except as we extend our observations over a considerable period, and compare conditions at remote intervals.

The Iowa youth of to-day, enjoying by inheritance the golden privileges and opportunities secured to them, can scarcely appreciate the wonderful progress in all that constitutes civilization in our own State history. I count it a great privilege to have been a witness of every step in the advance of Iowa from the time she was first christened, fifty-four years ago. There were then (as per census of 1836) fourteen organized counties, containing 10,500 people. Now there are ninety-nine counties and a population of 2,000,000. Then Fairfield was a frontier town of embryonic proportions upon the very borders of the Indian Territory, known as the Black-Hawk Purchase. Then Des Moines, now the State Capital, was a far away Indian Agency and Military post. Then all that was known of our western borders and most of the interior was derived from the few hunters and trappers who had penetrated the wilderness in their adventurous pursuits. Our school-houses, like angels' visits, few and far between, were log cabins, where upon rude benches and stools, the youth, by the liberal application of the birch twig, were initiated into the rudiments of reading, spelling, writing and arithmetic, for six days in the week, and where the gospel was dispensed on the seventh. We had no mills in those days save such as were extemporized by chiseling out a concavity in the top of a stump with an old fashioned well sweep attachment from the upper end of which was suspended a long pestle with which the grinding was done. I fancy it was after the pattern of those mentioned in the old book of which it is said two women shall be grinding at the mill, "the one shall be taken and the other left." Another step in development gave us the horse mill at which the man having grain to grind furnished the horse power and did the work while it was said the owner of the mill claimed all the grain for toll, and a wrestling match determined the ownership of the bags. To one who has looked upon our State as it came from the original nomadic owners of little over half a century ago, and who is permitted to survey the scene to-day, with our railroads and telegraph lines permeating all our counties with a mighty net-

work of steel, and bringing all points into direct connection with every part of the civilized world, our churches, our schools, our cities and villages, our factories, our broad farms, happy homes, our immense resources and universal prosperity, it seems almost like the fabulous transformations of Aladdin's lamp, and leads one to inquire upon whom shall the honor fall for these grand results.

In approaching the city of Des Moines the visitor catches a glimpse, while miles away, of the towering dome of the Capitol building, and as the sun lights up with a golden sheen its gilded covering, he is impressed with the magnificence of this grand edifice. As he draws nearer and takes in its architectural beauty and fine proportions, he is filled with pride in the thought that this is our building, in which every citizen in the State has a joint interest. These feelings are intensified as he enters the spacious rotunda, the legislative halls and State offices, finding everywhere beauty, elegance and adornment worthy a great State. If his examination ends here it will be very incomplete; deep down below the surface is a subterranean region with an intricate system of labyrinthian aisles and corridors crossing, paralleling and ramifying like the mysterious catacombs of ancient Rome. These are flanked by walls of huge blocks of granite upon which the great building is planted, and but for the solidity and firmness of this foundation the whole structure would fall into a chaotic mass of ruins. While I have looked upon this grand triumph of architectural and mechanical skill as a land-mark upon the highway of Iowa progress, it has seemed to me to fitly typify the work of two generations in moulding our State policy, and building and perfecting our State government upon such a basis as would yield the results so apparent in the development and progress of our State. The fathers planted the seed whose exuberant fruitage blesses all our people to-day. They gave us a constitution and code of laws which protect rich and poor alike in all their rights, and secure to all civil and religious freedom. They gave us our school system enabling us to plant a school house on every hill top. Metaphorically speaking, they went into the quarry and with their brawny arms brought forth the huge rough ashler, they chiseled off the sharp angularities, applied the plumb, the square and the level until they were in due form and proper shape for the builder's use. They planted these deep down upon the bed rock, they cemented them firmly together, piled them up tier upon tier until there was a foundation broad, deep and enduring as the everlasting hills.

When the infirmities of age came upon them they said to the boys, now take our places, complete the temple upon the foundation we have provided for you, build for the oncoming generations, make it massive and commodious; adorn and beautify it with the choicest contributions of art, science and skill, so that when the time shall come for you to surrender your trust to those who may follow, as we now surrender ours to you, you may merit and receive the verdict of well done. Surely this verdict has been already rendered, the car of progress has rolled steadily onward. Monuments upon every hand that will outlast sculptured marble, bear testimony to the fact that from the very beginning to the present time our public affairs have been managed with wisdom, skill and loyal devotion to State and Nation.

In considering men I am sure we have no desire to make invidious distinctions, nor to pose as martyrs appealing for credit or sympathy on

account of the perils, trials and hardships of early days. I know not what your experience may have been, but I am firmly persuaded that the current stories of early adventures in Iowa are largely mythical. I am certain that the most enjoyable of my seventy years were those spent on the Iowa frontier. We would not overestimate the work of the pioneer, or undervalue that of his successor.

We have a laudable pride in the triumph of all our public men who have achieved an honorable success. I do not think we can be charged with egotism or too large a measure of the *esprit du corps* if we affirm that of all the distinguished gentlemen who have so ably filled the executive chair of Iowa the names of the first three, Ansel Briggs, Stephen Hempstead, James W. Grimes, will lose nothing by a comparison with any triumvirate you may select from the list.

We have reason to be justly proud of our judiciary. The decisions of our highest courts have been so uniformly characterized by integrity and a profound knowledge of law as to command the respect and elicit the commendation of the ablest jurists of the land, and of all the number who have been connected with this department it is safe to say that none have held the scales more nicely adjusted, presided with greater dignity, or rendered decisions more nearly in accord with their conscientious convictions of the requirements of law and equity than Charles Mason and Joseph Williams, of pioneer times.

Iowa has been peculiarly fortunate in her Congressional representation, scarcely a single mistake has been made, surely none that can be laid at the door of the pioneer. Our Territorial Delegates were W. W. Chapman and A. C. Dodge; the former was an able man, vigilant in guarding the interests of the young Territory. Our first four Senators were A. C. Dodge, Geo. W. Jones, James Harlan, and James W. Grimes, all of whom acquired a national reputation and high rank with the oldest and ablest of American statesmen.

Among our early Representatives were S. C. Hastings, Shepard Leffler, Wm. Thompson, Bernhart Henn and Jno. P. Cook, all able, active, practical men who were untiring in looking after the interests of our State.

Of the Pioneer Law-Makers of Iowa it is only necessary to mention a few names as a fair sample of the whole number who blazed the way for the oncoming multitudes that were to develop the resources of our great State.

Among the earliest were: Jesse B. Browne, Arthur Inghram, G. S. Bailey, Warner Lewis, James Hall, James W. Grimes, George Hepner, J. M. Clark, S. C. Hastings, Stephen Hempstead, Hawkins Taylor, Laurel Summers.

A large majority of these men have finished their labors and gone to their final rest. I met Mr. Chapman at Portland, Oregon, about seven years since and found him with whitened locks and greatly changed in appearance, but with mental vigor unabated, still actively engaged in the practice of law. I also met, at nearly the same time, Col. Wm. Thompson, at Bismarck, Dakota, comfortably enjoying the emoluments of a retired officer of the United States Army; both these gentlemen were as enthusiastic in their expressions of admiration for Iowa as they were forty years before when actively engaged in her service. If either of them have passed away since I have not heard it.

James Harlan still lives in the full vigor of mature years, abounding in good works, loved and revered most by those who know him best.

I need not remind you that Geo. W. Jones is still spared to be an honored and welcomed guest at any point in Iowa he may chance to visit. I am sure we all rejoice that he is with us to-day to join us in congratulations at our great prosperity, so largely due to his labors in the early days.

Hawkins Taylor is still in active service, and has honored this association with his presence and edified all with his reminiscences. I believe S. C. Hastings, G. S. Baily, and possibly others, still live.

General A. C. Dodge joined the silent majority several years since, honored and mourned by the entire people of Iowa. I knew him well during nearly all the years of his public service, and while for many years I differed with him in politics I am glad of this opportunity to pay a tribute to his worth and his merit. He was one of God's noblemen, pure, generous, honorable, chivalrous, devoted always to his friends and the State he loved so well. Many of the early settlers would have lost their homes but for his voluntary aid which enabled them to secure their claims. I am glad to know that his mantle has fallen on a worthy son who gives promise of reflecting credit upon the name of his honored father.

James W. Grimes gave the best years of his life to the service of the State, and when he passed away all our people realized that one of the most brilliant lights in the galaxy of Iowa statesmen had gone out. In all his public positions he exemplified the fact that he had himself given heed to the admonition he gave the people of Iowa in his inaugural address, "Be strong and quit yourselves like men."

The Fifth General Assembly met at a critical period in the history of the State. The preceding election had resulted in a political revolution, placing in power a new party that was destined to have uninterrupted control of the machinery of the State government for three decades. Our State Capitol had been for two years on a peripatetic journey over the prairies seeking a central resting place, and where it would finally anchor was an enigma no man could solve. All our enterprises and industries were struggling under the incubus of general stagnation. There was a great scarcity of money. All values were reduced to the smallest minimum, and labor could scarce find employment. Our railroad schemes had hardly passed beyond the stage of paper projects, their stocks were without marketable value, our farmers, lacking means of transportation, were literally banished from the markets of the world. The single act of Congress passed in the spring of 1855 making a magnificent grant of land to the State of Iowa to aid in the completion of her railroads was the magic wand that lifted the clouds that hung so heavily over us and permitted an immediate advance all along the line. It was the dawning of a new and progressive era of prosperity far reaching and unending in its beneficent results. Instead of being a drug in the market our stocks were now eagerly sought and our roads were pushed to completion as rapidly as men and money could accomplish the work. Capital now flowed into the State without stint or measure for investment. Emigrants from all parts of the country crowded all our thoroughfares seeking homes upon our fertile plains. The farmer found a ready market for his products and every enterprise and branch of trade felt the impulse of the flood tide. We should be wanting in gratitude if we failed to remember

and appreciate the grand work of our members of Congress who secured for Iowa this priceless boon.

In the Fifth General Assembly, of which I had the honor of being a member, there was a combination of men rarely equaled for legislative ability, many of whom were honored with important positions in after years. The President of the Senate was Marturin L. Fisher, a thorough gentleman of the old school, who presided with dignity, courtesy and strict impartiality. P. B. Rankin was Secretary. Among the more prominent Senators, were James M. Love, who was modest and unassuming, yet possessed of such sterling worth and profound knowledge as to command recognition as a wise leader; his long and honorable career as a Judge of the United States District Court, has but confirmed the good opinion that was then entertained concerning him.

William F. Coolbaugh and Milton D. Browning, both of Burlington, had perhaps more to do with shaping and perfecting legislation than any other members; both were good debaters, familiar with legislative methods, and both commanded respect and confidence from all. Mr. Browning was a leading member of the Iowa bar, and Mr. Coolbaugh was the acknowledged head of the financiers of the State; it was his personal guarantee that secured the sale of the first bonds issued by the State. His untimely death at the foot of the monument of his life-long friend, Stephen A. Douglas, filled the whole State with sadness. Another and notable and useful Senator was Alvin Saunders, then a merchant of Mt. Pleasant, since made Governor of Nebraska Territory, and elected to the United States Senate. Among others were the familiar names of Isaac M. Preston, John G. Shields, Elisha F. Clark, John R. Needham, George W. Lucas, Jas. D. Test, Nathan Udel, Dan'l Anderson, and W. A. Thurston, all active and useful members.

The Speaker's gavel in the House was wielded by Reuben Noble; he was then in his prime, and I don't know that he has yet passed that stage; he was a good parliamentarian, a courteous gentleman, a fine talker and a popular presiding officer. The Chief Clerk was Charles C. Nourse, well known in this city and throughout the State. The membership was made up largely of hard workers. Probably the most conspicuous personage upon the floor of the House was Ben M. Samuels, of Duquque. He was a man of fine physique, a thorough gentleman, a good lawyer, an entertaining and forcible speaker, and possessed in large measure of the genial, social, and hospitable traits of the old Virginia families with whom his boyhood days were spent. Samuel J. Russell, of Washington, is remembered as one with whom it was dangerous to measure swords in debate; he was sharp, quick, and incisive, always ready to receive blows and prompt to respond. He was always at his post of duty, and took an active part in all measures of legislation.

Samuel McFarland, of Mount Pleasant, was a quiet and dignified member, with pronounced views on all questions of legislation; his influence in promoting all that gave promise of securing the public weal was second to no one. He fell at the post of duty and honor gallantly defending the old flag that represents all that is great, grand and glorious in our nation's history, thus adding one more to the many calamities the late Rebellion inflicted upon Iowa.

Joshua Tracey, of Burlington, was then a young lawyer who gave abun-

dant indications of his subsequent brilliant career at the bar and upon the bench.

P. Gad Bryan was one of the most popular members, recognized then as an able lawyer, a good speaker, the prince of wags and a royal good fellow.

There were many others equally worthy of special mention. Bronson, Albright, Sargent, Coffin, Williams, Clark, Neal, Lyon, McCall, Baldwin, Jackson, indeed the entire list was made up of active, working members, worthy of being remembered by the people of Iowa. There was a remarkable absence of demagogues, cranks, bores, or other obstructive nuisances. All seemed animated by the single purpose of accomplishing all the good possible within the time allotted for the session. Not a single incident occurred to mar the harmony, or disturb the good feeling that existed between all the members.

The most noticeable events of the session of the Fifth General Assembly were: (1) The valedictory and retirement of Stephen Hempstead, the last Democratic Governor until the present incumbent was installed. (2) The inauguration of James W. Grimes. (3) The election of James Harlan to succeed General A. C. Dodge in the United States Senate. (4) The removal of the Capitol from Iowa City to Des Moines. (5) The enactment of the first prohibitory liquor law in Iowa, most ably championed by its author, Dr. Amos Witter, of Cedar. (6) The act of the special session for accepting the munificent land grant made to the State for completing our railroads and to apportion the same to the various trunk lines. No legislation from the earliest times to the present has given such an impetus to Iowa progress as that which made this donation available in the construction of our most important roads. (7) Memorial to Congress for a repeal of the duty on sugar and molasses. (8) Memorial in favor of the Pacific railroad.

At the regular and special sessions there were passed two hundred and nineteen acts, forty-eight joint resolutions, and eleven memorials.

The legal profession has been a potent factor in Iowa progress. Upon the members of the bar has largely devolved the duty of formulating constitutions and statutes for the protection and security of our people in their rights and privileges. Fortunately there has been at no stage of our history a lack of the highest order of talent to meet this demand upon them for the public good. Upon the roster of the bar in pioneer days were the historic names of Grimes & Starr, Rorer, Browning, J. C. Hall, Mills, Wright & Knapp, Augustus Hall, Reed & Johnson, Judge Grant, Samuels, Folsom, Leffingwell, Wilson, Carleton, Murdock, Eastman, Kinney, Dillon, Noble, Townsend, Olney, Seyers, Cook, Casady, Smythe, Hendershott, and a host of others, all competent to appear before the highest court in America.

If we were to cast a ballot for the most distinguished orator of Iowa, I am quite sure the vote would be overwhelmingly in favor of the silver tongued Henry W. Starr, of pioneer days.

There is one name that I have but barely mentioned for the reason that it is one difficult to classify—it may be justly claimed by two generations. If we speak of George G. Wright as a pioneer, the youngster of to-day will retort, why he is one of the boys, a fellow student with us, gleaming day by day for some scrap of knowledge that he has not yet mastered.

For the last forty years no man in Iowa could deliver a more profound opinion upon any intricate question of jurisprudence, or make an abler

address upon any subject of scientific research than he. He is one of the few men who, in a long and active career in public life has commanded the respect, confidence and esteem of all parties and all classes, the one of all others upon whom the people of Iowa have delighted to bestow the highest honors within their gift. As Legislator, Senator, Judge, Attorney or Citizen, he has proven himself of sufficient amplitude to fill any position with honor and credit to himself and to the entire satisfaction of the State.

While we render this merited tribute to our worthy colleague, let us be just as well as generous, and keep in mind that there are exceptions in all general rules. Fortunately, instead of militating against the rule these exceptions generally add confirmation to it.

As with all fine pictures there is an obverse side to this one. With all the Judge's mental traits there was connected a good degree of versatility; probably he didn't quite measure up with Judge Jo. Williams in this regard, but he certainly attained a fair altitude on this line.

It is a matter of history that once upon a time there was a somewhat exciting contest for Congressional honors, the chief figures in the ring being George G. Wright and Bernhart Henn, and it was said of that contest, that of all the public men in Iowa (and the woods were full of them) there was but one man that could make us as poor a stump speech as Judge Wright, and that one exception was Mr. Henn, his competitor, who bore away the honors of the campaign. Viewing the subject as I then did from the standpoint of an old timer I shared in this opinion so far as it related to the Judge's efforts. The truth may as well be now confessed that we regarded the Judge with grave suspicion, we looked upon him as the leader, the prime mover, the avault courier, as it were, of that mighty host of political reformers that came down upon us about that time like the locusts of Egypt, intent upon turning the world upside down and, as we thought, to drive us out from the banqueting halls of our ancestors with empty larders, to batten upon the barren moor of disappointed hopes and blighted ambitions. As I have grown in years I am glad to say I have become more conservative and as I look back upon my efforts in the good old days to size up the Judge and take his measure I realize that I looked through a party glass darkly.

In conclusion, Fellow Pioneers, I have only to say that the silver locks so abundant before me are like the golden leaves of autumn, reminders to us that the season for active work has passed. There has, in these latter days, come upon the stage of action a new generation, a mighty throng; while we are old and feeble they are young, strong and vigorous, they are crowding us to the wall with a force as irresistible as that of the avalanche that thunders down the mountain side. Whether we will or no, we must yield to the inevitable and submit to the application of that great law of Nature which ordains the survival of the fittest. We may linger yet a little time on the border line, and find consolation in giving the boys the benefit of our counsel and experience, in feasting upon the memories of a glorious past, waiting with philosophic resignation for that call that shall summon us to enter upon the glorious inheritance that we trust awaits us beyond the river.

Poem by Rev. Dr. Percival.

REV. DR. PERCIVAL: *Mr. President*—In the year 1828, which has been mentioned here before to-day as a great epoch in the history of Iowa, I was

a school boy. I was going to speak of myself as an aged man, but after what I have said about age, you will see that is wrong; but as I had the misfortune to be born a poet, or at least a rhymster, at that early age I had written a poem upon "Woman's Love." I was too young to know anything about that sentiment, except as I learned it from my mother. The only couplet I recollect is having mentioned woman's love as the sweetest flower that blooms for man. I said, it will bloom as sweetly in Iowa's soil as in the garden of a Persian Prince. I suppose you will recognize that as entirely orthodox in everything excepting name, but you will find people coming from the east find it hard to pronounce that name right. Those east pronounce the last syllable somewhat hard, but no one then said Iowa as I did when I was sixteen. I do not flatter myself that any one here knows anything about my poetry. If they do, they know I am fond of drawing parallels, and in the hasty preparation of this poem—all except a few stanzas of the last, which was written a few months ago—I have endeavored to draw a parallel between Numa Pompilius and the Iowa Law-Makers. In other words, the second emperor of Rome as compared with the early Law-Makers.

A POEM.

BY THE REV. C. S. PERCIVAL, PH.D.

When pious Numa, second king of Rome,  
 To the rude throne of Romulus had come,  
 He found his people warlike, fierce and wild,  
 By lust of conquest and power beguiled;  
 And set himself a code of laws to frame  
 And pious rites their lawlessness to tame;  
 That, while his valor he would not decrease,  
 Their minds and manners by the arts of peace  
 He hoped to raise, refine and disengage  
 From the coarse thralldom of an iron age.

The nymph Ederia to him was sent  
 By Jove Supreme, with the divine intent,  
 That she should fill his soul with Wisdom's light,  
 To guide his subjects in the paths of right,  
 Within a sacred grove, this beauteous nymph,  
 Hard by a fount whose radiant, sparkling lymph  
 Seemed but the symbol of her radiant thought—  
 He often met and by her love was taught  
 To lay a guiding hand upon the springs  
 Of human conduct—thus the wanderings  
 Of fiery multitudes to hold in check,  
 And make their wills subservient to his beck.  
 His senators, the wisest of the realm,  
 Who, in the Ship of State, stood at the helm,

From him had learned the stately vessel's force;  
 And how to guide her in her onward course,  
 Both how and when to trim her ready sails  
 To catch the impulse of all prosperous gales;  
 Or, if afar they heard the storm-waves roar,  
 They learned of him to hug the sheltering shore.

Thus from the seeds of piety and law,  
 More rapid growth the heathen world ne'er saw.  
 Letters began their precious fruit to bear,  
 And arts, beneath the ruler's fostering care,  
 Began to show their captivating charms,  
 Which cannot flourish 'mid the clash of arms.  
 Janus, the god who ruled the opening year,  
 Was, by the royal Numa, held most dear.  
 To him he built a high and sacred fane,  
 Whose gates inspired should indicate the reign  
 Of peace or war. When open, Mars went forth  
 Spreading destruction o'er the blood-stained earth.  
 When shut, he was enclosed within, and peace  
 Had blessed the earth and bidden carnage cease.  
 Such was the influence that Numa swayed—  
 So lovingly that influence was obeyed—  
 That through full three and forty prosperous years,  
 Shut were the gates of Janus; and the ears  
 Of toiling citizens were never pained  
 By war's alarms while pious Numa reigned.

This Pioneer Law-Maker in the days  
 Of early Rome, all history loves to praise.  
 And in this presence I the picture place,  
 The likeness and the unlikeness here to trace  
 Between the task of Numa and your own—  
 The task which an admiring world has known—  
 O, Pioneer Law-Makers of a State,  
 In all that men call greatness, truly great!

As when to Rome the good King Numa came,  
 He found a State with little but a name,  
 Waiting for one to come with plastic hand  
 To mould from that chaotic mass a grand,  
 Consistent, noble and harmonious whole,  
 And into this grand body breathe a soul  
 To make of it a living, moving power;  
 Such was your task when, in a fortunate hour,  
 You came to Iowa, and here essayed  
 To build a State, whose deep foundations laid  
 In justice, equity, religion, law,  
 Should stand through happy ages Rome ne'er saw.

But ah! the men with whom you had to build,  
 How unlike those with whom young Rome was filled!

Brave, yet unsoiled in war, cultured, yet strong  
 In body as in mind. Haters of wrong,  
 Yet merciful, as taught by One who came  
 To save a fallen world from sin and shame.  
 Religious from their childhood, with no need  
 To learn of you a formal rite or creed;  
 Such were the men with whom you reared a State,  
 Worthy, as Rome ne'er was, the name of great,  
 And such the men to whom you hand it down,  
 For decoration with the triple crown  
 Of industry, religion, liberty,  
 Through coming ages, great and wise and free.

You, too, had aid from some high source divine,  
 If there is truth embodied in the line,  
*Vox populi, vox Dei.* Then what power  
 Was yours, in place of Rome's nyphean dower,  
 Essaying all your soul with light to fill?  
 Ah! *your* Egeria was the People's Will!  
 'Twas their diploma gave to you the right  
 Our constitution and our laws t' Indite.  
 That will you followed; or, if unexpressed,  
 You took the course sound judgment deemed the best.  
 Or, if at times that will was left confused,  
 By party spirit, crossed, preplexed, abused;  
 By your Egeria in that mood ne'er taught,  
 You waited for "the sober second thought."

When Numa died, Egeria pined away,  
 And saw no more the light of Rome's young day.  
 But when our latest Pioneer has gone,  
 The People's Will, immortal, shall live on,  
 Giving the State new institutions wise—  
 For Iowa's Egeria never dies!

'Twas said by one deemed wise, "If I could write  
 The people's songs, I'd care not who indite  
 The people's laws." If this wise saw be true,  
 To one that could do both what praise were due!  
 And yet our ranks have furnished men of mark,  
 In both those lines of intellectual work.  
 Lamented Fulton, young as pioneer,  
 So late as at your recent gathering here,  
 Sang of the makers of our earliest laws  
 In strains that called forth merited applause.  
 Alas for us! that, ere this welcome day,  
 A higher call has summoned him away,  
 Grief 'tis for us, but joy for him. His song  
 Now wakes the plaudits of a happier throng.

And one among the earliest of your band,  
 Helping to Statehood, this our prairie land,

Wrote, as a motto for its coat of arms,  
 A couplet which the Iowa spirit warms;  
 And which, if no objection you shall raise,  
 I'll reproduce in modest paraphrase;  
 Showing by way of light, concluding strain,  
 What liberties we prize what rights maintain.

COL. W. S. DUNGAN: *Mr. President*—The reverend gentleman has shown such excellent qualifications for being a Pioneer, that I move you that he be elected an honorary member of this Association, and our Poet Laureate.

The motion was carried unanimously.

DR. PERCIVAL: I thank you for the honor you have done me. I think it is even more of an honor than to have been invited to read this poem. I do not know but that I would prefer to be Poet Laureate of this Pioneer Law-Makers' Association than the poet laureate of England.

After a song by the choir, the meeting adjourned until 9:30 A. M., February 11, 1892.

Y. M. C. A. BUILDING, February 11, 1892.

The meeting was called to order by Judge Wright.

Prayer by Rev. John Webb, of Des Moines:

"Oh Lord, our Lord, how excellent is Thy name in all the earth. We thank Thee for that protecting care that has been about these grand and noble men that have been called upon by the free people of Iowa to meet at the Capital biennially to enact laws for the government of this commonwealth, for the last forty-five years. We are glad that so many of them are spared to meet at this time, and while their hair and beards are growing gray, we are glad for that degree of sprightliness and vigor that is manifest among them. And while their sun is sinking behind the western hills, we trust it is soon to rise and shine in eternal youth, in a grander and brighter world than this. They have done their work and done it well. May their sons be worthy such noble sires. As they fall, one here and another there, may they fall in sight of that blessed land where none ever grow old, or the eye ever grows dim, or any say, "I am sick." Many of their associates have already been called to meet the Judge of the whole earth. May each one have his work done and done to stand in the great judgment day, and unto Thee we will ascribe all honor, praise, and glory, now and ever more, Amen.

Song by quartette.

JUDGE ROWELL: I move that the matter of changing the name of this Association be referred to the Committee on Resolutions to report on that question.

Motion seconded and carried.

**THE CHAIR:** The next thing in order will be an address from our most excellent friend General Eaton, of Osage, on "Recollections of the Third General Assembly."

**Mr. Eaton:**

*Mr. President, Ladies and Gentlemen*—Confining myself, chiefly, to the House of 1850-51, I will say, that Crawford, Gildea and I, were elected from the Dubuque district, which extended to the Des Moines Valley, and to the north boundary of the State, except the Turkey River country. The only public conveyance from Delhi to Iowa City, was through Dubuque, which route I should have taken and drawn pay for three hundred miles; but I walked across the country and charged for one hundred and fifty miles. By so doing I saved the State fifteen dollars and myself about half as much. We were allowed by the constitution, two dollars per day for the first fifty days and one dollar per day for the remainder of the session, and two dollars for every twenty miles travel in going to and returning from the place of meeting, on the most usual route. We remained in session sixty-six days. I boarded at Haverstrands, and roomed with Goodenow, Gildea and Fitzpatrick.

We organized with George Temple, Speaker; C. C. Rockwell, Clerk; J. Smith Houton, Assistant Clerk; James B. Bower, Enrolling Clerk, and John Fitzpatrick, Sergeant-at-Arms. Clark, Rector and Miller appeared as delegates from Southwestern Iowa, and were admitted. The Message of Gov. Briggs was received; also the Inaugural of Gov. Hempstead. Messrs. Temple, Summers, Crawford, Harbour, Babbitt, Bunker, Updegraff, E. S. McCulloch, and Reuben Riggs had been members of Iowa legislatures. These, with some other early settlers, who were among Iowa's most able men, were made leaders, as they should have been.

If I name but a single committee-man, it will be for the want of space, as every member was upon several committees. Some, not named by me, or shown by the record to have been active members, were among our best workers.

The revised Code of laws was about as perfect as Loek's Constitution, but what had we to do with it? was the question; and Senators appeared to be asking the same question, as they read a small portion of it twice, and reported it to the House. Many motions were made and committees appointed. The Clerk was ordered to read it, and did so, till we were all tired, when it was referred to the proper committees, and a sufficient number of copies printed, as should have been done at the beginning of the session.

A joint resolution from the Senate, requesting the services of Mason and Woodward, "in explanation of the new Code," was referred to the Judiciary Committee, and reported upon adversely. Said report was concurred in because we supposed they were to explain only their language. They were, finally, invited to meet with us, and did so, giving us much valuable information, as they were advanced thinkers and able lawyers.

**Committee on Elections**—Gambel. Mr. Gambel was very able, as shown by his reports; especially his report on printing.

**Engrossed Bills**—Summers and Dibble.

**Enrolled Bills**—Harper and Parvin, with Salmon and Gambel the last part of the session. Summers and Harper were specially fitted for those duties, besides being in harmony with the Speaker.

Expenditures—Robinson, I. M. Preston, Taylor, Major and Gibson.

County and Township Organization—I. M. Preston.

Reapportionment of the State into Representative and Senatorial Districts—One for each Senatorial District, with Crawford as Chairman.

Agriculture—Harper, Thompson, Jacobs and Haun. Mr. Haun was not made Chairman till about the middle of the session, when he made a report so valuable that fifteen thousand copies were ordered printed.

Block of Marble—Harbour, Negus and Parvin.

Federal Relations—Summers, Flint, Hamill and P. Wilson. This was a leading committee, as many questions of national importance came before it.

Ways and Means—Babbitt, Robinson, Gildea, E. S. McCulloch and Price.

Judiciary—Folsom, I. M. Preston, Negus, Thompson and Crawford.

Mr. Folsom was one of Iowa's best lawyers, able and learned, and an inveterate worker. He did most of the work of his committee, and made nearly every report.

The last two committees had the principal charge of that which became Part One, Titles I, II, and III, of the Code. I worked for the county judge system, but soon found it was not adapted to our then sparsely settled country.

Claims—Crawford. We Dubuquers presented Mr. Crawford's name for Speaker, but soon arranged matters with Temple's friends so as to obtain the position of Sergeant-at-Arms for our own friend, John Fitzpatrick, of Dubuque. R. R. Harbour was the chief competitor against Speaker Temple.

Roads and Highways—Dibble. This was a very important committee. Like that of County and Township Organization, it had charge of matters that reached the personal interest of more men and families, than most other committees, and there was no better man to manage them than C. B. Dibble. There was much effort to establish a County Supervisor system of roads. I opposed the change. I would now, however, create a County Supervisor to do the work that District Supervisors cannot do.

Incorporations—Negus, Summers, Gildea, and Hamill. This was but a branch of the Judiciary; and as events have manifested themselves, it came very near being the trunk. It will not be necessary for me to say that Charles Negus was able, and honest, and brave. His actions show that. His report upon ferry charters and his legislative acts confirm it. Our Constitution said that "Corporations shall not be created in this State by special laws, except for particular municipal purposes;" and as many such bills were being presented, I introduced a resolution, the first of the session, to test the question, which was referred to the Committee on Judiciary; also a resolution in the case of Marcus H. Hays; that the Committee on Incorporations report whether the same will or will not be according to the Constitution. In the case of the Muscatine, Washington, and Oskaloosa Road and Bridge Company, Mr. Negus moved that "the Legislature shall have power to repeal this Act whenever it shall deem proper." The only members voting in the affirmative were Babbitt, Eaton, Gibson, Major, Negus, Summers and Wyckoff. On the passage of the Burlington and Mount Pleasant Plank Road Company's right-of-way, there were but three negatives; Babbitt, Eaton and Negus. They said we were cranks, and I thought we must be, as a very large majority of the House were Democrats, and I voted for most of those bills, but Negus did not.

When some of these reached Gov. Hempstead he vetoed them. I continued to vote for them while a majority of our members voted against them.

Public Buildings—Parvin. His report upon public buildings included the question of the removal of the Capital, and the control of the public buildings at Iowa City. These questions were handled in a plain, practical, business-like manner that settled the matter satisfactorily.

Code Amendment Committee—Babbitt and Thompson, with Crawford for the first part of the session, and Haun for the remainder. This was the working committee. There were many leaders of branches of the work, but as general leaders of that House, I think Babbitt and Summers came nearer than any others. I need not speak of John Thompson, only to say that I rank him with Folsom, I. M. Preston and Negus.

Military Affairs—Harbour, Price, Bunker, T. McCulloch and Wyckoff, together with that memento of the chivalry of Iowa, as embodied in the armour of *Don Alfonso Perez*, an Hidalgo, who after achieving his laurels of knighthood upon the mountain plains of Granada, surrendered to the vanquishing arms of Iowa, amid the mountain passes of the Cerro Gordo. Gov. Briggs had recommended a reorganization of the militia, and Gov. Hempstead was in love with the idea. He was a brilliant man and wanted a brilliant staff and equipage. We held an evening session and debated the question. Captain Price made his celebrated report, which, on motion of Lieut.-Gen. Harbour, was softly and silently laid upon the table; when without a fife or a drum, we retired.

Internal Improvements—Harbour, I. M. Preston, Crawford, Babbitt and Thompson. I will not attempt to state all that resulted from the labors of this committee, but I will say that the common law system of pleading, and of conveyancing, the complete record, and many of the relations of husband and wife were yielding to more rational thought.

The first conception of a railroad westward from the upper Mississippi, manifested itself in a joint resolution in 1848, for a grant of land to build a railroad from Davenport to the Missouri. In 1850, that application was repeated; also for a railroad from Dubuque via Cedar River, to North Red River; also for one from Burlington to the Missouri, with a branch to Keosauqua.

The first application for a land office West or Northwest of Dubuque, and for mail routes Northwest or Southwest of Cedar Falls, were made in 1850; and about half of the State laid out into counties.

Des Moines River Improvements—Flint and other Des Moines River men.

New Counties—Babbitt, Negus, E. S. McCulloch, Eaton and Harbour.

Mr. Casady, of the Senate, gave notice of his bill December 10th, and with the aid of M. H. Clark and A. J. Stephens had it reported to the House December 23d, laying out all the unlanded land into counties. I had introduced a resolution for the same purpose December 13th, but before our bill was perfected the Senate bill came in, when we went into committee of the whole house on that bill, and adopted most of their boundaries and many of their names. I named Bremer for Fredrika Bremer, the Swedish novelist, gem of literature, writer for millions and uplifter of humanity. Price named Ida, for Ida mountain and the ideal life given it by the great poet. Mr. Price was a poet, full and running over.

In fancy he was in the Argo with Jason and his fifty oarsmen. They are at the Symplegades.

“No bird of air, no dove of swiftest wing,  
That bears ambrosia to th' ethereal King  
Shuns the dire rocks—in vain she cuts the skies,  
The dire rocks meet, and crush her as she flies.”

They call aloud and summon Juno's aid; they are passing through the forbidden strait; they are plowing the Euxine Sea; Medea loves Jason, and aids him in obtaining the golden fleece.

“They rise on the wing of the freshened breeze,  
And flit with the wind o'er the rolling seas.”

He is with Jupiter and Juno, Mars and Chimera, and with Aurora, fair daughter of the dawn, circling above, and upon Mount Cragus and Mount Olympus, with Themis, and the Senate of the skies, winging their flight through the starry hall, in the valley and upon Mount Ida, with her palaces and courts, her halls, her galleries, and her amphitheaters.

“Swift as the wind the various colored maid,  
From Ida's top her golden wings displayed.”

They are marshaling and directing the armies, they are viewing and controlling the raging battles on the plains below; they are holding high carnival and falling into line, gods and goddesses waiting for the decision of the arbiter of beauty—Venus is crowned queen and Eliphalet retires.

Howard county was named for Tighlman A. Howard, Worth for Gen. William J. Worth, Butler for Gen. William O. Butler, Hardin for John J. Hardin, Grundy for Felix Grundy, Crawford for William H. Crawford, and Wright for Joseph A. and Silas Wright, Mitchell, Emmet and O'Brien were named for the Irish patriots, and Franklin, Hancock and Floyd for patriots of revolutionary fame. Floyd county was also named for Sergeant Floyd, who is buried at Sergeant Bluffs, near the mouth of Floyd River, where the Senate bill had the county of Floyd located and named for Sergeant Floyd.

Schools—Eaton, Harper, Parvin, Negus, McCulloch and Jacobs. January 16, 1840, an act was passed establishing a system of common schools, which was amended January 15, 1846, February 25, 1847, and January 15, 1849. The Code Commissioners recommended many changes; the most important was a divorcement of the educational and financial. Mr. Benton urged this, and quoted the Superintendent of Public Instruction of Michigan, who says, “The creation of the office, with slight change of name, was deduced from the Prussian system.” Mr. Lewis lectured in my school in Ohio in 1838 and in 1839, and gave us the same information; and he might have been the same man. He said the Prussian schools were the best he had ever visited, and that they were adopting that system in the Cincinnati schools.

The Bible in the Common School—That had been a matter of controversy in some of the states, but not in Iowa till about 1850. Mr. Benton referred to it in his report; and recommended that it be neither “introduced nor excluded by law;” and our committee agreed with him. I visited the Cincinnati schools in 1844, and believe Mr. Lewis is entitled to more credit for our Common School System than any other person. While it took the first prize

at the World's Fair at Paris, and while honors have been bestowed upon Horace Mann and others, the real founder of the system, in this country, is unsung, if not unknown, in Iowa.

We had many meetings; met with Benton, Mason and Woodard, and with the Senate Committee, many times, and made every effort to agree, but failed. February 4, I made two reports, one for the committee recommending the then present School Laws with slight additions; also a minority report signed by Harper and myself.

The majority report was adopted, and the session closed without accomplishing what many of us had worked for. It was, however, the commencement of our present school system, as I think a reading of the complete record will show.

Capital Punishment—The Senate passed a bill to abolish it. I did what I could to pass it in our house, but the majority won against us. I consider it a relic of barbarism that should be abolished.

Intoxicating Liquors—December 6 Summers introduced a petition of the citizens of Scott county for the repeal of all laws licensing the sale of ardent spirits, which was referred to the Judiciary Committee. December 9 Parvin introduced similar petitions from the ladies of Muscatine, and moved that a committee, with Charles Negus as chairman, be appointed, and that all papers pertaining to that subject be referred to it. That committee consisted of Negus, Parvin, Summers, Robinson, Samuel Riggs, Dibble, P. Wilson, Thompson, Allender, Wyckoff, Eaton and Taylor. Many similar petitions from nearly every county in the State were referred to our committee, and but very few against it.

On January 11 our committee, by the chairman, reported a bill, which, with some amendments, became Chapter 55, Title XII, Part one, of the Code. That report, in my opinion, will rank as the leader of Prohibition in Iowa, and John A. Parvin as its legislative leader.

While it was not all that Prohibitionists desired, it declared that the State would take no share in the profits of retailing intoxicating liquors; forbid a sale with a view to their being drunk on or about the premises; prohibited dram shops, and declared them nuisances; subjected the building and land to a lien; declared the act of giving, in the prohibited places, a selling; made every clerk, bartender, or other person engaged in any of the prohibited acts principals, and liable to prosecution by indictment, or information before a justice of the peace, with penalties for enforcement.

I worked during that session and the next for what I considered high license, and against prohibition; worked against Negus, and Parvin, Summers and Robinson, and many others, and regret it. I should now vote otherwise. I then believed, as did every member of our committee, that intemperance was a great and growing evil. That report says: "The only difference of opinion was as to the best manner of remedying this great evil." I soon became satisfied that I had been mistaken. We must rid ourselves of all places where intoxicating liquors, for drinking purposes, can be made or sold. Why should we want alcoholic liquors for medicinal, culinary, or sacramental purposes? Alcohol is a poison and kills, slowly but surely. If we must have them for these, and for mechanical purposes, the State and general government should make and control them. The

remedy is, State and Congressional legislation, State and inter-State commissioners, as in the case of railroads.

After examining and passing each part, we passed an act for revising and consolidating the general statutes of the State of Iowa, and were declared adjourned, with the kind and affectionate farewell of the Speaker.

I cannot close this review without referring to the Officers:

That may be considered, not only a progressive and reform Session, but, at times, almost revolutionary; and yet Speaker Temple received unanimous approval.

While the lines of action were so sharply drawn that the yeas and nays, were recorded two hundred and four times, his rulings were reversed but twice. While he could not have succeeded so admirably without the aid of the best of subordinate officers, it is the best evidence of a clear and cultured mind, a pure heart and the born gentleman.

Song by Mrs. Cheek.

ADDRESS BY HON. GEO. W. JONES.

*Mr. President, Ladies and Gentlemen:* I thank you, most sincerely, for the polite invitation to meet with you on this, your annual re-union. My anxiety to meet with old friends has induced me to appear before you, that I might once more shake their friendly hands and look into their intelligent and kind eyes. But I regret that your local Executive Committee should have designated me as the proper person, on this occasion, to address you as to "The Supreme Court of Early Iowa." As the last delegate to Congress from the Territory of Michigan, on the first Monday of October, 1835, I drew up and had passed, the bill to establish the territorial government of Wisconsin, which then embraced all that now constitutes all of the states of Wisconsin, Iowa, Minnesota, Nebraska, and all the other States and Territories of the United States north of the State of Missouri and what now constitutes the State of California. When that bill was passed Gen. Andrew Jackson was President of the United States. By a written and personal appeal to President Jackson, I induced that great hero and statesman to permit me, as the delegate in Congress, to designate the persons whom he should nominate to the Senate of the United States, as the Governor and ex-officio Superintendent of Indian Affairs, and General of the Militia of the Territory; the Secretary of State for the Territory, the United States Attorney and Marshal, and the Commissioners to run the boundary lines between that Territory and Michigan, and the State of Illinois, from amongst my own constituents of Wisconsin. He, the President, suggested and gave me permission to go to the State Department and to select any two *Democrats* from the *States*, to be appointed as Chief and Associate Justice of the Supreme Court. The third judge, son of David Irvin, he would retain, as he was then the District Judge west of the lake (Michigan), as he had promised his friend, Mr. Reeves, then the United States Minister Plenipotentiary to France, he would do before that gentleman's appointment as Minister, and whilst he was a Senator from Virginia. When my bill to establish the Territorial Government of Wisconsin passed, I asked my friends, Hon. Messrs. White, of Florida, and Sevier, of Arkansas, the only other delegates then in Congress, how I could get some of the offices,

created for the Territory, for my friends in Wisconsin. My two "colleagues," as we termed each other, said that I need not expect any such favor, as none such had ever been awarded to them. I told them that I had been the Sergeant of the Body Guard of Gen. Jackson, in November, 1823, as he passed through Kentucky and Lexington, *en route* to the Senate of the United States, from the State of Tennessee, and the college and classmate of his adopted son, Stokely Donaldson, the brother of Gen. Jackson's private secretary.

This threw a damper on my spirits, and I sat down and wrote off a pretty sharp letter to the President, protesting against the injustice that would be done to my constituents, who were as good citizens as any citizens of the States, who were as devoted to him and the institutions of our country as any people in the Union, and as worthy and well qualified to fill the offices created for their benefit, by the Congress of the United States. The next morning his private secretary came to my seat in the House of Representatives and said to me: "Colonel, the General wants to see you." "What General wants to see me?" "General Jackson, the President of the United States." "What does the President want with me?" I inquired. Seeing that I was surprised, for it was the first time that I had ever received such a summons, the valiant Secretary continued: "Did you not write a saucy and threatening letter to the President yesterday?" "I hope not," I answered. "Well, sir, you have, and such a letter as no other man, in Congress, would dare to address Old Hickory. The old man is enraged, and is foaming at the mouth. He said: 'Donaldson, go and ask Colonel Jones to come and see me. I want to see if he can speak to me as he writes to me.' Now, go at once to see the old hero, who is waiting for you."

So I obeyed the summons, jumped into a hack and directed the driver to take me to the White House. On nearing his door I asked the messenger if I could see the President. The door-keeper went in and returned saying, "The President will see you." I walked in. The President, who sat with his back toward me by the side of his table with his feet resting upon it, smoking a corn-cob pipe, said, "Take a seat, Colonel." I did so, gladly, my knees trembling, for I expected to be blown up. He said, "Well, my son, I have read your letter with pleasure; it does honor to your head and heart. These offices created for your Territory are very important positions. Have you any man in your Territory who is qualified to discharge the duties of Governor, who is ex-officio Superintendent of Indian Affairs and Commander-in-Chief of the Militia of the Territory? All the offices created for the Territories are always filled by the citizens of the States." "My constituents, Mr. President, are citizens of the United States, are attached to the country and the government, have fought and conquered the Indians in the late war, etc., etc.," I replied. He proceeded, "What is the name of the man that you want for your Governor?" I replied, "General Henry Dodge. The man whom I served as aid-de-camp in the late Black Hawk war." "Is that the man that you want?" "Yes, sir; he is the man that my constituents desire to fill the office of Governor. He is now the commander, as Colonel, of the First Regiment of United States Cavalry.

"Well, my son," the old hero said, "My Cabinet are all in favor of giving these offices to the States, but I don't care what they may say, I will appoint your friend Governor. Bring me a list of all the offices to be filled for your

Territory with the salary attached to each. I will give you some of them, it matters not what my Cabinet may think or say."

I left the President the proudest and the happiest man that ever left the White House. The next day I called again to see the Old Chieftain with a list of all the offices to be filled by him, viz: a Governor, three Judges of the Supreme Court, a Secretary, United States Attorney, a United States Marshal, three Commissioners to run the boundary lines between Wisconsin and the adjoining Territory, Michigan and the State of Illinois. "But, my son," the President said, "I can't give you the Judges; my Cabinet think they would take all the public lands from us and we would never collect any more rents from the Lead Mines. But you may go into the State Department, examine the recommendations for the Judges from the Democrats, and whoever you choose to recommend for Judges, I will appoint."

I again left the great and good President and walked over to the State Department, hard by, and made my request of the Secretary of State, the splendid, talented and learned jurist and orator, Honorable John Forsyth, late a member of Congress from the State of Georgia. He said, "Oh, Colonel these recommendations are sacred archives of the government, which no one can see but the President and his Cabinet." He rang his bell and his confidential clerk, Mr. Chever, entered. He told the clerk to take me into his office and show me all the recommendations for the Judgeships in the new Territory of Wisconsin. The clerk replied, "Those papers, Mr. Secretary, are not subject to the inspection of any one but the President and his Cabinet." He replied, "The President has given Colonel Jones permission to see them and we can't disregard the wishes of the President."

In a day or so thereafter, as I walked into the Senate Chamber, I was requested by the Senator, Mr. Buchanan, of Pennsylvania, our late President of the United States, to stop for a moment, asking Dr. Linn, of Missouri, and Clayton, of Delaware, Chairman of the Judiciary Committee, to join us. Mr. Buchanan said, "I called you out here to tell you something. I called this morning to see the President of the United States and requested him to appoint my old friend and fellow townsman, Mr. Frazer, one of the Judges of the Supreme Court of Wisconsin, which this young friend of ours (alluding to me) has induced us to create for him. The President promptly replied to my request, saying, 'If you want your friend appointed you must go to the delegate from the Territory, Colonel Jones. If he will recommend him I will appoint him, and not without.' I declined, as you know, to accept the appointment of Secretary of State when General Jackson was inaugurated as President of the United States, on the 4th of March, 1829. Now, Clayton, you and Colonel Jones are warm friends and you are an old friend of Frazer. Speak a good word to Colonel Jones, for Frazer." Clayton said, "Colonel, you and I are good friends and play the fiddle together with Linn, but I have nothing to do with these *d—d loco focos*. But Mr. Frazer is one of the most splendid gentlemen that I have ever known. I have practiced with him in Delaware and Pennsylvania for twenty years. He would do honor to the bench of any court in the United States."

"Well," said I to Mr. Buchanan, "write to your friend to come down here and see me, that I may tell my constituents that I know the man whom

I recommend." In a few days Mr. Buchanan brought his friend to see me, and he dined with me that day. At the dinner table he refused to taste of any kind of wine or liquors, which pleased me. I, that evening, recommended him, and the President the next day sent his name in and he was confirmed as one of the Supreme Justices of Wisconsin. I gave him letters of introduction to Governor Dodge, to Mrs. McArthur, his half sister, the full sister of Doctor Linn, and to many other friends of mine. On arriving at Mrs. McArthur's—she kept a hotel—he complained to her that the water of the Ohio and the Mississippi had disagreed with him and that he was then suffering considerable pain. She said, "I'll soon relieve you Judge;" went out into her pantry and returned with a tumbler full of strong, hot, brandy milk toddy, into which she had put some laudanum. The Judge put the toddy to his nose, smelt the laudanum and drank it down, as Mrs. McArthur directed. He went out into the bar room soon after, called for liquor, got very drunk that evening, and kept drunk all the time afterwards in Wisconsin, and was taken back to Pennsylvania, where he died not long afterward in an asylum. If Mrs. McArthur had told him that the toddy was made of the best kind of brandy, he would have shunned it, for he had not tasted any kind of spirits or liquors for twenty years.

The President, on my recommendation, appointed Captain Charles Dunn, of Illinois, Chief Justice of Wisconsin Territory, and he continued to fill the office as long as Wisconsin continued a Territory and gave great satisfaction to the people.

I secured the passage of the bill to establish the Territory of Iowa, exactly two years, 4th of July, 1838, after the creation of Wisconsin as a separate Territory, and Mr. Van Buren, the then President of the United States, permitted me to designate the three men as Justices of the Supreme Court of the Territory, viz.: Chief Justice Charles Mason, Thomas S. Wilson and Joseph Williams. I gave Wisconsin and Iowa their names, and I believe I was the first man who created a Territory before the original was admitted as a State. So, also, was I, as a delegate in Congress, the first man who was permitted to designate the men to fill the offices created for the new territory.

On my return home from Bogota, on the 27th of February, 1862, I upbraided my attorneys, Thomas M. Monroe, Samuel Duncan, and C. S. D. Jones for not taking an appeal to the Supreme Court of Iowa from a decree of Judge Thomas S. Wilson, rendering a judgment against me for some five thousand and nearly four hundred dollars, for upwards of two thousand against Captain George Ord Karrick, and about nine hundred dollars against Thomas Waters, in the suit of Axexander Levi vs. Karrick, Jones & Waters, the interests of Karrick & Waters, in the case, having been bought for me, by my direction, by my son, in my absence and as I had directed.

My attorneys thought it would be useless to take an appeal to a Supreme Court composed of Abolitionists and expect a decree in my favor, as I had been incarcerated in Fort La Fayette, by order of Secretary Seward. But upon my return home I had the appeal taken, believing as I did, that injustice had been done me, and that the Supreme Court, if honest men, would reverse the decree of Judge Wilson. On the hearing of the case by the Supreme Court they unanimously reversed Judge Wilson's decree, giving me a judgment against Levi for some fifteen hundred dollars, and requir-

ing Levi to return to me the property which had been sold by the sheriff to satisfy his judgment. The Chief Justice of the Supreme Court at that time was the Honorable George G. Wright, the Chairman of your local Executive Committee, with Honorable B. F. Gue, and Honorable P. M. Casady as associates, the latter gentleman had worked hard to elect me as Iowa's first United States Senator, and for my re-election on the 20th of December, 1852. God bless the noble trio and the Supreme Court of my State, I fervently pray, and especially its Chief Justice, now our President, elected to-day.

Music, the Misses Smith and Welsh.

THE CHAIR: The next thing in the order of business is an address by Hon. William H. Pusey, of Council Bluffs, upon "Recollections of the Seventh General Assembly."

MR. PUSEY: *Mr. President, Ladies and Gentlemen*—There is one remark I desire to make, and I guess it will be in order at this time. Some time ago I received a very cordial invitation from Judge Wright to be present to-day, and it contained a postscript like this: "You will be expected to read a paper ten minutes long before the Early Law Makers." I tried to get rid of the postscript by writing to the Judge, "I cannot decipher the penmanship." But that was too old a gag on the Judge and would not work. I never understood fully just why he restricted me to ten minutes until yesterday—yesterday morning—when he read a paper an hour and a half long.

I was here last evening and my old friend, Governor Carpenter, exhausted this question of the Seventh and Eighth General Assemblies. I feel this morning a good deal like the old hunter who was attached to his gun that was broken, and in order to save it he kept on mending and mending until at last he had nothing left but the lock and flint. If I can elicit anything from the lock and flint that is left, I shall be glad to read it to you, and shall do so with a great deal of pleasure. I am glad to meet so many friends. My friend Ainsworth, who is always ready to forgive me, I know will forgive me on this occasion.

*Ladies and Gentlemen*:—On the 11th day of January, 1858, the General Assembly of Iowa convened for the first time at the new Capitol and under the provisions of the new organic law of the State. The history and legislation of the Seventh and Eighth General Assemblies, including the war session of 1861, possess a fascinating interest to the participants in their deliberations. It was the period immediately preceding and contemporaneous with the heroic age of Iowa history, when our banners were inscribed, "He who saves his country saves all things, and all things saved will bless him. He who lets his country die, lets all things die, and all things dying curse him." We met in the gloom of a great National calamity. The financial revulsion of 1857 had not then spent the full fury of its blighting influence on the people within our borders. The great manufacturing States of the Atlantic were slowly recovering from the great disaster, but the five hundred thousand people of Iowa scattered over the vast domain from river to river, shut out from the markets of the sea board were utterly prostrate. The panic touched the sick body of desolate and despairing agriculture. It paralyzed the arm of the artizan and the toiler. Values were destroyed; personal credit forfeited; individual liabilities overwhelming; the little money in circulation depreciated and irredeemable; our state credit was

impaired; more than one hundred and sixty thousand dollars of floating debt in the form of auditor's warrants bearing eight per cent interest and selling at a discount; our State institutions unfinished and not properly maintained for want of funds; many of the counties delinquent and in default in payment of their quota for the support of the State government, and no revenue law adequate to enforce the collection.

These were the conditions confronting those practical men of affairs, who substituted business for politics; who elevated patriotism above partisanship; who addressed themselves to the work *in hand*, with experience taught by adversity, with knowledge obtained by actual contact with suffering and the forced frugality of the people. Thus stimulated, they put forth immediate and effective efforts in uplifting and rebuilding the prostrate condition of an overburdened people, and under the authority of the *new constitution* inaugurated a new rule reviving the hopes of the toilers and placing our State credit upon a sure and enduring<sup>8</sup> basis. Remedial legislation had been asked for; stay laws and appearance terms were enacted to give the debtor class opportunity and hope to save their mortgaged homes. The floating debt of the State was liquidated, a revenue law was enacted, which in its equitable provisions, has carried the State through all these years of lavish expenditure with unimpaired credit. Banks of issue were established which drove all alien and depreciated money from our borders. County and township governments were established which have proven the wisdom of the change in their success and popularity on the theory of home rule. The great industry of the State, agriculture, was taken under the fostering care of the State, in the establishment of a college in which the youth could acquire a higher intelligence in their vocation. The school lands and the fund arising from their sale were restored from the rapacity and criminal waste of those who had had them in charge. Co-ordinate with the Board of Education, they perfected a system of common school education which is the glory and pride of the State. Founded on the basis of property taxation in lieu of the rate system or per capita tax upon scholars, placing education on the higher view, that in the greatest enlightenment of the citizen is the safety and perpetuity of free government. They placed that rich inheritance of land, ceded to us by the general government for internal improvements, in the hands of those who have made our State a checker-board of railroads on which our producers are playing for the markets of the world. General laws were substituted for special legislation. The revision of 1860, aided by a Codifying Commission, was the work of those bodies. The swamp and overflowed lands, amounting to over one-half million of acres, were selected, certified, and afterwards patented to the then unorganized counties in which they were located. Proper and effective steps were taken to secure and collect from the National Government the large fund, then amounting to over a million of dollars, known as the "five per cent fund," realized by the Interior Department on sale of lands belonging to the State of Iowa, on the terms of her admission as a State.

These were some of the practical measures of those legislators. They builded wisely and well, a system of government, which the wisdom and experience of those who have come after have perfected, affording sure and safe protections to the rights and property of this now populous and prosperous State.

☐ The failures of the crops of 1858 and 1859, by reason of the rainy seasons, was succeeded by abundant harvest. The blighting effect of the panic was slowly but surely passing away. "Lo, the winter is passed. The rain is over and gone. The flowers appear on the earth, the time of the singing of birds is come, and the voice of the turtle is heard in our land." When, suddenly as the fire bell at night, the booming of cannon is heard at Sumpter, summoning our people to greater sacrifices and renewed consecration to country in the baptism of fire. The Eighth General Assembly was hurriedly convened. A militia law was immediately enacted placing the volunteer companies of the State under the control of the Governor. The credit of Iowa, now peerless in the moneyed markets of the world, was placed in the hands of the Governor and a Commission. When the gavel fell that beautiful May morning, in the old Capitol building, announcing that labors of the Eighth General Assembly had passed into history it was with the benedictions of our people upon our citizen soldiers hurrying to the front, where they soon placed Iowa as one of the Trinity of Western States.

*Indiana*—MORTON.

*Illinois*—YATES.

*Iowa*—KIRKWOOD.

Looking back through the vista of more than thirty years upon the shadowy forms of the men with whom we were so intimately associated in the most trying period of our history, what can be worthily said of them personally? There was Hall, Clark, Drummond, Carpenter, SeEVERS, Wright, Gue, Cattell, Thompson, Edwards, Belknap, McCreary, Claggett, Caldwell, Kellogg, Baker, Merrill, Anderson, Loughridge, Grinnell, Neal, Scott, and many others, who have left the impress of master hands upon the work accomplished. Then there was the great lawyer who gave his young life to his country, the brilliant Rankin. Then there was the quiet man of the Senate, well-informed, self-poised, undisturbed by eloquence or sophistry, still in the enjoyment of the confidence of the people of the State and the respect of his neighbors, the genial Lyman Cook. There is Alvin Saunders (my neighbor), who is rounding up a conspicuous and busy life, teaching the Mormons the mysteries of the elective franchise and aiding our worthy President in keeping matters harmonious west of the Missouri. Duncomb and Ainsworth, who always saw the sunny side of life and the funny side of politics, whose incisive intellects and learning in their profession made them invaluable in perfecting the Revision of 1860. The industrious and ever alert legislator, the brave soldier, the great corporation lawyer and jurist, Henry Trimble, is still in the enjoyment of his intellectual vigor. The Senator from Jefferson, James F. Wilson, who has been so conspicuous in State and National affairs, is in the zenith of his fame and usefulness. The suave and accomplished gentleman whose urbanity won respect, whose fund of statistics and business experience made him the Rupert of debate on economical and financial questions, the gifted Coolbaugh, has passed away.

No more pleasing privilege is granted us on this Reunion Day than the greeting we send our "War Governor," who, in his happy home on the banks of the Iowa, honored by the State and Nation, in the eventide of a full rounded and honest life, is confidently and peacefully waiting—waiting for the Master's call.

Gentlemen, this hurried and brief memorabilis may serve to awaken pleasing recollections of the days that are gone, and serve to strengthen our faith in the great possibilities awaiting our beloved State.

W. H. M. PUSEY,  
*Council Bluffs, Iowa.*

An original poem by Hon. D. F. Miller, of Keokuk, was here read by the secretary.

The following in relation to pioneer lawyers and citizens of Burlington, Iowa, is copied from the versified manuscript history of the territorial and old settler days of Iowa, by D. F. Miller, Sr., of Keokuk, Iowa:

PIONEER LAWYERS AND OTHER CITIZENS OF BURLINGTON,  
IOWA.

In Burlington were lawyers four,  
Distinguished each for genius great,  
And noted, too, for legal lore,  
Ere Iowa was yet a State.

And when our land became a State,  
They kept their places at the bar,  
And were there held as lawyers great,  
Nor one with taint of moral scar.

They all are gone — have passed from earth —  
But each has left an honored name,  
And time, the chronicler of Truth,  
But serves to consecrate their fame.

D. Rorer most excelled in law,  
To urge a point, or seize a flaw;  
Was ever to his client true,  
And famed for speech the country through.  
He was imbued with poet's fire,  
And oft to verses tuned his lyre,  
Which were as sweet in tone and thought,  
As e'er by minstrel song was wrought.  
And as law author, there is none,  
Who to his standard yet has come  
In Iowa; and wide his name  
Now stirs the world with legal fame.

Of J. C. Hall, with vigorous mind,  
And gentle thoughts to all inclined,  
Of him to speak — what shall I say  
To all his legal worth display?  
He was not deeply read in law,  
But by instinctive nature saw  
Where the law was, or ought to be,

When law and common sense agree;  
 And by his will and mental force,  
 Which were at law his best resource,  
 He press'd his cause on general line  
 Of common sense, to law define;  
 And when he had an equal show  
 No other lawyer, friend or foe,  
 Could his law fortress overthrow.

And M. D. Browning, noble, true,  
 As court and jury ever knew,  
 Was learned in law and quick in wit;  
 To turn a laugh, or give a hit;  
 To teach good manners to a foe,  
 Or else up "Salt Creek" make him row;  
 And in his pleadings at the bar,  
 Was famed as jurist near and far.

Charles Mason was the judge those days,  
 And gentle was in all his ways;  
 Which much the bar and jury pleased,  
 And his judicial labors eased;  
 And though not much to law inclined,  
 Was bless'd with majesty of mind  
 Which gave him force to see and know  
 Where ought his legal voice to go,  
 And which, with him, to "know," was "to do."  
 And writing on affairs of State,  
 And truth of politics relate,  
 He was unquestionably great.

And Burlington, in days of yore,  
 When Mississippi ran its shore,  
 Where now the railroad depot stands,  
 And Hawkeye Creek was free from bands  
 And freely flowed on golden sands;  
 Before the Hodges hung in glen  
 It was far-famed for noted men;  
 Her Dodge, and Warren, Corse, and Henn,  
 Her Leffler, Starrs, and Edwards, too,  
 And Clark, and Grimes, and Cook, were few  
 Of the bright names who, in old days,  
 Gave Burlington its start and praise.

Music, quartette.

THE CHAIR: I see in the body of the audience a gentleman whom I was advised by Judge Trimble, was requested to be ready to say something at this time, possibly read a paper, and I have no doubt whether advised beforehand or not, he is always ready. I call upon him to come forward to the platform. I refer to the silver-tongued orator from the Hairy Nation, Bloomfield, Col. Moore.

S. A. MOORE, of Davis County, Senator 10th and 11th—1864 and 1866: *Gentlemen of the Pioneer Law-Makers' Association*—A very eminent writer has left on record the opinion that, "If a man looks upon himself in an abstracted light, he has not much to boast of; but if he considers himself with regard to others, he may find occasion of glorying, if not in his own virtues, at least in the absence of another's imperfections." If there is but little in my past life as a Law-Maker to boast of, I feel grateful that there is so little that I would recall—so little to regret in my intercourse with my colleagues in the Legislature.

As a member of the Pioneer Law-Makers' Association I have looked forward to this biennial reunion in the earnest hope of meeting many personal friends, and distinguished gentlemen, whom I had known in years gone by and who have honored me with their friendship and association for more than forty years.

Some of them I have known as neighbors, living along the Southern border of the State when I was a new emigrant to the new State, bringing a new wife and new babies, and settling down in the prairie home, with sunny heart and hopes, and boundless aspirations for the future. I have enjoyed the friendship of the early settlers; many of whom have pulled the latch-string of my cabin door, unloosed their sandals from weary feet, and partaken of its rude hospitality; entertained me with the latest and most startling news from their settlement, over the "divide" on the other prairie. Talked of crops and clearings, rail making, well digging, seed wheat and chinch bugs, the district school, the coming election and the new Code, until the flickering light of the tallow dip admonished us of the waning hours, and the time for rest, and as memory called to mind the old familiar quotation, "The sleep of the laboring man is sweet" (the proper application having been made to ourselves), we would retire, and while the moon and stars kept their vigil in the heavens above us—brighter than the skies of Italy—we slept the sleep of the just. The morn would break with song of birds and bring new life and hope. Far away in every direction extended the boundless sea of prairie—green and verdant, as if wet with the dews that decended on the mountain of Zion. The decay of vegetation for a thousand centuries had left a soil rich as the valley of the Nile, or the terraced isles of the sea, and over all this boundless expanse of beauty and grandeur—growing in the soft sunlight and summer breezes, were beautiful and fragrant flowers, bearing in their season, the most brilliant colors, and upon which the eye never rested without a sense of refreshment and delight.

The acquaintance and friendships formed during the sessions of the Tenth and Eleventh General Assemblies stimulate my desire to be present at this meeting that I might note the changes that time had made in the faces and forms of those who were my colleagues during those important sessions—one while the war of the Rebellion was still raging and the blighting influence of its power felt in every home, and the prayers and tears of the Nation were mingled with the roar of the artillery and the clash of arms. And the other during the days of reconstruction, when the hearts and brains of the wisest patriots and statesmen were taxed to their utmost capacity to bring order out of chaos, establish the authority of the government, restore the desolate and waste places, heal the wounds, disband the armies, light anew the fur-

nace fires, set in motion the silent wheels of every industry that would give employment to labor, and lead the Nation, so sorely tried in its baptism of fire, but strong in the hearts of the people, forward in the sublimity of its strength, and the absolute justice of its power.

The representatives of Iowa felt the full force of the responsibility resting upon them to aid the general government to secure the fruits of the terrible struggle for its life, and then efface the scars under the banner of peace. And to this end, keeping in view the best interest of the State, we labored. I need not weary you by reciting the many good things done at those sessions of the General Assembly. They are all record, and whether for weal or woe of the State and Nation, the record will remain forever.

Matters of the greatest and gravest importance were presented for our consideration. Under the watchful care of Governor Kirkwood the extraordinary expenses incidental to raising and equipping troops and sending them to the field were kept properly guarded so that at the beginning of the session of 1864, he announced in his message that the State finances were never in a more healthy condition. The State debt was over \$600,000. But the vast resources of the State nearly thirty years ago, when as a State we were but eighteen years old, was estimated by the Auditor, including the money in the treasury, the delinquent taxes, the amount estimated to be due from the United States, and the taxes for 1863 and 1864 were sufficient to pay the expenditures for two years, to pay the outstanding warrants on the treasury and our entire State debt, leaving a balance in favor of the treasury of about \$200,000.

The care of the assessment and collection of the revenues, the various land grants, the common schools, the University, the railroads and prisons, the extension, care and support of the benevolent institutions, and all the machinery of State government looking to the happiness and prosperity of the citizens of the State. The care of all these, and many more of the priceless treasures of the young commonwealth, had been handed down to the members of the Tenth and Eleventh General Assemblies by the earlier Law-Makers.

I will not weary you by attempting to review our labors. The record is there in the great Library on Capitol Hill. The result can be seen and read of all men, as a part of the history of a great State—the happy homes of two million prosperous people—blessed with all the essential elements of freedom, and the lights and appliances of the highest state of civilization, where the blessedness of peace settles like a benediction, on cottage and palace walls. And I had contemplated a great deal of pleasure in meeting with the older Law-Makers—a number of whom had been present at our first reunion, and also at our meeting two years ago. I was deeply impressed with the plain, sterling, and rugged abilities of those men who favored us with addresses and short speeches—the total absence of egotism and dress parade; but their knowledge of the early history of the State, and former legislation, their tenacity of memory, and over and above all else, their love and devotion for Iowa and their generous friendship for each other, thrilled me with emotions that will linger and dwell with me with a peculiar fondness as the years wear on.

As a member of the Senate in the Tenth and Eleventh General Assemblies, they have generously accorded me a seat in their Association, and classed me

as one of the old Law-Makers. And, although I am recognized by many of my intimate friends as a young man of rather excessive modesty, I own that I felt proud of the distinction. And yet, when I come to listen to the addresses of the honorable and venerable gentlemen who were associates of the Territorial Government from 1838 to 1846, and with the State Government from 1846 to 1864, at which time my services as a Law-Maker began, I felt that I was but a student in the history of legislation, and that I was sitting meekly but reverently at the feet of those older Pioneers, as Paul sat at the feet of Gamaliel.

The impressions made on my mind and memory at our first reunion, were so vivid and inspiring, so blended with pleasure and melancholy sadness, that on my return home I sketched briefly some of the incidents and my own impressions, that seemed to cling to me like a shadow for many days after the close of the session.

The brief sketch was filed away in a pigeon hole, that I might review it, and keep alive the memories of the Association when to o old and feeble to meet with the old Law-Makers any more. Believing that it may not be wholly void of interest, and may serve to awaken in some other heart beside my own a pleasant memory, and keep alive the tender emotions which the occasion inspired, and as there are many new members of the Association who were not present at our first meeting who are enjoying their first reunion to-day, they will not chide me for a brief review of our reunion in 1866.

The most interesting event of the past week was the assembly of old Law-Makers in Des Moines. The call embraced the General Assemblies from 1836 to 1866. There were old men present who in the Territorial and early State Legislatures had represented a territory greater in extent than many of the kingdoms of the old world. Coming to the State as pioneers, staking out their claims, organizing their "club-courts," whose decisions, as Judge Hebard expressed it, "were as good and as near justice as any that have ever been enforced in the State, and were final, fatal, and eternal." Those men became the lawyers, the law-makers, judges of the courts, other State officers and Governors in the new commonwealth. Many of them rose to high positions in the State. On farm and in field they have contributed to the growth and prosperity of the Nation. Many of them had gone to their reward, and the remnant who met together on the 24th and 25th of February, 1866, and listened to the roll call of their associates and colleagues of the olden time, and the slow responses and the silence between them—in memory they would seem to see the face and features and hear the voices of the shadowy forms that moved in the silent procession, and yet gave back no answering tone—their hearts grew sad; and when the choir sang softly and low, that dear old song, "Auld Lang Syne," the hearts grew warmer, and the eyes dim with age felt the touch of tears. And then again after they had talked to each other and told the stories of the past, of the trials and hardships, the successes and reverses of their early manhood, the triumphs and defeats, but above all and through all, and over all these, they had lived to see the full fruition of their fondest hopes, in the growth and prosperity, the grandeur and glory of Iowa, "the beautiful land," standing out in the great commonwealth like a light house in the midst of the sea. And these old veterans and pioneer Law-Makers felt a commendable pride

in the fact that they were at the beginning and lent a helping hand to start the State on her career of greatness and renown.

The songs selected by the choir seemed so appropriate and so peculiarly touching in sentiment and rendition that they moved upon the feelings and affections like the tones of a harp when its strings are touched by the gentlest zephyr, and when they sang

“How dear to my heart are the scenes of my childhood,  
When fond recollection presents them to view,”

There were bowed heads and moistened eyes and quickened pulse, and tender memories were awakened. “The orchard, the meadow, and deep tangled wildwood,” passed in review before them. And there amid the freshness and fragrance of flowers, nestling in the shadow of the great trees, where the song bird built her nest, there stood the “cot of my father,” with the blessedness and peace of mother love, with the halo of eternal light encircling it, and the “well” and the “old oaken bucket”—it was a moment when the tenderest and manliest feelings and emotions of the human heart could demand its birthright, throw off the restraints, conventionalities of the times, and live for that one brief moment in the atmosphere of heaven, and feel the warm blood, the tide of life rushing through the veins as in early manhood. It was a reunion in the fullest sense of the term. The sharp conflict of opinion, the earnest grappling in heated political contests, the spirited and persistent strife in debate over measures of public policy; all these were forgotten in the memories of the “long ago,” when they had parted from each other with heart beating to heart, and hands slow to unclasp.

Permanent officers were elected. Hon. John F. Duncombe was elected President, with sixteen Vice-Presidents, seven Secretaries and one Sergeant-at-Arms. There were many speeches and short addresses, together with a message from ex-Governor Gear, all pleasant, pleasing and appropriate. There was a visit to the Legislature in session, a brilliant reception by the Governor, the Capitol was illuminated and everybody tried to make the old Law-Makers welcome and happy.

But the closing scene was marked by an event that cast a shadow over the hearts of all. Judge Mitchell, of Nebraska, a member of the Ninth General Assembly, arose, and after alluding in a very pleasing and effectual manner to his legislative experience, paid a most beautiful tribute to Iowa and Iowa soldiers. Those near him observing that his remarks grew weaker, attributed it to his emotions, which seemed to overcome him. His last words were, “I revere the men and the memory of the Ninth General Assembly, and I must ever love the patriotism and devotion of the Iowa soldier. But, gentlemen, I have already spoken too long—.” Saying which, he sank down into his seat, but instantly fell forward into the aisle. In a few moments Dr. Caldwell announced, “Judge Mitchell is dead.”

I cannot describe the feelings of the Assembly. It was so sudden, so unexpected, and coming when our hearts were warm, and our love was deepened, and the affections were enlarged, until the world was brighter. It was one of those supreme moments in the life of a man when he feels that all distinctions between wealth and poverty, between the highest attainment of talent and the plane of simple recognition, between the glory of the grand-

est achievement of human effort and the rust and mildew of blighted hopes and wasted life—that all these distinctions are leveled, and the famished heart feels the kinship of the race, the tie of consanguinity that binds him to his fellowman, and the fatherhood of God and the brotherhood of mankind seems so true that he stands uncovered while the entire race moves like a panorama before the eternal King, the Father of us all.

In conclusion bear with me one moment more. Memory recalls the names of Lieutenant-Governor Eastman, Senator McCrary, Clarkson, Jennings, Cattell, Woolsen, Cutts, and some others who have laid down their burdens and journeyed onward, seeking their homes amid the everlasting light. They were men of talent and sterling worth, with integrity of character that the revenue of an empire could not purchase. We shall meet them again, where society is veritable, where language is audible, and where the glory is eternal.

**THE CHAIR:** The gentleman from Warren, Mr. Todhunter, asks that a paper he holds in his hands, giving the names of the members of the Constitutional Convention of 1857, be incorporated in the minutes of these proceedings, and if there is no objection it will be so incorporated.

**MR. LEWIS TODHUNTER:** *Mr. President*—I desire to say a word for the Constitution that was enacted in 1857, and our now Constitution. No State has a better one. No State has one that has stood so long without having been revised. There has been but three amendments to the present one, first, to strike out the word white where it occurred; second, to change the judicial district of the State and enlarge the number of judges and change the district prosecuting attorney to that of county attorney; third, change the time of holding elections from October to November. The fourth one was submitted to the people to vote on in 1882, and was carried by a vote of 30,000 to absolutely prohibit the manufacture and sale of intoxicating liquors, including wine and beer, but was defeated by a decision of the Supreme Court on a purely technical question. Had that amendment been left alone our Constitution would be about perfect. The convention that enacted our Constitution consisted of thirty-six members, twenty-four of whom have died, as follows:

Edward Johnston, William Patterson, Squire Ayres, Timothy Day, M. W. Robinson, J. C. Hall, D. P. Palmer, George Gillespie, Daniel W. Price, David Bunker, Jeremiah Hollingsworth, James A. Young, H. D. Gibson, John A. Parvin, George W. Ellis, Robert Gower, Aylett Cotton, Hosea W. Gray, William A. Warren, A. H. Marvin, J. H. Emmerson, Alpheas Scott, Sheldon D. Winchester, John T. Clark.

The following men are still living:

Francis Springer, James F. Wilson, R. L. B. Clark, John Edwards, Amos Harris, Daniel H. Solomon, Lewis Todhunter, W. Penn Clarke, J. C. Traer, Harry J. Skiff, Thomas Seely, John H. Peters.

Here an adjournment was had until 2 o'clock P. M.

The meeting was called to order at 2 P. M., by Judge Wright.

Song, Star Spangled Banner, by quartette.

Three cheers given.

On motion that a committee of three be appointed to draft by-laws and report to the next meeting, B. F. Gue, Hoyt Sherman, and P. M. Casady were appointed.

Report of Committee on Resolutions:

*Resolved*, That the Association of Pioneer Law-Makers of Iowa, in their Third Re-union assembled, do most heartily approve of the bill introduced by Senator Gatch for an act to promote historical collections in the Capitol of Iowa. Especially do we approve of the main feature of the bill, which is to appoint a curator of historical collections, who shall, in the language of the bill, proceed to collect and arrange books, maps, charts, public documents, manuscripts, and other papers and materials illustrative of the history of Iowa in particular and of the West generally.

*Resolved, further*, That in our judgment there can be no subject of general legislation which should commend itself to more careful and earnest attention than that embodied in this bill, Senate File No. 20, and that we do therefore, most earnestly ask for its passage.

*Resolved*, That a copy of these resolutions, attested by the President and Secretary of this Association, be transmitted to the Senate and House of Representatives of this State.

*Resolved*, That the courtesy extended to this Association by the State Legislature, now in session, merits and receives our earnest praise.

*Resolved*, That the local Executive Committee of this Association, upon whom has devolved the task of making all the necessary preparations for our most pleasant reunion, are entitled to our very sincere thanks; and that we further tender our thanks to the officers, singers and other musicians who have so largely contributed to the success and pleasure of this reunion.

*Resolved*, That the Association tenders its sincere acknowledgments to the citizens of Des Moines for their active exertions on our behalf, and for the many courtesies during this reunion.

*Resolved*, That our thanks are due the managers of our Iowa railroads for their generous reduction of fares to the members of this Association.

*Resolved*, That it is the sense of this committee that the terms of all officers of this reunion shall terminate with the election of their successors, on the closing day of the reunion.

On motion the resolutions were received and adopted.

Hon. P. M. Casady, from the Committee on Nominations of Officers (for the ensuing year), submitted the following:

*President*—George G. Wright, Polk County.

*Secretaries*—C. S. Wilson, Polk County.

Lafe Young, Polk County.

Lewis H. Smith, Algona.

*Vice-Presidents*—Edwin Manning, Van Buren County.  
 George C. Shipman, Muscatine County.  
 F. M. Knoll, Dubuque County.  
 Reuben Noble, Clayton County.  
 John Russell, Jones County.  
 James Hilton, Monroe County.  
 Lewis Todhunter, Warren County.  
 Warren S. Dungan.  
 W. H. M. Pusey, Pottawattamie County.  
 Ira A. Tremaine, Hamilton County.  
 R. A. Smith, Dickinson County.

This report was unanimously adopted.

DR. ROWELL: I want to say a word. We have a choir of four persons here, and two of them—I do not want any one to understand me as making a distinction—but two of this choir have sung to these people for the last twenty-five years, sung at church, at public gatherings, at funerals, at social meetings, and they have sung at our meetings here; they are those whom we have known for years. I refer now to Capt. Muffly and Mrs. Cheek. Now, in honor of their age and experience and the work they have done, I move that they be made honorary members of the Association.

MAJOR SHERMAN: I wish to make an addition to that motion and move as an amendment that the name of Miss Laird be added.

The amendment being accepted and the motion that Capt. Muffly, Mrs. Cheek and Miss Laird be made honorary members was unanimously carried.

MR. ALDRICH: We have elected Mr. Wilson for our next Secretary and two other gentlemen whom I do not suppose will help him much. I therefore move that Mr. John M. Davis be added to the list of Secretaries.

This motion being seconded and adopted.

MR. SHERMAN: I desire to announce the presence of a committee from the Senate.

CHAIRMAN OF THE COMMITTEE: I have the honor to represent that we are a committee appointed by the Senate of the Twenty-fourth General Assembly, to report to you and extend their greetings, and express their regret at not being able to meet with you on your kind invitation of yesterday, on account of business engaging that honorable body.

JUDGE WRIGHT: *Gentlemen*—Take from me, as Chairman of the Association, our extreme regrets that you are unable to be with us. We thank you for the trouble you have taken of coming to tell us of the resolution. Please express to the Senate our regret and also our wish that this session will be in all respects such as to build up the State of Iowa, and that they can take home to their constituency the reflection that they have done well as servants of the people.

Letters from Hon. W. M. Chapman, Senator Harlan, Ex-Governor Gear, Judge Fairall, Judge Hubbard, and Judge Kinney, were read by the Secretary.

On motion the other letters were referred to the Committee on Printing.

**JUDGE WRIGHT:** During the last reunion a resolution was passed asking the General Assembly to provide for the publication of the proceedings of the Association. There has been no such action taken here as yet. I would suggest that some such action be taken. They made the order two years ago and I have no doubt they will again.

**MR. ALDRICH:** I move that the the local Executive Committee be entrusted with that duty.

The motion was seconded and adopted.

**MR. ALDRICH:** Judge Parvin just now proffered a sketch of the life of W. W. Chapman for publication in the next volume of our proceedings. I move that the proposition be accepted.

The motion was adopted.

**JUDGE WRIGHT:** It seems to me it would be a proper thing that we send to Col. Chapman a resolution of sympathy in his affliction, and also that Judge Kinney, having the data at hand by which he can prepare his paper on "The Early Courts of Iowa," be requested to prepare the same, and that it be incorporated in our proceedings.

It was moved and seconded that Judge Kinney be requested to prepare the paper and forward it for publication in the proceedings. Carried.

**THE CHAIRMAN:** The chair takes occasion now to appoint as local Executive Committee, P. M. Casady, ex-Governor B. F. Gue and Major Sherman.

It was moved and seconded that the officers selected serve until the close of the next reunion. The motion prevailed.

**Mr. Ballinger, of Mahaska County, was called for.**

**MR. BALLINGER:** As a matter of course I am not prepared to make anything like an address, but I will stand up before you, Mr. President and members of the Association and let you know that I am alive. A great many men have died that are younger than I am. But I have survived from the Twelfth General Assembly until to-day, and think from the way I have enjoyed myself here I should like to live until another Assembly at least. I think, Mr. President, my chances are as good as yours and hope to see you again at the next reunion.

I was a member of the Twelfth General Assembly and was just thinking to-day whether I did anything worthy of note. Am not sure about that. I do not know that the journals of the House will show that, but there was one thing that I am proud of although it involved some little difficulties in the committee of which I was a member—the Committee on Railroads—and

away down towards the tail end of the committee. But there was a disposition on the part of the people of New York to stop the great Rock Island road at Des Moines; to serve an injunction or something of that kind. It was before us and I thought a good deal about it, and finally concluded it was a conspiracy between the capital of Wall Street and the men that owned the capital in the State of Iowa. I made my maiden speech in the Twelfth General Assembly on this injunction, served by some parties in New York on the Rock Island Road. I believe Ed. Wright said he didn't know whether he made a speech or not, but I tell you I did make a speech. We passed a law breaking down the injunction and told the railroad men interested to just build right on to Council Bluffs and we will stand by your backs. (Applause.) Then I made some more speeches, and by the way, they were all pretty good ones—I have witnesses. (Laughter.) There was a controversy about the judges—how many we would have. Some said the judges were imposed upon, and I guess they were—that they were overworked. They worked upon my sympathies. I made a speech in defense of the judges—I never was a hater of lawyers—and it took with the people and we succeeded in what we intended to do; that is, we made more judges in order to lessen the amount of labor for the judges that were in. "In union of many there is strength." That was one of my speeches. I spoke about half an hour at a time; and the speeches, like Nebuchadnezzar's, when King of Babylon, have gone from me, but I remember the subject matter and know there was a great deal of truth in them. I made a temperance speech once; that was a good one of course, because I have always been a temperance man. I studied the subject in particular. I will tell you I made a remark of this kind: "Rather than see our young men wrecked, I would see the last bottle, keg and demijohn of liquor rolled into one huge mountain pile and ignited; yes," I said. "I could rest as I saw the flames lick the stars rather than make our young men drunkards!" Now who could do better than that? Another thought, and I will come to a close. I rather like the looks of this audience. I have no enmity against any of you, but I see from our looks that we are dropping off, and I charitably hope that we will loose nothing and gain something. I admit there are some in the General Assemblies, all of them, that are none too good, but at the same time, brethren, we can muster faith and hope in the God that is good and that we all recognize; faith in the God who rules all things for good in the end. Then, I made another speech on the appropriation for erecting a new Capitol, and that is another thing I made a good speech on. I voted to raise the salaries of the members of the General Assembly, so that they should be honorable and respectable.

But, gentlemen I know that in a short time we will be numbered with the generations of the dead. It fills me with emotion. I sometimes feel light; sometimes levity takes possession of me; but I want it understood, I have feelings. I love my race, and hence it makes me feel a little sad when I say that you, among whom I have gone preaching; shall soon see me no more; but I say to you here to-day, if I ever meet with you again—if Judge Wright lives so as to preside over us, I intend to come; but it makes me sad to lose these grand men, so many of whom helped to make Iowa one of the greatest States in the Union. Our ranks have been riddled by shot and shell, but let us say, "Bless God, there is a life to come." When one of Napol-

eon's generals said to him, "In thirty years you will be avenged for what your enemies have done, but I shall die," Napoleon said, "There is another life." Gentlemen, let us hope there is another life, and God bless us all!

Music, by the Misses Smith and Welch, of Boone.

MR. SHERMAN: I have the pleasure to announce the presence of the members of the House of the Twenty-fourth General Assembly as the guests of this Association.

Song by the choir, "When They Ring the Golden Bells for You and Me."

JUDGE WRIGHT: *Mr. Speaker*—By this act I welcome you and this body over whom you so acceptably preside, to our reunion. By this act I, to some extent, reunite the old with the new. Gentlemen, words are cheap, words are easy, but I can say to you that we welcome you cordially and greet you with sincere expressions of regard—and thanks that you have come to us this afternoon—but we wish to have you bear in mind and take away with you the thought that when I say this I mean it, and I know my every utterance will find a response in the breast of all who are members of this Association. (Applause.) Therefore, I beg you not to receive the words as merely from the lips, but to understand that the heart goes with them to you as Representatives of the State of Iowa. Gentlemen, we look to other States and other legislative bodies—we look to the transactions of other deliberative assemblies of other States, the actions of judicial and executive officials, and without one word of reproach to them, we come back to Iowa with this one happy reflection, there may be among them in the past this assembly or that assembly, this organization or that organization, political or otherwise, that would seek to go through the process of performing the funeral ceremony of burying the past record out of sight; but I am glad to know that in Iowa, taking the first Territorial Legislature, taking the first State Legislature, taking the three Constitutional Conventions, and all the legislation of all its assemblies since that time—thank God, we shall not have to perform any such ceremony as that (laughter); but we can stand before the world to-day and with our hands upon our hearts and our consciences clear before God, say we our proud of the past; we are confident of the present, and thank God we are not afraid of the future. (Applause.)

Gentlemen, as Representatives of the people of the State of Iowa at this time, I greet you. Our regret is that the other branch of the General Assembly could not accompany you, but we know full well that they are discharging their duties to their constituents, but while we feel disappointed that they did not come, we welcome you. And, Mr. Speaker, now as a representative of this body—shall I tell a word about you? (Voice—Speak it out! Tell it!) Gentlemen, you may not know that this is one of my boys, but he is. He was very anxious about his election—all gentlemen are—I have been there myself. He called to see me a few weeks before his election and expressed his anxiety; but I looked at him and said, "Oscar, you will be the next Speaker." He says: "Have you news to satisfy you upon the subject? I am very glad if you can assure me of my election." I said:

"No, I have heard nothing, but I am sure of it." He asked why, and I replied: "Because you were born in Van Buren county. (Applause.) I have the kindest feeling for those gentlemen who are opposing you; they ought to beat you, but they won't do it." Now, Mr. Speaker, having said this, I again greet you, and shall be glad to have you remain just as long as you can. We were loth somewhat to leave this Christian hall; we were somewhat loth to go over to the Capitol, but we thought it might be a good thing to get you over to this Young Men's Christian Association, especially your Speaker, because he needs such influences thrown around him.

MR. MITCHELL: *Gentlemen*—After hearing my father speak in the manner I have I have little hesitancy in addressing you. I think I may call him my godfather on more than one occasion. I remember a good many years ago of the Senator visiting my father and of the talks I heard between the two. Some of the capers they cut back in Indiana—I won't tell, I was just hinting at them!—but when the gentleman assured me of my election to the Speakership, and says that a Van Buren county man never fails, and went on and told me some of his experiences, I had no more anxiety about the matter after that.

We did not come to make a formal call; we came here informally this afternoon. We appreciate the welcome we have received. We are somewhat novices, some of us at least, and I think it is the desire of our body that we listen; we know that we can receive words of encouragement and wisdom and do not wish to break into your program; but without further ceremony would rather hear from the older members, those who have grown old in the service of the State. We thank you most cordially for the welcome you have given us. (Applause.)

THE CHAIR: I will now call upon Col. D. P. Stubbs, of Jefferson county.

EX-SENATOR STUBBS: *Mr. President and Pioneer Law-Makers*—I did not know just how ridiculous your President would make me in appearing before you on the stage, but supposed he would do it in a manner that would create some embarrassment. He knows I am a man of very great diffidence, and do not speak louder than my ordinary tone of voice as a general thing. I never get excited—am a kind of a moderate man, and very seldom speak; I am known as a modest man. I believe Judge Wright will endorse me in that. A timid man also, and I see others who will bear me out in that, with whom I have been associated in time past and gone. You do not know what kind of a fraud has been perpetrated on you. I came here as a listener, came here to learn and hear the transactions of the Legislatures of this State reviewed and talked about; to listen to what might be said by persons who are senior, who have been before me and who are pioneer legislators. My connection with the Legislature does not date back so far as most of you gentlemen; the Tenth and Eleventh General Assemblies were those in which I participated. I cannot go back and review as far as has been done by a great many. I have given the matter no thought; in fact I have hardly had time to think about what has been done, until I came to this Association. I find it is one of the most profitable two or three hours I ever spent in my life. I believe it should not only interest persons who were formerly members of the General Assembly, but that it should interest every person in the State; I think few things are of more importance than

reviewing the legislation, the growth, prosperity, and present position of the State of Iowa. I ought to say again that I have had no time to formulate a speech and know nothing about what I am going to say and cannot be responsible for anything I may say. My wife taught me not to be telling before an audience "I am not prepared." She says that is the most foolish thing in the world, because they will find that out right away. (Laughter.)

I recollect the winter of '63 and '64—I think this whole country remembers it. I believe impressions were made then that none of us will ever forget while we live. In the first place, during the last few days of '63, the greatest storm prevailed over the State of Iowa that we have ever known. Noting equal to it on record. The ice fell for two days. The ice fell in torrents until it was six or eight feet deep in many places. I left home very shortly after that storm for Des Moines. I didn't come on railroads. There had been no injunction served on the railroads, as my friend from Mahaska speaks of. Few railroads were further west than Ottumwa. Those who came from the western part of the State came in sleighs and wagons. Some of us very nearly froze to death coming through that storm, but we got here on time. War was raging in this country. The battle of Ft. Donelson had been fought only a few days before the Tenth General Assembly met. A great many thousands had been appropriated for the war, and a great many things told here this morning about the war Law-Makers had been done before that time; but we found a vast amount of work to do. We knew, however, that hundreds upon hundreds of families in that cold winter, whose fathers and sons and brothers were in the service of the country battling for the flag, were in a suffering condition. We hastened to pass a law levying two mills on the dollar to make appropriations that the Boards of Supervisors of the various counties might see were properly expended, and that no families of soldiers in the State of Iowa should suffer. It was something I espoused with a great deal of zeal, and I have never had time to regret it.

Everything was turned then toward the assistance of the soldiers in the field. News day after day of disaster and news of victories came to us from all over the country. It was a sad winter. There is no question about that. When '66 came that brought the Eleventh General Assembly, and it seemed everything had changed. The Rebellion had been put down; the flag had been vindicated. We had a flag that "waved o'er the land of the free and the home of the brave;" we had a country, and we believed a sacred flag, and we had sacred institutions. We met there believing we had a country, at least, by the proclamation of the President of the United States, and by common consent, freed from that foul curse, human slavery. We had hardly assembled until a joint resolution was introduced to ratify the XIII Amendment to the Constitution, a prohibition of slavery within the United States and their jurisdiction. That elicited no debate. I might say right here that, as I recollect, there were but five members of the Senate that did not belong to the Republican party, but I want to say upon the passage of that resolution, to the honor of the men who differed with us politically, every member of the Legislature voted for it and upon roll call placed his name in the affirmative on the Constitutional Amendment. (Applause.) And it is so emblazoned in the libraries all over the State.

Things that had been lying dormant in a material point of view during

the war seemed to have taken new life. Soldiers had returned and farms were being opened. People seeking homes from the eastern cities looked with anxious eyes to Iowa, and the six hundred thousand people we had here only a few years before began to grow one hundred thousand and two hundred thousand every year. All those great railroad grants, that had been given by the general government into the hands of Iowa as trustee to be appropriated, began to look around.

Some intended to abandon former roads, and the question came up with the representatives of the people whether these companies had not forfeited their rights to the railroad lands. Days and days were consumed in the House of Representatives by able men, debating the question whether it was not the right and the duty of the State of Iowa to resume and take from the railroads, in a great many instances, the grants that had been made. Some of the members of that General Assembly were of the opinion, that when the grant was made the title was vested somewhere, and if not, was still in the United States, and any legislation that could take place by the State of Iowa would not, and could not affect the title to these lands at all; that it was a judicial, rather than a legislative question. Then, again, we had the Des Moines river grant. A magnificent grant of lands had been made for the improvement of the Des Moines river, to build locks and dams. Companies had been organized, and they progressed year after year, and spent money to dam the river, and most effectually dammed it, and dammed navigation. It was considerable of a dammed concern for the Legislature to unravel. The railroad companies wanted the land, and the State had paid about one hundred and twenty thousand dollars to those persons who had been employed by the State, in order to make these improvements. The Keokuk & Ft. Dodge road was organized. We passed a law giving the lands to them, taking them from the river improvement grant. They were to go to work and pay off this one hundred and twenty thousand dollars before the grant should be effectual. They turned up their noses at the idea. When the Eleventh General Assembly met we gave the lands back to them again, with the proviso in the law, as many of you know, that the census board, I believe, should make selections of the best lands and sell sufficient of them to pay off the debt, and they might have the remainder. They clearly saw in that question of legislation that it meant business, and they came forward and paid the amount requested, took the lands, and so it was all adjusted. But, perhaps this is not interesting to you, and my time is limited. As a matter of course, we are proud, as has been said by our President, of almost everything that has been done in the State of Iowa. You may look to the east, you may look to the west, you may look to the north and to the south, and you see that there has been legislation and management within the State of Iowa that has not been detrimental, to say the least of it. Many of you gentlemen, who now represent the people in the lower branch of the Legislature, came to this State long since these things transpired. Why did you come? You felt we had a good State, a good climate and good soil; you thought, then, that we believed in education, and you are certain of it to-day. Here stands Iowa with two million people, nearly eight thousand miles of railroads, fifty-five thousand square miles of as fine land as there is, perhaps, in the world; thirty-five million acres of land, and all of it can be tilled, and we owe nothing as a State.

Now, Mr. President, this is the first time I have attended one of these Associations, but I hope it will not be the last time. If I live, I will try to be here again, and I believe all ought to be here, not only those who participated in the legislation of the country, but others as well.

I hope you will take this as an excuse for a speech, and if we are here next year and the President shall call upon me, I will try to do better than to-day. (Applause.)

MR. MOIR: *Mr. Chairman, Brother Pioneer Law-Makers, and Members of the Twenty-fourth General Assembly*—Permit me to say that it is with pleasure that I, as an humble member of the Ninth and Tenth General Assemblies, greet you and meet you here this afternoon. This has truly been a love feast to me. It seems as though I never enjoyed the speaking and singing as I have to-day, and I want to say to these younger men—not all young, but a great deal younger than we with gray heads are—for when I look on this side and on that, I see quite a difference. Thirty years make many changes. Think of it! Thirty years ago I tried to do my humble duty in making laws for this grand State of ours. I presume some of you were not then born. When I see how youthful you look, and how gray and bald we look on the other side, the difference is noticeable; but, gentlemen, you have a duty to perform as well as we in the early days of our State, and I have no doubt you will perform that duty faithfully and well. No doubt, you will do what you can as we tried to do in those early days, to increase the prosperity of this grand commonwealth of ours. It can be truly said that no State in this grand Nation excels our own, and the man who lives in the State of Iowa and is not proud of Iowa, ought to be kicked across either one river or the other by the meanest man in the State. (Applause.) Iowa, first in acres of tillable land; first in corn, hogs and horses; and first in the intelligence of her people, there being only two and four-tenths per cent of illiteracy in this State—no other State in the Nation can boast the like, only two and four-tenths of her adult population who cannot read!

In peace and plenty, throned serene,  
Sits Iowa! Our "Prairie Queen,"  
Adorned with every frugal gift,  
And all the garniture of thrift  
To cheer her sons and daughters true,  
And blessings in their pathway strew.  
She foremost stood in '62,  
When Lincoln called for boys in blue,  
And when they laid their arms aside  
She felt they had been true and tried.  
Her wisdom is excelled by none,  
In any land beneath the sun.

Her twenty-six thousand school teachers are disseminating knowledge throughout the State. She stands second in the number of teachers in the States of the Union—New York being first. May we not be proud of this grand State of ours? I do not know whether you have as much fun as we used to have in '62 and '64 or not. We had lots of it then! We used to get together and have parties once in a while, and those who were inclined to dance would have a little dance, and those who were inclined to have a game of whist would have a game of whist. The hospitality of the people of Des Moines was unbounded at that time, and hardly a week passed that

we were not invited to some of the hospitable homes of the citizens of Des Moines. It won't do to tell of all the laughable scenes we had.

You, no doubt, remember that along in the early part of the war nothing but disaster met the Union armies. The 14th day of February, 1863, you remember, no doubt, Commodore Foote was repulsed and quite a number of our brave Union men were slain before Fort Donelson. On the 16th day of February, Gen. Buckner sued for terms, and you, no doubt, remember Gen. Grant's reply to him, that he would give no terms but "immediate and unconditional surrender." You remember how Gen. Buckner sent back word, "I accept your ungracious and ungenerous terms," and he did accept and surrender on those terms with fourteen thousand, six hundred and twenty-three prisoners. Then the telegraphic wires spread the good news all over our country. On the 16th day of February a resolution was passed in the House and Senate complimenting the Iowa soldiers for their bravery in that action, and well it was, for our Iowa boys, led by our gallant General Tuttle, were the first to mount the ramparts of the enemy. It was glorious news to us. The gallant Baker and the grand old war governor, Samuel Kirkwood, extended an invitation to the members of the General Assembly to meet them at what was then known as the old Des Moines House. We went there, and in the dining-room tables were spread throughout its length and breadth, heaped with everything. We had a little—well, prohibition was not quite as well enforced as it is now—it was perhaps sweet cider, although it might have been stronger, but our spirits were about as high as they could be before we had anything to drink. We had to tell a story, sing a song, or make a speech. That was the order of the evening. During the course of the afternoon Governor Kirkwood, God bless him, was called upon to make some remarks. It will be remembered that the Governor never had any children. The Governor made his speech apply to the recent unpleasantness we had had with Great Britain. He says, "I will do everything I can to avenge the wrong, and I will teach my children, if ever I have any"—at that moment up jumped the Senator from Dallas, and said, as he brought his fist down on the table, "*Governor, you shall have.*" I now move that the seventh commandment be suspended for your special benefit." It is needless to say it was seconded and carried unanimously. It was not long after that before we adjourned.

I tell you, gentlemen, that was a time long to be remembered. I wish you all good health and prosperity. May you old Pioneer Law-Makers live long and prosper, and may our grand and glorious State continue to thrive and prosper as day after day rolls into the immensity of eternity. (Applause.)

Music: Violins—"Woodland Whisper Waltzes."

MR. COFFIN: *Mr. Chairman*—I can assure you that the visit you gave us yesterday was so delightful that it was impossible for us to refrain from accepting your kind invitation to be with you to-day. I notice that we forgot to bring with us the youngest member of the House, the Hon. Mr. Wilson, of Madison county. We intended to bring him and plant him right in the midst of your honorable body, where, on account of his youth and beauty he properly belongs. I wish to assure you that your visit had a pleasant influence. We have not passed an act suppressing prize-fighting as some of our

contests might indicate would be necessary, and the influence of your presence over our entire body acted like a benediction. We forgot to call up the special order, and it never occurred to the Honorable Speaker of the House to leave his chair and take the floor. Gentlemen, we recognize that you laid the foundations of this great State; but I rather suspect from some of the bills my colleagues have introduced that they think you did not lay it well. But I wish to assure you that the conservative members of our body think that you did. We trust that we will leave the State intact and that the monuments which you erected may be enjoyed by the generations to come.

You spoke something in regard to preserving in the archives, something you have in preparation. I believe the members of this House will cheerfully preserve intact anything you may have, in order that it may be published for the coming generations who are to follow us to see. (Applause.)

Now, gentlemen, if there is anything very disastrous about to occur to the State because of the acts of the General Assembly now in session, I wish to assure you that it will not be because of failure on our part to try and emulate your illustrious example. We are proud of the fact that you preceded us, and it is our highest ambition to prove worthy of the trust that has fallen upon us. (Applause.)

**THE CHAIR:** I am sure that we will be glad to hear from Mr. Springer, from the old Capital, and the State University town.

**MR. SPRINGER:** *Mr. Chairman and Gentlemen*—I had probably best begin by saying I did not expect to say anything, and emulate the good example of my friend Stubbs; but not being able to do that as gracefully as he can, I have devoted part of my time since I have been here to inquiring into the elements of popularity which grew up around the Pioneer Law-Makers, to distinguish them from the modern law makers, applying in confidence to one of the old law makers the other day and asking him how, in those days of record-making, he managed the roll call. When a member looks at the roll call and wonders how his constituents will look at it, he sometimes wishes he had voted the other way. This old law-maker told me he was troubled the same way. When he went home, to face those terrible constituents and prove to them he was the proper man to again represent them in the Legislature, he counted over the votes he had cast as preserved in the Journal and found he had voted aye twelve times and no one hundred and seventy times. He assured his constituents that in the one hundred and seventy votes he had made one mistake, and in the twelve votes he had made seven mistakes, and that if they would return him he would vote no every time. I do not know how it turned out; he declined to tell me, but I presume it worked all right. I believe, Mr. Chairman, that the Pioneer Law Makers may look back on a good record well done. I believe, as far as I can judge, that aside from the laws that relate to the outgrowths of inventions and science and a few changes that come in modern social politics—that aside from these, the body of law stands to-day very nearly as you left it. And if I may judge from the reports of the committees, and the frequency with which indefinite postponement occurs, that the body of the law is very likely to remain much the same. It is a good record. It shows good work well done, and if the little that we may add shall secure to us in after

years a share in that good record you have made, it will be to us as it must be to you, a privilege and a pleasure to look back to it and the times when we were associated with the law makers of Iowa. (Applause.)

The time having arrived for final adjournment, at the suggestion of the President, Hon. George G. Wright, the members of the Association joined hands in a circle and sang "Old Lang Syne."

The President then declared the Reunion of 1892 adjourned *sine die*.

## LETTERS FROM ABSENT MEMBERS.

HON. JAMES HARLAN.

MOUNT PLEASANT, January 9, 1892.

*My Dear Judge Wright*—Since the receipt of your kind and complimentary note of the eleventh ult. asking me to write a paper to be read before the Pioneer Law-Makers at their next meeting, I have been confined to my room with a severe attack of *la grippe* and utterly unable to keep up even my correspondence. I am some better now and my doctor says in a fair way to be well again before so very long. I am, however, not able yet to leave my room, and therefore think it improbable that I shall be able to prepare the paper suggested by you. I regret this very much as I would be very glad to do anything I could to add even slightly to the interest of the meeting.

With great respect and esteem, your obedient servant,

JAS. HARLAN.

HON. W. W. CHAPMAN.

PORTLAND, OREGON, February 3, 1892.

*To the President and Members of the Iowa Pioneer Law-Makers, at the Third Biennial Reunion at Des Moines, on February 10th and 11th inst.:*

MY DEAR FRIENDS—Your circular invitation was received a few days since. Nothing on earth at this time would give me more pleasure than to attend the reunion of the Pioneer Law-Makers, but it is impossible for me to do so for the reason that three years ago, the 3d of November last, I received a stroke of paralysis by which I lost the use of all my right side, from my foot to my neck, leaving my head and left side, leg and arm, untouched. But having lost the use of two fingers of my left hand in the cold water of the mines in 1848, I have to do my writing with the thumb and two fingers of my left hand. In the winter I am confined to my room and chair, and in summer I ride to town in my wheel chair and am carried up to the Federal Court to attend to some important land cases.

In looking over your circular I see the names of Hon. G. W. Jones, Hon. Theodore S. Parvin, Hon. Geo. G. Wright and others, to whom I tender my warmest congratulations.

I understand that General Jones and myself are the only living members of the Congress of 1838-'40.

Wishing you a pleasant and happy reunion, with many happy years to come, I am your sincere friend,

W. W. CHAPMAN.

EX-CHIEF-JUSTICE JOHN F. KINNEY.

LOS ANGELES, CALIFORNIA, February 3, 1892.

*Hon. Geo. G. Wright, Des Moines, Iowa:* MY DEAR JUDGE—I had indulged a faint hope of being present at the Third Biennial Reunion of the Iowa Pioneer Law-Makers, February 10th and 11th, at Des Moines, but by reason of business engagements was obliged to abandon this cherished hope.

When this conclusion was reached I determined to prepare a paper and send it to you to be read before the meeting, giving some unwritten historical facts pertaining to the early organization of the courts of Iowa, but more especially reminiscences of the Supreme Court during the incumbency of Judges Williams, Green and myself in 1847 to 1854. To this end some four weeks ago I addressed a letter to Nathaniel K. Raymond, Reporter to the Supreme Court at your city, asking him to furnish me with some facts and references which I had communicated to him by letter, of which I had not retained a copy, and which are essential to the preparation of my paper, but I regret to add that the information sought, Mr. Raymond only furnished by his letter just received, under date of the 26th ult., too late to formulate a paper in time to reach the meeting.

With kindest regards to yourself and all others of the "early days," I remain,

Truly your friend,

JOHN F. KINNEY.

HON. SAMUEL H. FAIRALL—TELEGRAM.

IOWA CITY, Feb. 10, 1892.

*To Hon. Geo. G. Wright, and others*—Death in my family precludes my being with you. Convey to the surviving Pioneers present my deep regret for my inability to meet the many friends among them, my high appreciation of being numbered with them, and my sincere wish that their days may yet be many in the State to whose prosperity and greatness their labors and wisdom have so largely contributed.

S. H. FAIRALL.

HON. EDWARD H. STILES.

KANSAS CITY, Feb. 9, 1892.

*Hon. Geo. G. Wright, Des Moines, Iowa:* MY DEAR SIR—I deeply regret to inform you that it will be impossible for me to be with you at the Reunion of the Pioneer Law-Makers. Some three weeks ago Judge Henry of the Circuit Court was taken seriously ill, and under the statute of Missouri an election by the members of the bar was called and held, which resulted in my being pretty unanimously elected to preside as judge until Judge Henry's recovery. This is my third week and it would seem from the present outlook that I may have to continue for some time. I counted much on the satisfaction I should have in attending the reunion, in grasping the hands of old acquaintances and seeing in person those distinguished relics of the olden times, Judge John F. Kinney and Judge S. Clinton Hastings, whose names are to the old lawyers as familiar as household words.

Will you be so good as to send me papers containing a report of the proceedings, addresses, etc.

Yours very truly,

EDWARD H. STILES.

GEN. BYRON A. BEESON.

January 29, 1892.

*Iowa Pioneer Law-Makers, Des Moines, Iowa:* GENTLEMEN—I have the honor to acknowledge receipt of invitation to attend your "Third Biennial Reunion," at Des Moines, Feb. 10, 1892, and regret exceedingly my inability to be present on account of a business engagement that will call me from the city on that date. Thanking you for your courtesy I am,

Very truly yours,

BYRON A. BEESON,  
*Treasurer of State.*

HON. IRA H. TREMAINE.

TREMAINE, IOWA, February 8, 1892.

*Hon. Charles Aldrich, Des Moines, Iowa:* DEAR SIR—I have received from your committee an invitation to attend your meeting of the Pioneer Law-Makers of Iowa. Thanks; I greatly regret that I cannot be with you. In my early school days there was no place noted in geography in Wisconsin and Iowa except Green Bay and Prairie du Chien. I very well remember Geo. W. Jones as the Delegate to Congress from Wisconsin and Iowa, and above all other men of the Pioneers I should be glad to see him and hear his address.

I have pleasant recollections of your associates, Mr. Wilson and Mr. Van Steenburg. Please give them my regards. Yours, respectfully,

IRA H. TREMAINE.

S. G. MATSON.

VIOLA, LINN COUNTY, IOWA, Feb. 8, 1892.

*Hon. Geo. G. Wright, Hon. B. F. Gue and Hon. P. M. Casady, Committee.*

GENTS—I received the circular notifying me of the Third Biennial Reunion of the old Pioneer Law-Makers at Des Moines, on the 10th and 11th of this month.

It would give me great pleasure to be with you on that occasion, but I think it is not prudent for me to venture out at this season, during the present epidemic which is proving so fatal among old people.

I see by the program that a number of the old Pioneers, whom the people of Iowa have ever delighted to honor, are to address the convention orally, or by letter. It would do my *old Pioneer heart good to meet and greet them all*. Wishing you all a happy reunion I remain

Yours fraternally,

S. G. MATSON.

P. S.—Mrs. Matson wishes to send greeting, not as an old Pioneer Law-Maker, but as a Pioneer Butter-Maker.

S. G. M.

HON. ROBERT SMYTH.

MOUNT VERNON, IOWA, February 7, 1892.

*To the President or Chairman of the Pioneer Law-Makers' Association, Des Moines, Iowa:*

DEAR SIR—I intended to go to Des Moines to-day to attend the annual meeting of your Association, but I find it impossible to do so. I know I would enjoy the occasion very much. I trust you will have a large attendance and an enjoyable time.

I am one of the early law-makers. I was elected to the House of Representatives of the Territorial Legislature in the fall of 1843, from Cedar, Jones and Linn counties, with Mr. Walworth. I served during the winter of 1843-44, and an extra session in the summer of 1844.

I was also elected to the House of Representatives in the First General Assembly of Iowa from Sioux county. I served during the winter and also during an extra session in 1847.

In 1867 I was elected Senator from Sioux county for four years and was a member of the Senate during the Twelfth and Thirteenth General Assemblies of the State.

I was also elected to the House of Representatives in 1883, and represented Linn county in the Twentieth General Assembly when the prohibitory law was passed. I was Chairman of the Committee on Suppression of Intemperance.

Please present my regrets to the Association for absence.

I am sincerely your friend,

ROBERT SMYTH.

HON. N. M. HUBBARD.

CEDAR RAPIDS, IOWA, February 5, 1892.

*Hon. Geo. G. Wright, Des Moines, Iowa:* MY DEAR JUDGE—I received your note several days ago, asking me to make a talk at your Pioneer Law-Makers' Association meeting, which I think, occurs next week. I regret to say that I shall be unable to be present on account of professional engagements. I go to Clinton Monday morning to try a personal injury case which will take several days. I should be delighted to be present; not so much to make a speech, as to see the gentleman who laid the foundations broad and deep in the State of Iowa for our present prosperity and greatness.

Thanking you for your kind invitation, I am, etc.,

N. M. HUBBARD.

HON. HENRY CLAY HENDERSON.

BOULDER, COL., January 28, 1892.

*Hon. George G. Wright, Des Moines, Iowa:* DEAR SIR—I received announcement program and invitation for and to the Third Biennial Reunion of Iowa Pioneer Law-Makers, under cover, bearing your well known hand in the address to me.

I am glad to be remembered so by one of my oldest personal friends in Iowa; and only imperative necessity obliges me to deny myself the very great pleasure with which I would join you all in recounting the past, with

the associates and friends who will gather from far and near, on that occasion.

I love Iowa and am proud of her achievements. Her pioneer settlers and law-makers laid broad foundations for her people to build on, and the superstructure of her social and political institutions has risen to such dimensions, perfection and beauty, as challenges the admiration of the world.

I am glad to have had my lot cast in that goodly land, and to have had some humble part in the development of its resources and the growth of its institutions.

No State can boast of greater wisdom and purity in the administration of its public affairs; of greater integrity uniformly marking the execution of its judicial and legislative functions; nor intelligence of a higher order than has characterized her people; and, now standing at the head of the advancing column of civilization, her Pioneer Law-Makers may well assemble and commemorate her achievements, and rejoice in the successes, under direction of a benignant Providence, of the labor of their hands, their heads and their hearts.

I greet and congratulate the Assembly: Hail Iowa—equal to the best and second to none: Hail and Farewell.

H. C. HENDERSON,  
*Senator Tenth and Eleventh General Assembly.*

HON. HADLEY D. JOHNSON.

SALT LAKE CITY, UTAH, January 25, 1892.

*Hon. P. M. Casady:* DEAR SIR—I am in receipt of an invitation to attend the Third Biennial Reunion of the Pioneer Law Makers' Association of Iowa, to be held in your city next month.

It would afford me much pleasure to be able to meet you at the time and place indicated, but considering the inclemency of the weather and my unreliable state of health, it would hardly be prudent for me to make the attempt.

Wishing you all a continuance of such health as will enable you to enjoy the reunion of 1892 and many more, I am

Very sincerely yours,

HADLEY D. JOHNSON,

HON. COLE NOEL.

ADEL, IOWA, Feb. 10, 1892.

*Hon. Geo. G. Wright:* MY DEAR SIR—I have been confined to the house for over two months with the grippe, for the last few days up to yesterday was feeling much better, and was making arrangements to be in Des Moines to-day, but this morning not able to be up. I have been looking forward for days and anticipating the pleasure of meeting many old friends with whom I made an acquaintance in 1870. George, you will have to admit that the Thirteenth General Assembly was composed of men of brains; such men as the Browns, Newbold, Dudley, McCown, Butler, Stone, Cutts, Lacy, Mahin, Green, Irish, Kasson, Tama Jim, O'Donnell, Pratt, Huff, Hunter, Tufts, Cotton, Parsons, Russell, Murdock, and others that I don't now remember. Should you meet any of the above please give them my kind

regards, and don't tell them that old Cole Noel is at home suffering for his past sins, for I tell you, George, I only did one mean thing that I can now call to mind during that session, and that was my vote for United States Senator.

Respectfully yours,

COLE NOEL.

FROM HON. J. W. JENKINS.

KANSAS CITY, MO., February 6, 1892.

*Hon. Ed. Wright:* MY DEAR SIR—Mr. Calvin handed me a program of the third meeting of the Iowa Pioneer Law-Makers and your invitation to be present at the meeting. I assure you it would give me great pleasure to be present and participate in that meeting but circumstances will prevent. I am proud to have been a citizen of Iowa, and, as an American citizen, am proud of her as one of the brightest stars in the great constellation of American States. In this age of astonishing achievements she has been in the front rank in the march of progress, and nowhere on the face of the earth, are the true principles of enlightened civilization better illustrated and applied to the purposes of practical life than within her borders. Her citizens have been among the foremost in the National Judiciary, Legislature, in the Cabinet, at the bar, in the field and in every department of scientific knowledge, but the foundation for all the prosperity and greatness of the State is the sturdy, intelligent and energetic population, from whose ranks come the men who have given prominence and lustre to her name.

I trust that circumstances will permit me to be present at some future meeting of your Association, but each succeeding meeting will mark the absence of many with whom I would like once more to meet.

Yours in haste,

J. W. JENKINS.

N. W. Cor. Fifth and Main Sts.

HON. HENRY O'CONNOR.

SIoux CITY, IOWA, February 2, 1892.

*My Dear Judge, or Senator, as the case may be amongst the ancient Law-Makers who are to congregate at Des Moines on the 10th instant*—I have received your kind invitation, accompanied with program of proceedings, menu of banquet, etc., intimating a wish that I should be present on that occasion of promised pleasure—especially the banquet. The condition of the roads between this metropolitan city and your charming village at or in the bosom of the Raccoon Forks of the Des Moines, the press of business, the state of my health, and other circumstances, all conspire to forbid my attempting to reach the enjoyment of that feast of season and flow of mellow, mild and rich "potheen," which I feel assured will abound and overflow at that happy meeting, when history will once more repeat itself; but I will none the less anticipate in conception with listening ear and watering mouth, the yet untold delights of that meeting of the "Apostles."

What splendid and resplendent memories the evening of the 11th of February, *Anno Domini*, eighteen hundred and ninety-two, will make their translucent effulgence, will put to shame the brazen dome of the Capitol in its childish efforts to vie with the full moon.

In days still more ancient than those of the Pioneer Law-Makers of Iowa,

men tried, single handed, to give laws to their fellows. Moses, Lycurgus and Solon, are notable examples of the futility of such vain individual efforts. Caligula and Chas. Ben. Darwin essayed their personal endeavors in the same line, but with no better success than Moses or Solon. Caligula, the text of whose laws was so plain that he who ran might read, was careful to publish the law on the top of a telegraph pole so that the breaker of the law couldn't see even the lines. Darwin was spared that heavy expense by the undecipherable character of his chirography. It remained, however, for the collective representative wisdom of the Pioneer Law-Makers of Iowa, to give us the Blue Book of 1839, in all native simplicity and its more pretentious follower, the Revision of 1843. There we found our rules for civil government on the frontier and, as we poured over their well-thumbed pages and trembled at their denunciations, we found our sole consolation in the evidence these laws afforded of their makers' innocence of the law. Well, later Law-Makers have tried — vain effort — to emulate, they couldn't imitate you. Save as an honorary member I never was a law-maker, but lawyers, after all, have to make laws. My feeble efforts in that direction were, I regret to confess, spent in aiding and abetting that proverbial enemy of all law, the Supreme Court of the commonwealth, the silk gown members of which august tribunal never read and seldom listen. The Pioneer Law-Makers of Iowa are mostly gone. Peace to their ashes. Prayers sometimes for the living, always for the departed. To those who are still left *Dominus vobiscum!* You all need Him.

HENRY O'CONNOR.

## BIOGRAPHICAL.

NOTE.—[As heretofore, the following sketches of members of the Association have been, for the most part, made up from data furnished by themselves, upon the printed blanks distributed among them at the last meeting, or compiled from the histories of counties. It is a matter of regret that responses were not received from more of the members, and that all were not given in greater detail. But these brief biographies are happily supplemented by a few sketches, which have been prepared at greater length by Messrs. Gue, Parvin, and others, of men who acted most important parts in public life, at critical periods in our history. The Secretary, by request, has also included his own sketch of Hon. Theodore S. Parvin.]

**THOMAS BALLINGER.**—He was born in Ohio, December 21, 1817, and settled in Oskaloosa, Mahaska County, in 1850. His profession is that of a clergyman of the Universalist denomination. The only public offices he ever held were those of Justice of the Peace, and member of the House of Representatives of the Twelfth General Assembly. He was commissioned Chaplain of a militia regiment in Logan county, Ohio, by Governor Thomas Corwin, in 1841. He retired from his profession several years ago, though he still performs more or less ministerial work. Mr. Ballinger is a well preserved, genial, large-hearted, Christian gentleman, whom it is always a pleasure to meet; a ready speaker, who is in demand at social gatherings like the Reunions of the Old Soldiers and Pioneer Law-Maker's Association of Iowa. Politically he has been identified with the Republican party.

**GEORGE W. BEMIS.**—Mr. Bemis was born in the State of Massachusetts, on the 13th day of October, 1826. He came to Independence, Buchanan County, and settled in 1854, at which place he still resides. In the autumn of 1859 he was elected a Representative in the State Legislature, serving also at the extra session of 1861. He was chosen to the State Senate of the Fourteenth and Fifteenth General Assemblies. In 1876 he was elected State Treasurer, and re-elected in 1878, serving four years in that very responsible position. He was the first Chairman of the Board of Supervisors of Buchanan County, being chosen to that position when the law creating the supervisor system went into effect. To all these positions he was chosen as a representative man of the Republican party. On Mr. Bemis' first appearance in the Legislature, he took a prominent position, though he was almost a silent member so far as speech was concerned. He introduced an important bill relating to the duties of County Surveyor, which, we believe, became the law of the State. He was especially active and determined in the fight against the continuance of the old County Judge rule and in favor of superseding it by the more popular and representative supervisor system. Mr. Bemis has discharged every trust committed to his charge with rare ability and fidelity, and has always enjoyed the highest confidence and esteem of those who know him best.

**NORMAN BOARDMAN.**—The subject of our sketch was born at Morris-town, Vermont, April 30, 1813. His ancestor, seven generations before, came over from England and purchased of the Indians, in 1639, a large tract of land near where Weathersfield, Connecticut, now stands. Norman was raised on a farm, and was educated in the public schools. Before he was seventeen years of age he began to teach school, working on his father's farm during the summer season. When twenty years of age he took a course in Johnson's Academy, graduating in the class with Russell Page, father of the present Governor of Vermont. Before settling down to business, in company with other young men, he started in May, 1837, on a trip to the Western States, traveling by canals, stage coach, lake and river steamers. They landed at Chicago, then a village of 2,500 inhabitants, located on a wet, swampy prairie. Upon his return he entered upon the study of law, and practiced for many years in his native State. In 1849, he was elected prosecuting attorney. In 1852 he came to Iowa and entered several sections of land. In 1855, he moved his family to Iowa, and settled at Lyons. With a few friends he went to Mitchell county, purchased land and laid out a town which they named "O. Sage," after Oren Sage, of Ware, Mass. Soon after the name of the new town was spelled "Osage." In 1861, he was elected State Senator on the Republican ticket, for Clinton county, and at the session of 1862 was made Chairman of the Committee on Schools and University. He was largely instrumental in revising the school laws. There were \$400,000 uncollected taxes at that time, and the Governor suggested to the Legislature the propriety of turning over the school funds to the State Treasury, for use in paying current expenses and paying interest on the loan thus made to the School Fund. Senator Boardman resisted the proposition so strongly that it was defeated, and proposed amendments to the revenue laws which remedied the trouble, and secured the prompt collection of taxes thereafter. Mr. Boardman was a warm friend of the State Agricultural College, and in the effort that was made to divert the land grant from the College to the State University, he earnestly sustained Senators B. F. Gue and C. F. Clarkson, who led the opposition to the diversion. Senator Boardman was the author of the proposition to organize the Pioneer Law-Makers' Association, and was a leading member of the first reunion, which on February 24 and 25, 1886, was held in Des Moines, and which resulted, in 1890, in permanently establishing this Association.

**LEMUEL R. BOLTER.**—He was born July 27, 1834, in Richland County, Ohio. His family was of Scotch descent, tracing their history back to Leonard Bolter, Sen., who was born in Edinburg in 1678, and emigrated to America, in 1715. His grandfather was a soldier in the Revolutionary War, and was wounded in the battle of Brandywine. He received a buck shot in his knee which he carried to the end of his days. The old patriot, Lemuel, was buried in Richland township, Cass County, Ohio, in 1841, and in 1890 the subject of this paragraph erected a monument over his grave. Lemuel R. was educated in the common and graded schools and at Hillsdale College. He first engaged in teaching, but in 1852 crossed the plains to California. Here he followed clerking and for a short time mining, but returned in 1854 to Michigan—having acquired money sufficient to buy a good farm. The following spring he entered the law office of C. S. Coffinbury, at Constantine, where

he remained two years. During this time he was married to Caroline J. Rinehart, a native of that State. After leaving the law office he divided his time between trading and legal practice until 1864, when he emigrated to Harrison County, Iowa, where he has since resided. Since coming to this State no man has surpassed him in activity, and few, if any, in public usefulness. Politically, he is a pronounced Democrat, and has always been prominent in the councils of his party. He was first chosen to the Iowa House of Representatives in 1868. This was the Eleventh General Assembly. He was also elected a member of the House in the Fifteenth, Sixteenth, Nineteenth and Twentieth General Assemblies. His constituents then promoted him to the Senate where he was continued through the Twenty-first, Twenty-second, Twenty-third and Twenty-fourth General Assemblies—a length of active service seldom equaled in any State. He is an able speaker, a ready debater, a vigilant, alert legislator, the originator of many good measures, inclined to conservatism and care when money is proposed to be expended, but eminently and always fair and judicious. In the Twenty-third and Twenty-fourth Legislatures he gave much and earnest effort to the establishment of the Historical Department at the Capitol. He is a man of large and varied information, as ready with his pen as upon the rostrum or in legislative debates.

**J. M. BROWNE.**—This legislator and soldier was born in Pennsylvania, in 1820. He settled in St. Charles, Madison County, Iowa, in 1855, where he still resides. He has held various minor offices since he came to this State, and in 1865 was elected to a seat in the House of Representatives. His profession is that of a farmer. Politically he has been a Republican. He helped raised the 39th Iowa Infantry, in which he was commissioned Captain of Company F. He participated in many battles and skirmishes, and was wounded in the affair at Parker's Cross Roads, Tenn., December 31, 1862.

**DANIEL DARROW CHASE.**—This well-known jurist of twenty-five years ago was born at Canajoharie, N. Y., July 4, 1830. He died at Webster City, April 27, 1891. He was a nephew of the distinguished Daniel Cady, one of the foremost New York lawyers and jurists of the first half of this century. He was educated at the Oneida Conference Seminary, and for a time was himself Principal of the Academy. After quitting this work he studied law in the office of Judge Cady. He entered upon the practice of the law in his native State upon the completion of his legal studies, but finally emigrated to Iowa, settling at Webster City, in the spring of 1858. In 1860 he was elected to the old State Board of Education. In 1861, a vacancy having occurred in the office of Prosecuting Attorney for the 11th Judicial District, he was elected for the unexpired portion of the term. There being some doubt about the regularity of this election, the next Legislature passed a law confirming the action of the people. In 1865 he was appointed District Judge to fill the vacancy caused by the resignation of John Porter. He was afterwards twice elected to fill this position, but declined the nomination for a fourth term. He was a most acceptable and popular Judge, and few, if any, of his decisions were ever set aside by the higher court. One of his decisions became a real "point in history," and he deserves to be remembered for it. This was his decision confirming the validity of the so-called "granger laws," relating to the control of railroad corporations by the

State. This was the first judicial determination of this great question in Iowa, and it is believed to have been the first on record. It was fully sustained by the Supreme Court of the United States. It will always remain one of the prominent land-marks in the history of these corporations. While on the bench the murderer Stanley, of Story county, was tried in his court. The murder was at once cold-blooded, premeditated, brutal, and utterly devoid of palliation—a case of systematic “lying in wait.” Stanley was convicted of murder in the first degree and Judge Chase sentenced him to be hung—the last instance in which this penalty was fixed by an Iowa Judge. Frantic appeals at once arose for a commutation of the sentence, which Governor Carpenter refused to do—the Legislature being in session and competent to change the law, should it be so inclined. If a man ever deserved to be hanged, this culprit did. The Quakers and many women went actively to work and the result was the enactment of a law for the abolition of capital punishment. Stanley was sent to the penitentiary, where he still abides. At a subsequent session the law was again changed so that the jury prescribes the penalty in capital cases, and thus it remains at this time. Judge Chase was elected State Senator from the district composed of Hamilton and Hardin Counties in 1877—serving during the sessions of 1878 and 1880. After retiring from the Senate he resumed the practice of the law, in which he was rapidly acquiring a large business at the time he was overtaken by the illness which ended his days. His death was appropriately noticed by the Supreme Court of the State. Resolutions were adopted and eulogies were pronounced by Hon. Messrs. Charles A. Clarke, John F. Duncombe and others.

**MAJOR GENERAL SAMUEL R. CURTIS.**—He was born in New York, February 3, 1807. He removed, when a child, with his parents, to Ohio and graduated at the U. S. Military Academy in 1831. He was Colonel of the Second Ohio Volunteers in the Mexican War, 1846-7, and Military Governor of Saltillo, Mexico, in 1847-8. He settled at Keokuk, Iowa, in 1855. He was elected to Congress on the Republican ticket in 1857, and remained in Congress until 1861. When the war of the Rebellion began, he resigned his seat and was made Colonel of the Second Iowa Volunteers. In May of the same year he was promoted to Brigadier-General. In December he was placed in command of the southwestern district of Missouri. In March, 1862, he commanded the Union Army in the battle of Pea Ridge, Arkansas, and won a victory over the Confederate Army under command of Generals Price and McCollough. He was promoted to Major-General after this victory, and held important commands until the close of the war. He died at Council Bluffs, December 26, 1866.

**WARREN SCOTT DUNGAN.**—A native of Pennsylvania, he was born at Frankfort Springs, Beaver County, September 12, 1822. He began the study of the law in the office of Matt. Quay, since conspicuous as United States Senator. After having been admitted to the bar, Mr. Dungan removed to Iowa, settling at Chariton, Lucas County, June 4, 1856, where he has since resided. From that time to the present he has been closely identified with the general development of his adopted State. The space here allotted is too limited to more than mention some of the many public capacities in which he has ably served his fellow citizens. In 1861 he was nominated by the Republicans

for State Senator and was elected; he served during one session and then entered the Union Army as a private soldier. He was soon after commissioned Lieutenant-Colonel of the Thirty-fourth Iowa Volunteers. He also served as Inspector-General of the Thirteenth Army Corps, on the staff of Major-General Andrews. He participated in actions at Chickasaw Bayou with Sherman, in December, 1862; the siege of Vicksburg until its capture, July 4, 1863; Yazoo City, Mississippi; Alexandria, Louisiana; Fort Esperanza, Texas; Fort Blakely, and the last operations in the rear of Mobile. After the Civil war, he returned to the practice of his profession. In 1879 he was elected to represent Lucas county in the House of the Eighteenth General Assembly. He was again elected as State Senator in 1887, serving with distinction in the Twenty-second and Twenty-third General Assemblies. He was a Delegate to the National Republican Convention, held at Philadelphia in 1872; also a Grant Elector the same year for the Seventh Congressional District of Iowa. He was the first City Solicitor of Chariton, Iowa, being elected without regard to party politics. In whatever position he has filled he has discharged his duties with such ability that he has either succeeded himself or been promoted to a higher place at the hands of his constituents. His genius has been seen throughout his State as among the foremost of its law-makers, and his good judgment has been exercised in scores of instances wherein the welfare of the present and future generations were in question. Among his works may be named the four important Amendments to the Constitution of this State, which he introduced in the Nineteenth General Assembly. These were passed through his efforts by the Nineteenth and Twentieth General Assemblies, and afterwards approved by the people by majorities ranging from 20,000 to 70,000. They are important and radical changes in our organic law—historical events—and they would seem to be based upon that great element of law known as “common sense.”

AMENDMENT 1. The general election for State, District, County, and Township officers shall be held on the Tuesday next after the first Monday in November.

AMENDMENT 2. At any regular session of the General Assembly the State may be divided into the necessary Judicial districts for district court purposes, or the said districts may be reorganized and the number of the districts and the Judges of said court increased or diminished; but no reorganization of the districts or diminution of the Judges shall have the effect of removing a Judge from office.

AMENDMENT 3. The Grand Jury may consist of any number of members not less than five nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a Grand Jury.

AMENDMENT 4. The qualified electors of each County shall, at the general election in the year 1886, and every two years thereafter, elect a County Attorney, who shall be a resident of the County for which he is elected, and who shall hold his office for two years and until his successor shall have been elected and qualified.

In addition to the above, Col. Dungan was one of the earliest supporters of the proposition for the establishment of a Historical Department in our Capitol. In this work he labored unceasingly until the law was passed.

Whatever cause he espouses, finds in him a friend always to be depended upon. His aid in founding our grand system of benevolent and charitable institutions has always been of the highest value, looking not only to the present care of the unfortunate, but to the future demands upon the State. Few men are as fortunate in making a consistent and enviable record of public usefulness. His friends, when his merits are discussed, will always be able to point to "something accomplished, something done."

C. J. A. ERICSON.—He was born in Sweden, on the 8th of March, 1840, and emigrated to Iowa in 1859. He settled in Boone County and soon became a prominent citizen, having been successively elected Road Supervisor, Township Clerk, School Director, Treasurer, Alderman and Treasurer of the City of Boone. He was Postmaster of Mineral Ridge under Presidents Buchanan, Lincoln and Grant, from 1859 to 1872. In the fall of 1871 he was nominated by the Republicans for member of the House of the Fourteenth General Assembly and elected. He has been a merchant and a banker—cashier of the City Bank of Boone since 1874. He is useful and influential in the city of his residence and always alive to the promotion of its interests.

STEWART GOODRELL.—He was born in Allegheny County, Pennsylvania, August 9, 1814. The family removed to Guernsey County, Ohio, two years later. He was married on May 25, 1837, to Jane P. Israel. He continued his residence in Ohio until 1844, when he removed to Iowa and settled at Brighton, Washington County. He was elected a member of the Constitutional Convention of 1846, which met at Iowa City the first Monday in May to frame a Constitution and organize a State Government. He was elected a member of the House of Representatives from Washington County in 1846, and re-elected in 1848. In 1855 he removed to Des Moines, where he spent the remainder of his life. He was a member of the Commission to locate the Capital of the State, under the act of 1854. In 1856 he was married to Lucinda Scott at Des Moines. He was elected a member of the House of Representatives from Polk County in 1859, serving with distinction in the great anti-war session of 1860, and in the extra session of 1861. It devolved upon him to call the House to order at its organization on the 9th of January, 1860. During the two sessions of this Legislature Mr. Goodrell was one of the most prominent and useful members. Having served in the House on two occasions before, as well as in the Constitutional Convention of 1846, he came with the prestige of experience and usefulness, which he fully maintained. The interests of education and the development of our magnificent system of charitable institutions always found in Stewart Goodrell an earnest and untiring advocate during all the periods of his legislative service. In 1862 he was appointed Register of the United States Land Office at Des Moines, and in 1863 and 1864 served as United States Treasury Agent for the Northern District of Louisiana and the District of Natchez, Mississippi. He was appointed United States Pension Agent for Iowa in 1869, which office he held until his death, November 12, 1872.

JONATHAN C. HALL.—He was born in Batavia, New York, on the 27th of February, 1808. His early life was spent on his father's farm in helping to clear up the heavy forest out of which it was hewn. His education was acquired in the common schools and a few winters in Wyoming

Academy. He taught school three years, and then joined a corps of civil engineers, and helped to survey into sections Genesee and some of the adjoining Counties. In 1828 he read law at Albany, and afterwards continued his studies at Cleveland, Ohio, where he remained until 1830. He began the practice of law at Mt. Vernon, Ohio, the next year. In 1839 Mr. Hall took a trip to the "far west" and was so well pleased with Burlington, Iowa Territory, that he moved his family there the next season, but concluded to settle at Mt. Pleasant. He soon acquired a very extensive law practice, and in 1845 was elected a member of the first Constitutional Convention. At the close of the session of the Convention he moved to Burlington, which became henceforth his permanent home. He had by this time become one of the leading lawyers of the new Territory. In 1854, upon the resignation of Judge J. F. Kinney, he was appointed Associate Justice of the Supreme Court. His opinions appear in Green's Reports, Vol. 4. In 1855 Judge Hall was elected President of the Burlington & Missouri Railroad Company, and was largely instrumental in securing the early construction of that great line of railway. In 1856 he was elected a member of the Constitutional Convention that framed the present Constitution of Iowa, and was one of the ablest and most influential members. He was the author of the school system provided for in that Constitution, and was always one of the leading supporters of the most liberal public school laws. He was a member of the Legislature of 1860 and was most useful and influential in bringing about the codification of our State laws in the Code of 1860. He was a man of commanding presence, courteous and kindly in his intercourse with others, a profound lawyer, a just and able judge, and a man whom Iowa will always be proud to remember among her most eminent citizens.

AZRO B. F. HILDRETH.—He is a "Green Mountain Boy," born in Chelsea, Vermont, in 1816. He was early apprenticed to the printing and newspaper business, and was engaged as editor and printer more than thirty-five years. Since the death of Father Clarkson it is understood that he is the oldest journalist in Iowa. Having paid good attention to the laws of health, he is still hale and hearty, and in all probability has yet many years of life before him. In December, 1855, Mr. Hildreth visited northern Iowa, and being charmed with the country, decided to make his home in the Hawkeye State. He removed there with his family, from Massachusetts, in the spring of 1856, and located at Charles City, Floyd County. There he at once established himself in the printing and newspaper business, and continued therein some fifteen years, when he sold out to Col. E. B. Dyke, who, with his brother, continues the publication of his paper, the *Intelligencer*, at the present time. In 1858 Mr. Hildreth was elected a member of the old State Board of Education, representing ten or twelve Counties which comprised the Tenth Judicial District. While a member of that Board he took an active part in framing the school laws of the State, and many portions of our present educational laws are the product of his facile pen. He was author of the law forbidding the exclusion of the Bible from our public schools; also one providing for the introduction of Webster's Dictionary in the schools of the State. But above all, he was the means of opening the doors of the State University, at Iowa City, to the education of young women upon equal terms in all respects with the young men. This measure met with much opposition, both from the people and the press, it

then being the opinion that co-education was impracticable. In 1868 Mr. Hildreth was elected to the General Assembly. In that body he was appointed Chairman of the Committee on Schools and State University, and was also a member of the Committee on Banks and Banking, and of the Committee on Printing. Any one familiar with the work of legislation can readily understand that these were very important committees, and the amount of labor imposed upon them necessarily large. He was very successful in carrying through the Legislature whatever measure he was interested in. Among the more important, and one that proved of lasting benefit to his part of the State, was a memorial to Congress, asking for a grant of land to aid in the construction of a railroad passing from McGregor westward through his own town of Charles City. Congress passed the grant, the railroad was built and is in successful operation at the present time. In the spring of 1861, at the breaking out of the Rebellion, Governor Kirkwood appointed Mr. Hildreth as Draft Commissioner for Floyd County. He transacted this difficult and delicate business with fidelity and to the satisfaction of all concerned. In 1862 Mr. Hildreth became one of the incorporators of the First Congregational Church at Charles City, and was for several years Chairman of its Board of Trustees. For many years he has been a member of the School Board of his city, and much of the time as President. He was one of the founders of the Free Public Library of that place, a very successful and popular institution, and is still one of its Directors. In 1859 Mr. Hildreth was the instigator and prime mover in the work of organizing the Floyd County Agricultural Society, as well as the Farmers' Club at Charles City; and was also for several years President of the Riverside Cemetery Association of Charles City. This cemetery is one of the most lovely cities of the dead in all Iowa. During the year 1891 Messrs. Redhead, Norton, Lathrop & Co., of Des Moines, published a book of nearly six hundred pages, entitled, "The Life and Times of Azro B. F. Hildreth," a very entertaining and instructive work, dedicated "to the wide-awake, enterprising and go-ahead boys and girls of the American Union."

**JAMES HILTON.**—He was born in the State of New York July 9, 1816. He settled at Hilton, Monroe County, Iowa, in 1841. He was appointed by Judge Charles Mason Clerk of the District Court of Kish-ke-Kosh (afterward Monroe) County, Iowa Territory, in 1845. He was also elected to the same office in Monroe County. In 1857 he was elected County Judge. In 1869 he was elected to the Board of Supervisors, of which body he became Chairman. In 1871 he was elected Representative in the Fourteenth General Assembly. His calling is that of a farmer.

**L. HOLLINGSWORTH.**—A native of the State of Ohio; he was born March 6, 1831. He settled in Keokuk County, Iowa, in 1844. He was elected a Representative in the Ninth General Assembly—1862—serving also in the extra session of the same year. He was elected County Auditor in 1870, and re-elected in 1872, holding the office four years. In 1876 he was chosen County Treasurer, which office he held one term. Mr. Hollingsworth has been a Republican since the organization of the party. He removed to the city of Des Moines, where he now resides, some years ago, engaging in business as a broker and dealer in real estate.

**JOHN D. HUNTER.**—He was born in Jefferson County, Ohio, August 12 1834. His earlier years were spent like those of most boys whose parents are in moderate circumstances. From the age of 8 to 14 he attended the public schools about half the months in the year, and "finished up" his education with a year at the Ashland (O.) Academy. About this time he immigrated with his father's family to the wild and uncultivated regions of Northwestern Ohio, locating in Bryan, Williams County, on the western boundary of the Maumee Valley, or the famous "Black Swamp Country." Here he entered his father's printing office, and devoted himself to "learning the trade," and to the acquirement of such practical knowledge of the newspaper business as he was capable of. At the age of 19 he was married to Miss Sarah A. Gates, of West Unity, Ohio. On the anniversary of his twentieth birthday the initial number of his first newspaper venture—the *Hoosier Banner*—published at Angola, Steuben County, Indiana, made its appearance. In the fall of 1858 he removed to Iowa, locating in Eldora, Hardin County. In the summer of 1858 he purchased a half interest in the *Hardin County Sentinel*, and in company with James Speers published the paper about eighteen months, at the end of which time he purchased the interest of his partner and continued the publication of the paper until January, 1863, when he sold the *Sentinel* to Hon. M. C. Woodruff. In the spring of 1861 Mr. Hunter was appointed Postmaster at Eldora by President Lincoln, which position he resigned at the end of the first year. In the fall of 1862 he was elected Treasurer and Recorder of Hardin County, with a salary of \$800.00 a year, which office he resigned in August of the following year, to accept a position in the military service of the Government. At the close of the war he returned to Hardin County, and in the fall of 1866 removed to Webster City and purchased *The Freeman*, and with the exception of one year has owned and controlled the paper in whole or in part ever since. In the fall of 1867 he was elected a member of the Iowa House of Representatives, and was re-elected in 1869. In the summer of 1872 he was appointed a member of the Board of Trustees of the Iowa Reform School by Governor Carpenter, and resigned in 1873, upon receiving the appointment of Postmaster of Webster City, which position he held until removed by President Cleveland in August, 1885.

**HENRY W. LATHROP.**—This gentleman was born in the State of Massachusetts, October 28, 1819, but raised in New York. He came to Iowa in 1847. Mr. Lathrop has been a man of affairs, employed most usefully during all the years of his life in Iowa. He was the only newspaper correspondent writing from the Sixth General Assembly, and the Constitutional Convention of 1857. He was a member of the City Council of Iowa City in 1852, and mayor of that city in 1853. In the latter year he was chosen a Regent of the State University. In 1855 he employed the first professor in that institution. He was Treasurer of the University from 1855 to 1862. He was the first Superintendent of Schools of Johnson County. In 1876 he was elected President of the State Horticultural Society, holding it two years. Becoming one of its Directors in 1876, he held the position until 1892. During all these years Mr. Lathrop has also given much of his time to journalism. He is now engaged in writing a biography of Governor Kirkwood. At the last meeting of the Pioneer Law-Makers' Association he was elected an honorary member.

**DR. ENOS LOWE.**—He was born in North Carolina May 5, 1804. When 10 years of age he came with his parents to the then new Territory of Indiana. They settled near Bloomington, where in later years Enos began the study of medicine. He graduated from the Ohio Medical College at Cincinnati. He settled in the practice of his profession at Rockville, and was elected from there a Representative in the Indiana Legislature. In 1837 he moved to the new Territory of Iowa and settled at the "Flint Hills," afterwards the city of Burlington. In 1844 he was elected a member of the first Constitutional Convention, which held its sessions at Iowa City in October and November of that year. This Constitution was rejected by the people and members were elected for another Convention in 1846. Dr. Lowe was again chosen a member from Des Moines County. The Convention convened at Iowa City, May 4, 1846, and Dr. Lowe was elected President. The Constitution framed by this Convention was adopted at an election held August 3, 1846, and it was under this Constitution that Iowa was admitted as a State of the Federal Union on the 28th day of December of the same year. In 1847 Dr. Lowe was appointed Receiver of the United States Land Office at Iowa City, which he held for four years. In 1853 he was appointed Receiver of the new United States Land Office established at Kanessville, now Council Bluffs. He was one of a company that laid out the city of Omaha. In 1853 he procured the first ferry boat on the upper Missouri river, to run between Omaha and Kanessville. He was Surgeon of the First Nebraska Regiment and was promoted to Brigade and Division Surgeon. During the remainder of his life Dr. Lowe was an active leader in all enterprises for the development of the material interests of Omaha and Nebraska. He died February 12, 1880.

**JAMES W. LOGAN.**—He was born in Washington, Pennsylvania, in March, 1826. He graduated at Jefferson College, Connorsburg, Pennsylvania, in 1849. After studying law in the office of Hon. Jeremiah S. Black, at Somerset, Pennsylvania, he removed to Mapleton, Ohio, where he engaged in journalism, editing and publishing *The News* of that city two years. In the year 1855 he settled in Muscatine, Iowa, becoming one of the proprietors of *The Journal*. His firm began the publication of *The Daily Journal* in 1856. During the same year he was elected Chief Clerk of the Iowa House of Representatives, serving in the last session held in the old Capitol at Iowa City. Mr. Logan removed to Nebraska in 1857, where he remained until 1860. Returning to Iowa he established the *Fort Dodge Republican*. He was elected to the Tenth General Assembly as a member of the House for the District composed of the Counties of Webster, Pocahontas, Palo Alto, O'Brien and Calhoun. Removing to Waterloo in 1864 he became part owner and editor of *The Courier*, in which position he continued for several years. In 1874 he was elected Enrolling Clerk of the Senate. He was elected Chief Clerk of the House of Representatives of the Sixteenth General Assembly (1876). In 1878 he was appointed Collector of United States Internal Revenue, serving until 1885. He still resides at Waterloo.

**SAMUEL McNUTT**—Mr. McNutt was born in Ireland, November 21, 1825. He came to this State in 1854, settling in the County of Muscatine, where he still resides. His profession is that of a farmer, from which, how-

ever, he retired some years ago. He was a member of the House in the Ninth, Eleventh and Twelfth General Assemblies, and State Senator in the Thirteenth and Fourteenth, making a legislative service of ten years. He was a recruiting officer for some time at the commencement of the Civil war. In recent years he was for a short time United States-Consul at some South American city. Mr. McNutt took a prominent position in every Legislature in which he served. He is an able speaker and a ready debater. While serving in the Legislature, questions relating to the revenue, taxation, temperance, and railroad control, were constantly before that body and in the adjustment of which Mr. McNutt always took a prominent part. He has also written a great deal for the public press, and whether writing or speaking has always been bold and outspoken in advocating what he believed to be right. He is now living in retirement from active life, and is understood to be engaged in writing his recollections of men and events since he came to Iowa.

**THOMAS C. MCCALL.**—This Pioneer Law-Maker was born in the State of Ohio, September 4, 1827. He came west in 1846 and settled at Nevada, Story county, where he still resides. He was a member of the Ninth, Nineteenth and Twentieth General Assemblies, and was elected to the Senate in the Autumn of 1891. His District is the Thirty-first, consisting of Boone and Story Counties. He has been a Republican from the start. In the Autumn of 1862, after serving in the extra session of the Legislature, he went at once into the military service as Quartermaster of the Thirty-second Iowa Volunteer Infantry. He was at the capture of Fort De Russey, and in the battles of Pleasant Hill and Old Oaks, in Louisiana, and at Tupelo, Mississippi. He also participated in many skirmishes and other minor affairs. In 1864 he was promoted to Captain and Assistant Quartermaster. Captain McCall studied law and was admitted to the bar, but has followed the calling of a farmer and dealer in live stock. He is a man of great energy, possessing wide and diversified information and much practical ability. In all of the Legislatures of which he has been a member he has been accorded a high position, generally serving on the Committees of Ways and Means, Railroads and Judiciary. He is a good speaker and an excellent debater. During recent years he has been a sufferer from protracted ill health, but has nevertheless rendered the State distinguished services as a Senator. Captain McCall died in 1892.

**WILLIAM J. MOIR.**—He was born in Scotland, October 19, 1824. Coming to this country, in 1856, he settled at Eldora, Hardin county, where he still resides. He was a member of the Ninth and Tenth General Assemblies. His profession is that of an Attorney at Law. While he is a gentleman of recognized ability, and widely known over the State, his best public record is doubtless that which has grown out of his connection with the State Reform School for Boys, which is located at Eldora. Of this institution he was one of the earliest advocates and founders, having taken the leading part in organizing and bringing it to its present degree of excellence and efficiency. In this theater of usefulness his services have been of great value. Living near the institution, and having long been a resident Trustee, he has been an almost daily visitor for many years, watching every detail of its management with the eye of a careful business man, and the spirit of a

Christian philanthropist. He exercises a great degree of influence over the juvenile delinquents, and always in the direction of inspiring them with ambition to improve their time in school, and to lead pure and honest lives. The earnest, untiring efforts of such a man are valuable beyond estimate.

**HARDIN NOWLIN.**—He was born on the 11th of October, 1804, in St. Clair, Illinois. He worked on his father's farm until he was twenty-one when he went to Missouri and engaged in mining. In 1829 he settled at Galena, Illinois and engaged in lead mining. He was a good surveyor, and in July, 1833, with a few other adventurous young men, crossed the Mississippi river where the city of Dubuque now stands, and, with his young wife, began pioneer life in a rude log cabin. This great wild region was then a part of Michigan Territory, but the Indian treaty, made the year before, opened a portion of it along the west banks of the Mississippi to settlement. Young Nowlin soon found work in the line of his profession in government contracts to survey a portion of the newly acquired Territory, and among other work he sub-divided eight townships along the Cedar River, now in the limits of Black Hawk County. He attained to considerable political prominence in the Territorial and early Statehood days of Iowa. In 1836 the Territory of Wisconsin was established, including therein Iowa, which was divided into two counties—Dubuque and Des Moines—and he was elected to represent Dubuque County in the lower House of the first Wisconsin Territorial Legislature which met at Belmont, Wisconsin, in October, 1836. The two subsequent sessions of the Legislature were held at Burlington. In 1838 Congress set off Iowa as a separate Territory, and he was elected Representative from Dubuque in the first Legislature which met at Burlington in November, 1838. He was also a member of the Sixth Territorial Legislature in 1843 and 1844. He at one time escaped an election to the State Senate by his opponent receiving an equal number of votes with himself, and at the special election subsequently held to decide the tie, a third candidate entered the contest and was elected. Of his colleagues in the Wisconsin Territorial Legislature, but one is now known to be living. On the 15th of May, 1825, he married Martha Eckert, of Kentucky. Of their four children two are living, James L., the son, is a merchant in Peosta, and the daughter, Mary C., is the wife of H. B. Allen, President of the First National Bank of Waterloo. Mr. Nowlin and his aged wife, who came with him in their youth to the far west, spent the last fifteen years of their lives in Waterloo, at the home of their daughter, Mrs. Allen. His wife died in 1889, and he followed her October 8, 1892, honored and respected by all who knew him.

**CHESTER S. PERCIVAL.**—Who was elected an honorary member of the Pioneer Law-Makers' Association at its last meeting, was born in Oneida County, New York, March 12, 1822. He began writing poetry while a student in Hamilton College, and a volume of his early poems was published by subscription while he was in college. For many years he contributed poetry to the *New York Tribune* and *Louisville Journal*. Mr. Percival followed teaching for many years. In 1860 he entered the ministry of the Episcopal Church, and in 1861 was appointed Chaplain of the Twelfth New York Infantry. In 1864 he moved to Cedar Rapids, Iowa, and became Rector of Grace Church. He published a volume of poetry in 1890. He was

an occasional contributor to the leading magazines. He received the honorary degree of Ph. D. from some literary institution a few years ago. He died in Marshalltown during the year 1892, at which time he held the appointment of Chaplain of the Iowa Soldiers' Home. During their lives he enjoyed the personal acquaintance and friendship of Horace Greeley, Geo. D. Prentice and other eminent Americans.

**J. B. PERRY.**—He was born at Cincinnati, Ohio, April 1, 1832. Coming to Iowa in 1850, he settled at Albia, Monroe County, where he still lives. He was chosen at the August election, in 1854, to the office of Prosecuting Attorney of Monroe County, for the term of two years; having been admitted to the bar the previous April. At the August election, in 1854, he was elected a member of the State Board of Education, for the Second District, for the regular term of four years. The first session was held in the Senate Chamber of the old Capitol building, Des Moines, beginning on the first Monday in December, in 1858. Mr. Perry remained a member of this body until it was abolished a few years later. At the election in 1891, he was chosen State Senator for the Fifteenth District, serving his first session in the winter following. He has always acted with the Democratic party.

**A. A. RAMSAY.**—He was born in Fleming County, Kentucky, August 21, 1821, and settled in Monroe County, Iowa, in 1853. He has held the office of Mayor of Albia, and has been twice elected to the Iowa House of Representatives serving with distinction in the sessions of 1868 and 1886. His profession is that of a physician.

**SAMUEL A. RICE.**—He was born in Cattaraugus County, New York, January 27, 1828. His father died when he was a boy and the family had a hard struggle for years to obtain the necessaries of life. At an early age he engaged in boating on the Ohio and Mississippi Rivers, and became a skillful pilot. By his own exertions he provided the means to enter Union College, and graduated in 1848. He acquired a good legal education at the law school at Ballston Springs, and in 1851 went to the then "far west" and opened a law office at Fairfield, Iowa. A little more than a year later he removed to Oskaloosa and established himself in his profession, where he spent the remainder of his life. While still a young man he was elected Prosecuting Attorney of Mahaska County. In 1856 he was elected Attorney-General of the State, a position he filled for four years with great ability. In 1862, when the Southern Rebellion had assumed alarming proportions, he felt it his duty to enter the military service, and was commissioned Colonel of the Thirty-third Regiment of Iowa Infantry. He set himself to work at once to become thoroughly informed in military affairs, and by a study of the best authorities in the line of that profession rapidly acquired distinction as one of the most accomplished officers in the Volunteer service. He distinguished himself at the battle of Helena, July 4, 1863, and was promoted to the rank of Brigadier-General. In April, 1864, he commanded a brigade in the battle of Jenkins' Ferry, Arkansas, where he received a wound that proved fatal. He was conveyed to his home at Oskaloosa after the battle and made a brave struggle for life; but after prolonged suffering, death came and ended the career of one of the ablest and best of Iowa's devoted sons who gave their lives for their country's salvation. He was a young man, but thirty-six years of age when he perished, and was universally

esteemed for his noble qualities of head and heart. Had he survived there is little doubt that he would have attained the highest honors his State could have bestowed upon him.

**S. B. ROSENKRANS.**—He was born in Hammondsport, Steuben County, New York, April 27, 1824. He was descended from Revolutionary stock, his great grandfather being a Colonel in the Revolutionary War. His ancestors were of Low Dutch descent. He has in his possession the old Dutch family Bible printed in Amsterdam, Holland, over two hundred years ago. General Rosencrans is also from the same stock. Mr. R. emigrated to and settled in Webster City, Hamilton County, Iowa, in the spring of 1856. He was elected in the same year to the office of Clerk of the District Court of Webster County, then comprising Webster, Hamilton and a part of Humboldt. He was elected to the Legislature in the fall of 1859, and was in the extra session, 1861. Was appointed Drafting Commissioner by Governor Kirkwood in 1861. Has held the office of Mayor of Webster City, also Councilman. Is a member of the Congregational church. Independent in politics.

**N. W. ROWELL.**—He was born in the State of Ohio, June 19, 1836. He came to this State in 1847, and has since resided at Afton, Union County. Mr. Rowell has served the people of that County in many positions of honor and trust, having been a member of the School Board for fifteen consecutive years; County Judge; County Superintendent of Schools, three terms; Mayor of Afton, and one term a Councilman. He also represented Union and Adams counties in the Twelfth and Thirteenth General Assemblies. Judge Rowell is a lawyer by profession, and has always been a member of the Republican party.

**ZIMRI STREETER** or "Old Black Hawk," as he was called by his colleagues in the Iowa House of Representatives—was one of the best known members of the Legislature during the sessions of 1858 and 1860. He was born in Granville, Washington County, New York, February 7, 1801. He came to Iowa in 1852, settling on a piece of Government land which he entered that year near Cedar Falls, Black Hawk County, where he built a log house in which he lived for nearly thirty years. He was one of the typical pioneer farmers of early days in Iowa—industrious, economical, hospitable, jovial, and a man of sterling integrity. He was well informed, an independent thinker, always acting upon his own convictions of right. He was highly esteemed by his neighbors, and had hosts of warm friends throughout Black Hawk County. As a member of the Legislature he was not the originator of many bills or laws, as he held the opinion that the highest duty of a member was to closely examine every proposition presented to the Legislature, and unless it was clearly right and necessary it had better be defeated! It is probable that no member of the Iowa Legislature ever defeated so many visionary, vicious or useless bills as "Old Black Hawk." With great genialty, he possessed sound judgment, an uncommon allowance of common sense, and saw through the various "schemes" that come before legislative bodies at a glance. A two minutes' speech, illustrated with a touch of his irresistible humor and sarcasm, generally "did the business" for a measure he had set his heart upon defeating. Few people outside of his colleagues have ever known how valuable were the services

rendered the State during the four years' service in the House of Representatives by Zimri Streeter. In 1862 he was elected Sergeant-at-Arms of the House, and in 1864 was one of the Commissioners appointed by Governor Kirkwood to take the vote of the Iowa soldiers in the field. Mr. Streeter died on the 7th of January, 1880, esteemed and respected by all who knew him.

**E. M. STEDMAN.**—He was born in the State of Ohio March 2, 1832. Coming to Iowa in 1858, he settled first at Cedar Rapids, but a year afterward located at Vinton, Benton County. He first appeared in public life as a Representative in the State Legislature in 1872, and was re-elected in 1874. He took a prominent and recognized position in both the Fourteenth and Fifteenth General Assemblies. In 1876 he was appointed an Agent of the United States Treasury Department, which position he occupies at this time (1892). His location at present is Des Moines. Mr. Stedman has always been a Republican. He was a leading and most efficient member of the Lower House of Representatives, and a man who has made a most favorable impression upon the general public.

**D. P. STUBBS.**—He was born in Preble County, Ohio, July 7, 1829. Coming to Iowa in 1857, he settled at Fairfield, Jefferson County, where he still resides. He was chosen Mayor of Fairfield in 1859 and 1860 by the vote of all parties. In 1863 he was elected State Senator by the Republican party, holding the office for the regular term of four years. Mr. Stubbs has been engaged in the practice of law for the past thirty years.

**LEWIS TODHUNTER.**—This distinguished citizen was born in Fayette County, Ohio, April 6, 1817. He held among other positions in his native County, the office of Township Clerk. Settling in Indianola, Warren County, Iowa, in 1852, he has always taken an active part in political and public life. He had studied law and been admitted to practice before coming to our State. In quite early days he was elected and re-elected County Attorney and Recorder and Treasurer of Warren County. He was one of the well-remembered participants in the Iowa Constitutional Convention of 1857, of which the record shows that he was one of the working members. While troops were being raised in Iowa he was appointed Quartermaster of our Forth-eighth Regiment of Infantry, and later promoted to the rank of Captain and Assistant Quartermaster. This promotion resulted in his being sent to the Army of the Potomac, with which he remained until the surrender of Lee. He served under General Ingalls, and was with Grant at Appomatox. Mr. Todhunter has always enjoyed a large acquaintance in our State, and no man possesses a larger measure of public confidence. He is still in the enjoyment of vigorous health, notwithstanding the burthen of his 75 years. In the early years of his majority he was a Whig; since the anti-Nebraska times he has been a Republican.

**JOHN S. TOWNSEND.**—He was born in the State of Kentucky, August 24, 1824. Coming to Iowa, he settled at Albia, Monroe County, in 1852, where he practiced law. He was elected County Attorney in 1852. Elected Judge of the Ninth Judicial District, he served on the bench from 1853 to 1859. In changing the numbers of the Districts he held the same office in the Second District from 1859 to 1862. He was a Representative in the State Legislature of 1852-53 from Monroe County. At the time these lines were

written Judge Townsend was winding up his business as an attorney with a view of retiring to private life.

**J. WILSON WILLIAMS.**—This veteran Law-Maker was a native of the State of Vermont, and was born March 25, 1816. He came to Iowa in 1838, settling at Huron, Des Moines County, where he still resides. He was educated as a surveyor, and served twelve years as County Surveyor of Hancock County, Illinois. He has also held appointments as United States Deputy Surveyor under the Dubuque and St. Louis Land Offices. He has served ten years as Representative in the Iowa Legislature, and four years as State Senator. He was first elected to the Legislature in 1852; his Senatorial service was in the sessions of 1874 and 1876. Latterly, Mr. Williams has pursued the calling of a farmer. He is a man of rare culture and intelligence, noted during his Legislative career for his great geniality and kindness toward all with whom he associated. He was a most industrious working member, rarely occupying the floor, but always commanding the attention of his associates when he had occasion to speak. The high confidence reposed in him by the people of Des Moines County is fully evinced by his repeated elections to the State Legislature.

**S. P. YEOMANS.**—This widely known Pioneer Law-Maker first saw light at German Flats, Herkimer County, New York, January 23, 1822. He came to Iowa when he was 17 years old, studying medicine some years afterward at Mount Pleasant, and graduating at Rush Medical College, Chicago, in 1854. He afterwards graduated at the Hahnemann College, in the same city. Since coming to the Territory of Iowa he has resided in Mount Pleasant, Brighton, Agency City, Clinton and Charles City. He removed to the latter place some twelve years ago. He represented Clinton, Lucas, Wayne and Decatur Counties in the Fifth General Assembly, being at that time a Democrat. Dr. Yeomans was appointed Register of the United States Land Office at Sioux City in 1858, in which capacity he served six years. At the present time he is a member of the Board of United States Pension Examiners, and a Trustee of the Iowa Agricultural College. During the Civil war he was Assistant Surgeon of the Seventh Iowa Infantry. Dr. Yeomans is a genial, pleasant gentleman, who takes an active interest in the affairs of the State, and in whatever is transpiring in the community of his residence, notwithstanding his 71 years.

## BIOGRAPHICAL SKETCHES.

## JUDGE EDWARD JOHNSTONE.

It was expected that a sketch of the life of this illustrious citizen would be prepared for these pages, but as circumstances arose to prevent this, it has been determined to make a selection from articles already written of such paragraphs as seemed most pertinent and fitting. The following is a brief statement of facts, prepared ten years ago by Judge Johnstone himself, as data for a local historical work:

Edward Johnstone was born in Westmoreland County, Pennsylvania, on the 4th of July, 1815. He studied law in Greensborough in that County, and in the summer of 1837 immigrated to the West. His first residence was Mineral Point, and in the fall of that year (1837) went to Burlington and acted as one of the Clerks of the Legislature of Wisconsin Territory, which then held its sessions at that place. During the session of 1837-8 the Legislature appointed three Commissioners to collect testimony with regard to the title of the Half-Breed lands in Lee County, and report the same to the District Court, of which number Mr. Johnstone was one. This duty called him to Montrose in the spring of 1838, where he remained till January, 1839. He then removed to Ft. Madison, and having been employed by the St. Louis claimants of Half-Breed lands, instituted proceedings in conjunction with Hugh T. Reid for the division of said lands under the general partition law of the State, which resulted in the "Decree Title," by which the lands are now held. In the summer of 1838 Mr. Johnstone was elected to the Legislature, and for two consecutive terms—regular and special—was Speaker of the House. In 1840 he was elected a member of the Council from Lee County. He was United States District Attorney for the Judicial District of Iowa, under the administration of President Polk. In 1851 he was elected Judge of the County Court of Lee County, and served in that capacity for four years. After the expiration of his term of office, he engaged in the banking business in the firm of McMurphy, Johnstone & Bacon, which was subsequently changed to Johnstone & Bacon. In 1848 he was elected a delegate to the Constitutional Convention. In September, 1868, he removed to Keokuk and took charge as cashier of the Keokuk Savings Bank, in which position he still remains. He was married in April, 1849, in St. Louis County, Missouri, to Elizabeth Vander Burgh Richards. They have four children living, three sons and one daughter.

We copy the following most appropriate and able editorial article from the Keokuk *Gate City* immediately after the death of Judge Johnstone—preferring that those shall speak of him who knew him best. It is from the pen of his life-long friend, Hon. Sam. M. Clark:

The kingliest man in Iowa is dead. "The last of all the Romans." Judge Edward Johnstone died about 11 o'clock Sunday night. Had he lived until July 4 he would have been seventy-six. That is a ripe old age, and most men have drifted out of the active current of life by that time, but Judge Johnstone was up to the end a potential factor in business and affairs, and he will be sorely missed in city and State. To us,

personally, the sense of loss is deep and keen, for we have spent many an hour together in these recent years, and have seen his rich and many-sided mind from every standpoint. He was so free from vanity, so little self-assertive that it was only to the few that he showed the extent of his reading, the largeness of his scholarship, the breadth and accuracy of his learning, the ripeness of his wisdom, the masterfulness of his powers. Like Lincoln, Jefferson, Disraeli, Palmerston, Blaine—like nearly all successful statesmen, he was adroit, and in every contact learned more of the other man than the other man was learning of him. All such men can only be known when they are in their hours and moods that involve no reservations. Then only you see the richness, ripeness, nobility of the man; the real source and pivot of his integrity and his power. You cannot measure an ocean with a foot-rule. The supremest forms of power among men are state-craft and church-craft. It is intellect using individuals and the present for large future and general ends. And you have to be in the future to see the full extent of what the statesman or churchman was doing with individuals and incidents. Judge Johnstone was the sort of man to be either statesman or churchman: he was Hildebrand if he chose, or Disraeli if he chose. He didn't care to exert the power, but he disclosed its methods in all he did, and when he cared to do so he showed to the few that knew him well the irradiations of the power. He could have been anything in the American State or Church that he chose, if he had cared to put forth all his capacity to achieve it. With him, as with all great men in Church or State, shrewdness is an endowment of power, the quality of leadership, and it is based on a strong foundation of sincerity and integrity. Judge Johnstone had all the elementary and primary qualities upon which all great manhood rests: he was a good man; he was builded on morality. Honest, pure, upright, gentle, kindly, truth-loving, devout, without superstition, we knew him well, and he was one of the best men as well as one of the greatest we have ever known.

When a man like Edward Johnstone or Charles Sumner dies, probably your keenest regret from an impersonal standpoint is that such a store of knowledge should go out of the world, out of all power to serve mankind. Apart from his wide general knowledge, Judge Johnstone knew from the inside everything that either party had done in Iowa for the last half century. He knew all the men of the State, all public affairs, what was done and why. Everybody went to him for suggestion and counsel. He knew people and events. He told us some time ago that he meant to write for us a few articles about the early lawyers and public men of Iowa, but we presume he never did it, and now all that knowledge that he could have put into writing as no other could, is gone.

No one man in Iowa had more to do with the making and shaping of the commonwealth than he. He was one of the earliest legislators. He had a hand in the making of both Statute and Constitution. In the first quarter century of the Territory and State there was not an act of public importance done that he was not consulted and his judgment used in fashioning it. He helped make the Statutes that yet form the chief part of the Code. He helped make the Constitution that is yet the organic law of the State. He helped build the Mt. Pleasant Asylum, the first of our great charities, and start Iowa upon its system of State eleemosynary institutions that are the pride of all the people and that have put the commonwealth in the front rank of modern humanitarian civilization.

To Keokuk he was a most loyal citizen, a most constant and serviceable friend. Since he came here in 1868 there has not been a measure of public benefit and progress that his shaping hand and brain were not called to the help of by his fellow citizens and freely given. His acquaintance with public men was large, his tact in conducting measures unrivaled. The people of Keokuk may well honor him and regret him for every part of the prosperous city his body will be borne through to-day on its way to the grave will be in its way a prosperity he has in some sort helped to build.

Into the privacy of the sacred sorrow of the home we have no right to cast a revealing look. But we, and all who knew Judge Johnstone well, know that in all his public strength and service, it was yet in his home as man, husband, father, host and friend, that he was at his best in all his large and manly qualities. And after all, that is the best and surest test of manhood.

We take the following sentences from an article in *The Constitution-Democrat*:

The tenderest regret that is felt by all is that a delightful presence has been exchanged for a tearful memory. These are the highest offerings of the human heart. Judge Johnstone was a man not only of great sense and of excellent mental endowments, but he possessed that power which after all is the strongest that a man can wield, the power of a sympathetic, strong, kind heart. Whatever may be said of brilliancy in life and living, and whatever light may brighten up our mental and intellectual pathway through life, the human heart is, after all is said, the light of our best living. Judge Johnstone was, in all the attributes of his character, the product of the rugged experience by which life in a growing community on the frontier, with its privations, and yet its opportunities of developing and broadening our life's vision, character is molded and matured. He was the victim of no prejudices; he had inherited none. He took an enlarged view of life's duties and responsibilities. He was fortunate in life, and who is there of those who know him who did not envy the apparent health of mind and body and the cheerfulness of disposition which enveloped him. A man of strong convictions, he was ready on occasion to express them and conscientiously stand by them. Charitable in his judgment of others, fair to those who opposed him, considerate of the opinion of others however widely they might differ from those entertained by himself, with a warm and sympathizing heart toward all who were in need and sorrow, with a loyalty to friends that was proverbial. He was a Democrat, and was always ready to maintain and defend the principles of his party; and yet he was always considerate of the feelings and opinions of those who differed with him. Some of his closest friends and most intimate associates were of the opposite political faith to his own. \* \* \* \* The sum of such a life may find expression in the word "a good citizen, faithful public servant, true friend, indulgent husband and kind father." He was at all times and everywhere, an honest, honorable, kindly man. He flattered nobody, he persecuted nobody, he maligned nobody, but was always frank and open. He gave everybody his due. He was plain in his manners, plain in his attire, plain in his language. He was a man of the people. A true and good man has gone from us forever, and Keokuk has lost a valued friend. With sad hearts he will be laid in the garden of the dead to-morrow. Who is there who can take Edward Johnstone's place in this community?

One very interesting and notable fact is not stated in either of these extracts, though it might be inferred from the words of Mr. Clark. In addition to his superb mental power, and his excellent qualities of head and heart, Judge Johnstone possessed the finest physique—he was the handsomest man in our State. He was six feet six inches high, magnificently proportioned, weighing 250 pounds. His hair was worn rather long, and in his later years was snowy white. His face was always smoothly shaven, giving him almost a boyish look. He dressed in plain, simple black, and always with faultless taste. Towering some inches above the heads of the tallest of his associates, he presented a commanding figure, such as one may see but once in a lifetime. Truly, with such a presence, and with such great qualities and great acquirements, was he "The Kingliest man in Iowa."

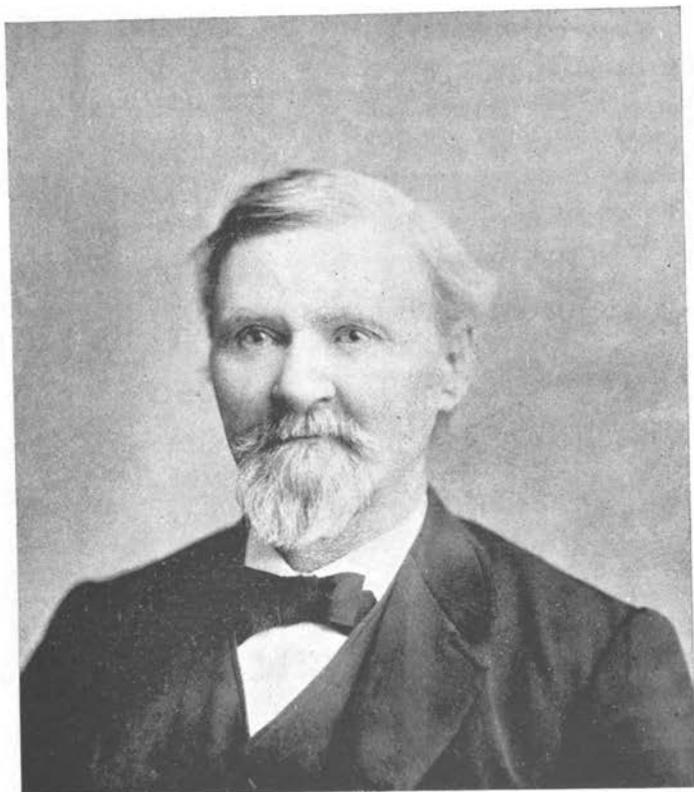
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#### ALEXANDER R. FULTON.

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This distinguished editor, citizen and Pioneer Law-Maker, died at his home in the city of Des Moines on the 29th day of September, 1891. At the time of his death he was Secretary of the Pioneer Law-Makers' Association, which place became vacant until it was filled temporarily by the Executive Committee. The following sketch of his most useful life appeared in the *Daily Capital* of Des Moines the next afternoon after the death of Judge Fulton. It was from the pen of his long-time friend, Mr. W. H. Fleming:

ALEXANDER R. FULTON, editor of the Western Newspaper Union, of Des Moines, was a native of Chillicothe, Ohio, born October 11, 1825, and was a son of James and



Yours Respectfully  
A. B. Fulton



Rebecca (Green) Fulton. His father was born in Huntington, Pennsylvania, in 1799, and was of Scotch descent, having emigrated from Glasgow to America in the eighteenth century. The mother of Judge Fulton was a daughter of Nathaniel Green, a Virginian, whose ancestors left their home in the north of Ireland to become residents of the United States. Both parents lived to a ripe old age, having passed their eightieth birthdays. His father departed this life in 1883, and his wife was called to her final home in 1884. Judge Fulton was educated in Mount Pleasant Academy, at Kings-ton, Ross County, Ohio. He made a special study of higher mathematics and surveying, adopting the profession of civil engineer. In 1851 Mr. Fulton removed to Fairfield, in this State, whither his parents had removed a year before. He soon afterward became editor and proprietor of the *Fairfield Ledger*, which he sold to Mr. W. W. Junkin in 1854. He was Judge of the County of Jefferson for four years during the fifties, at which time that officer was not only Judge of Probate, but also performed all the duties now devolved upon the Board of Supervisors. In 1854 he was chosen Assistant Clerk of the House of Representatives, the first House in which the Democrats were in a minority. It was by this House that the first prohibitory law was passed. Mr. Charles C. Nourse, now of Des Moines, then of Van Buren County, was the Chief Clerk. Mr. Fulton occupied the same position at the extra session of 1856, in which the first railroad land grants were disposed of. He was also Engraving Clerk of the same body in the Sixth General Assembly, the last to meet at Iowa City. Mr. James W. Logan, now of Waterloo, was Chief Clerk at the time, and William P. Hepburn, now Solicitor of the Treasury, was Assistant. For twelve years Judge Fulton was Surveyor of Jefferson County. In 1863 he represented that County in the House of Representatives. He shortly afterwards removed to this city, which has since been his home. Becoming connected with *The State Register*, he made a tour of the State, visiting almost every County, and furnished that paper a very readable description, historical and otherwise, of each. In 1870, when the State Board of Immigration was organized, he became its Secretary, a position for which his experience in newspaper work qualified him very thoroughly, and it is not too much praise to say that much of the admirable work done by the Board in attracting the attention of home-seekers in other States and foreign lands to Iowa, is to be credited to Judge Fulton. About the same time, Judge Fulton became Secretary of the Board of Capitol Commissioners, which he held until 1873. He then became connected with the State Printing Company, which founded the business, now so extensive, of the Western Newspaper Union, and has from the first had charge of the editorial work of that establishment, occupying also, during later years at least, the position of Cashier. Judge Fulton was a tireless worker. The engraving cares of his regular employment did not prevent him from devoting several hours a day to literary labor. In this character of work he was among the foremost Iowans. Perhaps no man, unless it be Charles Negus, his former townsman, has done so much towards perpetuating the early history of Iowa as has Judge Fulton. His work on the "Red Men of Iowa" is authority on the subject of which it treats. As a poet Judge Fulton has given the world several productions of rare merit. In short, he occupied a unique place among the literati of Iowa, one that will not be filled. Judge Fulton, an anti-slavery Whig in early life, became one of the founders of the Republican party in this State, adhering to it to the end. In 1888, upon the organization of the famous Tippecanoe Club, he was made its Secretary, and was only recently re-elected. Judge Fulton was also a pronounced advocate of Teetotalism, being active in the Sons of Temperance, when that order was powerful in Iowa; and for some years he has been connected with the order of Good Templars, being a member of Fidelity Lodge in this city. While a resident of Fairfield, Judge Fulton married Mrs. Augustus S. Wheeler, who by her former husband had two children—Lizzie, who died in 1885, the wife of Dr. T. J. Douglass, of Ottumwa, and George O. Wheeler, now of this city.

The following lines were also written for the *Capital* by Mr. Charles Aldrich:

In the death of Judge Fulton, of this city, whose funeral is taking place as we are going to press, Iowa has met with a loss which is wholly irreparable. Not only was he one of the most genial, kindly, intelligent, lovable characters we have ever known, but his services to the literature and history of the State were valuable beyond estimate. He was in the midst of his labors—the saving up of materials for history—and it is extremely doubtful whether this can ever be so well continued by any other man.

His work in the Newspaper Union had given him opportunities to survey the whole field of State journalism, and whatever pertained to the history of Iowa he was very carefully gathering together and keeping for future use. He was thus saving a thousand things which will hardly be appreciated until years hence, when they will be largely sought for and used, thanks to this patient, plodding, earnest, faithful worker. His most valuable single work was his "Red Men of Iowa," in which he recorded all that is known of the Indian tribes who used to occupy our Territory. This was published many years ago, but has long been out of print. Copies are rarely met with now, and they are worth two or three times their original cost. There is a demand for the book. It was fortunately stereotyped, and may be reprinted at any time.

Judge Fulton was an occasional contributor to Mrs. Martha J. Lamb's *Magazine of American History*, where his articles were always most welcome. He had several in preparation at the time of his death, and it is a great loss to the State that they cannot be completed. One, especially, would have possessed more than ordinary interest. It was a history of early Mormonism in Iowa. But Judge Fulton's memory was full of reminiscences which would have found their way into print had his most useful life been spared.

[As these pages are going to the printer we learn that the publishers—Mills & Co., of Des Moines, Iowa, who own the stereotype plates—have it in contemplation soon to issue a new edition of Judge Fulton's "Red Men of Iowa." It is not only a very meritorious work, but its re-publication will be a deserved tribute to the industrious and pains-taking author, who was really and truly one of the best men in our State.]

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### GENERAL N. B. BAKER

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BY B. F. GUE.

NATHANIEL B. BAKER was born in Hillsborough, N. H., September 29, 1818. He was educated at Harvard University, graduating in 1839. He studied law with Franklin Pierce, who afterward became President of the United States. He was admitted to the bar in 1842, and at once entered upon the practice of his profession. He was always a clear, forcible and able writer, and for three years was one of the editors and proprietors of the New Hampshire *Patriot*. In 1845 he was appointed Clerk of the Court of Common Pleas, and in 1846, Clerk of the Superior Court of Merrimac county. In 1851, he was elected to the Legislature, serving two terms, and was chosen Speaker of the House. In 1852, when the Democrats were inclined to give New Hampshire the candidate for President, Franklin Pierce and N. B. Baker were the two persons prominently named for the place. They were very warm friends and would not consent to a contest to determine which should be the candidate; but Baker being the younger, generously stood aside and used his influence to bestow the great honor upon his friend, who received the nomination, and as all know, was elected by an overwhelming majority. Baker was chosen one of the presidential electors and had the satisfaction of helping to give the vote of his State to his old friend for President.

In 1854, he was nominated by the Democrats for Governor and elected. He served with distinction through the term and soon after its close

decided to go west, and settled in the then new town of Clinton, Iowa, in 1856.

He was elected to the Legislature in the fall of 1859, and became one of the most prominent members of the House in 1860. When the secession of the Southern States began in 1861, Governor Kirkwood called a special session of the Legislature in May, to provide ways and means to equip and send into the field Iowa's quota of volunteer soldiers, to suppress the great rebellion. Our State had no well-organized militia, or drilled soldiers of any kind, and it was a source of great anxiety on the part of the State administration and the loyal people to know whether the Democratic party of Iowa would give a cordial support to the necessary war measures recommended by the Governor to place Iowa on a war footing and thus enable our State to sustain President Lincoln in his sworn duty to preserve the Union and suppress the Rebellion. Some of the leading Democrats of the North were bitter in their denunciations of the policy of the new administration in its efforts to put into the field a powerful and well equipped army that would make short work of the insurrection and restore the jurisdiction of the general government in the seceded States. N. B. Baker never hesitated for a moment, but hastened to assure Governor Kirkwood that he should use his utmost influence with his Democratic friends to give the State and National administrations a cordial and united support until the Union was fully restored. When the extraordinary session of the General Assembly convened in Des Moines, on the 15th of May, 1861, Civil War had begun, the people of the country were intensely excited, and the States of the Union were arming and equipping military companies and regiments to engage in one of the most terrific struggles for supremacy ever witnessed in the world's history. The Republican party was a unit in supporting all war measures necessary to overcome the armed assaults upon the Government, while a portion of the Democratic party sympathized with their Southern brethren in the struggle then convulsing the country.

Gov. N. B. Baker became at once the leader of the "War Democrats" in Iowa and used his great influence to bring his party to the support of the most energetic war measures. In this extra session called for the purpose of putting Iowa on a war footing, Gov. Baker was ably seconded by the eloquent young Democratic member from Decatur county, Hon. R. D. Kellogg. As soon as the House was organized Baker offered the following resolution:

*"Resolved, That in the opinion of this House there should be enacted at this session a law providing for the payment of all volunteers who enter the service of the general Government or of the State, from the date of their enlistment to the time of their mustering into service, and also providing for their pay from the date of their discharge to the time of their arrival at their respective homes."*

Governor Baker was placed at the head of the Committee on Military Affairs and shaped most of the war measures enacted by this historic extra session. Under his leadership the necessary laws were enacted to provide for putting Iowa on a war footing. Provision was made for the support of the families of volunteers, State bonds were authorized to be issued for \$800,000, to provide a war and defense fund, and an auditing board provided to supervise the expenditures of the money for war purposes. Upon the adjournment of the extra session Governor Kirkwood appointed Governor

Baker Adjutant-General of the State, in which position he proved to be one of the ablest and most energetic organizing officers in the Union. His office during the entire war was a model of system and efficiency. No State was more prompt in putting its quota into the field, no regiments were better officered, or composed of better material, as was demonstrated on every battle field in which Iowa soldiers were engaged. His records give a correct and concise history of the services of every Iowa soldier and officer who enlisted in the Union Army.

General Baker had a warm affection for every Iowa soldier who did his duty, which seemed to grow warmer with the lapse of years during all the remainder of his life; and no soldier, or soldier's widow in want or distress ever appealed to General Baker in vain. He would at all times deprive himself of any luxury, and often of necessary articles, or the last dollar in his pocket, to aid a soldier in distress. I once saw him take off his overcoat and give it to a poorly clad old soldier in a bleak winter storm.

When the grasshopper scourge swept over the newly settled counties of northwestern Iowa, destroying the crops of the homestead people, leaving them in a destitute condition, General Baker constituted himself a most efficient executive committee and superintended the gathering and distribution of supplies that relieved the pressing wants of thousands of suffering people.

When he died, September 11, 1876, a feeling of profound sorrow pervaded the entire State. No man in Iowa ever had more warm personal friends, and none ever rendered his State greater service. A memorial association was organized by his friends at the head of which was the grand old "War Governor," Samuel J. Kirkwood, which with funds freely contributed by thousands of grateful Iowa soldiers, purchased a lot in Greenwood Cemetery, Des Moines, and erected a fine monument to his memory. The Secretary of War, Hon. George W. McCrary, an illustrious Iowa statesman, secured four brass cannon, which were appropriated by act of Congress, to be stationed permanently on the four sides of General N. B. Baker's last resting-place.

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#### JUDGE HENRY CLAY CALDWELL.

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HENRY CLAY CALDWELL was born in Marshall county, West Virginia, on the fourth day of September, 1832. He was the son of Van and Susan Caldwell. On his father's side he is of Scotch origin, the family having originated at the Cold Wells, in Scotland, and on his mother's side he is descended from Irish stock. His maternal grandfather was an Irishman by birth, became a Methodist minister, volunteered in the war of 1812 and died in the service. His parents removed from West Virginia to Iowa, in 1836, where he was educated in the private and common schools of that day. He began the study of law in the office of Wright & Knapp, at Keosauqua, Iowa, at the age of seventeen, was admitted to practice in his twentieth year, and shortly thereafter became a junior member of that firm. He at once engaged in active practice, and was soon recognized as one of the most successful lawyers of his age in the State. In 1856, he was elected Prosecuting

Attorney for his district, and in 1859 was elected to the Legislature, and during the two sessions was Chairman of the Judiciary Committee of the House. In 1861, he was commissioned Major in the Third Iowa Cavalry, and was promoted successively to be Lieutenant-Colonel and Colonel of that regiment. General Bussey, Assistant Secretary of the Interior, Judge Caldwell and General Noble, Secretary of the Interior, were successively and in the order named, colonels of that regiment. He was an efficient officer. General Davidson, in his official report on the occasion of the capture of Little Rock, says, "Lieutenant-Colonel Caldwell, whose untiring devotion and energy never flags, during night or day, deserves for his gallantry and varied accomplishments, as a cavalry officer, promotion to the rank of a general officer." In June, 1864, while serving with his regiment, President Lincoln appointed him District Judge of the United States for the District of Arkansas. The United States Courts were opened in Arkansas, in 1865, and immediately the docket was crowded with cases involving all the difficult and intricate questions growing out of the war. His court was the first one in the country required to pass upon these questions, and his rulings, with a single exception, were affirmed by the Supreme Court. From that time to the present Judge Caldwell has continued to hold the Federal Court in that District, and has occasionally held court in Districts in other States. Judge Caldwell is what the lawyers call a clear-headed judge, and possesses a remarkable readiness for grasping and thoroughly comprehending all the salient points of the most intricate case. His ability to dispatch business is extraordinary, and while cutting off wrangling and idle verbiage of practitioners, he reaches substantial results without unnecessary delay, and without prejudicing the rights of parties. He possesses eminently the judicial temperament, and carries into the transaction of legal business a large share of practical common sense. He is firm and courteous in his rulings, kind and forbearing to the young and timid members of the bar, and rigid with those who are fond of trifling. Judge Caldwell is a self-made man, and possesses a vigorous grasp of intellect and a strong sense of justice, and though not a classical scholar, is a master of terse English. The force and clearness of his opinions have attracted the attention of the bench and bar of the country, and some of them have become leading authority on the subjects to which they relate. His administration of justice has been characterized by ability, honesty and impartiality, and it is probable that there is not a judge in the United States who enjoys in a higher degree the confidence and esteem of the bar of his court, which numbers among its members lawyers as eminent as any in the country. On the fourth day of March, 1890, President Harrison appointed Judge Caldwell United States Circuit Judge, for the Eighth Circuit, the largest circuit in the United States, comprising as it does ten States. As a member of the Arkansas State Bar Association, and otherwise, Judge Caldwell has participated actively in the amendment and improvement of the laws of that State. His address on the "Insecurity of Titles to Real Property," led to important legislation on that subject, and his address on the "Anaconda Mortgage" system prevailing in that State, attracted wide attention and caused amendment of the law, contributing largely to foster the spirit that led to the establishment of co-operative stores by the "Wheel" organizations of that State. He was active in procuring the enactment of the law which secures to married women the

absolute ownership and enjoyment of their separate property, free from the control of their husbands or the claims of their creditors. He aided in the establishment of the present system of laws in Arkansas regarding the liquor traffic, which is esteemed by many as the best code on that subject in the country. It was largely due to his influence that the ancient system of common-law pleading which prevailed in Arkansas prior to his accession to the bench was abolished and the modern system of code-pleading adopted. Judge Caldwell is a poor man and utterly indifferent to the acquisition of property or money beyond a sum sufficient to defray the current expenses of his family, who live plainly.

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HON. W. H. F. GURLEY.

BY B. F. GUE.

W. H. F. GURLEY was born in Washington, D. C., in 1830. When he was a young lad he was chosen clerk of a committee on which Abraham Lincoln, then a member of the House of Representatives, was serving, and he formed a very pleasant acquaintance with the tall, awkward, kindly, but obscure Congressman from the then wild West. Mr. Lincoln always remembered the bright, black-eyed boy-clerk of his committee.

When Gurley was but sixteen years of age he went with Dr. Owen, of the U. S. Geological Survey, on one of his exploring expeditions to the far West, and got his first look at the great wild prairies of Iowa as they were in 1846-7. He was fascinated with the beauty of this almost unexplored region, its rivers and creeks fringed with woods, the vast stretches of rolling prairie, the abundance of wild game, the picturesque bluffs of the great Mississippi, and he then determined to some day return and make this new territory his home. He studied law in Washington, was admitted to the bar and entered upon the practice of his profession. But the vision of that vast prairie region in the far Northwest, where he had spent such a delightful summer exploring its undeveloped resources in boyhood, was continually coming up in memory, and in 1854 he left Washington and made his way to Davenport which had just celebrated the entrance of its first railroad from the East. He at once opened a law office and soon had a good practice. In the summer of 1859 he was nominated by the Republicans for Representative in the Legislature, and was elected by a large majority. He had won a fine reputation as an able young lawyer, and when the House was organized was made Chairman of the Committee of Ways and Means, by the Speaker, Judge Edwards. The State finances were in a most unsatisfactory condition; the delinquent taxes amounted to a very large sum, and the laws providing for their collection seemed to be ineffectual. The delinquency was steadily increasing, and the Governor in his message strongly urged effective legislative action that would remedy the growing evil. Mr. Gurley at once entered upon the formidable work of revising the entire revenue system, and so amending the laws providing for the collection of taxes, that it would be to the interest of property-owners to pay their taxes promptly. He spent a large part of the session in perfecting his revenue bill, and although it met

with fierce opposition in both Houses, he secured its passage and it became the law. That system, so carefully and wisely devised by the young Chairman of the Ways and Means Committee, in its operation, more than fulfilled the most sanguine expectations of its author, and with slight amendments, is the law of the State to this day. In this one most important act Mr. Gurley demonstrated his great legislative ability and did his State a service that has immortalized his name as a wise Legislator. No State in the Union has a more effective revenue system, nor one that has enabled her to keep her finances in a more satisfactory condition.

Soon after the inauguration of Abraham Lincoln as the first Republican President of the United States, he demonstrated his high regard for his former committee clerk by appointing him U. S. District Attorney for Iowa.

Mr. Gurley's health was frail when he was a member of the Legislature, giving his friends much anxiety. When he entered upon the arduous duties of his new position it taxed his strength to the utmost, and his health suffered farther. He never spared himself in the conscientious discharge of his official obligations, and after a few years found his health so seriously impaired that he was obliged to resign the office so congenial to his taste, and for which he was so well equipped. A few months after his resignation he was appointed U. S. Consul at Quebec, but failing health again forced him to resign that position after a short term of service, and he went home among those who loved him to close his eyes in death, at the early age of thirty-five. He left a young wife who was most devoted to her noble husband and four boys who never ceased to mourn their irreparable loss.

The *State Register* said of Gurley: "No kinder husband and father—no truer friend, no more devoted patriot has been known to us in all our acquaintance. His unselfishness and purity of character were marked qualities wherever he was known."

I knew him well from the time he came to Iowa, and was for many years his associate and intimate friend. He was the soul of honor in all the relations of life. His aspirations were of the most exalted character. He was by nature and education the highest type of a man; true in his friendships, loyal to his convictions of duty, and ambitious to render his State and country the best service in his power.

The early death of one who had so much to live for, and whose future seemed so full of promise, was widely lamented, for he had made hosts of friends for one so young. He was cut down upon the very threshold of what promised to be a useful and brilliant career. Had his life been spared there is little doubt that he would have attained high honors in the State he had served so faithfully, and loved so well.

## WILLIAM WILLIAMS CHAPMAN.

1808—1892.

*First Delegate in Congress from Iowa Territory—1838-1840.*

BY T. S. PARVIN.

There has recently died on the Pacific coast (October 9, 1892), at the advanced age of four score and four years, a distinguished citizen and pioneer of both the Territories of Oregon and Iowa—one who helped to make both Iowa and Oregon. Few men, indeed, of those early days and Territorial years, have done more or exerted a wider or deeper influence on the minds of the people of the States of Iowa and Oregon than has the Hon. William Williams Chapman, first Delegate in Congress from the Territory of Iowa (1838). And now that he has passed away, it is eminently fitting and proper that one of the few surviving of his early associates in Iowa should present to the public a brief memoir of his active service through this lengthened period, embracing as it does the entire history of the two States with whose interests he was most identified, as well as of the Republic at large. Born on the tide-waters, and almost in sight of the Atlantic, in Clarksburg, Virginia, August 11, 1808; residing in the State of his birth for a period of twenty-six years; emigrating to Iowa in 1835, when it was yet a part of Michigan; remaining here for a period of thirteen years, till 1847, when he removed to Oregon, ere it had become a Territory; remained through its Territorial days to see it become a State in the union of States, and lived there a period of forty-five years. These were eventful years, not only to himself and his State, but to the world at large, for the wonderful progress made in all departments of life. In Mr. Chapman's early youth, while he was yet under 14 years of age, his father died, and thenceforward, like many another youth of this, and later periods, he was left to "paddle his own canoe." This he accomplished with the aid of a kind and loving mother and a faithful brother, through whose influence he secured a common school education of that period. Verging into manhood he obtained employment in the Clerk's office, with Chancellor Henry St. George Tucker, an eminent jurist of that period. In the office he wrote by day, and under the direction of his preceptor, read law by night. In the latter he was materially aided by Mrs. Sehon, the wife of Major S., a Clerk of the Court, who, seeing his disposition to study, ordered the servants to keep his room well lighted and warmed, that he might not be hindered in his laudable ambition to master the law, a science in which his instructor had already won renown. We have heard him refer with commendable gratitude to the service which this good woman rendered him when first setting out in the world. In due time he was licensed to practice his profession in his native County of Marion, where he had for his associates some of the most distinguished men of the bar in that portion of the State. In the spring of 1834 he married Margaret F., daughter of Col. Arthur Inghram, who became at a later period a citizen of Des Moines County, Iowa District, while it was yet a part of Wisconsin Territory, and served the people in the Legislature, the last of Wisconsin

and the first of Iowa Territories, from the County of his adoption. In the fall of the year of his marriage, 1834, young Chapman removed to Illinois and settled at Monmouth, a few miles across the river from Burlington, and in the spring of the following year, 1835, removed to Burlington and located in what was then known as "The Black Hawk Purchase." John S. Horner, Secretary and Acting Governor of the Territory of Michigan, appointed Mr. Chapman Prosecuting Attorney for the County of Des Moines, one of the two Counties of the Iowa District. The following year, 1836, Wisconsin was separated from Michigan upon the admission of the latter into the Union, and so created a separate Territory, when President Jackson commissioned Mr. Chapman as United States Attorney for the Territory of Wisconsin.

Judge Irvin, well known to the few early settlers now living, was Judge for the District of Iowa. The public lands at that early period were not surveyed, and of course had not been offered in the market. The settlers upon the public domain were called "squatters," and their claims were staked off with plowed boundaries around them, and were liable to be "jumped" by newcomers, which caused the action of forcible entry and detainer to become a common occupation of the Courts. The settlers in each township organized a Court of their own to adjudicate these claims, and their "claim laws," as they were termed, were recognized by the Courts and by the law of the Territory. The majesty of the law at that time was upheld by the popular opinion of the people, so that everywhere the "People's Court" administered justice with an unsparing hand, and the law of that early period was as well, if not better enforced than in later or even present times.

Mr. Chapman became and was ever regarded as the friend of the settler, and in later years when he sought their suffrages for public office they made their friendship known and magnified in his election to Congress as the first delegate from Iowa Territory. In 1836 he removed to Dubuque and became a partner of Stephen Hempstead, who afterwards, 1850, became Governor of Iowa. His brief residence in Dubuque enabled him to make many acquaintances, which served him a good purpose two years later when becoming a candidate for their suffrages. A year later (1837) he returned to Burlington and located upon a farm near the town, practicing his profession, however, in the city, where he formed a partnership with James W. Grimes, who afterwards became Governor and then U. S. Senator. During this period of Wisconsin's history, Mr. Chapman still served as U. S. Attorney. Gen. Geo. W. Jones, of Sinsinawa Mound, Wis., now an honored citizen of Dubuque, was the delegate in Congress from Wisconsin, and by an act of Congress, June 12, 1838, secured the separation of Iowa and its organization into a distinct territory from and after July 4, of that year, it being the 62d anniversary of the Independence of the United States. Gen. Robt. Lucas, of Ohio, was appointed first Governor of Iowa, and under his proclamation the election for Delegate to Congress was held September 10, 1838, when Wm. Williams Chapman was duly elected. His competitors for the office were David Rorer, of Burlington, long the Nestor of the Iowa bar; Benjamin F. Wallace, of Mt Pleasant, who afterwards became Secretary of the Territorial Council, in which he served several years; and Peter Hill Engle, of Dubuque, a ripe scholar, a good lawyer and Speaker of the House of Representatives

of Wisconsin in 1837, who was largely supported by the citizens of northern Iowa on local as well as general grounds. These gentlemen were all good speakers and stumped the Territory. Mr. Engle afterwards removed to St. Louis, where he became a distinguished Judge and died in the midst of his usefulness. All of those gentlemen have passed away, Mr. Chapman being the last.

We were young, then, but have a distinct recollection of the discussion of the candidates, which had reference solely to matters relating to the Territory, its wants and needs. No topic of a National character was introduced or political views expressed, though three of the gentlemen were Democrats, Mr. Wallace alone being a Whig. None of them then dreamed what a great State the infant Territory would become within the brief period of their respective lives.

We have said that the election occurred on the 10th of September. At that election we cast our first vote in the little town of Charleston, now Sabula, Jackson County, being on our way to Dubuque for the purpose of being admitted to the bar by Judge T. S. Wilson, the only one of the three Judges then within the Territorial limits. The returns were late in coming in, as the precinct of St. Peters around Ft. Snelling, opposite where is now located the city of St. Paul, delayed in sending in their returns; so that when Mr. Chapman received his certificate of election, which was written by ourself, signed, of course, by the Governor, he had to make a hasty departure for Washington, and we have heard from his own lips that he traveled by wagon from Burlington to St. Louis, and by wagons and stages all the way from St. Louis to Frederick, Maryland, where he first met the railroad. (Members of Congress do not travel that way now.)

The Congressional career of Mr. Chapman, while brief, was not an uneventful one in its influences upon the growth and interest of the young Territory of which he was the first Representative. As it has become, we are sorry to say, too common a rule among writers, who, like the Egyptian King, "knew not Joseph," to ascribe all wise legislation of the past to public men of a much later period, we will specify some of the more prominent subjects successfully carried through the two sessions of which Mr. Chapman was a member, and largely through his instrumentality. It should also be borne in mind that in those days Iowa had no able coadjutors in the Senate, through whose powerful aid the measures of their associate representatives are pushed through Congress and enacted into laws.

Among the measures secured by Mr. Chapman was an appropriation for the opening of a military road from Dubuque through Iowa City to the southern boundary of the Territory. For years, as we well know, having often traveled over it, this was the great highway through the interior of Iowa, and its influence and usefulness at that early period to the early settlers can hardly be realized in these days of railroads. Another favorite project of his, which he also accomplished, was the construction of "a road from Burlington west" to the Indian Territory, and also one "east from Burlington" across the Mississippi Bottom, a wide and low stretch of land, impassable during most of the season, so as to bring Burlington into connection with Western Illinois, at a place called De Hagney, a place not now designated upon the maps of the State. To accomplish this result Mr. Chapman had to resort to a little strategy. He did not state in the bill that

De Hagney was in Illinois, because President Van Buren, a disciple of the Jacksonian school, was opposed to Congress appropriating public moneys for internal improvements within the States.

The location of the place the President did not discover until after he had signed the bill (if then) and so Burlington, of which place the people of the east had but little knowledge, was brought into communication with the outside world. An anecdote, of which we were perfectly cognizant, may not be inappropriate here. A letter addressed from the State Department, at Washington, to His Excellency Robert Lucas, Burlington, Iowa, was first sent to Burlington, New Jersey, returned to Washington; and then sent to Burlington, Vermont; going back a second time, it was a second time forwarded to Burlington, New Jersey, and again returned to Washington, when the postmaster endorsed upon it the significant language, "For God's sake, let this letter go to some other Burlington," when, after many weeks of travel, it came to its proper destination and was long an object of curiosity shown to visitors at the Governor's office.

In the Organic Act, creating the Territory of Iowa, the northern boundary of the State of Missouri was made the southern boundary of the Territory of Iowa; and "thereby hangs a tale," which played an important part in what at one time promised to become a tragedy in our history, but which happily ended only in a comedy, as wise counsel gave us safe deliverance from the former. "The Boundary War" of that period constitutes an interesting and important chapter in our history, and the chief hero in that bloodless contest has gone to his grave "unwept, unhonored and unsung," while to his efforts, and success in the end, Iowa owes a debt of gratitude it were better to pay late than never. Through the efforts of Governor Lucas Iowa not only maintained, but succeeded in later years in gaining legal possession of the disputed tract of territory between Iowa and Missouri. "By the prompt and noble action of Governor Lucas," says Mr. Chapman, than whom none knew better the history of that period, "a collision between the two jurisdictions was avoided, and the question in dispute submitted to the Supreme Court of the United States, which, at a later period, confirmed the position of Iowa, and by decree of the Supreme Court signed by Chief Justice Taney, Iowa became the peaceful possessor of the territory in dispute. That decree of the Supreme Court is on file in the State Historical Society at Iowa City.

It was an agreed case, and as Iowa was a Territory, and so a ward of the Nation, it became necessary for Congressional action to be had to give the Supreme Court jurisdiction in the case. When the matter came up in Congress it was referred to the Committee on Territories, of which the Hon. Garrett Davis, of Kentucky (a distinguished and prominent citizen of that Commonwealth, who afterward became a senator), was chairman.

Missouri was ably represented by a number of eminent Congressmen, and in the Senate by two of the ablest Senators of that period, Hon. Messrs. Benton and Linn, while Iowa had to depend alone upon her Representative in the House, an untried man, to urge her rights and defend her cause.

Mr. Chapman thoroughly investigated the subject, and having Gov. Lucas (who had passed through a similar contest in the boundary war of Michigan) to aid him, was enabled to present such a view to the committee, that the Committee on Territories unanimously reported in favor of the position assumed by Iowa, that "the Des Moines Rapids meant the rapids in the

Mississippi river and not those in the river of Des Moines," upon which distinction the merits of the case hung.

From Mr. Chapman, upon his return, we learned that propositions were made to him by the Missouri delegation, that if he would accede to the views of Missouri he might rely upon the early admission of Iowa (a measure fondly wished by the citizens) as a State, with any boundary, other than upon the south, her people might desire.

Viewing this matter in connection with the contest between the people and Congress in reference to the boundary established by the Constitutional Convention of 1844, of which also Mr. Chapman was a member, this proposition was very significant in its future results. To these blandishing allurements, however, Mr. Chapman gave no heed and helped to fight the bill through the House, eventually securing to Iowa the boundary she desired.

The most important legislation of that early period touching the rights, interests and welfare of the people of Iowa and other newer and western regions, was known as the "Preemption Bill." Mr. Chapman introduced the first bill relating to Iowa upon this subject. When first presented it was sneered at and snubbed and the settlers called in derision by eastern Congressmen "Squatters;" yet in less than two years President Van Buren recommended in his annual Message, legislation in their behalf and the bill, through the efforts of Daniel Webster, called in those days "the Godlike Daniel," became the law of the land. Webster had at a previous session opposed the bill in a well ordered speech, but having later visited the west, where in Illinois he had a son residing, and acquainted himself with the character of the people and the need of such a law, gave the bill his earnest support, which secured its passage through the Senate, when it became a law.

Great as was the service Mr. Chapman rendered in these respects, he ever looked back with the greatest pleasure to another measure which he secured, which was the giving to Iowa of five hundred acres of land for school purposes. Upon this broad platform the "School system of Iowa," originating in Territorial days, was created, and not, as has been proclaimed in later times, founded by others and non-residents of the State. Honor to whom honor is due; and let us now give to our first Governor, Lucas, and first Delegate in Congress, Chapman, the credit to which they are justly entitled as the founders of the school system of Iowa.

Mr. Chapman entered the Twenty-fifth Congress at the second term, and as the legal term of a full-fledged Congressman was two years, he had the first term of the succeeding Congress assigned to him, whereby he served two years, leaving only one to his successor, who, however, was re-elected, and thus between the two put in the period of five years in three several Congresses.

Mr. Chapman removed in 1843 to "The Agency," now Agency City, then an Indian village (near the present city of Ottumwa) and the residence of Keokuk, the head Chief of the Sac and Fox Indians. In 1844 he was elected one of the delegates from Wapello County to the first Constitutional Convention held in Iowa City in October of that year. In this Convention he had a number of very able associates. From his old County of Des Moines there were James Clarke, the last Territorial Governor, and Sheperd Leffler, who became President of the Convention, and later, upon the admission of Iowa into the Union, first Representative in Congress, and Dr. Enos Lowe,

President of the second Convention of 1846. Then there were Lucas, first Governor, Hempstead, of Dubuque, and Lowe, of Muscatine, afterwards Governors of the State, Cutter, of Van Buren, first Secretary of State, Jonathan Hall, afterwards Judge of the Supreme Court, Judge Grant, of Davenport, and Messrs. Gehon, Bailey and Shelledy, the first, marshal of the Territory, the other two, later of the State. (Dr. Bailey alone survives.)

Mr. Chapman was named as Chairman of the "Committee on Boundaries," and none more competent or suited to the position could have been selected. He was thoroughly conversant with the controversy of the preceding years in regard to our southern boundary, and to him we are indebted for the present boundary, which was accepted by Congress as by the people in 1846.

The opposition to the Constitution in 1844 was urged solely because of *the boundary*, and not, as some "Latter Day Saints" in our political history would have us believe, "on political grounds." A majority of the members of the Convention forming the Constitution were Democrats, and a majority of the people voting upon it were Democrats, and the Constitution was thoroughly Democratic in its provisions. The opposition to the Constitution was organized by late Lieutenant Governor Enoch W. Eastman, who, with Sheperd Leffler and Captain Mills, who lost his life in the Mexican war, stumped the first judicial district, while I alone, surviving, stumped the second, and I well know that our opposition to the Constitution was based *solely* upon the "boundary question." The boundary first prescribed by the Convention embraced substantially its present limits extending to the Missouri, while, by act of Congress, the western boundary was a meridian line extending north and south from the Minnesota, then called the St. Peters river, to the northern boundary of Missouri, passing some thirty miles west of the Raccoon forks of the Des Moines river, now the city of Des Moines.

General Dodge, who was Delegate in Congress at the time and anxious for the admission of the Territory as a State, published and distributed among the people a circular in which he stated, what was then the current belief that all the territory cut off by the western boundary as prescribed by Congress was "a desert waste." He lived to see his great mistake, as has every other student of geography and traveler through this garden spot of the Mississippi Valley.

Mr. Chapman in the Convention advocated the right of Iowa to concurrent jurisdiction over the waters of the Mississippi and Missouri rivers, in which he was overruled by the Convention and the boundary established as at present to "the middle of these rivers respectively," and out of this has grown a new boundary difficulty, the State of Illinois claiming that her western boundary extends to the "middle of the main *channel* of the Mississippi river." Such a claim, especially for the Missouri river, if urged by Nebraska, would lead to variations as regular as the seasons come and go.

Mr. Chapman is responsible for another measure adopted by that Convention, which subsequently became a law of the State (in our judgment, of pernicious tendency) providing for "the election of judges by the people." The measure, however, was popular then, and is now, notwithstanding two noted examples in the cases of Judges Day and Adams, in which the bench has been prostituted to the behests of party and the purest and best of our judges set aside because they honestly differed from a faction of the domi-

nant party, and led the court in their decisions to what they fully believed law, right and proper.

While in Congress Mr. Chapman had heard much said of Oregon, which as the then El Dorado of the west, was beginning to attract attention. These statements made an impression upon his mind which he did not forget, and he had probably read in Bryant's poems a passage which became historical:

\* \* \* Take the wings  
Of morning, pierce Barcan wilderness,  
Or lose thyself in the continuous woods  
Where rolls the Oregon, and hears no sound  
Save his own dashings.

There was a small exodus of our people from the River Counties in 1843, who crossed the plains, to become in time the pioneer settlers in Oregon. This served to inflame Mr. Chapman's desire, when, his wife concurring in his views, he with others provided themselves with ox teams, and after seven weary months of slow journeyings, on the 13th of November, 1847, the party reached their destination.

What if thou withdraw,  
In silence from the living, and no friend,  
Take note of thy departure.

Their coming into Oregon was heralded and their labors as pioneers made to result in great good to the Territory and the Nation. Oregon was not then organized with a Territorial Government and did not become so until August 14, 1848. Salem, now the capital, with Oregon City, both on the Willamette, were the principal points of interest and resort. The next year Mr. Chapman made a personal inspection of the Territory bordering the Columbia and Willamette rivers, his purpose being to find a site, which in his judgment and that of his companions, would be suitable for the metropolis of the great extent of country north of the "Golden State." The points regarded by them as most desirable were that the proposed town site should have ready access to the ocean, and still be near to the great garden of the Northwest, the Willamette valley. This they found near the junction of the two rivers in a little village of half a dozen houses with two roads parallel to the river Willamette.

The town was a claim of sixty-four acres, held by two persons, from whom Mr. Chapman purchased a one-third interest, upon which they laid out the town of Portland, Oregon, the commercial metropolis of the great Northwest. Like many another founder of a great city, Mr. Chapman received but a poor reward for his foresight, labors and services. While he secured but little, the country made much in the growth of—

That same young city, round whose virgin zone  
The rivers like two mighty arms were thrown,  
Marked by the smoke of evening fires alone,

and, there, a third of a century later we saw as we steamed from the ocean to its long wharves, which—

Lay in the distance, lovely even then,  
With its fair women and its stately men.

The site fully justified the wisdom and judgment of the pioneer, our former friend and fellow townsman. In the Territory of Oregon they had what was known as the "Donation Law," under which the joint proprietors divided their interests and Mr. Chapman made large donations to the public for court house, park, educational and other purposes. To boom their town the proprietors purchased a steamer to trade with San Francisco. This was the beginning of the great "Oregon" line of steamers, in which another Iowan, Captain Ainsworth, formerly of Keokuk, became conspicuous, and who still lives in Oakland, California. Mr. Chapman also purchased material and started a paper called the "Oregonian (which is, we believe, still published) and sent a man to circulate it down the Valley. On these ventures the money of the company went faster than the growth of the city, but in the end the paper became a success, as also did the city, both of which served to enrich others if not themselves.

Oregon, like Iowa, had to get up a little war of its own, and in 1855 occurred the "Rogue Bill" war, in which Col. Chapman commanded the southern battalion and served to the close of the war, a period of seven months, when all became peace again, and harmony once more reigned among the people. In 1858 he was appointed Surveyor General for the Territory by President Buchanan, and held the office until removed by President Lincoln in 1861, from which we infer that Mr. Chapman was a Democrat in Oregon as he had been in Iowa. By this time he had seen Oregon, as before he had seen Iowa, fairly in the line of rapid growth and development, and in all her material progress he took an interest, and in many things acted a prominent part. During these years he was engaged more or less closely in the practice of the law, and with his practice and the fragment of his landed interest which he had retained he had secured a competence of this world's goods to make him comfortable in life and lived to see that—

The fullness of the time has come,  
And over all the western home,  
From sea to sea the flower of freedom blooms—

a broad contrast between the present and the past, between his old Virginia home and the lands he had helped to open to settlement, both in Iowa and Oregon, in the great Mississippi Valley and upon the grand Pacific Coast.

Of his early associates in Iowa less than half a dozen remain; of those holding executive (Presidential) appointments only one, the Hon. T. S. Wilson, of Dubuque, Territorial Judge; our own being by the Governor. Besides there are only three living elected by the people prior to 1840, and they were members of the House of Representatives of the first Territorial Legislature (1838), only one of whom, Dr. G. S. Bailey, resides in Iowa (Van Buren County); Hon. Hawkins Taylor (of Lee County), now of Washington, D. C., and the Hon. S. C. Hastings\* (of Muscatine County), now of Portland, Oregon, and who in later years became a neighbor of the subject of this sketch (and no doubt they spent many a pleasant hour in living over again the events of their early Iowa lives).

It is well then, that while a few remain the history of the others shall be

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\*As we read this proof, tidings has come that Judge Hastings had just deceased in San Francisco.

told, and in this we have sought to place upon the historic record some few of the many events in the career of our old friend, that—

When over the roofs of the pioneers  
Is gathered the moss of a hundred years,

the future historian of Iowa may have some data whereby to write our annals. To most of the living to-day the *early* "history of Iowa" is a sealed book. Even our public men of these later days have little knowledge, and take less interest in the events of the period of which we write, out of which have grown the grand results which meet the eye everywhere when we turn to view "Iowa as it is," and when the grandest and best things are spoken of those who helped "to make Iowa" and have passed away, we may say—

Such was our friend—formed on the good old plan,  
A true and brave, and downright honest man.  
*He* blew no trumpet in the market place,  
Nor in the church, with hypocritic face,  
Supplied with cant, the look of Christian grace;  
Loathing pretense, he did with cheerful will  
What others talked of while their hands were still:  
And while "Lord! Lord!" the pious tyrants cried,  
Who, in the poor, their Master crucified,  
*His* daily prayer, far better understood  
In acts than words, was simply—doing good.

At the third reunion of the Iowa Pioneer Law-Makers, held in Des Moines, in February last, a letter was received from Mr. Chapman, one of the very earliest of our members, expressing his great regret at his inability to meet with the few survivors, his contemporaries of earlier years. It was then that we learned that he had received a stroke of paralysis some three years earlier by which he lost the use of his right side. This confined him to his room and from which he never recovered and peaceably passed away in the afternoon of October 9th last.

Very much more might have been written of his life and great services to the two States with whose interests he was so long identified.

It was his belief that he and General Jones were the only living members of the Congress of 1838-40, and if his belief was correct then General Jones, our fellow citizen, is the solitary representative of that Congress.

During all his life, Colonel Chapman, who received his title by virtue of a commission issued to him by General Dodge, Governor of Wisconsin, before the separation of Iowa from it, was an active business man engaged in the practice of a learned profession which took him more than once from his distant home to Washington. When he appeared before the Supreme Court of the United States, where in the argument of his cases he sustained himself with credit. In these later years and visits he journeyed all the way from the Pacific to the Atlantic, from Portland to Washington, by rail, in palace cars, and he must often have thought how wondrous great was the change between his last and his first journey to the Nation's capital; going from Iowa at an early day with horses and wagons, and then from Iowa to Oregon with ox teams, which he himself drove through a journey of seven long months; now a single week sufficeth to bear a man from the setting to the rising sun as it journeys over our continent. The example of Mr. Chapman should be a constant admonition, stimulating the young men of to-day to press forward in honest callings and strive to excel in their work, that their

lives may be crowned, like his, with success and the world be the better that they have lived in it.

As we look back over the half century or more now passed, we are led to believe that Iowa is an especially healthy country, so many pioneers having attained an advanced age, and yet, "if by reason of their strength they be four score years and ten, yet is their strength labor and sorrow."

For to few even "are the days of our years three score years and ten," and the few still living, when they look back over the past and see how few remain, each may be led to exclaim, with Dr. Oliver Wendell Holmes:

And if I live to be  
The last leaf upon the tree  
In the spring,  
Let them smile, as I do now,  
At the old forsaken bough  
Where I cling.

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### JOHN ADAMS KASSON.

#### CORRECTIONS.

There are two errors of statement in the accompanying sketch of Mr. Kasson, which should be corrected: First, his full name is "John Adam Kasson," and not "Adams," as printed. Second, he was elected to the State legislature in 1867, 1869 and 1871, thus serving *six* years instead of *four*.

Convention of 1860, at Chicago, which nominated Abraham Lincoln for the Presidency. He was very fortunately selected as the Iowa member of the Committee on Platform. When the committee met to perform its labors of drafting resolutions, the subject was referred to a sub-committee of three. This consisted of Horace Greeley, John A. Kasson, and a third man whose name we do not recall. The work, however, fell upon the two gentlemen named. On reaching home Mr. Greeley, in an editorial article, paid a hearty tribute to his young friend for his marked efficiency in this great task.

Soon after the inauguration of Lincoln, the position of First Assistant Postmaster-General was tendered to and accepted by Mr. Kasson. He mastered details so spontaneously, showing the rarest aptitude for work of the highest class, that he soon became well known to the whole country. He was elected to Congress in 1862—serving two terms. In 1863, in the interval between the sessions of Congress, he was sent abroad as United States Postal Commissioner, without salary; and he was again, in 1867, a leading member of the Commission. The work he performed placed our postal relations with Foreign Governments upon the basis which they have retained until the present time. In addition to his great usefulness in this work generally—of which there is the most abundant documentary evidence—he led the effort to secure the adoption of the Metric System for postal

weights between Nations, both in the International Conventions and in Congress. Upon his motion in our Thirty-eighth Congress a new committee was appointed on Weights and Measures and Coinage—of which he was made Chairman. In the Thirty-ninth Congress he reported and secured the passage by the House of a bill introducing the Metric System of Weights and Measures. His report embodied a full statement of the equivalent values under the Metric System with those of the customary weights and measures. The bill was passed by the Senate under the leadership of Charles Sumner. The measure substituting the five cent nickel coin in place of the five cent paper money originated with Mr. Kasson. Gold and silver were not then in circulation and this was the first step towards abolishing all the minor irredeemable paper circulation.

A time had now arrived in which Mr. Kasson was at home in private life, but the people of Des Moines and Polk County, with very much enthusiasm, sent him to the Legislature, to which he was elected in 1868, and again in 1870, serving four years. In the House of 1870 he led one of the most notable contests that has ever taken place in an Iowa Legislature. It was upon the question of building a new Capitol. The bill met with the bitterest opposition—an opposition which now seems the strangest thing in the world, in view of the great popularity of the new edifice. He carried his bill through the House by but one vote over the constitutional majority. This work accomplished, he was again returned to Congress, remaining from 1873 to 1877. In this latter year President Hayes appointed him Minister to Austria, having first tendered him the Spanish Mission, which he declined. After remaining abroad during the four years of Hayes' administration, he was elected to and served another four years in Congress, 1881-1884. On the 4th of July, 1884, he was appointed, by President Arthur, Minister to Germany, where he remained until 1885. He was President of the Commission on the Centennial celebration of the adoption of the Constitution of the United States, which was held at Philadelphia in 1887. Mr. Kasson's diplomatic work ended with the famous Samoan Conference at Berlin, in 1889. A controversy had arisen from the fact that Germany, in violation of a diplomatic agreement with this country and England, had attempted to acquire exclusive possession of the Samoan Islands, and make it a German colony. She had quarreled with King Maleotoa, had seized him and transported him away to another German insular colony. The first conference was held in Washington between Secretary Bayard and the English and German Ministers, in which England followed German lead and nothing was accomplished. A new conference was at last agreed upon to meet at Berlin, in 1889. President Harrison appointed a Commission of three persons, the chief being Mr. Kasson, whose appointment had, indeed, been suggested by the German Government, to which he was well known. The result was a concession of the leading demands of the United States, the return of the Samoan King, with a restoration of all the rights of independence to Samoa.

Since retiring from public service Mr. Kasson has held a Lectureship in History in the Johns Hopkins University, at Baltimore, the special topic to which he has given his attention being the History of American Diplomacy; this is in the post-graduate work. It is also understood Mr. Kasson is writing a "History of American Diplomacy during the Civil War," but we

believe he has never authorized the publication of any statement in regard to it. While retaining his residence in Des Moines, his time is spent mostly in Washington, where he has convenient access to the greatest libraries and collections in this country, though the condition of his health compels him to seek even a more genial climate than that in winter.

On a recent visit to our Capitol Mr. Kasson deposited in "The Aldrich Collection" his various commissions, from that of Justice of the Peace in Massachusetts, to those of the first-class missions he has filled abroad, together with a mass of interesting letters by Jefferson, Lincoln, Edgar A. Poe, Longfellow, Whittier, Seward, Sumner, Chase, etc., etc. Since he came to Iowa, Mr. Kasson's life has been a succession of honors, as well as filled with the most useful labors.

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### EDWARD LANGWORTHY.

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This most estimable gentleman, who was one of the early settlers of the city of Dubuque, after a long and useful life, died at his residence in that city on the 4th day of January, 1893. On the afternoon of that day the following sketch of his life appeared in the Dubuque *Daily Telegraph*. It is so full and complete, and withal so just and true, presenting many dates and facts of permanent historical interest, that it is presented in full. Mr. Langworthy was a member of our Territorial House of Representatives in the years 1839 and 1840, and also served in the first Constitutional Convention, in 1844. He was really a Pioneer Law-Maker:

Edward Langworthy was born in St. Lawrence County, New York, August 3d, 1808, and was the third son of Dr. Stephen Langworthy. The family being a large one, to find better opportunity for its energies the father removed to Pennsylvania, locating in 1815 at French Creek. A year or two later he decided to seek the alluring land called indefinitely "the west," and the year 1827 found the family settled at Diamond Grove, near the present site of Jacksonville, Ill.

Attracted by stories of great lead mines in a mysterious place called Galena, James, the eldest son, went there to seek his fortune, Lucius and Edward remaining on the farm with the family. But it was not long before these two brothers also determined to visit the lead mines. Accordingly they left Diamond Grove in a lumber wagon, reached the spot where Quincy now stands, there taking a steamer for Rock Island. Here, for three days, they awaited the coming of the keel boat that was to bear them to Galena. And it was here that the youthful Edward caught his first glimpse of Indian life, as shown by the Winnebagos then at Rock Island. As early as 1829 James Langworthy had been a guest at the Indian village near the mouth of the Catfish Creek below the present city of Dubuque. And in June of 1830, James and Lucius swimming their horses by the side of their canoe, crossed the Mississippi, and nearly three years earlier than any settlement had been made in any other part of Iowa they stood on the river's western shore. In the February following Edward also came to the new lead mines of Dubuque, and ever since that day he has been prominently connected with all the interests of the city.

The story of the bitter tribal wars which opened this new country to the settlers has been told. The fugitive Indians returned to find white men in the mines of Julien Dubuque and since the government had not purchased their lands, it compelled these adventurers to abandon them until they should be bought. It is hardly possible to comprehend how much has been wrapped up in the life of this pioneer. We say of Edward Langworthy—he is gone! He, the old man, the last link in the family circle, the last of his clan. The years of his life were more than four score. But when we try

to recall even briefly, his history, we find it linked with much of our National development. When he, with his father's family, followed the route to the west his keen, boyish eyes saw much that has long passed out of sight now, in our land. Passing in a flatboat from French Creek into the Allegheny, and from thence into the Ohio, the lad looked with wonder on Blennerhasset's Island, with its deserted mansions and listened to the story of Aaron Burr. At this time the Ohio had never been disturbed by any kind of steam craft. At long intervals in rude clearings, might be observed the humble homes of pioneers. Wild birds sang in the deep forests, and about him almost unbroken was primeval solitude. He knew the city of St. Louis when it boasted of a mixed population of French, Spanish and negroes, of 3,000. He knew Chicago when it was a rude fort in a marshy spot by a great lake. And as he journeyed westward, he saw his mother fall slowly, and her new-made grave in a strange land.

With his memory the vast aboriginal tribes of the Mississippi have disappeared. St. Louis and Chicago are teeming cities. Numberless towns have sprung into being. States have been born in the mid-west and in the far west. Steam and electricity have transformed the whole face of the country. The war of 1812 and the great Rebellion were within the span of his life, while he himself served in the Blackhawk and Winnebago wars.

His earliest home in our city (if the rude mining cabin of the Langworthy brothers be excepted) he built in 1837 on the corner of White and Fourteenth streets. We well remember its tempting orchard, whose apples blushing rosily, gave many a pang to boyish hearts in the young town. In many ways Edward Langworthy served his city, his County and his State. He was in the City Council and the Legislature—was closely identified with educational interests in Dubuque, and, indeed, with all that touched her welfare. He entered with his brothers into a banking business, where his financial skill found ample scope. For many years he has been a stockholder and director in the First National Bank, and also connected with the Norwegian Plow Works. Although some years ago, he retired from active business, he always retained his interest in the advancement of the city.

In 1835 he married Paulina Reeder, of Claiborne, and his home on Alpine and Third streets, some years since, was bright with glow and glitter when the "auld man and the auld wife" celebrated their golden wedding. Though some time beyond the age of the chimney corner, his life was a cup, brimming over, daily. He loved to hear of the outside world. One by one his circle narrowed; one by one the pioneer band lessened, while he lived on to see every one of his family go upon the long, long journey. He watched Dubuque change from a mining hamlet to a beautiful city, to know that the grass grew green over a beloved wife. And when the angel of the latter day drew nigh he did not fear him.

Of a temper singularly equable and a clear and penetrating mind, he was most happy in all that tenderest love could do for him. Always, and to the last, daughters and son were with him, ministering as only love can do. For a time his familiar figure will be missed upon the streets where he has so long walked, for more than half a century. But his memory will not die. In the minds of his townsmen he will live as a just, honorable and kindly man. In the thoughts of that small, small band of pioneers he will be remembered as a true and steadfast friend. And in the hearts of his children he will dwell forever the pure, serene, gracious presence of a tender, loving father. And so, as he has gone from the whiteness of this earthly day—to meet the companions of his youth—may the good he did remain to speak of him.

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#### GEORGE W. McCRARY.

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What is here set down, descriptive of the life and public services of Judge McCrary, is not intended in any sense as a complete biography, but rather as an illustration by a living example of the possibilities which exist for one's successful rise in life, regardless of what may have been his early advantages and opportunities.

Judge McCrary was born near Evansville, Indiana, August 29, 1835. His father was James McCrary, a plain, hard working farmer, in modest circumstances. The maiden name of his mother was Matilda Forest. She was a fitting help-meet for her husband, industrious, of deep religious sentiment, and of fervent attachment to her family. She was not only a model housewife, but possessed many traits of character which endeared her to her husband and children, and to all with whom she associated. She died in the summer of 1878, at the family homestead in Iowa. Her distinguished son who at that time was engaged in important official duties in Boston, at once obeyed the prompting of his devoted, filial attachment and hastened half across the continent to attend the funeral of the mother who had loved him, and whom he had loved so well.

In October, 1835, James McCrary removed with his family from Indiana, to McDonough County, Illinois. Early in 1837, he removed a hundred miles to the westward and settled in the southern portion of the then Territory of Iowa, in what is now Van Buren County, in that State. He was one of the earliest pioneers of that region. When he came to the country it was practically unbroken and virgin, peopled by the Indians and a few adventurous white settlers scattered here and there. He made his claim on the south side of the Des Moines River, within a few miles of the Missouri line. Indeed, his location was within the "Disputed Territory," claimed by both Missouri and Iowa Territory. From a controversy between the State and Territory regarding the title to this disputed tract occurred that remarkable incident in Missouri and Iowa history, known as the Boundary War of 1839, a "War" which resulted—happily without bloodshed, although on both sides troops were mustered and squadrons set in the field—in the verification of the claims of Iowa.

Judge McCrary grew to early manhood amid all the vicissitudes of pioneer life. In the toilsome drudgery attendant upon frontier farming he passed his boyhood and his early youth. He attended the common country schools of his neighborhood when he could do so without interfering with his work on his father's farm, and finally finished his scholastic education at an academy near his home. He was a close student, eager and ready to learn, and having for his preceptor in the academy, Prof. John W. Allen, formerly of Maine—a fine scholar and educator, he acquired what was, for the time, quite a thorough education. He was fond of reading, but wisely made choice of useful books. He had neither time nor taste for reading merely for entertainment and diversion; he chose rather to read for information and instruction.

When he was nineteen years of age he possessed a fund of useful, general information to an eminent degree, and was considered a prodigy of learning by the people of his community. Moreover, his parental instruction had been of a valuable character. By example and precept his father had taught him lessons of true manhood; and his noble and earnest Christian mother had early instilled into his mind the abiding principles of morality. A boy who is taught his duty toward mankind by a good father; and his obligations to his Maker by a good mother seldom goes wrong.

At the age of nineteen young McCrary entered the office of the legal firm of Rankin & Miller, of Keokuk, Iowa, as a law student. The senior member of this firm, Col. John W. Rankin, was renowned in his profession, and

the junior member, Hon. Samuel F. Miller, has been for twenty-six years an Associate Justice of the Supreme Court of the United States. Under the supervision of these eminent instructors the young man applied himself assiduously to his law studies. Gifted naturally, and working hard, he progressed rapidly, and in 1856 he was admitted to the bar, passing a rigid examination without making a single mistake. He at once entered upon the practice of his chosen profession at Keokuk, Iowa, and subsequently was admitted to a partnership with one of his instructors, the firm name becoming Rankin & McCrary. He was an original Republican. His first vote for President was cast for John C. Fremont.

In 1857 he was elected to the Lower House of the Iowa Legislature, and was the youngest member of that body, but by no means the least in influence. In 1861 he was elected to the State Senate, and served four years. He attracted general attention during his terms in the Legislature, and steadily rose to prominence.

When not engaged with his legislative duties he devoted himself to his profession, in which he was very successful, and won an enviable reputation. In 1868, at the age of thirty-three, he was elected to Congress from the First Iowa district, succeeding the Hon. Jas. F. Wilson, now one of the United States Senators. He served, by re-election, for eight years. In 1872 his competitor on the Liberal Republican and Democratic ticket was Col. James M. Shelly, father of Hon. George M. Shelly, the well known ex-Mayor and Postmaster of Kansas City.

At every election he led his ticket, and the opposition opposed him merely as a matter of form, and to keep up the party organization. His career in Congress was largely of historical importance, as the country knows. A former biographer says: "Mr. McCrary remained in Congress eight years. Though one of the youngest of the members in years, his mature and unusual political sagacity was at once recognized, securing for him positions of influence. He was assigned to positions in the Committees on Naval Affairs, on the Revision of Laws and Elections. He gradually rose to leading positions in the House, becoming Chairman of the Committee of Elections in the Forty-second Congress. He there manifested a sense of perfect justice, a spirit entirely non-partisan, and a knowledge of election laws and precedence so thorough and complete that his reports came to be adopted almost as a matter of course. For, perhaps the first time in the history of Congress, he induced the House of Representatives to vote upon election cases without regard to party lines, and a majority of cases considered and reported by him were decided in favor of his political opponents. Justice to the line, righteousness to the plummet had been one of the lessons of his home education. In the Forty-third Congress he was made Chairman of the Committee of Railways and Canals, to which all questions relating to Inter-State Commerce, then receiving great attention, were referred. He prepared a report on the constitutional power of Congress to regulate railroad commerce among the States, taking the affirmative, and advocating his views with much power. In the Forty-fourth Congress, in which the Democrats controlled the House, he was placed on the Judiciary Committee. He prepared a bill to reorganize the Judiciary of the United States, which the committee authorized him to report, and which he advocated on the floor. It passed the House by a large majority."

Mr. McCrary made a most valuable legislator. He sank the partisan in the patriot on every occasion. His support of every measure was prompted by his belief in its justice, and not by the dictates of a party caucus. Always a Republican, never swerving from his zealous devotion to the cardinal principles of his party, he did not consider a proposition wrong merely because it came from a Democrat. The test questions he asked of every bill presented for his consideration were: "Is it *right* morally and legally? Is it expedient and for the best interests of the country?" His fairness towards his opponents, the manly and dignified position he took at all times, his love for fair play and honor bright—these are matters of record. One needs but to consult the files of Democratic journals to find them.

His many many qualities, his large ability, the purity of his character, and his general personal worth received universal recognition, and throughout his entire Congressional career, conspicuous as it was, he did not make a single personal enemy, and was never the subject of denunciation or personal detraction, even on the part of his strongest political adversaries, amid the most excited and exciting debates.

Perhaps his greatest service to the country, while in Congress, was rendered immediately after the Presidential election of 1878, in connection with the Electoral Bill. Both parties claimed the election, and the public sentiment of the country was about equally divided in opinion as to the result. The excitement was most intense, and the situation was positively perilous, foreboding dissension and distraction, and possibly civil war. George W. McCrary was the first member of Congress to step forward with a proposition for the adoption of a lawful and peaceful solution of the difficulty. It was he who (as the records show) proposed the Joint Congressional Committee and was himself a leading member of it. He took a very prominent part in the preparation of the electoral bill—indeed, the measure was often called the McCrary bill—and warmly advocated its adoption in the House, often replying to the objections and arguments against it by his party associates. He was one of the Republican Counsel of the House before the Electoral Commission, and sustained the election of President Hayes in legal argument, which has been considered the very strongest, in many respects, made to that tribunal.

Upon the inauguration of President Hayes, Mr. McCrary was appointed Secretary of War, his commission dating March 12, 1877. His appointment was received by the country with universal satisfaction and was unanimously confirmed by the Senate, then practically Democratic. He filled that high office with large intelligence and complete success, and during his administration introduced or inaugurated some new measures into his department of the highest importance. He took an especial interest in the printing of the Union and Confederate archives and records in control of the War Department, and did much valuable service in connection with that important work in its early stages. "The Rebellion Records," as they are called, are among the most valuable publications ever issued by the Government.

During the great railroad strike of the summer of 1877, he acted promptly and efficiently, placed troops at the principal points of danger, and thus prevented the destruction of life and property, and checked the progress of the uprising, which, at one period, was so threatening and promised to

become so disastrous. This was effected simply by the presence of the United States troops. Not a gun was fired by these troops. In 1878 the yellow fever prevailed to a very destructive extent in the Valley of the Lower Mississippi. In their extremity the Southern people called upon the War Department for aid. There was no express statute authorizing the War Department to render assistance in such an emergency, and no precedent governing the case. Neither was there any law forbidding the assistance of the department. Secretary McCrary, therefore, promptly decided the question according to the higher law of humanity, and forthwith ordered the issuing of tents, blankets and rations in aid of the plague-smitten people. Requisitions poured in from the authorities of the afflicted Southern cities, who readily waived their "strict construction" ideas for the time, and these requisitions were filled with remarkable expedition by the Secretary's orders. The amount of good thus accomplished was as great as the spirit which prompted it was beneficent. While in charge of the War Office Secretary McCrary greatly improved the efficiency of the Signal Service, using his best endeavors to have the great usefulness of that bureau extended throughout our own country and others. Altogether his service in the War Department was conspicuous for ability, integrity and the industry and devotion with which he applied himself to the details and the general conduct of the affairs of that great department of the Government. After nearly three years of most valuable service in the Cabinet, Mr. McCrary resigned in December in 1879, to accept the office of Judge of the United States Circuit Court for the Eighth Judicial Circuit, composed of the States of Missouri, Iowa, Minnesota, Arkansas, Kansas, Nebraska and Colorado, an empire in territorial area, population and business.

His appointment to this position, considered in connection with his profound judicial learning and the purity of his public record and his private character, was most worthy and was greeted with great satisfaction by all classes. He received the unanimous confirmation of the Senate and assumed his duties in January, 1880.

Judge McCrary's career in the public service, and throughout has been most extraordinary and is rarely paralleled, even in this free country of ours, where possibilities are so great. Starting in life a poor boy in the wilds of the Western frontier at the comparatively early age of forty-five, he has served for six years as Representative and Senator in the Legislature of Iowa, for eight years in the Congress of the United States, for three years as Secretary of War, and had reached the eminent position of Judge of the most important Federal Circuit in the Union. He remained on the bench for four years, thus completing, before reaching his fiftieth year, a career of public service extending over a period of twenty-one years, and embracing all the departments of his government—the Legislative, the Executive and the Judicial. And in all his experience he had never met with a single defeat, either as a candidate for a nomination or an election, or as an applicant for appointment or confirmation. His record in the Judiciary is marked with ability and excellence in every detail. He brought to the bench not only a great weight of legal attainments but a remarkable aptitude for his responsible duties. The industry and ability with which he discharged these duties can be readily seen and comprehended by an examination of the five volumes of the reports of his decisions known as McCrary's

Reports. The litigation which came before him, conducted uniformly by the ablest members of the bar, was varied in character and much of it was of superior importance, involving the discussion and decision of the most profound and intricate questions of American jurisprudence. His opinions, always clear, sound and comprehensive, attracted very general attention, and were almost universally acceptable. It is, perhaps, worthy of remark that his chief associate on the bench was his original instructor in the law, Mr. Justice Miller.

Judge McCrary resigned his judicial position in 1884, prompted, as was understood at the time, by his desire to enjoy more of the comforts of his home than was possible while traveling twice a year over his vast and extensive circuit, in attendance upon his duties, and also by a desire to better provide for those dependent upon him—an obligation overlooked and neglected in his devotion to the exacting requirements of his public service. He had never, for a single year, given up entirely his legal practice save when upon the bench, a circumstance illustrative of his great industry and capacity for work, and indicative of his love for and fealty to that "jealous mistress"—the law.

During all the years of his service in Congress and even while in the Cabinet, he frequently argued important cases in the court. His practice in the Supreme Court of the United States has been very extensive, and he has appeared as the leading counsel in some cases of the highest importance before that tribunal, notably a case involving the construction of some important provisions of the Legal Tender Act of Congress, and, later, what is known as the "Southern Kansas Land Case," being successful in both instances.

Upon his retirement from the Federal Judiciary Judge McCrary located in Kansas City, and accepted the position of general counsel of the Atchison, Topeka & Santa Fe Railroad Company.

Judge McCrary has attained National celebrity in literature as well as in other pursuits. He is the author of "The American Law of Elections," a standard work on the subject, two editions of which have been exhausted and a third revised and enlarged, has recently been published.

In 1877, he received the degree of LL. D. from Iowa College at Grinnell, Iowa. In his religious views he was a Unitarian and for thirty years he has been a leading and active member in that denomination. In the recent discussions as to the religious position of that church, he took a prominent part on the conservative side, advocating in a series of letters published in a denominational paper a distinctively Christian basis for church work as against the purely ethical basis advocated by certain members. He has contributed to the *North American Review* and other prominent publications articles on questions of public moment and interest which have been well received. His writings are like his speeches, sound, logical, argumentative and convincing, never sacrificing the truth in order to round up a sentence with a rhetorical flourish, seeking to "point a moral rather than adorn the tale."

Personally, and in his intercourse with his fellow men, Judge McCrary is plain, affable, courteous and gentlemanly. His bearing is unassuming and yet dignified, his manner frank and upon the whole impressive—the reflex of a noble nature, the characteristics of a man of unimpeachable

integrity, whose life work and life record is without spot or blemish. He has never used tobacco in any form, nor spirituous liquors as a beverage of any kind. As a pioneer boy, legislator, statesman, war minister, jurist, lawyer and citizen, he has ever in conduct been the same, honest, faithful, incorruptible, and true. In 1857 he married Helen A. Gelatt, of Van Buren County, Iowa. To him and her five children she has ever been deeply devoted. The unalloyed happiness of his home, filled to the full the measure of success realized by Judge McCrary. It is small wonder that he deemed life worth living, since it yielded him so many blessings and benefits, so much of honorable distinction, and rewarded his efforts and his labors so richly and righteously.

NOTE.—The above biographical sketch of Judge McCrary was written before his death. It will be remembered that he had accepted an invitation to deliver an address before our Association, but when the time came—February 28, 1890—he was suffering from a slight illness which kept him at home. He sent his paper on "The Old Times and New," which was read and greatly enjoyed by all present. Little did we think that was his last message to his old Iowa friends. But so it was, for he had then been attacked with the incurable malady which, on the 23d day of the following June, carried him down to the grave in the meridian of life. He was taken to his old Iowa home, among the people he loved so well, and laid at rest in the cemetery at Keokuk where everybody had known and honored him.

B. F. GUR.

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#### EDWARD H. STILES.

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This lawyer and legal author was born in Granby, Connecticut, October 8, 1836. Both his paternal and maternal ancestors were Puritans, and among the first settlers of Connecticut. He descended on the paternal side with Ezra Stiles, one of the early and most illustrious presidents of Yale College, from John Stiles, who came from Bedfordshire, England, and settled in Windsor, Connecticut, in 1635. His maternal ancestor, Thomas Holcomb, came from Devonshire, England, in 1635, and in the same year went with the party containing John Stiles and settled with them at Windsor also.

The subject of this sketch removed from Connecticut to Ottumwa, Iowa, where he commenced the practice of his profession in 1857 and steadily rose to eminence therein. In 1859 he was chosen City Attorney, and in 1861 County Attorney. In 1863 he was elected a member of the Iowa House of Representatives, and in 1865 State Senator. In 1867 he became Reporter of the Decisions of the Supreme Court of Iowa, a position which he continued to hold for eight years with distinguished ability. During this time he edited, prepared the head notes for, and published sixteen volumes of the Iowa Reports—from 22 to 37 inclusive, known as Stiles' Iowa Reports—which took and have kept a high rank among the law reports of this country. He also prepared and published in two volumes a complete digest of the decisions rendered by the Supreme Court of Iowa from the time of its Territorial organization, down to, and including all his own Reports. Those volumes were followed by two subsequent ones, bringing the work down to Volume 58 of the Iowa Reports. They bear the marks of painstaking and extensive labor, and like his Reports were received with great favor by the profession.

Prior to this in 1861, he had become united in marriage with Miss Emma Vernon, an accomplished lady of Chester County, Pennsylvania.

In 1881 he began to gather material for a "History of the Early Bench and Bar of Iowa," with most of the individuals composing which he had a personal acquaintance. This work has been persevered in, but delayed in its completion by engagements incident to a large practice, but will at no distant day be ready for the printer and given to the public.

In 1883 he was the Republican candidate for Congress in what was known as General Weaver's Greenback District, leading what seemed to be a forlorn hope against a fusion of the Democrats and Greenbackers. Commenting on this campaign *Harper's Weekly* of October 20th, 1883, said:

In the Sixth Congressional District the Democrats elect their candidate, Judge Cook, over the Republican candidate, Edward H. Stiles. But such was the popularity of the latter that the Democratic majority, which in years previous was 5,000, was reduced to less than 100.

In 1886 desiring to find a wider field of professional labor he removed from Iowa to Kansas City, Missouri. For many years he was distinguished as one of the ablest lawyers of the Iowa bar. The prestige of that reputation, the strength of his forensic efforts, his eminent legal ability and general culture have gone far to give him a like standing in Missouri.

In 1890 he was selected by the Republicans as their candidate for Judge in the Kansas City Circuit, but with all the other candidates on the ticket was overborne by the prevailing Democratic majority. In April, 1892, he was elected to fill a temporary vacancy caused by the illness of one of the Judges of the Circuit Court and served with signal ability. In November, 1892, he was appointed Master in Chancery of the United States Circuit Court for the Western District of Missouri.

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#### HON. THEODORE S. PARVIN.

Much has been published relating to this eminent citizen of our State, but for the most part this writing has referred chiefly to his relations to the Masonic Fraternity. In the following article, prepared some months ago, for the *Iowa Daily Capital*, by Mr. Charles Aldrich, less has been said touching Masonic interests and more of Mr. Parvin in directions where his greater public usefulness will be more apparent and generally appreciated:

The editor of the *Capital* has requested me to prepare a few notes to accompany the portrait of this well known and most distinguished pioneer of the Territory of Iowa, and to give my own impressions in regard to his useful life-work. It is so long since Mr. Parvin came to Iowa that he almost ante-dates history. The memories of but few of our day go back to the time when he first crossed the Mississippi. His career from that early period has been one of distinguished usefulness—in fact, speaking from what I believe to be a just and impartial standpoint, I do not know of another Iowa man whose public career in far-reaching results has been more truly useful. This I expect to demonstrate in the course of this article—not by argument, but by a statement of simple facts.

Judge Parvin was born in Cedarville, Cumberland county, N. J., on the 15th day of January, 1817, and has therefore just entered upon his seventy-fifth year. Of his boyhood and youth I am unable to speak, further than that he was educated at Cincinnati and Woodward Colleges, Ohio. He emigrated to the State of Iowa and settled at

Burlington in 1838—fifty-three years ago. In August of that year he appeared before the Hon. Thomas S. Wilson, of Dubuque, then an Associate Judge of the Supreme Court of the Territory, as an applicant for admission to practice at the bar. A little anecdote concerning that event has been narrated to the writer, though I am not certain but that it may have been published heretofore. At all events it is worth repeating. Judge Wilson was at that time but twenty-two or twenty-three years of age—quite a juvenile piece of timber out of which to construct a Judge of the Supreme Court. (But we may truly say, right here in this parenthesis, that he acquitted himself with ability and dignity, so much so that he remained in the judiciary a long time afterwards. In fact, he won the reputation from this early beginning of being a very able and excellent Judge). Young Mr. Parvin repaired at once to the residence of Judge Wilson, upon his arrival in the then little village of Dubuque. Upon knocking at the door it was opened by a very young man, a mere boy in appearance. After the first greeting he asked, "Is your father at home?" "He is not here," was the reply, "but what do you wish?" "Why, I came to see Judge Wilson." "Well, sir, I am Judge Wilson, what can I do for you?" If the reader can induce Judge Parvin to tell this story at greater length, and with more particularity, I think he will freely admit that the reply almost took away his breath. But quickly recovering, he said, "I came to apply for admission to practice law." He was at once and cordially invited to come in. We can give none of the particulars of the examination, but when he left the house he carried with him a certificate of admission "to practice in all or any courts of record in the Territory aforesaid." This was written and signed by "T. S. Wilson, one of the Associate Judges of the Supreme Court in and for the Territory of Iowa." Was the first admission of an attorney in the Territory, and the original certificate three or four years ago found a permanent lodgement in the collection of autograph letters, manuscripts and portraits in the Aldrich Collection, where it may be seen at this time. It is quite a venerable and valuable document. One of the happiest things connected with it is the fact that both Judge Wilson and Judge Parvin "still live," the one in Dubuque and the other in Iowa City. At the first session of the Territorial Supreme Court of Iowa, in November, 1838, Mr. Parvin, the junior in years of sixteen attorneys, was admitted to practice. He and the Hon. S. C. Hastings (former Chief Justice of Iowa), of California, are the sole survivors.

During the same year Governor Lucas, whose Andrew Jackson face used to appear on the bills of the old State Bank of Iowa, appointed Mr. Parvin Territorial Librarian. He also appointed him Private Secretary. About this time Mr. Parvin went east and purchased books for the foundation of the Territorial Library—to the amount of \$5,000. Governor Lucas receipted to him for these books, and the receipt, with Mr. Parvin's commission as Librarian, are in the Aldrich collection. Right here it may be well to repeat what I have written elsewhere, and more than once. Mr. Parvin should have been kept in the position of State Librarian from that day to this—for he has scarcely an equal—I fully believe no superior as a collector of literary wares, antiquities, materials for history, etc., etc., in the United States. Wisconsin had "a mate to him"—Hon. Lyman C. Draper, who retained the position until three or four years ago, when he was forced to retire by the infirmities of age. Draper was just such an active, energetic, earnest collector, and the consequence is, that Wisconsin possesses a State library and collections, surpassing all others in the West, and scarcely paralleled in the Union. A million of dollars would not buy it. Parvin was not retained, and our State then adopted the senseless policy of appointing Librarians for short terms. As a natural consequence the libraries of both States are most conspicuous—one for its great extent and value, and the other for its paucity, aside from the department of law. There can be no doubt that had Mr. Parvin been continued in this office, Iowa would have been fully abreast of Wisconsin, and possibly far in advance. The State would now possess collections worth a round million, and best of all, they would have cost the State comparatively little beyond the expense of housing and taking care of them. In making such collections the great point of difficulty is in getting the proper quarters for their arrangement and display. Gifts naturally flow into such collection by a sort of gravitation—if the collector is only wide-awake and alert, like Parvin and Draper. Had Mr. Parvin been retained at a salary of \$5,000 per annum, he would not only have earned every cent of it, but the State of Iowa could to-day make an auction sale of his collections and clear more than 100 per cent by that transaction, aside from getting back a good interest on the money expended! And then, the great

collection would have become as precious as the treasures in the grandest art gallery in Europe. It is strange that men who make our laws can never be made to realize and comprehend facts so simple and palpable.

The next position to which Mr. Parvin was appointed to, that of District Attorney for the Middle District of Iowa, in the year 1839. In 1840 he was elected Secretary of the Territorial Council. In 1844 Mr. Parvin united with the late Lieut.-Gov. Eastman and Hon. Shepherd Lefler, at the request of the former, and successfully stumped the Middle District of the Territory against the adoption by the people of the Constitution because of the Congressional boundaries cutting Iowa off from the Missouri River. From 1847 to 1857 he was Clerk of the United States District Court. In 1848-50 he was County Judge. This was a position in those days of much power and responsibility, as these so-called Judges not only exercised all the duties of Surrogates or Probate Judges, but also discharged most of the functions (with more of real power) now exercised by the Boards of County Supervisors. They could lay out roads, build bridges or court houses, and run their Counties into almost any depth of indebtedness. Some Counties are still paying the old debts incurred in the reign of County Judges, though Mr. Parvin's County is not in that category. He was for one term Register of the State Land Office, 1857-8. From 1860 to '70 he was Professor of the Natural Sciences in the Iowa State University, acting also as Secretary of the Iowa State Historical Society during the years 1864-5-6. He edited the *Annals of the Society*—a most excellent historical magazine—for many years, and has been a contributor to its publication from the beginning.

Since the introduction of Free Masonry into Iowa in 1840, Judge Parvin has been its foremost representative. He served as Grand Master in 1852. Before that year he had been Grand Secretary. At the end of his Grand Mastership he was again chosen Grand Secretary, a position he has held ever since. Largely through his efforts the headquarters of the fraternity were established at Cedar Rapids in 1885. A fund of some \$20,000 had been accumulated, and this was wisely devoted to the erection of a large, fire-proof Grand Lodge building. For many years, most probably as far back as 1840, he had been a collector of the publications of various secret orders, mostly, however, relating to Masonry. These, with rare generosity, he presented to the Grand Lodge of Iowa, continuing his collecting with a degree of zeal which knows no abatement, and will only cease with his life. That library now contains more Masonic books than any other in the world, aside from those relating to all other secret orders. But it is by no means narrowed down to these specialties. He has collected and preserved more books and documents relating to Iowa history than any twenty men in the State. These he also donated to the Iowa Masonic Library, and with other contributions constitute the "Iowa Department," consisting of works by Iowa authors, State and other documents relating to Iowa history. These, with considerable collections in history and general literature, form a library at once very comprehensive, aside from its curiously unique character. And then this most commodious and beautiful edifice gives Mr. Parvin ample room and scope to indulge his born proclivity for collecting. It would be a very difficult task to try to set forth the contents of the building. It is really a large and most admirably arranged museum. There is nothing like it in the Mississippi Valley, and probably not in the United States. Aside from the Masonic literature and other Masonic specialties, of which it has such a rich and varied representation, it is rapidly absorbing curious, rare and precious, from the four quarters of the globe. It contains numberless geological and natural history specimens, an autograph collection, rare books and documents, prehistoric stone implements and scores, if not hundreds, of items which may be set down as curios or bric-a-brac. It would require a ponderous octavo volume to catalogue the contents of this wonderful edifice, which has risen like an exhalation in the flourishing city of Cedar Rapids. One new and very interesting item, just received the last time I was there, is an especially fine collection of stalactites and stalagmites from the Dubuque mineral caves, filling a large case. These were searched for and brought out of the underground darkness by the owner of the cave assisted by Mr. N. R. Parvin, the son, and a most worthy and efficient coadjutor of the Grand Secretary. They were known to be very beautiful and most desirable objects for such a museum, and there seemed to be no other way to get them—at least that was the most direct and promising. That is the way the Parvins "get up and go" for things!

Many men are "collectors" and "nothing else." Mr. Parvin, on the contrary, is a man of the widest intelligence, possessing a wide and accurate knowledge, and in many directions. He once wrote a history of the "Newspaper Press of Iowa," from 1836 to

1846. That history has been the basis of all that has since been written upon that interesting subject. It has been copied, rewritten and dished up in so many and such varied shapes, that its author would scarcely be able to recognize his work to-day. But then no other man had the knowledge or was able to make the research necessary at this time to write such a book. Many of the early newspapers of Iowa have utterly disappeared—"died and made no sign." Geologists tell us that thousands of species of animals were "evolved" in geological times, of which no trace exists at this day, not the faintest. So of many of our early newspapers. Only an old man with a good memory could tell anything about them. He has written a "History of the Early Schools of Iowa," from 1830 to 1839, which is wholly unique, for no other man could do it. His sketches of the early settlers of many parts of Iowa can scarcely be numbered to-day, but the facts he here placed on record will live in the histories of towns and Counties, and in files of newspapers and magazines, and be quoted again and again long after their author shall have been gathered to his fathers. In our early years, before the government had done much in that direction, 1838-1870, he kept a minute and accurate meteorological record. This is also unique. It has been valuable in many ways. When Harper's Ferry was destroyed by the Rebels, it was determined that the United States arsenal and manufactory of arms would be located in the Union-loving and patriotic West. Rock Island was mentioned, but it was objected to on the ground that the Mississippi was closed nine months in the year and that "it would not do." But Mr. Parvin's scientific records, in the Smithsonian Institution, not only showed that this statement was untrue, but that Rock Island was the fittest place possible for this great work. And so, thanks to that gentleman, those who sat in authority over us located those great government works on Rock Island, where they will abide as long as the Nation shall exist.

Mr. Parvin's works included a "History of Masonry in Iowa," a "History of Templary in the United States," the latter for Gould's History of Masonry, one of the most grandly superb books ever published in this or any other century. The readiest of speakers, there are few men living who have delivered as many addresses, or upon such a wide diversity of subjects as Masonry, Early History, Education, Politics (in the olden time, long ago), Natural History, Social Science, Laying of Corner Stones, Dedications of Halls, etc. He delivered the address at the opening of the Supreme Court rooms in the new Capitol building, and whenever the Pioneer Law-Makers meet in Biennial Reunion, he is certain to be called upon for an address, which is always pleasant to hear and most valuable for its "Points of History." Mr. Parvin, as I have sufficiently set forth, is a most intelligent, as well as a most omnivorous and almost universal collector, taking to the work as naturally as a duck does to water. A great many of these collectors are a stingy sort of folks. That would seem so be the most natural thing in the world, for a collector is, "like Oliver Twist, always wanting more!" Things must be kept or there can be no collection. Mr. Parvin, however, is most whole-souled and liberal to other collectors. I have personally often known him to hand over rare and cherished objects to a brother collector, who seemed to be looking upon them with eager eyes.

To the library of the Davenport Academy of Sciences, the library of the State University, the State Library, the State Historical Society, and the Aldrich Collection, he has been an open-handed, liberal contributor, and to all but the last named, for a longer period than the lifetime of a generation. To the first he has given large collections of scientific books, and many specimens of great interest to the students of natural history, ethnology and archæology; and the library of the State Historical Society at Iowa City owes to him a large portion of its most precious contents. His gift of public documents is valuable beyond estimate, for it is now quite impossible to duplicate them. And besides these, he has given nearly a solid cord of bound files of early and later newspapers, and a large case filled with geological specimens, prehistoric stone implements, with many out-of-the-way objects and curiosities of greater or less value.

His memory will be perpetuated in all the directions named as long as those objects shall exist. The memory of men stands little chance of preservation unless they are "salted down" in print which is gathered into public libraries. If memories are not so perpetuated, they speedily perish. Of the men who filled the public eye twenty-five years ago, how few are remembered to-day! They have come and gone like the ephemera of a soft night in June! But in the libraries I have named the reader in distant future years, will find multiplied and most precious gifts from the ever free and gen-

erous hand of Theodore S. Parvin. They will also preserve the names and records of hundreds of other men, and not at all unlikely, of many who have looked upon his own work in this direction with coldness and distrust, doing their best possibly to thwart or embarrass him in his earnest and most patriotic efforts. No other Iowa man has built for himself so many, or such permanent and abiding monuments; and if, as Daniel Webster said, speaking of himself, "the mould shall gather upon his memory," there will be plenty of students of our Iowa history who will scrape the moss off from the inscription!

All honor, then, to the man who has done so much more than all others, to preserve the materials of early and later Iowa history. His will be one of the very few names of Iowa men which will be imperishable. His good works will live after him to the latest generation, "to the last syllable of recorded time."

It only remains to add that Judge Parvin continues to enjoy a reasonable degree of health, considering the number of years he has lived, and was never more useful or more active in the pursuit of rare and valuable objects for his great Masonic Museum, than he is at present. That his useful life may be prolonged for many and many a year, is, I know, the most earnest wish of his troops of abiding friends in all parts of this country, as well as of many beyond the sea.

*Iowa State Library, February 17, 1892.*

## ADDENDA.

Through some inadvertence the list of members in attendance at the Third Reunion was omitted from its proper place in the proceedings, together with one of the resolutions. These items are therefore printed in this place.

### LIST OF MEMBERS—THIRD REUNION.

Roll of members present at the Third Reunion of the Pioneer Law-Makers' Association of Iowa, which met at Des Moines, February 10, 1892.

NAMES.	COUNTY.	BRANCH OF SERVICE.	YEARS OF SERVICE.	PRESENT ADDRESS.
Ainsworth, L. L.	Fayette, Bremer	Senate and House	1860-62-72	West Union, Iowa.
Aldrich, Charles	Boone	Chief Clerk House	1860-62-66-70	Des Moines, Iowa.
Anderson, Dan	Monroe, etc.	Senate	1854-55-56-58-60, extra 1861	Albia, Iowa.
Ballinger, Thomas	Mahaska	House	1868	Oskaloosa, Iowa.
Baylies, Nicholas	Polk	House	1864	Des Moines, Iowa.
Bemis, Geo. W.	Buchanan	House and Senate	1860-72-74	Independence, Iowa.
Bolter, L. R.	Harrison	House and Senate	1866-74-76-82-84-86-88-90-92	Logan, Iowa.
Bromley, Owen	Jefferson	House	1864	Des Moines, Iowa.
Browne, J. M.	Madison	House	1866	St. Charles, Iowa.
Campbell, Edward Jr.	Jefferson	House	1872, extra 1873	Fairfield, Iowa.
Campbell, Frank T.	Jasper	Senate and Lieutenant-Governor	1870-72-74-76-78-80	Des Moines, Iowa.
Carpenter, C. C.	Webster	House	1858-84	Ft. Dodge, Iowa.
Cassady, P. M.	Polk	Senate	1848-50	Des Moines, Iowa.
Cole, C. C.	Polk	Supreme Court	1864 to 1876	Des Moines, Iowa.
Dana, John L.	Story, Hardin, Grundy	House	1858	Nevada, Iowa.
Dashiell, M. A.	Warren	Senate and House	1868-72-74-80-82	Indianola, Iowa.
Davis, John M.	Johnson, Polk	Deputy Secretary of State	1854 to 1863	Des Moines, Iowa.
Day, James G.	Polk	Supreme Court	Sept. 1, 1870 to Dec. 31, 1883	Des Moines, Iowa.
Dungan, Warren S.	Lucas, Monroe, Wayne	House and Senate	1862-80-82-88-90	Chariton, Iowa.
Eaton, A. K.	Dubuque District	House	1850-52	Osage, Iowa.
Ericson, C. J. A.	Boone	House	1872	Boone, Iowa.
Evans, W. C.	Muscatine	House	1870-72	West Liberty, Iowa.
Finkbine, R. S.	Johnson	House	1864-66	Des Moines, Iowa.
Fulton, A. C.	Scott	Senate	1855-56	Davenport, Iowa.
Galland, Washington	Lee	House	Territorial General Assembly	Marshalltown, Iowa.
Granger, Barlow	Polk	Gov. Hempstead's staff	1850 to 1854	Des Moines, Iowa.
Griffith, Isaac W.	Lee	House	1848-49	Des Moines, Iowa.
Gue, B. F.	Scott, Webster	House and Senate, Lieut. Governor	1858-60-62-64-66	Des Moines, Iowa.
Hilton, James	Monroe	House	1872	Hilton, Iowa.
Hollingsworth, L.	Keokuk	House	1862	Des Moines, Iowa.
Hunter, John D.	Hamilton, Wright, etc.	House	1868-70	Webster City, Iowa.
Jones, George W.	Dubuque	U. S. Senator, etc.	1838 to 1860	Dubuque, Iowa.

Keables, B. F.	Marion	House	1870-72.	Pella, Iowa.
Knoll, F. M.	Dubuque	House and Senate	1862-64-66-68-70-78-90.	Sageville, Dubuque Co.
Lathrop, H. W.	Johnson	Honorary member	Correspondent.	Iowa City, Iowa.
Leavitt, John H.	Black Hawk, Grundy	House	1872	Waterloo, Iowa.
Linderman, Charles	Page	House	1866	Clarinda, Iowa.
Logan, J. W.	Webster, Calhoun, etc.	House	Clerk, 1856-76, member, 1864.	Waterloo, Iowa.
Macomber, K. W.	Cass, Adair, etc.	House	1860, extra 1861.	Lewis, Iowa.
Maxwell, John S.	Clinton	House	1862 and extra 1862.	Des Moines, Iowa.
McCall, T. C.	Story	House and Senate	1862-82-84 and 1892.	Nevada, Iowa.
McNutt, Samuel	Muscatine	House and Senate	1864-66-68-70-72.	Muscatine, Iowa.
Miles, Lewis	Wayne	House	1870	Corydon, Iowa.
Mills, F. M.	Polk	State Binder and Printer	Binder, 1858-66, Printer, 1868-72.	Des Moines, Iowa.
Mitchell, Thomas	Polk	House and Senate	1858-74-76	Mitchellville, Iowa.
Moir, W. J.	Hardin	House	1862-64	Eldora, Iowa.
Moore, S. A.	Davis	Senate	1864-66	Bloomfield, Iowa.
Noble, Ruben	Clayton	House	1854 and extra, 1866 speaker.	McGregor, Iowa.
Nourse, C. C.	Polk	Attorney General, etc.		Des Moines, Iowa.
Parvin, T. S.	Des Moines, Muscatine	Private Secretary	1846-50	Cedar Rapids, Iowa.
Percival, C. S.	Marshall	Honorary		Marshalltown, Iowa.
Pusey, W. H. M.	Pottawattamie	Senate	1858-1860	Council Bluffs, Iowa.
Ramsey, A. H.	Monroe	House	1868	Albia, Iowa.
Rowell, N. W.	Union, Adams	House	1868-1870	Afton, Iowa.
Schramm, George	Van Buren	House and Senate	1852-54-62	Des Moines, Iowa.
Shaffer, J. M.	Jefferson	Senate	1862	Keokuk, Iowa.
Sherman, Hoyt	Polk	House	1866	Des Moines, Iowa.
Shipman, Geo. C.	Muscatine	House	1860, 1861 extra, 1862	West Liberty, Iowa.
Smith, R. A.	Dickinson, Clay, etc.	House	1868	Okoboji, Iowa.
Sprague, D. N.	Des Moines, Louisa	House	1858	Wapello, Iowa.
Stedman, E. M.	Benton	House	1872, extra 1873, 1874	Des Moines, Iowa.
Stubbs, D. P.	Jefferson	Senate	1864-66	Fairfield, Iowa.
Todhunter, Lewis	Warren	Constitutional Convention	1857	Indianola, Iowa.
Townsend, John S.	Monroe	Judge District Court & House of Rep.	1852, Judge 1853 to 1863.	Albia, Iowa.
Williams, J. Wilson	Des Moines	House and Senate	1852-56-62-66-74-76-80.	Huron, Des Moines Co.
Wilson, C. S.	Polk	House	Clerk 1864-66, member 1878.	Des Moines, Iowa.
Wright, Ed.	Cedar	House, Speaker 1866	1856-58-60 and 1866	Des Moines, Iowa.
Wright, George G.	Van Buren	Senate	1848-50	Des Moines, Iowa.
Wright, James D.	Lucas, Clark, Wayne	Senate	1868-70	Des Moines, Iowa.
Yeomans, S. P.	Clark, Lucas, Wayne, Decatur	House	1854 and extra 1856	Charles City, Iowa.

The following, reported by the Committee and unanimously adopted, should have appeared on page 93, of this volume, immediately after the 2d Resolution. It was drafted and presented by Col. Warren S. Dungan, of Lucas County.

*Resolved*, That this Association most heartily approves the noble work of Charles Aldrich in the State Library, which has been so largely a gift to the people of Iowa, and warmly commends this work to the attention and fostering care of the Twenty-fourth General Assembly and the whole people of the State.



# INDEX.

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	PAGE.
Aldrich, Charles.....	3, 5, 16, 94, 95, 107, 131, 157, 163
Aldrich Collection .....	149, 163
Allen, J. R.....	58
Anderson, D.....	58, 67
Baker, N. B.....	10, 132
Baldwin, Caleb .....	10
Ballinger, Thomas.....	95, 112
Bailey, G. S.....	33, 34, 65
Barker, W. T.....	49
Bates, Curtis.....	9
Beeson, Byron A.....	107
Bemis, G. W.....	18, 112
Benton, T. H.....	38
Belknap, W. W.....	59
Bissell, F. E.....	56
Blair, Thos.....	31
Boardman, N.....	113
Bolter, L. R.....	41, 44, 113
Briggs, Ansel.....	11, 65
Browne, J. M.....	114
Browne, J. B.....	31, 32, 65
Browning, M. D.....	9, 67
Bryan, P. Gad.....	68
Caldwell, H. C.....	134
Campbell, Edward.....	18, 42
Campbell, Daniel.....	18
Campbell, F. T.....	18
Cattell, J. W.....	58
Carleton, J. P.....	9
Carpenter, C. C.....	52, 53
Casady, P. M.....	5, 18, 19, 93, 95
Chase, D. C.....	48
Chase, D. D.....	114
Chapman, W. W.....	3, 95, 105, 138
Chambers, John.....	9
Cheek, Mrs.....	79, 94
Clagett, T. W.....	10
Clark, E. F.....	67
Clark, James.....	9, 22
Clark, Justus .....	60
Clark, J. M.....	65
Clark, S. M.....	128

	PAGE
Clark, Lincoln.....	59
Clarkson, C. F.....	12, 38
Clune, W. H.....	60
Coffin, N. E.....	102
Cook, J. P.....	9, 65
Cook, Lyman.....	85
Conway, W. B.....	22, 35
Coolbaugh, W. F.....	10, 67
Coop, Col.....	34
Cox, Thomas.....	9, 34
Curtis, S. R.....	115
Davis, John M.....	94
Davis, Timothy.....	11
Dayton, J. F.....	50
Davenport, Col.....	26
Dodge, A. C.....	9, 30, 65, 68
Drummond, Thos.....	60, 61
Dungan W. S.....	73, 94, 115, 163
Eaton, A. K.....	45, 74
Eastman, E. W.....	39, 40
Edwards, J. G.....	21, 38
Edwards, John.....	60
Engle, P. H.....	23
Ericson, C. J. A.....	117
Fales, J. T.....	34
Fales, Mrs. L.....	39
Fairall, H. S.....	106
Faville, Oran.....	57
Fisher, M. L.....	67
Folsom, G.....	9
Fulton, A. R.....	3, 12, 130
Gatch, C. H.....	45
Granger, Barlow.....	19
Grant, James.....	9
Gray, Thos.....	9
Greene, Geo.....	10
Goodrell, S.....	117
Grimes, James W.....	10, 33, 42, 56, 65, 66, 68
Grinnell, J. B.....	11, 58
Gue, B. F.....	3, 41, 50, 93, 95, 132, 136, 156
Gurley, W. H. F.....	136
Hall, A.....	10
Hall, J. C.....	10, 117
Hall, James.....	12, 65
Harlan, James.....	65, 68, 105
Hastings, S. C.....	11, 33, 65
Hempstead, Stephen.....	11, 34, 37, 65, 68
Henn, Bernhart.....	11, 65, 69
Henderson, H. C.....	109
Hepburn, W. P.....	61
Hepner, G.....	65
Hildreth, A. B. F.....	118
Hilton, James.....	18, 94, 119
Hubbard, N. M.....	109
Hubbard, A. W.....	61
Hunter, J. D.....	120
Hurley, J. S.....	12
Hollingsworth, L.....	119
Howell, J. B.....	11

	PAGE
Inghram, A.....	31, 65
Irish, Capt.....	9
Isbel, N. W.....	10
Jacobs, C.....	33
Jenkins, J. W.....	110
Johnson, Hadley D.....	109
Johnstone, Edward.....	3, 12, 27, 28, 128
Jones, G. W.....	25, 45, 51, 65, 70
Kasson, J. A.....	147
Keesecker, A.....	22, 25
Kellogg, R. D.....	133
King, John.....	22, 25
Kinney, J. F.....	95, 106
Kirkwood, S. J.....	41, 42, 58
Knoll, F. M.....	94
Lane, B. B.....	18
Lathrop, H. W.....	41, 120
Langworthy, Edward.....	149
Lea, A. M.....	27
Leffler, Shepherd.....	11, 65
Lewis, I. N.....	9
Lewis, Warner.....	9, 35, 65
Le Claire, A.....	26
Leffingwell, W. E.....	9
Linderman, Chas.....	18
Loughridge, Wm.....	58
Logan, J. W.....	121
Love, J. M.....	12, 67
Lowe, Enos.....	10, 121
Lowe, R. P.....	10, 56, 57
Lucas, Robert.....	9, 23, 36
Lucas, Miss.....	39
Lucas, G. W.....	67
McCall, T. C.....	122
McCrary, Geo. W.....	10, 60, 150
McFarland, S.....	67
McPherson, M. L.....	58
McNutt, Samuel.....	18, 19, 121
Manning, Edwin.....	94
Mahoney, Dennis.....	59
Magoun, Geo. F.....	38
Matson, S. G.....	107
Mason, Charles.....	9, 37, 65
Miller, D. F.....	86
Miller, Samuel F.....	10
Mills, Fred.....	9
Mitchell, J. L.....	91
Mitchell, Thomas.....	59
Mitchell, W. O.....	46, 98
Moore, S. A.....	87, 88
Moir, Wm. J.....	101, 122
Munger, N.....	9
Needham, J. R.....	67
Noble, Reuben.....	18, 43, 67, 94
Noel, Cole.....	109
Nourse, C. C.....	5, 67
Nowlin, Hardin.....	31, 123
O'Conner, Henry.....	110
O'Reilly, Henry.....	14, 15

	PAGE
Parker, J. W.....	9
Patterson, Col.....	34
Patterson, A. O.....	58
Paul, George.....	24
Parvin, John A.....	12, 78
Parvin, T. S.....	16, 19, 95, 138, 157
Percival, C. S.....	69, 73, 123
Perry, J. B.....	124
Plumb, John.....	24
Preston, I. M.....	9, 67
Porter, A. B.....	33
Porter, Will.....	54
Pusey, W. H. M.....	42, 47, 58, 83, 86, 94
Rankin, P. B.....	67
Rankin, J. W.....	10, 58, 85
Balston, R.....	33, 35
Ramsey, A. A.....	124
Reeves, L. R.....	9
Rice, Samuel A.....	124
Rich, A.....	11
Richman, I. B.....	52
Rockwell, C. C.....	74
Rogers, Thos.....	9
Robinson, M. W.....	31
Roberts, R. G.....	33
Rorer, David.....	9, 24
Rosenkrans, S. B.....	125
Rowell, N. W.....	50, 73, 94, 125
Ronalds, J.....	35
Rusch, N. J.....	58
Russell, John.....	94
Russell, J. B.....	9, 22
Russell, S. J.....	67
Salter, Wm.....	33
Sanders, Luther.....	54
Saunders, Alvin.....	58, 67
Samuels, B. M.....	9, 67
Sapp, W. F.....	9
Scholte, H. P.....	11
Seevers, W. H.....	59
Shields, J. G.....	9, 67
Shields, Jas. H.....	45
Sherman, Frank A.....	19
Sherman, Hoyt.....	10, 93, 94, 95, 97
Shipman, Geo. C.....	94
Shelledy, S. B.....	58, 62
Shinn, Rev. M.....	61
Slagle, C. W.....	9
Spencer, Geo. E.....	61
Springer, John.....	103
Steadman, E. M.....	126
Streeter, Zimri.....	10, 59, 125
Starr, H. W.....	68
Stiles, E. H.....	106, 156
Stockton, L. D.....	9
Stubbs, D. P.....	98, 126
Smith, L. H.....	93
Smith, R. A.....	94
Smith, Platt.....	9
Smyth, Robert.....	108

	PAGE
Smyth, Wm.....	56
Summers, Laurel.....	33, 65
Swan, C.....	33
Taylor, Hawkins.....	33, 65
Teesdale, John.....	54
Temple, G.....	74
Test, J. D.....	67
Thompson, Wm.....	65
Thurston, W. A.....	67
Todhunter, Lewis.....	92, 94, 126
Townsend, J. S.....	126
Tracy, J.....	67
Tremaine, Ira A.....	94, 107
Trimble, H. H.....	58
Trumbull, M. M.....	59
Turner, Asa.....	38
Udell, Nathan.....	67
Van Antwerp, V. P.....	30
Wallace, B. F.....	24
Wallace, W. H.....	31
Webb, John.....	73
Whoher, Stephen.....	9
Wheeler, Loring.....	9
Williams, Mrs.....	30
Williams, Joseph.....	9, 65
Williams, J. W.....	127
Williams, Jesse.....	21
Wilson, C. S.....	93
Wilson, D. S.....	11, 58
Wilson, James F.....	58, 85
Wilson, S. K.....	51
Withrow, T. F.....	61
Witter, Amos.....	68
Woods, J. W.....	9
Woodward, W. G.....	10, 37
Woolson, T. W.....	12
Wright, Ed.....	49, 50
Wright, Geo. G.....	5, 8, 42, 43, 44, 45, 46, 49, 50, 51, 52, 53, 68, 69, 83, 87, 92, 93, 94, 95, 97, 104, 105, 106, 107, 108, 109, 110
Wright, J. D.....	19
Yeomans, S. P.....	63, 127
Young, Lafe.....	93
<b>ADDRESSES—</b>	
Carpenter, C. C.....	53
Eston, A. K.....	74
Jones, Geo. W.....	79
Miller, D. F., Poem.....	86
Moore, S. A.....	88
Nourse, C. C., of Welcome.....	5
Parvin, Theodore S.....	19
Percival, C. S., Poem.....	70
Pusey, W. H. M.....	83
Wright, Geo. G., President.....	8
Yeomans, S. P.....	63

	PAGE
<b>COMMITTEES APPOINTED, AND REPORTS OF—</b>	
On Nomination of officers .....	18
Report of same .....	93
On Resolutions .....	18
Report of same .....	93
To Notify House of Representatives .....	19
Report of same .....	41
On Change of Name .....	73
To Draft By Laws .....	93
Executive Committee .....	95
<b>COMMUNICATIONS RECEIVED—</b>	
From House of Representatives .....	19
From Senate .....	94
List of Members Present .....	162, 163
<b>HONORARY MEMBERS ELECTED—</b>	
Cheek, Mrs. Jesse .....	94
Granger, Barlow .....	19
Laird, Miss .....	94
Lathrop, H. W. ....	41
Muffy .....	94
Percival, C. S., Poet Laureate .....	73
Sherman, Frank A .....	19
<b>MUSIC</b> .....	18, 53, 63, 73, 79, 83, 87, 93, 97, 102
<b>LETTERS FROM ABSENT MEMBERS—</b>	
Beeson, Byron A. ....	107
Chapman, W. W. ....	105
Fairall, S. H. ....	106
Harlan, Jas. ....	105
Henderson, H. C. ....	109
Hubbard, N. M. ....	108
Jenkins, J. W. ....	110
Johnson, Hadley D. ....	109
Kinney, John F. ....	106
Matson, S. G. ....	107
Noel, Cole .....	109
O'Connor, Henry .....	111
Smyth, Robert .....	108
Stiles, Edward H. ....	106
Tremaine, Ira H. ....	107
<b>BIOGRAPHICAL SKETCHES—</b>	
Baker, N. B. ....	132
Ballinger, Thomas .....	112
Bemis, George W. ....	112
Boardman, Norman .....	113
Bolter, Lemuel R. ....	113
Browne, J. M. ....	114
Caldwell, Henry Clay .....	134
Chapman, William W. ....	138
Chase, Daniel D. ....	114
Curtis, Samuel R. ....	115
Dungan, Warren S .....	115
C. J. A. Ericson .....	117
Fulton, Alexander E. ....	130
Goodrell, Stewart .....	117
Gurley, W. H. F. ....	136
Hall, Jonathan C. ....	117
Hildreth, A. B. F. ....	118
Hilton, James .....	119

	PAGE
Hollingsworth, L. ....	119
Hunter, John D. ....	120
Johnstone, Edward. ....	128
Kasson, John A. ....	147
Langworthy, Edward. ....	149
Lathrop, Henry W. ....	120
Lowe, Enos. ....	121
Logan, James W. ....	121
McCrary, George W. ....	150
McNutt, Samuel. ....	121
McCall, Thomas C. ....	122
Moir, William J. ....	122
Nowlin, Hardin. ....	123
Parvin, Theodore S. ....	157
Percival, Chester S. ....	123
Perry, J. B. ....	124
Ramsay, A. A. ....	124
Rice, Samuel A. ....	124
Rosenkrans, S. B. ....	125
Rowell, N. W. ....	125
Streeter, Zimri. ....	125
Stedman, E. M. ....	126
Stiles, Edward H. ....	156
Stubbs, D. P. ....	126
Todhunter, Lewis. ....	126
Townsend, John S. ....	126
Williams, J. Willson. ....	127
Yeomans, S. P. ....	127

## REMARKS WERE MADE BY—

Ballinger, Thomas. ....	95
Bolter, L. R. ....	41, 44
Campbell, Edward, Jr. ....	42
Coffin, N. E. ....	402
Chase, D. C. ....	48
Dayton, J. F. ....	50
Gatch, C. H. ....	45
Jones, G. W. ....	45, 51
Mitchell, W. O., Speaker. ....	46, 98
Moir, W. J. ....	101
Noble, Ruben. ....	43
Pusey, W. H. M. ....	47
Rowell, N. W. ....	50, 94
Richman, I. B. ....	52
Shields, Jas. H. ....	45
Springer, John. ....	103
Stubbs, D. P. ....	98
Todhunter, Lewis. ....	92
Webb, John. ....	73
Wilson, I. K. ....	51
Wright, Ed. ....	49
Wright, Geo. G. ....	42, 43, 44, 45, 46, 49, 50, 51, 52, 87, 92, 94, 95, 97